

Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development

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Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 7/25/2024
RE: SF1827; Retreat at TimberRidge Filing No. 4

Project Description

A request by TimberRidge Development Group LLC, Inc. for approval of a Final Plat for the Retreat at TimberRidge Filing No. 4 Subdivision to create 10 single-family residential lots and 1 tract. The site is 34.47 acres, zoned RR-5 PUD (Planned Unit Development). The item was heard on the consent agenda at the June 20, 2024, Planning Commission Hearing. There was no discussion in regard to the proposed Final Plat. The Final Plat application was recommended for approval by the Planning Commission with a vote of 8-0. The property is the last phase of development within the Retreat at TimberRidge Planned Unit Development Plan. The subject property is located north of and adjacent to Arroya Lane. (Parcel Nos. 5222000023 & 5227000007) (Commissioner District No. 2)

Notation

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Ms. Fuller moved / Mr. Byers seconded for approval, for the Final Plat, utilizing the resolution attached to the staff report, with twelve (12) conditions, two (2) notations, and a recommended finding of sufficiency with regard to water quality, quantity, and dependability, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (8-0)**. The item was heard as a consent agenda item.

Discussion

No Discussion.

Attachments

1. Planning Commission Minutes from 6/20/2024.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, June 20, 2024

El Paso County Planning and Community Development Department

2880 International Circle – Second Floor Hearing Room

Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS, BECKY FULLER, JEFFREY MARKEWICH, BRANDY MERRIAM, ERIC MORAES, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: JAY CARLSON, TIM TROWBRIDGE, BRYCE SCHUETTELPELZ, AND WAYNE SMITH.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, ASHLYN MATHY, KARI PARSONS, BRET DILTS, CHARLENE DURHAM, HAO VO, DANIEL TORRES, ED SCHOENHEIT, ELIZABETH NIJKAMP, JOSH PALMER, MIRANDA BENSON, ERIKA KEECH, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: RANDY NOVAK, PAULA & JORDAN LYLES, HEATHER RUBENAKER, KATE JOHNSON, MARY ARLINGTON, KATIE HARMS, JO D. HEFFNER, GREG MIRANDA, ED KOVITZ, NIKI FIELDS, PAUL OTIS, MONTE GOODRICH, ALEX MARTINEZ, BONNIE KATTAU, BRIAN HADFIELD, TERESA FIELDS, DANIEL SOLIGNY, _ , WILLIAM MISTRETTA, CAROL HIGDON, AND ED HENNING.

1. REPORT ITEMS

The next PC Hearing is Thursday, July 18, 2024, at 9:00 A.M.

2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held June 6, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (8-0).

F. SF1827

PARSONS

**FINAL PLAT
RETREAT AT TIMBERRIDGE FILING NO. 4 SUBDIVISION**

A request by TimberRidge Development Group, LLC, for approval of a Final Plat for the Retreat at TimberRidge Subdivision to create 10 single-family residential lots and 1 tract. The site is 34.47 acres, zoned PUD (Planned Unit Development), and is located immediately adjacent and north of Arroya Lane and to the east of Vollmer Road. (Parcel Nos. 5222000023 and a portion of 5227000007) (Commissioner District No. 2)

NO PUBLIC COMMENT OR DISCUSSION.

PC ACTION: FULLER MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3F, FILE NUMBER SF1827 FOR A FINAL PLAT, RETREAT AT TIMBERRIDGE FILING NO. 4 SUBDIVISION, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWELVE (12) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

IN FAVOR: BAILEY, BRITTAIN JACK, BYERS, FULLER, MORAES, WHITNEY, MARKEWICH, AND MERRIAM.

IN OPPOSITION: NONE.

COMMENTS: NONE.

FINAL PLAT (RECOMMEND APPROVAL)

Ms. Fuller moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF1827
RETREAT AT TIMBERRIDGE FILING NO. 4

WHEREAS, TimberRidge Development Group, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a final plat for the Retreat at TimberRidge Filing No. 4 Subdivision for the 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, a public hearing was held by this Commission on June 20, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and 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, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code, as amended:

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved Preliminary Plan;
3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. Either 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)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
5. A public sewage disposal system has been established and, 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;
6. 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)];
7. 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 the ECM;
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. 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;

12. 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 SIA so the impacts of the subdivision will be adequately mitigated;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. § 34-1-302(1), et seq.].

WHEREAS, 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)(a)] and the requirements of Chapter 8 of the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition by TimberRidge Development Group, LLC for a final plat of Retreat at TimberRidge Filing No. 4 be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the Final 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 Final Plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the Final 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 Final Plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained through EDARP from the El Paso County Planning and Community Development Department.
6. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.

7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder 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 find the fee obligation before sale of the property.
9. Park fees in lieu of land dedication for Regional Park Area 2, in the amount of \$5,050.00 shall be paid at the time of Final Plat recordation.
10. Fees in lieu of school land dedication in the amount of \$3,060.00 shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of Final Plat recording.
11. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 6/5/2024, as provided by the County Attorney's Office.
12. Drainage fees and bridge fees for the Sand Creek drainage basin, in the amount of \$52,966.76 and \$20,110.60 respectively, are due at the time of final plat recording. If channel improvements are completed or collateralized at the time of Final Plat recording, drainage and bridge fees will be offset accordingly.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Mr. Byers seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey
Sarah Brittain Jack
Jim Byers

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

Jay Carlson	aye / no / non-voting / recused / <u>absent</u>
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	<u>aye</u> / no / non-voting / recused / absent
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / <u>absent</u>
Wayne Smith	aye / no / non-voting / recused / <u>absent</u>
Tim Trowbridge	aye / no / non-voting / recused / <u>absent</u>
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 8 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 20th day of June 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:


Thomas Bailey, Chair

EXHIBIT A

A PARCEL OF LAND BEING LOCATED IN A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WEST END BY A NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP STAMPED "OLIVER E. WATTS, DO NOT DISTURB, E. 1/16, S21, S28, 2010, SURVEY MARK, PE-LS 9853" FOUND FLUSH WITH GROUND AND MONUMENTED ON THE EAST END BY A NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP STAMPED "T12S 65W, S21 S22, S28 S27, 2006, PLS 10376" FOUND 0.6 FEET BELOW GROUND, AND IS ASSUMED TO BEAR NORTH 89°40'23" EAST A DISTANCE OF 1313.53 FEET.

COMMENCING AT THE SOUTH EAST CORNER OF SAID SECTION 21;

THENCE NORTH 00°19'37" WEST, TO A POINT 40 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 40.00 FEET;

THENCE NORTH 88°38'52" EAST, ON SAID PARALLEL LINE, A DISTANCE OF 477.61 FEET TO THE SOUTHWEST CORNER OF A DOCUMENT, RECORDED FEBRUARY 27, 2018 UNDER RECEPTION NO. 218022138 IN THE RECORDS OF EL PASO COUNTY, COLORADO SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY AND NORTHERLY BOUNDARY LINE THE FOLLOWING (5) COURSES:

- 1) THENCE NORTH 47°35'42" EAST, A DISTANCE OF 44.33 FEET;
- 2) THENCE NORTH 36°59'01" EAST, A DISTANCE OF 517.38 FEET;
- 3) THENCE NORTH 56°32'31" EAST, A DISTANCE OF 489.24 FEET;
- 4) THENCE NORTH 38°17'19" EAST, A DISTANCE OF 182.67 FEET;
- 5) THENCE NORTH 89°41'56" EAST, TO A POINT 30 FEET EAST AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 1,283.66 FEET;

THENCE SOUTH 00°18'04" EAST, ON SAID PARALLEL LINE TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 852.14 FEET;

THENCE SOUTH 88°38'37" WEST, ON SAID SOUTH LINE OF SAID SECTION 22, TO A POINT ON THE EASTERLY BOUNDARY OF THE RETREAT AT TIMBERRIDGE FILING NO. 3 RECORDED _____, 2023 UNDER RECEPTION NO. _____ IN THE RECORDS OF EL PASO COUNTY, COLORADO A DISTANCE OF 1,300.52 FEET;

THENCE EASTERLY AND NORTHERLY ALONG SAID BOUNDARY LINE THE FOLLOWING TWO (2) COURSES:

- 1) THENCE NORTH 00°54'30" WEST, A DISTANCE OF 40.00 FEET;
- 2) THENCE SOUTH 88°38'55" WEST, A DISTANCE OF 852.90 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 1,501,567 SQUARE FEET (34.47124 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.



COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Kari Parsons, Senior Planner
Charlene Durham, P.E., Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: SF1827
Project Name: Retreat at TimberRidge Filing No. 4
Parcel Numbers: 5222000023 and portion of 5227000007

OWNER:	REPRESENTATIVE:
TimberRidge Development Group, LLC 2138 Flying Horse Club Drive. Colorado Springs, CO 80921	Classic Consulting, LLC 619 N. Cascade Avenue Suite 200 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	6/20/2024
Board of County Commissioners Hearing Date:	7/25/2024

EXECUTIVE SUMMARY

A request by TimberRidge Development Group, LLC, for approval of a 34.47-acre Final Plat zoned PUD (Planned Unit Development) to create 10 single-family detached residential lots. The property is located immediately adjacent and north of Arroya Lane and east of Vollmer Road. The Final Plat creates 10 single-family residential lots (30.12 acres), one (1) tract for open space, detention, landscape, utilities (1.3 acres), and 3.05 acres of future right-of-way. The Final Plat creates 10 rural lots with a minimum lot size of 2.5 acres; Lots 6 and 7, adjacent to the RR-5 zoned properties to the east have a 5-acre minimum lot size. All lots are to be served by the Falcon Area Water and Wastewater Authority for central water services. Individual on-site wastewater treatment systems are proposed. These 10

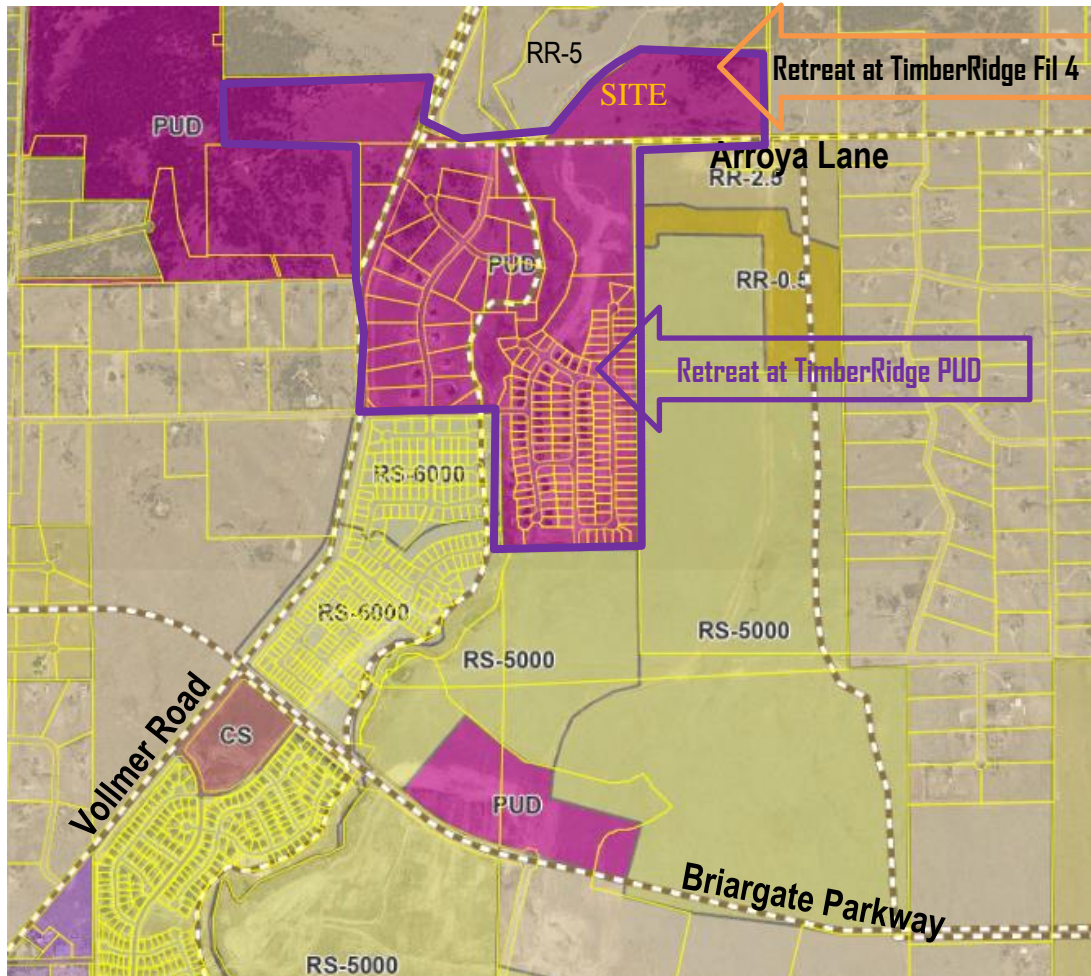
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rural lots provide a transition from the rural lots to the north, west, and east of the development as depicted in the approved PUD and Preliminary Plan. A finding of water sufficiency for water quality, quantity, and dependability is requested at this time.



Vicinity Map

A. WAIVERS AND AUTHORIZATION

Waiver(s):

There are no waivers or deviations associated with this request.

Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement, and any other documents necessary to carry out the intent of the Board of County Commissioners.

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B. APPROVAL CRITERIA

In approving a Final Plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code, as amended:

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved Preliminary Plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
- Either 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)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
- A public sewage disposal system has been established and, 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;
- 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)];
- 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 the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;



- 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;
- 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 SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. § 34-1-302(1), et seq.].

C. LOCATION

North:	RR-5 (Residential Rural)	Single-family Residential
South:	PUD (Planned Unit Development)	Single-family Residential
	RR-2.5 (Residential Rural)	Single-family Residential
East:	RR-5 (Residential Rural)	Single-family Residential
West:	PUD (Planned Unit Development)	Single-family Residential

D. BACKGROUND

The Retreat at TimberRidge Planned Unit Development (PUD) was approved by the Board of County Commissioners on March 27, 2018. The PUD includes 212 single-family residential lots, right-of-way, 11 acres of open-space, trail corridors, detention, and utilities tracts within 262.92 acres to be developed in phases. The overall density of the PUD is 0.81 dwelling units per acre. The PUD included a density transition from the RR-5 (Residential Rural) zoning district within the Black Forest by establishing a minimum lot size of 5-acres in the northern portion of the PUD west of Vollmer Road and in the northeast portion of the PUD, north of Arroya Lane. This transition requirement tapers to 2.5-acre lots adjacent and east of Vollmer Road and along Arroya Lane, further tapering from the north to the south to 1-acre lots. The transition continues from the 1-acre lots sizes down to one-half acre lots, and further transitioning to the smallest Urban single-family lots of approximately 12,500 square feet. The smallest lots are furthest from the rural transition and adjacent to the RS-6000 zoning located with the Sterling Ranch Development Area.

The Retreat at TimberRidge Preliminary Plan was approved by the Board of County Commissioners on October 23, 2018. It includes 205 single-family residential lots, right-



of-way, open-space, trail corridors, detention, and utilities tracts. The Preliminary Plan did not include a finding for sufficiency for water quality, quantity, and dependability.

The requested Final Plat is located within the upper transition area of the PUD, north of Arroya Lane, and north of the urban lots located within the PUD and includes both 2.5-acre lots and 5-acre lots. See attached recorded PUD.

E. ANALYSIS

1. Land Development Code

The Final Plat application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code, as amended. The requested Final Plat is in conformance with the approved Retreat at TimberRidge Preliminary Plan. The approved Retreat at TimberRidge PUD and Preliminary Plan were approved under the guiding Goals and Principals of the Black Forest Preservation Plan (1998), and the County Wide Policy Plan (2000). An analysis of the current, Your El Paso County Master Plan (2021) is included in Section F of this report.

2. Zoning Compliance

The PUD (Planned Unit Development) zoning district is a versatile zoning mechanism to encourage innovative and creative design and to facilitate a mix of uses including residential, recreation, open space, and accessory uses. The approved and recorded Retreat at TimberRidge PUD identifies allowed accessory uses and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, maximum building height, and overall landscaping requirements. The requested Final Plat is in conformance with the approved PUD and consistent with the recorded PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. Placetype Character: Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family



character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

Recommended Land Uses:

Primary

- *Single-Family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

Analysis:

The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. The application is consistent with the land use and densities set forth in the approved PUD Plan, entirely within the Suburban Residential Placetype. The applicant is proposing a minimum lot size of 2.5-acres equivalent to 0.29 dwelling units per acre which is less dense than what is typically proposed within the Placetype. Relevant goals and objectives are as follows:

Goal 1.3 – *Encourage a range of development types to support a variety of land uses.*

Goal 2.1 – *Promote development of a mix of housing types in identified areas.*



Goal LU3 – *Encourage a range of development types to support a variety of land uses.*

Objective LU3-1 – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

b. Area of Change Designation: New Development

The subject parcel is within an area of New Development: These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

Analysis: The entire Retreat at TimberRidge development, which includes the proposed Final Plat, is located in an area which is expected to completely or significantly change in character. The applicant proposes to develop the subject property with single-family detached residential homes, which are consistent with the planned development surrounding the site. A relevant priority is as follows:

Goal LU3 Specific Strategy Priority - "The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood."

c. Key Area Influences: Potential Areas for Annexation

The subject property is located within the Potential Areas for Annexation. The key area map demonstrates the anticipated urban growth areas in unincorporated El Paso County. The property is not contiguous to the City boundary. The applicant does not wish to annex into the City at this time. The applicant, City, and County are coordinating on the design of Vollmer Road. Continued coordination between the applicant, City, and County is anticipated to occur.



- d. Other Implications (Priority Development, Housing, etc.)** The subject property is located within a High Priority Development Area, Falcon Area.

The Falcon community has developed its own unique character and functions like a small municipality. New Suburban Residential development would not only match the existing development pattern in Colorado Springs and Falcon to the east and west but also act as a density buffer between more urban development to the south and large-lot to the north. The proposed Final Plat is also consistent with the High Priority Areas, and the guidelines below:

- Residential development near the municipal boundaries adjacent to this area may include single-family attached and multi-family units.*
- The County should emphasize Stapleton Road, Woodmen Road and Vollmer Road as connectivity corridors that would provide important access to necessary goods and services in surrounding communities, generally supporting suburban residential development.*

The subject area is anticipated to continue to have significant growth due to the establishment of central water and sanitation services. As residential development occurs, commercial areas are anticipated to develop in these areas to provide local services to the residents in the area. The proposed Final Plat request is consistent with the developed area, and with the goals and policies of the Master Plan.

3. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability, and quality for existing and future development.*

Goal 1.2 – *Integrate water and land use planning.*



Goal 3.1 – *Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

Policy 6.0.11 – *Continue to limit urban level development to those areas served by centralized utilities.*

Policy 6.0.1 – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*

Policy 6.4.1.3 – *Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.*

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Region 3, Falcon Area, which is expected to experience significant growth by 2040. Specifically, the Plan states:

Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road.

The Water Master Plan identifies a current water demand of 4,494-acre feet (AF) and a current supply of 7,164 AF for this Region, resulting in a surplus of water (decreed water rights) of 2,670 AF. The area included within the request is projected in the Water Master Plan as likely to reach build out by year 2040. For year 2040, the Plan projects a water demand of 6,403 AF for Region 3 versus a projected supply of 7,921 AF, resulting in a reduced surplus of 1,581 AF. When considering additional development in Region 3, it is important to note that the Plan ultimately projects a water supply deficit for the Region of 1,143 AF by 2060.

Falcon Area Water and Wastewater Authority (FAWWA) has provided a commitment to serve the development and is mitigating the predicted water deficit by constructing water infrastructure from the northern area (Bar X Ranch, Winsome, and Shamrock West Ranches) of the County to the Falcon area, to provide centralized services to the development, and by investing additional water resources.



See the Water section below for a summary of the water findings and recommendations for the proposed subdivision.

4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Services Division, and Colorado Parks and Wildlife (CPW) were each sent referrals and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) does not identify valued deposits in the subject parcels.

Please see the Transportation Section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

There are no constraints or hazards that would preclude development within the rural subdivision.

The applicant has provided a Plat Note (No. 16) to identify the constraints and proposed mitigation. No septic or building shall occur within the areas of “Potential Seasonal Ground Water” within the subdivision. Additionally, the applicant is proposing an underdrain system if basements are proposed in areas of high groundwater.

2. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0535G, dated December 7, 2018, indicates no portion of the subject property is located within a FEMA floodplain.

3. Drainage and Erosion

The site is located within the Sand Creek Drainage Basin. This basin has been studied and drainage and bridge fees apply. The drainage and bridge fees due for this Final Plat are \$52,966.76 and \$20,110.60, respectively. The developer may elect to use drainage basin credits based on the proposed improvements to Sand Creek channel, constructed with this filing and previous filings immediately downstream, as approved by the Drainage Board and staff.



The site drains to the Sand Creek channel, generally flowing to the southwest. A Master Development Drainage Plan (MDDP) was provided with the previously approved PUD Development Plan and a preliminary drainage report (PDR) was approved with the Preliminary Plan. The final drainage report (FDR) submitted with this Final Plat is in conformance with the previous reports. The developer proposes to construct full-spectrum detention and water quality facilities to maintain developed runoff at or below historic rates.

Per the FDR, the proposed development will “not significantly impact any downstream facility or property to an extent greater than that which currently exists in the ‘historic’ conditions.”

4. Transportation

The Retreat at TimberRidge development will access Vollmer Road, classified in the El Paso County Major Transportation Corridors Plan Update (MTCP) 2040 Plan as a 2-lane Rural Minor Arterial road via Arroya Lane.

The subdivision is subject to the County Road Impact Fee Program. The developer requests inclusion into Public Improvement District (PID) No. 3 (10-mil PID).

The developer is proposing to construct 0.25 miles of a public internal rural local road, which will be constructed to County standards and dedicated to the County for maintenance. Roads will also access the existing road networks constructed with Retreat at TimberRidge Filing Nos. 1, 2 and 3.

H. SERVICES

1. Water

Falcon Area Water and Wastewater Authority (FAWWA) provides water service and has committed to serve the development via an intergovernmental agreement with the Retreat Metropolitan Districts for the residential lots east.

Water Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

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OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

WWW.ELPASOCO.COM

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a favorable recommendation of a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

2. Sanitation

Individual wastewater treatment (septic) systems are proposed.

3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Black Hills Energy will provide Natural Gas. The agencies were sent a referral and have no outstanding comments.

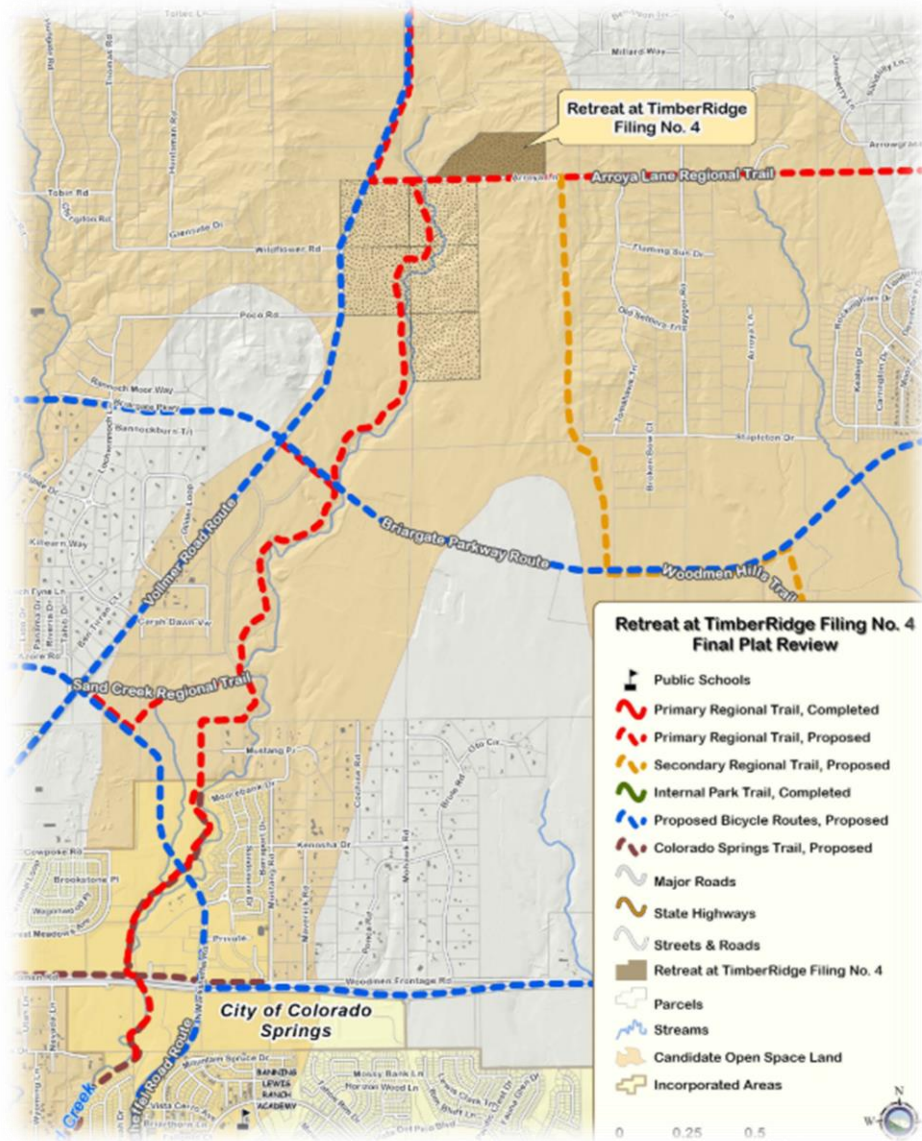
5. Metropolitan Districts

The property is within the Retreat Metropolitan District Nos. 1 and 2.

6. Parks/Trails

The 2022 El Paso County Parks Master Plan shows no parks, trails, or open spaces directly impacted by the project. The proposed Arroya Lane Primary Regional Trail traverses east-west immediately south of the project boundary, adjacent to Arroya Lane. The Sand Creek Primary Regional Trail alignment runs north-south along Sand Creek, intersecting the Arroya Lane Regional Trail before continuing northward outside of the project area. Please see map below.





2022 The El Paso County Parks Master Plan Trail Map

The applicant has agreed to the requested fee amount in lieu of land dedication.

I. Schools

Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of plat recording.

J. APPLICABLE RESOLUTIONS

See attached resolution.

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K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code, as amended, staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the Final 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 Final Plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the Final 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 Final Plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained through EDARP from the El Paso County Planning and Community Development Department.
6. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder 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 find the fee obligation before sale of the property.

9. Park fees in lieu of land dedication for Regional Park Area 2, in the amount of \$5,050.00 shall be paid at the time of Final Plat recordation.
10. Fees in lieu of school land dedication in the amount of \$3,060.00 shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of Final Plat recording.
11. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 6/5/2024, as provided by the County Attorney's Office.
12. Drainage fees and bridge fees for the Sand Creek drainage basin, in the amount of \$52,966.76 and \$20,110.60 respectively, are due at the time of Final Plat recording. If credits are available or channel improvements are completed or collateralized at the time of Final Plat recording, drainage and bridge fees will be offset accordingly.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 6 adjoining property owners on June 10, 2024, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.



M. ATTACHMENTS

Letter of Intent

Plat Drawing

State Engineer's Letter

County Attorney's Letter

Draft Resolution

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LETTER OF INTENT

Retreat at TimberRidge Filing No. 4

(Formerly known as TimberRidge Estates – SF 1827)

Owners: TimberRidge Development Group, LLC
2138 Flying Horse Club Dr.
Colorado Springs, CO 80921
(719) 592-9333

Classic SRJ Land, LLC
2138 Flying Horse Club Dr.
Colorado Springs, CO 80921
(719) 592-9333

**Applicant/
Consultant:** Classic Consulting, LLC
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903
(719) 785-2802

Tax Schedule No. 52220-00-023 and portion of 52270-00-007

Request:

This Final Plat encompasses 34.471 acres and 10 single-family lots are proposed. Eight lots are proposed to be 2.5 Ac. minimum in size and two lots proposed at 5.0 Ac. minimum in size. This remains consistent with both the approved Retreat at TimberRidge PUD (PUD 17-003) and Preliminary Plan (SP 18-002). Water sufficiency is being requested with this Final Plat. This project was previously submitted as “TimberRidge Estates” under separate ownership.

SITE DESCRIPTION:

This letter is prepared to provide sufficient information in support of the Final Plat for Retreat at TimberRidge Filing No. 4. This proposed Final Plat consists of 10 rural single-family homes and two tracts for open space, drainage, utilities and public right-of-way. The total acreage for this Final Plat equals 34.471 acres. A 40' ROW dedication for Arroya Lane east of the proposed access for Nature Refuge Way will be granted with this final plat but construction for this stretch of roadway is requested to be constructed along with the future adjacent Sterling Ranch property to the south. The southerly 40' ROW dedication for this stretch of Arroya Lane will also be made along with the future adjacent Sterling Ranch development to the south. All of the proposed 10 lots will take direct access from Nature Refuge Way. All underlying Right-of-Way easements will be vacated or subordinated prior to preliminary Right-of-Way acceptance.

The site is located in a portion of section 22, township 12 south, range 65 west of the sixth principal meridian, El Paso County, Colorado. More specifically, located due east of Vollmer Road, north of Arroya Lane and north and west of the Sterling Ranch Development and TimberRidge Filings 1 and 2. The entire property is zoned PUD with proposed residential land uses of both rural (2.5 Ac. min. lots) and (5.0 Ac. min. lots).

The zoning of the property was approved with the Retreat at TimberRidge PUD (SP-18-002) Development Plan, April 2018.

PROJECT DESCRIPTION:

SOILS & GEOLOGY HAZARDS/CONSTRAINTS

The Geology and Soils Report dated December 21, 2023 prepared by Entech Engineering, Inc., outlines potential Geologic Hazards and Constraints as defined in the Engineering Criteria Manual and Code. Mitigation is identified and discussed in the Report. All constraints can be properly mitigated or avoided through standard construction practices. Any hazards or constraints are depicted and noted on the Final Plat.

TRAFFIC

Retreat at TimberRidge Filing No. 4 will be directly accessed from Arroya Lane as proposed and constructed with Retreat at TimberRidge Filing No. 3. Arroya Lane has direct access to Vollmer Road. Please also reference the Traffic Technical Memorandum dated February 2024 prepared by LSC Transportation Consultants, Inc.

El Paso County Road Impact Fee Program: Pursuant to Board of County Commissioner Resolution No. 19-471, the applicant elects to include this Filing No. 4 in the five mill Public Improvement District No. 3 as noted on the final plat. The current five mill PID building permit fee for single family residential use equals \$2,527 per lot.

TRAILS & CONNECTIVITY

Per the approved PUD Development Plan and Preliminary Plan, an El Paso County regional multi-use trail (10' wide gravel) will be provided (on separate property) along the west side of Sand Creek (within a proposed 30' El Paso County Regional Trail Easement) and the south side of Arroya Lane (within a proposed 25' public tract for the Sand Creek channel that is to be owned and maintained by El Paso County). This development will have access to this trail system.

UTILITY SERVICES

Water services will be provided by FAWWA through an IGA between the Developer and the District. An 8" water main will be constructed by the developer within Nature Refuge Way with connection to the existing FAWWA system within Arroya Lane. (See provided commitment letter) As referenced in the Water Resources Report, prepared by JDS-RESPEC, the projected water demands for these 10 rural lots are 0.353 AF/unit for a total annual demand of **3.53 Acre-feet** for Filing No. 4.

Wastewater service for all 10 lots will be provided through individual on-site Wastewater Treatment Systems (OWTS). Based on the Geology and Soils Report, Section 6, these lots are suitable for OWTS with additional testing required for each individual lot prior to construction.

All 10 lots will be serviced by Mountain View Electric Association for electric service and Black Hills Energy for gas service (See provided utility commitment letters). Standard MVEA street lighting is proposed for the rural public road with license agreement required for facilities with County Right-of-Way.

DRAINAGE & PONDS

With the Filing No. 3 development, a private Rain Garden facility was constructed to provide stormwater quality treatment for the portion of Filings 3&4 development area within the Arroya Lane ROW. This facility will continue to handle stormwater quality for the small portion of this proposed development within and adjacent to Arroya Lane. A separate proposed Extended Detention Basin (EDB) Pond 4 will be constructed on-site to handle stormwater quality from the proposed 10 lots and the adjacent surrounding tributary area. (This facility is being constructed as a Temporary Sediment Basin (TSB) in the same location, with Retreat at TimberRidge Filing No. 3 and will be converted to the proposed EDB with the construction of Filing No. 4.)

No further Sand Creek channel improvements are required with this development.

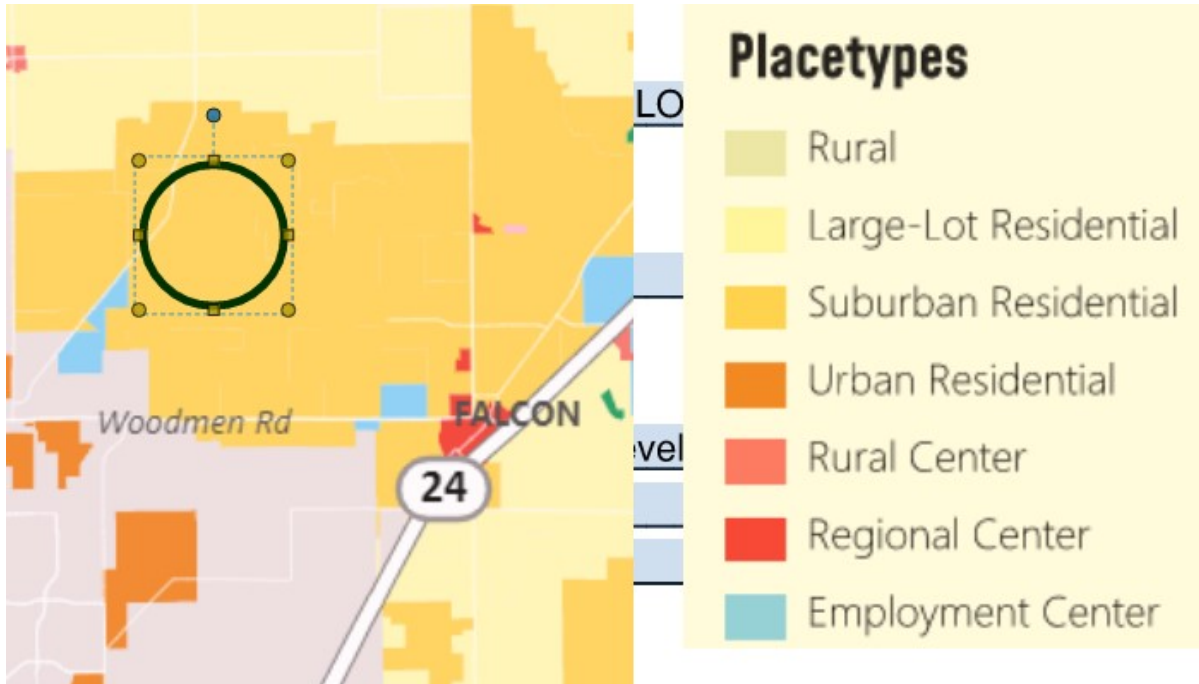
JUSTIFICATION:

Criteria for Approval

Conformance with the El Paso County Master Plan

The Retreat at TimberRidge Filing No. 4 is in conformance with the goals, objectives and Policies of the El Paso County Master Plan in the following manner:

® This residential land use falls within the primary land use Suburban Residential “Placetype” as identified in the Master Plan excerpt below.



® There is existing infrastructure to which the proposed development can connect to. This subdivision is the final filing within the overall TimberRidge Development. Filings No. 1-3 provided installation of roadway, utility and drainage infrastructure that this filing will connect to and utilize.

® This land use is located within the Suburban Residential Housing Priority Development Area as identified on the Master Plan excerpt below.

Conformance with the approved Preliminary Plan

The Retreat at TimberRidge Filing No. 4 is in conformance with the Retreat at TimberRidge Preliminary Plan (SP-182) and contained within Phase 1.

Final Plat Criteria for Approval

This subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the County.

A sufficient water supply finding for quantity, quality and dependability is being requested with this Final Plat for all 10 lots.

Individual OWTS are proposed for all 10 lots in compliance with State and local laws and regulations and the requirements of Chapter 8 or the LDC.

All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards such as high ground water or requiring special precautions have been identified, addressed in the on-site soils report and shown on the Final Plat. No structures shall be built in these areas as shown.

Adequate drainage improvements are proposed that comply with State Statute and the requirements of the LDC and the ECM and are presented in the Retreat at TimberRidge Filing No. 4 Final Drainage Report. (These include utilization of an existing Rain Garden constructed with Filing 3 and a proposed on-site extended detention basin (EDB) for the rest of the property – constructed by the developer)

Legal and physical access is provided to all parcels by public rights-of-way from Nature Refuge Way and Arroya Lane.

Necessary services including police and fire protection, utilities and transportation systems are or will be made available to serve the proposed subdivision. The developer will pay the required school fees associated with this development.

The final plans provide evidence to show that multiple points of access are provided and the proposed methods of fire protection comply with Chapter 6, LDC as fire hydrants from the central water system will be constructed. This development lies within the Black Forest Fire Protection District and we will coordinate with them for any approvals required.

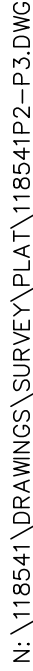
In accordance with Chapter 8 of the LDC, off-site impacts have been evaluated with the PUD and Preliminary Plan. All related off-site roadway/traffic impacts, as documented in the TimberRidge TIS will be constructed based on the phasing/timing as presented in the TIS and approved by the County. This subdivision has also elected to be included in the PID No. 3 under the County Road Impact Fee Program. All on and off-site drainage has been evaluated and presented in the Retreat at TimberRidge Filing No. 4 Final Drainage Report. No off-site grading or drainage easements are required.

All public facilities/infrastructure is documented in the FAE and financial guarantee will be provided to the County based on the SIA prior to Plat recordation.

This subdivision meets all other applicable sections of the LDC, Chapters 6 and 8.

The extraction of any known commercial mining deposit will not be impeded by this subdivision.

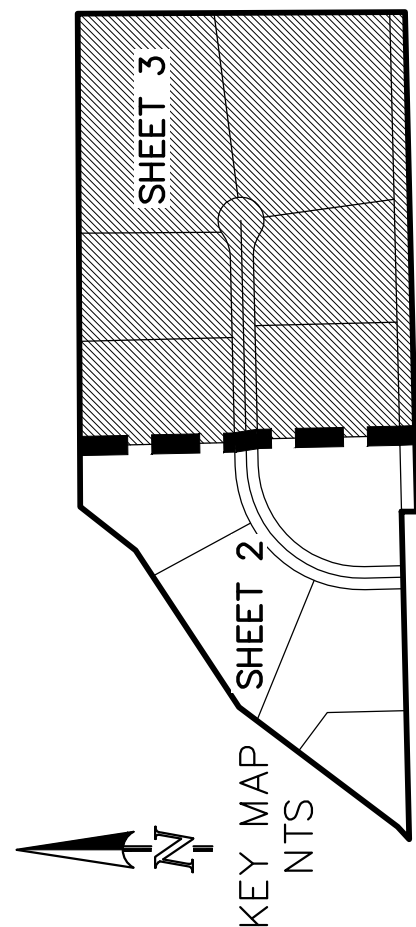
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO



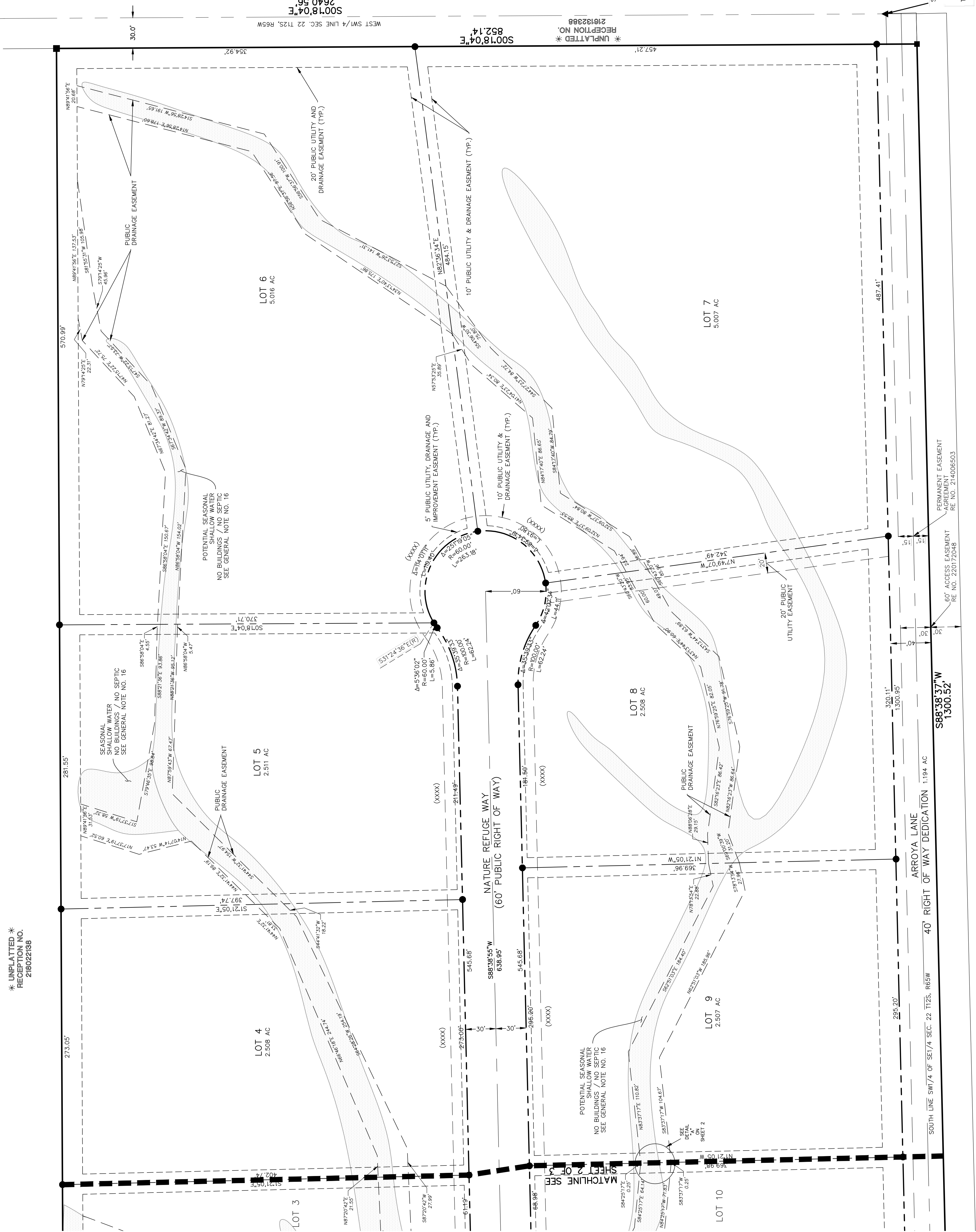
PCD FILE NO. SF1827

PCD FILE NO. SF1827

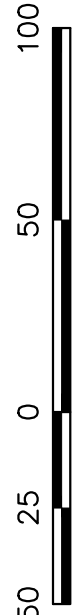
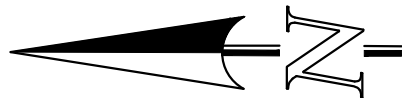
RETREAT AT TIMBERIDGE FILING NO. 4
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO



* UNPLATTED *
RECEPTION NO.
218022138



- LEGEND
- (R) RADIAL BEARING
 - AC ACRES
 - SF SQUARE FEET
 - (XXXX) ADDRESS
 - NOT PART OF THIS SUBDIVISION
 - AS NOTED RECOVERED
 - 1-1/4\" RED PLASTIC SURVEYORS CAP STAMPED "PLS 37634" FOUND FLUSH W/GROUND UNLESS OTHERWISE NOTED
 - 1-1/4\" ORANGE PLASTIC SURVEYORS CAP STAMPED "PLS 37634" FOUND FLUSH W/GROUND UNLESS OTHERWISE NOTED
 - 1-1/2\" ALUMINUM SURVEYORS CAP STAMPED "PLS 34977" TO BE SET



SCALE: 1" = 50'
U.S. SURVEY FEET

PRELIMINARY

THIS DOCUMENT HAS NOT BEEN
PLAT CHECKED

RETREAT AT TIMBERIDGE
FILING NO. 4

JOB NO. 1185.41
FEBRUARY 22, 2024
SHEET 3 OF 3



619 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80903
(719) 785-0780



May 14, 2024

Kari Parsons, Project Manager
El Paso County Development Services Department
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

Re: Retreat at TimberRidge Filing 4 (AKA Timber Ridge Estates)
File #: SF1827
Part of SW1/4 of Sec. 22, Twp. 12S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 25205 - 3rd Letter

Dear Kari Parsons:

We have received the above-referenced proposal to subdivide a 34.47-acre parcel into 10 single-family lots and 1 tract for water detention. All the lots will be approximately equal in size with the majority of lots being $2.5 \pm$ acres and the largest two lots being $5.0 \pm$ acres. The proposed source of water supply will be provided by the Falcon Area Water and Wastewater Authority (FAWWA). This letter supersedes our comments provided in the letters dated October 9, 2018, and April 5, 2024.

Water Supply Demand

The proposed water requirement is estimated to be 0.353 acre-feet/lot for a single-family residence and anticipated turf grass landscaping. The total demand for all ten lots in the subdivision is 3.53 acre-feet/year.

Source of Water Supply

The proposed source of water supply is service provided by the Falcon Area Water and Wastewater Authority (FAWWA). A letter of commitment dated February 20, 2024 was subsequently provided showing that FAWWA has committed to provide 3.53 acre-feet/year to this subdivision. This agrees with the Water Resources Report ("Report") prepared by RESPEC, dated February 20, 2024, indicating that the anticipated demand is 0.353 acre-feet per lot for a total of 3.53 acre-feet/year for all uses at the site.

According to the Report, FAWWA has a total of 1040.29 acre-feet/year of commitment. According to the Report, there are 921.94 acre-feet/year of uncommitted supply available to FAWWA based on our estimate of 1,929.85 acre-feet/year of supply available to FAWWA. Therefore, there appears to be more than sufficient legal supply to supply this development on a 300-year basis.

The proposed source of water for this subdivision is bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. The Denver Basin water rights adjudications have been decreed by the State of Colorado, Water Division 1 District Court, Water Division 2 District Court, and the Colorado Groundwater Commission. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Additionally, according to 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this allocation approach, the annual amounts of water allocated in the determinations are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:



“(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an allocation approach based on 300 years, the allowed average annual amount of withdrawal would be reduced to one third of that amount which is greater than the annual demand of FAWWA’s commitments. As a result, the water may be withdrawn in those annual amounts for 300 years.

Additional Comments

The application materials indicate that a storm water detention pond will be constructed as a part of this project. The applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal* to meet the notification requirements, located at.

State Engineer’s Office Opinion

Pursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. Should you or the applicant have questions regarding any of the above, please feel free to contact me directly at Ivan.Franco@state.co.us or (303) 866-3581 x8243 with any questions.

Sincerely,



Ivan Franco, P.E.
Water Resource Engineer

Ec: FAWWA file

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

June 5, 2024

SF-18-27 Retreat at TimberRidge Filing No. 4
Final Plat

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Final Plat proposal by TimberRidge Development Group LLC ("Applicant"), to subdivide an approximately 34.47 +/- acre tract of land into 10 single-family lots ("Property"). The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. The Applicant has provided for the source of water to derive from a central water system – Falcon Area Water & Wastewater Authority ("FAWWA or Authority"). As described in the *Water Supply Information Summary* ("WSIS"), the Applicant estimates its annual water requirements to serve 10 single-family lots, including irrigation, at 3.53 acre-feet annually (0.353 acre-feet per lot). The Applicant would need to provide a supply of 1,059 acre-feet of water (3.53 acre-feet/year x 300 years) to meet El Paso County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from FAWWA. The Authority was recently created to serve Sterling Ranch and The Retreat at TimberRidge, previously served by Sterling Ranch Metropolitan District. The *Water Resources Report* ("Report") indicates the Authority's water supply is sourced from a variety of water rights, including on-site water from non-tributary and not non-tributary Denver, Arapahoe and Laramie-Fox Hills aquifer wells pursuant to the Water Decree in 20CW3059 and on-site rights at the Retreat at Timber Ridge. The *Report* indicates that the current total water commitment for

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FAWWA is currently at 1,040.29 annual acre-feet/300 years which includes active water commitments current through February 15, 2024. The current available water supply for FAWWA is now 921.94 annual acre-feet/300 years.

4. The Authority provided a letter of commitment for Retreat at TimberRidge Filing No. 4 dated February 20, 2024, in which FAWWA committed to providing water service for the 10 single family lots, for an annual water requirement of 3.53 acre-feet/year.

State Engineer's Office Opinion

6. In a letter dated May 14, 2024, the State Engineer's Office reviewed the application to subdivide the 34.47 +/- acres into 10 single-family lots. The proposed supply of water to the subdivision will be served by FAWWA.

Further, the State Engineer provided their opinion that "[p]ursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing material injury to decreed water rights, and the supply is expected to be adequate."

Recommended Findings

7. Quantity and Dependability. Applicant's water demand is 3.53 acre-feet per year for a total demand of 1,059 acre-feet for the subdivision for 300 years, to be supplied by FAWWA. **Based on the Authority's available water supply of approximately 921.94 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Retreat at TimberRidge Filing No. 4.**

8. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

9. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated February 20, 2024, the *Falcon Area Water & Wastewater Authority* letter dated February 20, 2024, and the *State Engineer Office's Opinion* dated May 14, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of and comply with the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Kari Parsons, Senior Planner

RESOLUTION NO. 24-

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF FINAL PLAT

RETREAT AT TIMBERRIDGE FILING NO. 4 (SF1827)

WHEREAS, TimberRidge Development Group, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a Final Plat for the Retreat at TimberRidge Filing No. 4 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, a public hearing was held by the El Paso County Planning Commission on June 20, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on July 25, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and 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, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved Preliminary Plan;
3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
4. Either 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)(a)] and the requirements of Chapter 8 of the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
5. A public sewage disposal system has been established and, 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;
6. 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)];
7. 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 the ECM;
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. 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;
12. 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 SIA so the impacts of the subdivision will be adequately mitigated;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. § 34-1-302(1), et seq.].

WHEREAS, 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)(a)] and the requirements of Chapter 8 of the Code; and

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Retreat at TimberRidge Filing No. 4 Subdivision;

BE IT FURTHER RESOLVED that 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 Final Plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the Final 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 Final Plat.

4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained through EDARP from the El Paso County Planning and Community Development Department.
6. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder 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 find the fee obligation before sale of the property.
9. Park fees in lieu of land dedication for Regional Park Area 2, in the amount of \$5,050.00 shall be paid at the time of Final Plat recordation.
10. Fees in lieu of school land dedication in the amount of \$3,060.00 shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of Final Plat recording.
11. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 6/5/2024, as provided by the County Attorney's Office.
12. Drainage fees and bridge fees for the Sand Creek drainage basin, in the amount of \$52,966.76 and \$20,110.60 respectively, are due at the time of Final Plat recording. If credits are available or channel improvements are completed or collateralized at the time of Final Plat recording, drainage and bridge fees will be offset accordingly.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 25th day of July 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND BEING LOCATED IN A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WEST END BY A NO. 6 REBAR WITH A 3-1/4" ALUMINUM CAP STAMPED "OLIVER E. WATTS, DO NOT DISTURB, E. 1/16, S21, S28, 2010, SURVEY MARK, PE-LS 9853" FOUND FLUSH WITH GROUND AND MONUMENTED ON THE EAST END BY A NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP STAMPED "T12S 65W, S21 S22, S28 S27, 2006, PLS 10376" FOUND 0.6 FEET BELOW GROUND, AND IS ASSUMED TO BEAR NORTH 89°40'23" EAST A DISTANCE OF 1313.53 FEET.

COMMENCING AT THE SOUTH EAST CORNER OF SAID SECTION 21;

THENCE NORTH 00°19'37" WEST, TO A POINT 40 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 40.00 FEET;

THENCE NORTH 88°38'52" EAST, ON SAID PARALLEL LINE, A DISTANCE OF 477.61 FEET TO THE SOUTHWEST CORNER OF A DOCUMENT, RECORDED FEBRUARY 27, 2018 UNDER RECEPTION NO. 218022138 IN THE RECORDS OF EL PASO COUNTY, COLORADO SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY AND NORTHERLY BOUNDARY LINE THE FOLLOWING (5) COURSES:

- 1) THENCE NORTH 47°35'42" EAST, A DISTANCE OF 44.33 FEET;
- 2) THENCE NORTH 36°59'01" EAST, A DISTANCE OF 517.38 FEET;
- 3) THENCE NORTH 56°32'31" EAST, A DISTANCE OF 489.24 FEET;
- 4) THENCE NORTH 38°17'19" EAST, A DISTANCE OF 182.67 FEET;
- 5) THENCE NORTH 89°41'56" EAST, TO A POINT 30 FEET EAST AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 1,283.66 FEET;

THENCE SOUTH 00°18'04" EAST, ON SAID PARALLEL LINE TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 852.14 FEET;

THENCE SOUTH 88°38'37" WEST, ON SAID SOUTH LINE OF SAID SECTION 22, TO A POINT ON THE EASTERLY BOUNDARY OF THE RETREAT AT TIMBERRIDGE FILING NO. 3 RECORDED __TBD__, 2024 UNDER RECTION NO. __TBD_ IN THE RECORDS OF EL PASO COUNTY, COLORADO A DISTANCE OF 1,300.52 FEET;

THENCE EASTERLY AND NORTHERLY ALONG SAID BOUNDARY LINE THE FOLLOWING TWO (2) COURSES:

- 1) THENCE NORTH 00°54'30" WEST, A DISTANCE OF 40.00 FEET;
- 2) THENCE SOUTH 88°38'55" WEST, A DISTANCE OF 852.90 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 1,501,567 SQUARE FEET (34.47124 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.