

**RECORD OF ADMINISTRATIVE ACTION**

**APPROVAL OF A FINAL PLAT FOR HOMESTEAD NORTH AT STERLING RANCH  
FILING NO. 2  
(SF-22-018)**

WHEREAS, SR LAND LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Homestead North at Sterling Ranch Filing No. 2 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to § 30-28-133.5 (1.5), C.R.S., a Board of County Commissioners may delegate to one or more County administrative officials the authority to approve or deny final plats, amendments to final plats, and correction plats provided certain criteria have been met; and

WHEREAS, § 2.2.4 of the El Paso County Land Development Code (“Code”), amended by the Board of County Commissioners of El Paso County, Colorado (“Board”) on August 27, 2019 pursuant to Resolution No. 19-329, delegates to the Planning and Community Development Department Director (“Director”) the authority to approve final plats, vacations, replats, and final plat amendments pursuant to the provisions of the Code; and

WHEREAS, on December 8, 2022, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

WHEREAS, based on the evidence, exhibits, consideration of the master plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, and comments by the general public, the Director finds as follows:

1. The application was properly submitted for consideration by the Planning and Community Development Department Executive Director.
2. Proper publication, and public notice were provided as required by law for the administrative review of the application by the Planning and Community Development Department Director.

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3. The administrative review of the application by the Planning and Community Development Department Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen (14) day time period to submit comments.
  4. All exhibits were received into evidence.
  5. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.
  6. The subdivision is in substantial conformance with the approved preliminary plan.
  7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
  8. At a public hearing on the preliminary plan held on May 17, 2022, the Board found that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Code.
  9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code.
  10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
  11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Code and Engineering Criteria Manual ("ECM").
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13. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to El Paso County in compliance with the Code and the ECM.
14. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
15. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
16. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code.
17. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so that the impacts of the subdivision will be adequately mitigated.
18. The subdivision meets other applicable sections of Chapters 6 and 8 of the Code.
19. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
20. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.

The El Paso County Planning and Community Development Department Director, therefore, APPROVES the final plat application for Homestead North at Sterling Ranch Filing No 2.

The following conditions and notations shall be placed upon this approval:

### **CONDITIONS**

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.

2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
  3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
  4. The applicants shall submit the Mylar to Enumerations for addressing.
  5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
  6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
  7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate as approved by the ECM Administrator, shall be filed at the time of final plat recordation.
  8. Collateral sufficient to ensure completion of the public improvements as listed in the approved Financial Assurance Estimate shall be provided at the time of final plat recordation.
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9. The subdivider(s) agrees on behalf of him/herself and any successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would disclose the fee obligation before sale of the property.
10. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
11. Regional park fees (Region 2) in lieu of land dedication in the amount of \$34,040.00 and urban park fees (Urban Area 2) in lieu of land dedication in the amount of \$21,460.00 shall be paid at the time of final plat recordation. A park lands agreement shall be an acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the final plat.
12. Drainage and bridge fees for the Sand Creek basin, in the amounts of \$310,413 and \$126,974 respectively, apply to this subdivision. In accordance with the Development Agreement recorded at reception number 222098865 (PCD project number DA221), collateral for the Sand Creek Channel Improvements (PCD project number CDR204) has been provided, which collateral satisfies the requirements of LDC Section 8.5.5(C)(3)(b)(ii) and offsets the drainage fees. Collateral shall be provided for the Briargate Parkway bridge (PCD project number CDR2113) in order to offset the bridge fees.
13. The License Agreement shall be filed at the time of final plat recordation.
14. The Detention Basin/Permanent BMP Maintenance Agreement shall be filed at the time of final plat recordation.
15. Access to Homestead North at Sterling Ranch Filing No. 2 requires construction of the roads in Homestead North at Sterling Ranch Filing No. 1. Prior to recording the Homestead North Filing at Sterling Ranch No. 2 plat, construction of said roads in Homestead North at Sterling Ranch Filing No. 1 shall be completed or collateral provided for the incomplete portions.

**NOTATIONS**

1. Approval of the final plat will expire after twenty-four (24) months unless the final plat has been recorded or a request for extension has been granted.
2. Academy District 20 is requesting land dedication in lieu of fees within the overall Sterling Ranch Sketch Plan Area.

DONE THIS 8th day of December 2022 at Colorado Springs, Colorado.

KEVIN MASTIN, EXECUTIVE DIRECTOR  
EL PASO COUNTY PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT



EXHIBIT A  
Legal Description

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, THE EAST HALF OF SECTION 28, AND THE NORTHEAST QUARTER OF SECTION 33, ALL IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS::

**BASIS OF BEARINGS:** THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", SAID LINE BEARS N89°14'14"E A DISTANCE OF 2,722.69 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N11°20'29"W A DISTANCE OF 5,356.78 FEET, TO THE CORNER OF HOMESTEAD NORTH AT STERLING RANCH FILING NO 1 RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY LINE OF SAID STERLING RANCH FILING NO. 1, THE FOLLOWING EIGHT (8) COURSES:

1. N50°26'12"W A DISTANCE OF 365.58 FEET;
2. N39°33'48"E A DISTANCE OF 33.69 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 755.00 FEET, A CENTRAL ANGLE OF 19°32'10" AND AN ARC LENGTH OF 257.43 FEET, TO A POINT OF REVERSE CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1043.00 FEET, CENTRAL ANGLE OF 05°38'09" AND AN ARC LENGTH OF 102.59 TO A POINT OF NON-TANGENT;
5. N36°32'11"W A DISTANCE OF 65.00 FEET;
6. N50°26'12"W A DISTANCE OF 574.81 FEET;
7. S39°31'51"W A DISTANCE OF 20.92 FEET;
8. N50°28'09"W A DISTANCE OF 220.07 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. N39°33'48"E A DISTANCE OF 142.53 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N51°22'27"W, HAVING A RADIUS OF 830.00 FEET, A CENTRAL ANGLE OF 14°21'26" AND AN ARC LENGTH OF 207.98 FEET, TO A POINT OF NON-TANGENT COMPOUND CURVE;

3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS  $N65^{\circ}15'37''W$ , HAVING A RADIUS OF 774.82 FEET, A CENTRAL ANGLE OF  $12^{\circ}31'54''$  AND AN ARC LENGTH OF 169.47 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SIXTEEN (16) COURSES:

1.  $S76^{\circ}20'29''E$  A DISTANCE OF 275.24 FEET;
2.  $S11^{\circ}07'11''W$  A DISTANCE OF 3.91 FEET;
3.  $S20^{\circ}05'15''E$  A DISTANCE OF 68.42 FEET;
4.  $S51^{\circ}17'41''E$  A DISTANCE OF 52.77 FEET;
5.  $N38^{\circ}42'19''E$  A DISTANCE OF 130.03 FEET;
6.  $S51^{\circ}16'53''E$  A DISTANCE OF 128.03 FEET;
7.  $S51^{\circ}17'40''E$  A DISTANCE OF 80.48 FEET;
8.  $S51^{\circ}18'16''E$  A DISTANCE OF 124.15 FEET;
9.  $S63^{\circ}15'15''E$  A DISTANCE OF 10.26 FEET;
10.  $N39^{\circ}48'59''E$  A DISTANCE OF 110.92 FEET;
11.  $N48^{\circ}27'49''E$  A DISTANCE OF 87.13 FEET;
12.  $N55^{\circ}58'31''E$  A DISTANCE OF 87.13 FEET;
13.  $N63^{\circ}35'09''E$  A DISTANCE OF 87.13 FEET;
14.  $N71^{\circ}09'48''E$  A DISTANCE OF 87.13 FEET;
15.  $N78^{\circ}01'26''E$  A DISTANCE OF 79.85 FEET;
16.  $N79^{\circ}18'16''E$  A DISTANCE OF 441.05 FEET; TO A POINT ON THE WEST LINE OF SAID SECTION 27;

THENCE ON SAID WEST LINE,  $S00^{\circ}53'15''E$  A DISTANCE OF 220.84 FEET;

THENCE DEPARTING SAID WEST LINE THE FOLLOWING TWENTY TWO (22) COURSES:

1.  $N87^{\circ}34'53''E$  A DISTANCE OF 73.60 FEET;
2.  $S04^{\circ}00'08''W$  A DISTANCE OF 38.86 FEET;
3.  $S23^{\circ}30'33''W$  A DISTANCE OF 96.02 FEET;
4.  $S17^{\circ}58'09''W$  A DISTANCE OF 105.84 FEET;
5.  $S07^{\circ}20'33''W$  A DISTANCE OF 248.45 FEET;
6.  $S27^{\circ}44'47''W$  A DISTANCE OF 82.16 FEET;



7. S51°16'10"W A DISTANCE OF 361.44 FEET;
8. S29°35'35"W A DISTANCE OF 198.68 FEET;
9. S56°06'51"W A DISTANCE OF 68.55 FEET;
10. S51°10'06"W A DISTANCE OF 86.23 FEET;
11. S82°29'37"W A DISTANCE OF 85.63 FEET;
12. N82°52'49"W A DISTANCE OF 82.74 FEET;
13. N63°10'02"W A DISTANCE OF 59.72 FEET, TO A POINT OF NON-TANGENT CURVE;
14. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S52°33'19"W, HAVING A RADIUS OF 43.53 FEET, A CENTRAL ANGLE OF 66°07'59" AND AN ARC LENGTH OF 50.25 FEET, TO A POINT OF REVERSE CURVE;
15. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.41 FEET, A CENTRAL ANGLE OF 21°27'48" AND AN ARC LENGTH OF 78.07 TO A POINT OF REVERSE CURVE;
16. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 85.46 FEET, A CENTRAL ANGLE OF 85°24'40" AND AN ARC LENGTH OF 127.39 TO A POINT OF TANGENT;
17. S12°28'27"W A DISTANCE OF 90.70 FEET;
18. S87°04'53"W A DISTANCE OF 91.55 FEET;
19. S01°04'54"W A DISTANCE OF 49.42 FEET;
20. S27°12'58"W A DISTANCE OF 75.48 FEET;
21. S12°38'34"W A DISTANCE OF 55.41 FEET;
22. S19°42'21"W A DISTANCE OF 4.79 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,581,395 SQUARE FEET OR 36.3038 ACRES.

