

## Planning and Community Development

**Meggan Herington, AICP, Executive Director**  
 Planning and Community Development  
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**Board of County Commissioners**  
 Holly Williams, District 1  
 Carrie Geitner, District 2  
 Bill Wysong, District 3  
 Cory Applegate, District 4  
 Cami Bremer, District 5

**TO: El Paso County Planning Commission**  
**Thomas Bailey, Chair**

**FROM: Kylie Bagley, Principal Planner**  
**Daniel Torres, P.E., Principal Engineer**

**RE: Project File Number: VR2321**  
**Project Name: Owl Marketplace Filing No. 1**  
**Parcel Number: 5301001015**

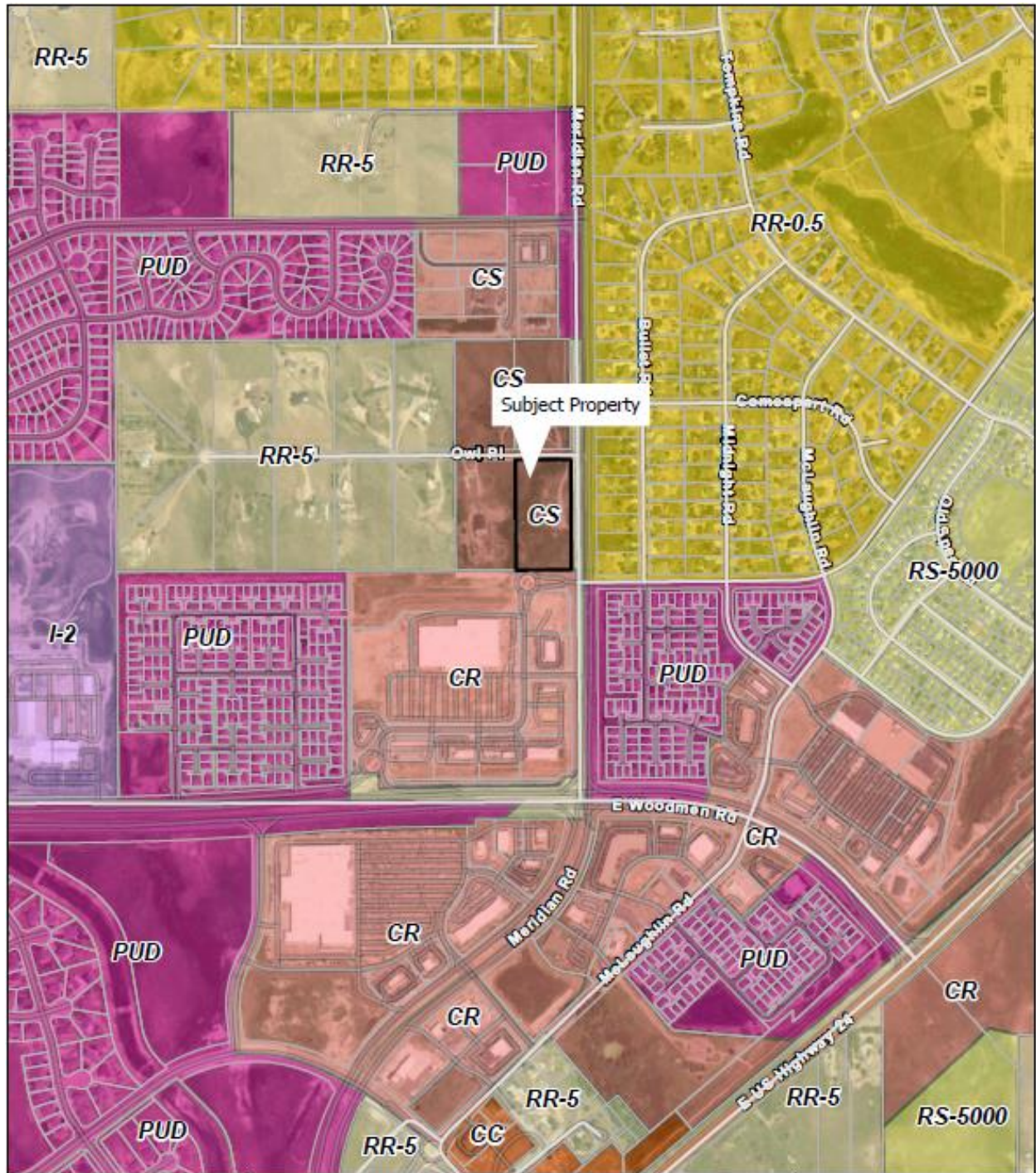
OWNER:	REPRESENTATIVE:
CD Meridian & Owl X LLC PO BOX 220 Scottsdale AZ, 85252	Drexel, Barrell and Co. 3 South 7 <sup>th</sup> Street Colorado Springs, CO 80905

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>1/16/2025</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>2/13/2025</b>

### EXECUTIVE SUMMARY

A request by Drexel, Barrell and Co. for approval of a 4.60-acre Vacation and Replat creating four commercial lots. The property is zoned CS (Commercial Service), and is located at 7550 North Meridian Road, directly southwest of the intersection of Meridian Road and Owl Place.



**Vicinity Map**

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**A. WAIVERS AND AUTHORIZATION**

**Waiver(s):**

There are no waivers associated with this request.

**Authorization to Sign:** Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

**A. APPROVAL CRITERIA**

Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) states that a replat, “involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat.” The Code goes on to define a replat as providing a replat of a subdivision or lots in a subdivision, in which the original subdivision is substantially modified, or additional lots are created. In approving a replat, the following findings shall be made:

- The replat complies with this Code, and the original conditions of approval associated with the recorded plat;
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- The replat is in keeping with the purpose and intent of this Code;
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The approval will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved

**B. LOCATION**

North:	CS (Commercial Service)	Commercial Development
South:	CR (Commercial Regional)	Commercial Development
East:	RR-0.5 (Residential Rural)	Single-Family Residential
West:	CS (Commercial Service)	Single-Family Residential

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## **C. BACKGROUND**

The applicant is proposing to replat an existing lot into four commercial lots and will dedicate right-of-way which will connect to Falcon Market Place to the south and continue to the property to the north. The 4.60-acre property was platted in 1972 as part of the Falcon Ranchettes subdivision. The property was previously zoned RR-5 and was rezoned to CS (Commercial Services) on August 1, 2023 (PCD File No. CR221).

The applicant is creating four commercial lots and will be dedicating 31 feet of public right-of-way, half the width required for the dedication of Meridian Park Drive. The applicant has an application under review for a Subdivision Exemption Plat with the property directly to the west which will be dedicating the remaining 31 feet of public right-of-way. The Subdivision Exemption Plat is not required to be heard by the Planning Commission but will be heard at the February 13, 2025, Board of County Commissioners meeting. Staff will be including a condition in this application that the Vacation and Replat and Subdivision Exemption Plat be recorded at the same time in order to ensure the full width of the right-of-way is dedicated to the County.

## **D. ANALYSIS**

### **1. Land Development Code and Zoning Compliance**

The Vacation and Replat application meets the 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).

## **F. MASTER PLAN COMPLIANCE**

The proposed Vacation and Replat is consistent with the Master Plan analysis which was provided with the Map Amendment (Rezoning) application CR221 and approved by the Board of County Commissioners on August 1, 2023.

### **1. 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:

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

**Policy 1.1.1** – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.

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

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 3 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 3 for central water providers:

The Plan identifies the current demand for Region 3 to be 4,494 acre-feet per year (AFY) (Figure 5.1) with a current supply of 7,164 AFY (Figure 5.2). The projected demand in 2040 for Region 3 is at 6,403 AFY (Figure 5.1) with a projected supply of 7,921 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 3 is at 8,307 AFY (Figure 5.1) with a projected supply of 8,284 AFY (Figure 5.2) in 2060. This means that by 2060 a deficit of 23 AFY is anticipated for Region 3.

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

### 3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. Colorado Parks and Wildlife and El Paso County Environmental Services were each sent a referral and stated that impacts to the wildlife resource from this project would be negligible.

The Master Plan for Mineral Extraction (1996) identifies upland deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

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## **F. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

Geologic hazards and constraints were identified during the review of the Vacation and Replat and have been found to impact many of the proposed lots. The Colorado Geological Survey (CGS) has reviewed the Vacation and Replat documents and has provided mitigation measures within their comment letter and as a plat note.

Proposed geologic mitigation measures include no basements due to the shallow groundwater found on all lots. CGS recommends that if lots are planned (or allowed) within/near the existing drainage (after rerouting and site grading occurs), these areas be further evaluated during site-specific geotechnical investigations to determine the impact (i.e., groundwater conditions, differential settlement, etc.) on future development.

### **2. Floodplain**

FEMA Flood Insurance Rate Map panel number 08041C0553G, dated December 7, 2018, shows that a 100-year floodplain (Zone A) flows through the site. The applicant has submitted and received an approved Conditional Letter of Map Revision (CLOMR) dated December 21, 2022, Case No. 22-08-0669R, from FEMA for proposed modifications to the floodplain within the site. The proposed modification will realign the 100-year floodplain from the proposed lots to a proposed box culvert. The applicant will need to obtain an effective Letter of Map Revision (LOMR) upon completion of the proposed modifications to the floodplain.

### **3. Drainage and Erosion**

The property is located within the Falcon Drainage Basin (CHWS1400), which is a studied drainage basin with associated drainage and bridge fees. Drainage fees in the amount of \$295,440.08 and bridge fees in the amount of \$40,585.74 will be due at the time of plat recordation.

Stormwater runoff from the site will be routed to proposed public and private storm sewer systems to convey flows to the existing sub-regional detention pond SR4 which will provide the necessary detention and water quality mitigation for the development. Per the submitted drainage report, the site runoff will not adversely



affect the downstream and surrounding developments and is in general conformance with all previous prepared reports for this area.

#### **4. Transportation**

The property is located at the northwest corner of the intersection of Meridian Road and Eastonville Road. The submitted Traffic Impact Study Addendum is consistent with the previous Traffic Impact Study submitted with the rezoning of this site. The primary access to the site will be via the new north leg of the roundabout at the intersection of Eastonville Road and Falcon Market Place. This new north leg, Meridian Park Drive, extends approximately 650 feet to Owl Place and will be dedicated to the County for ownership and maintenance. Meridian Park Drive will be extended north from Owl Place by the Falcon Ranchettes Filing No. 1A subdivision to the existing terminus of Meridian Park Drive.

The intersection of Owl Place with Meridian Road will be converted to a right-in only with this development. It is anticipated that Owl Place at the intersection of Meridian Road will be closed in the future with the expansion of Meridian Road from a Four-Lane Principal Arterial to a Six-Lane Principal Arterial and with future commercial development in this area. The submitted Traffic Impact Study has provided recommended improvements within Table 7 of the study that consist of auxiliary turn lane improvements and the Owl Place and Meridian Park Drive improvements mentioned above.

The 2016 Major Transportation Corridors Plan Update (MTCP) depicts corridor preservation for Meridian Road adjacent to the subject property for future widening to a Six -Lane Principal Arterial. The development will be subject to the El Paso County Road impact Fee program (Resolution 24-377), as amended.

### **G. SERVICES**

#### **1. Water**

Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed Minor Subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

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## **2. Sanitation**

Sanitation is provided by Woodmen Hills Metropolitan District.

## **3. Emergency Services**

The property is within the Falcon Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

## **4. Utilities**

Mountain View Electric Association will provide electric services and Colorado Springs Utilities will provide gas services.

## **5. Metropolitan Districts**

The subject property is within the Woodmen Hills Metropolitan District.

## **6. Parks/Trails**

The Board of County Commissioners has not elected to require park fees for commercial applications, so none are recommended at this time.

## **7. Schools**

The Board of County Commissioners has not elected to require school fees for commercial applications, so none are recommended at this time.

## **H. APPLICABLE RESOLUTIONS**

See attached resolution.

## **I. STATUS OF MAJOR ISSUES**

There are no outstanding major issues.

## **J. 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 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) staff recommends the following conditions and notations:

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## **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 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 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 Applicant shall submit the Mylar to Enumerations for addressing.
5. 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 Division of 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 El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.

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8. 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.
9. The Vacation and Replat (PCD File No. VR2321) and Subdivision Exemption (PCD File No. EX243) must be recorded at the same time to ensure the entirety of the proposed right-of-way contained in both platting applications are dedicated to the County.
10. An effective LOMR (Letter of Map Revision) removing the existing floodplain from the proposed lots shall be approved by FEMA prior to plat recordation.

#### **NOTATIONS**

1. Final plats not recorded within 24 months of Board of County Commissioners approval shall be deemed expired, unless an extension is approved.
2. 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. 24-377), 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.
3. Drainage fees in the amount of \$295,440.08 and bridge fees in the amount of \$40,585.74 shall be paid for the Falcon Drainage Basin (CHWS1400) at the time of plat recordation.

#### **K. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 44 adjoining property owners on January 3, 2025 for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

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**L. ATTACHMENTS**

Map Series

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

County Attorney's Letter

Draft Resolution

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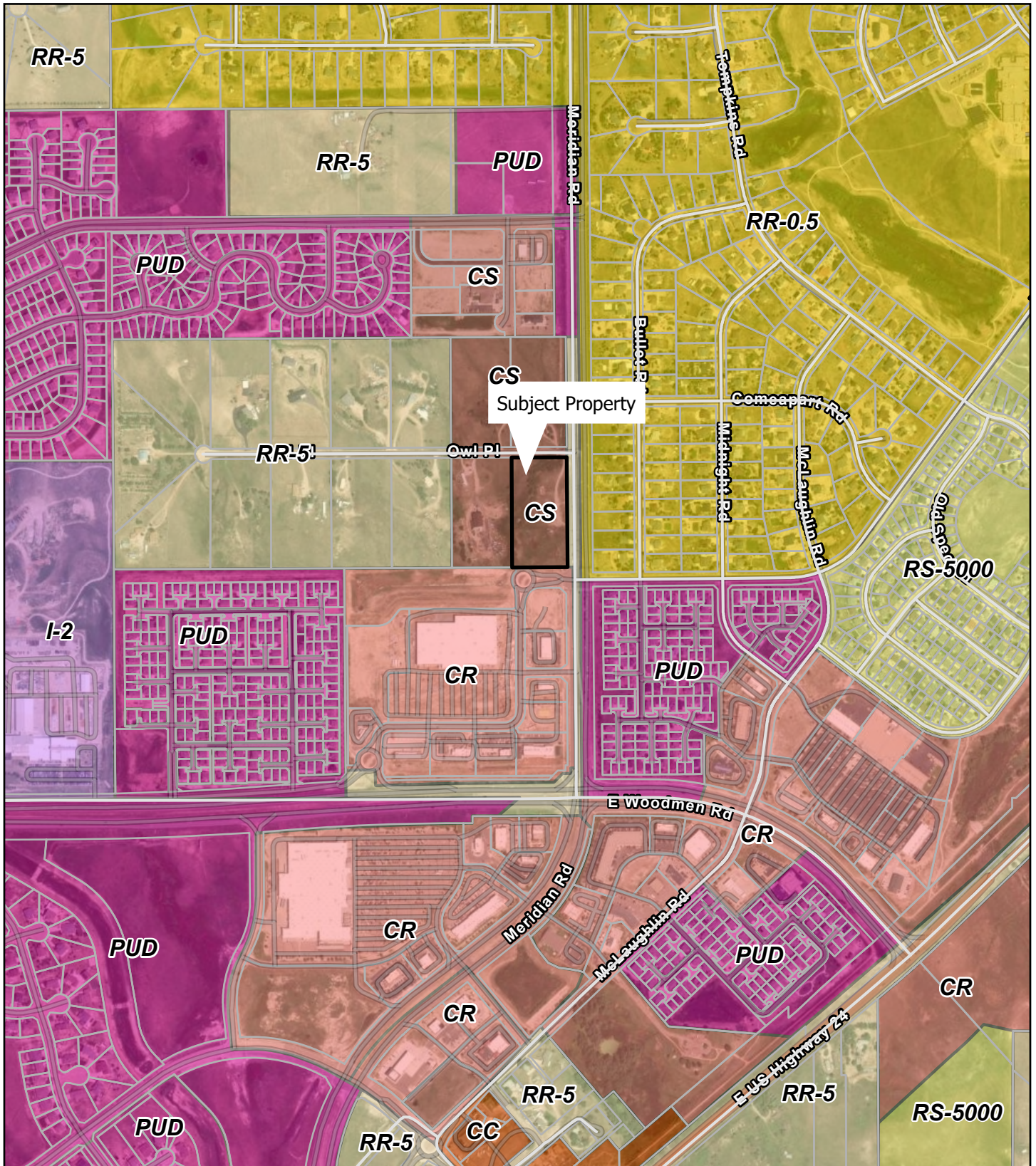
# Aerial Map

File No. VR2321

Map Series No. 1



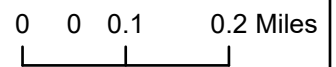
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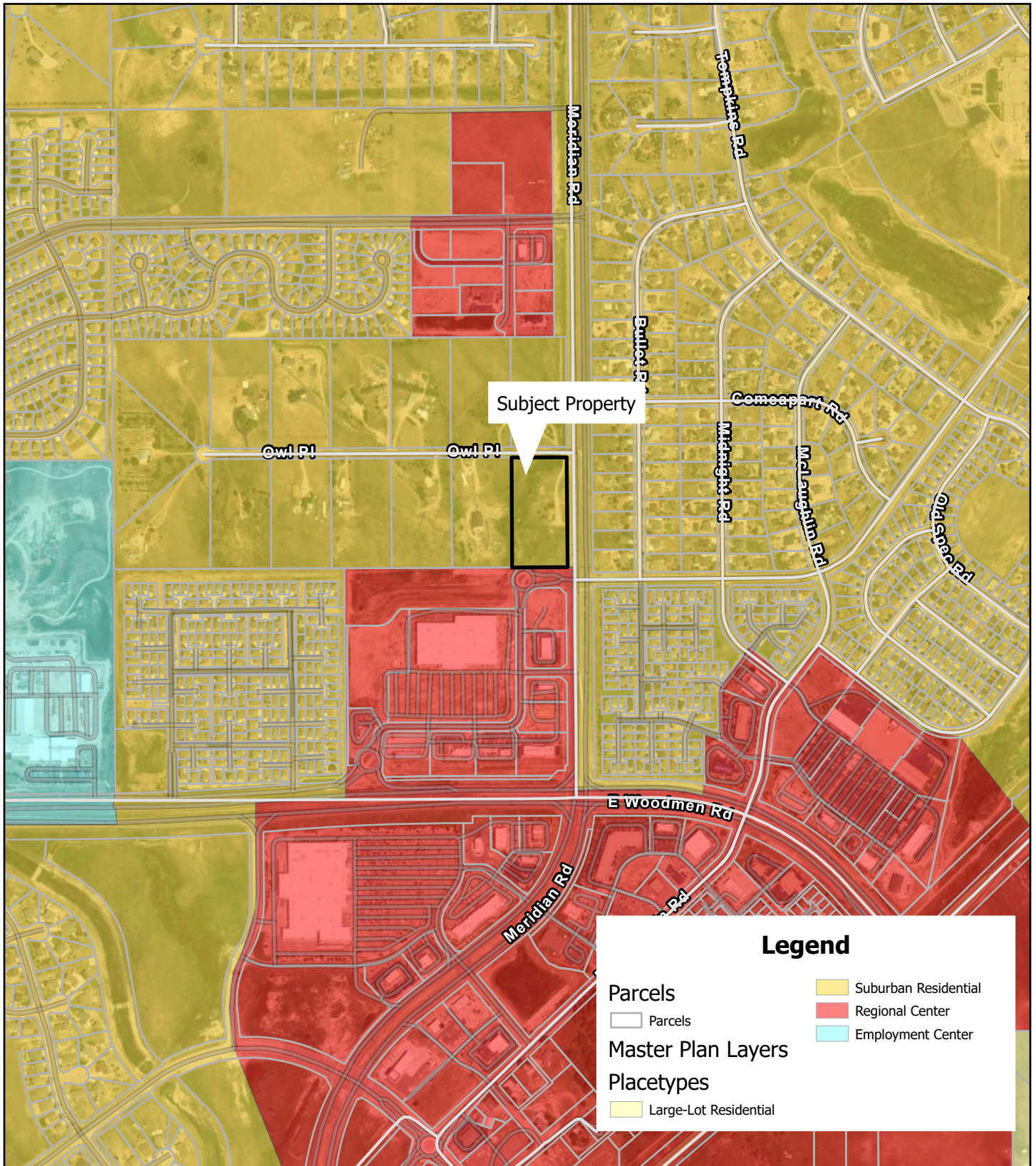


# Zoning Map

File No. VR2321

Map Series No. 2





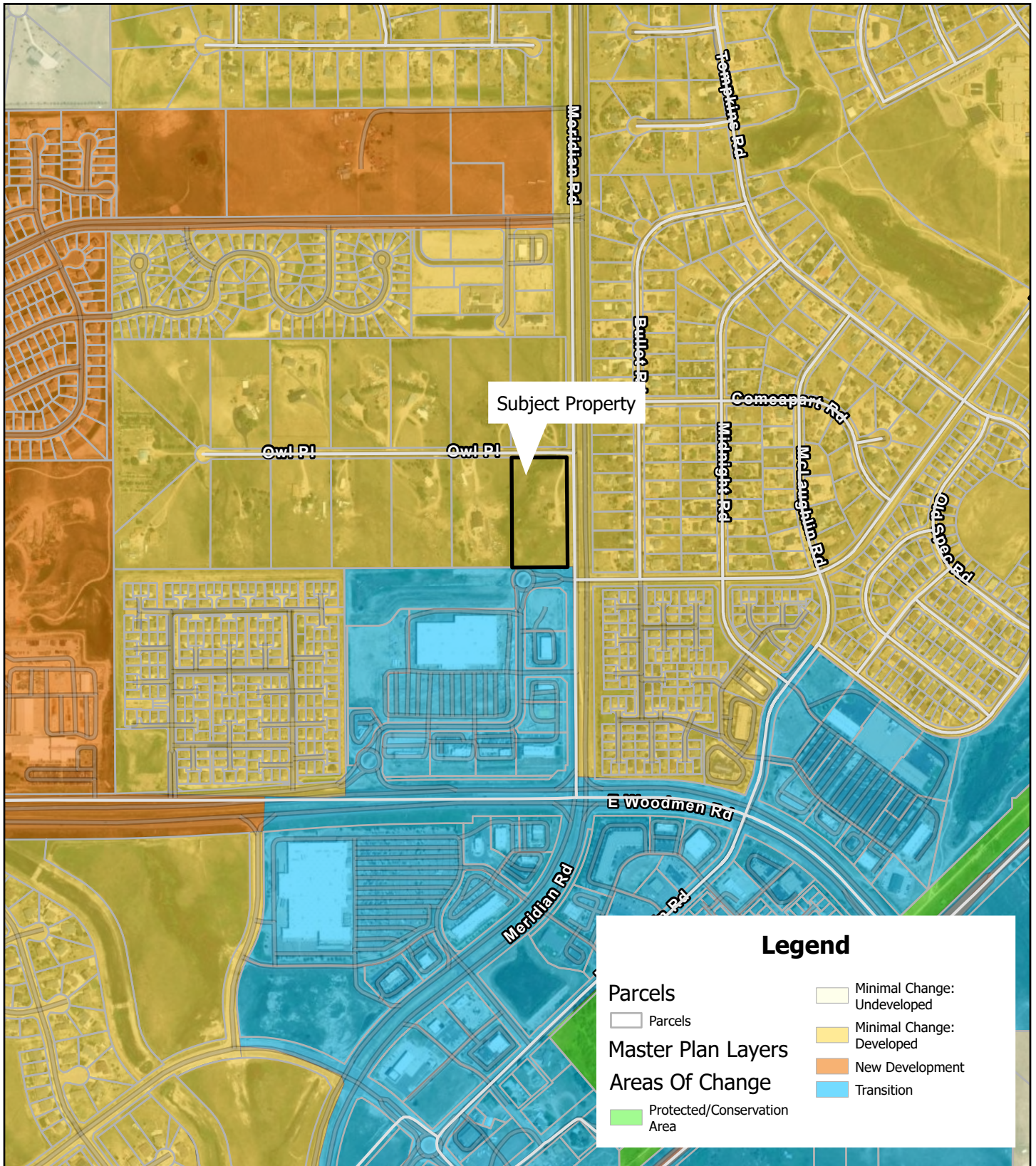
# Placetypes Map

File No. VR2321

Map Series No. 3



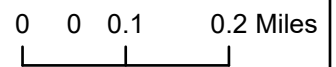
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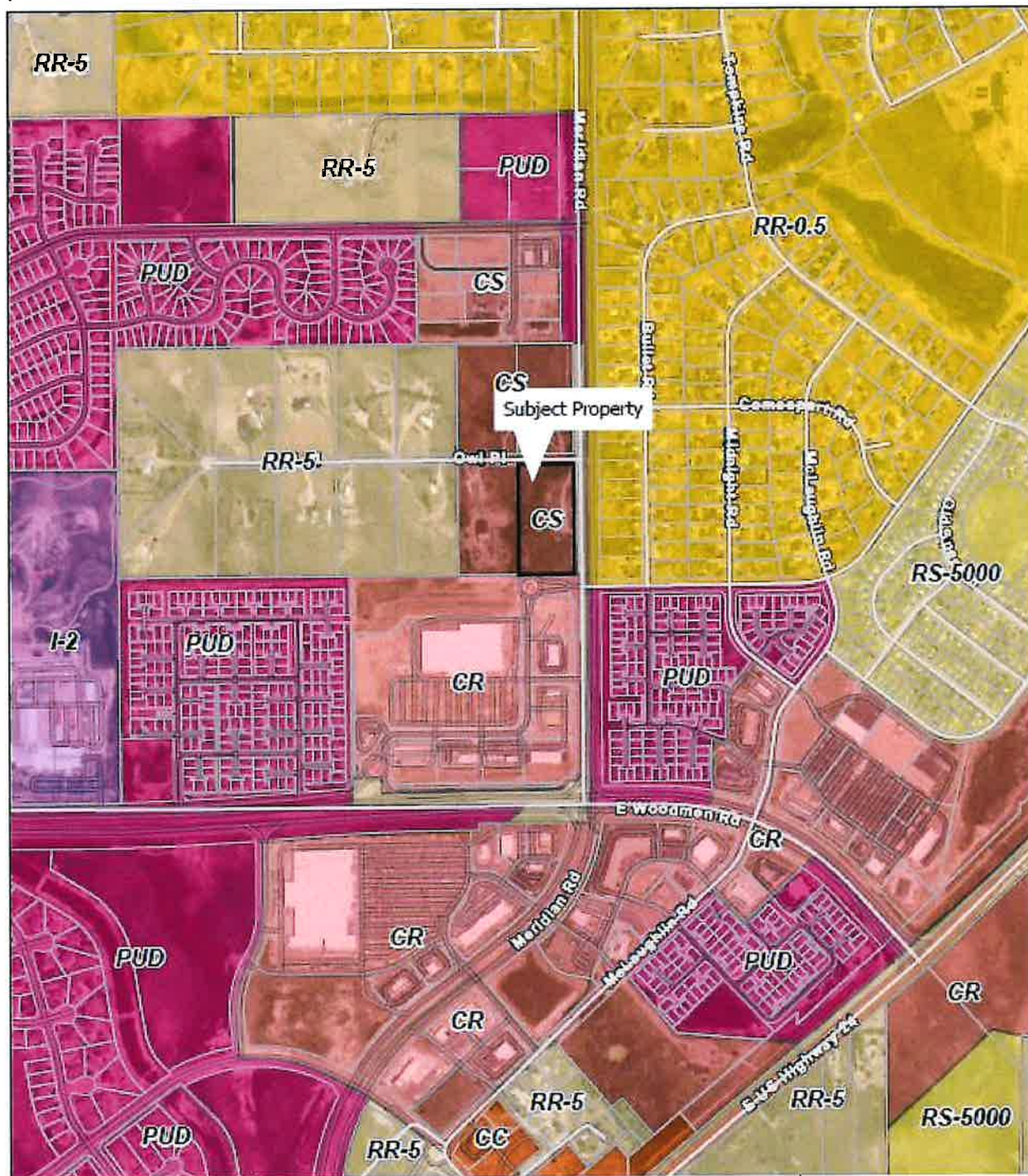


# Areas of Change Map

File No. VR2321

Map Series No. 4





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## Drexel, Barrell & Co.

April 16, 2024

El Paso County Planning & Community Development  
**Attn: Kylie Bagley, Planner III**  
2880 International Circle  
Colorado Springs, CO 80910  
719-520-6323

Engineers/Surveyors

Colorado Springs  
Lafayette

101 Sahwatch St, Suite 100  
Colorado Springs, CO 80903

719 260-0887  
719 260-8352 Fax

**RE: Letter of Intent  
Owl Marketplace Filing No. 1  
Current Parcel Nos. 5301001014 and 5301001015**

Ms. Bagley,

Please accept this letter of intent and the enclosed supplemental material as Drexel, Barrell & Co's application and request for approval of the Vacate and Replate for Owl Marketplace Filing No. 1, on behalf of BH RE Investments, LLC to be developed as a four-lot commercial property. We request approval of this Vacate and Replat which has been prepared in accordance with El Paso County criteria.

### Location

The Owl Marketplace Filing No. 1 project is an approximately 9.6-acre parcel, located at 11745 & 11685 Owl Place (Lots 14 & 15 Falcon Ranchettes). This site is bounded by existing commercial development to the south, and large lot residential to the west and north. The adjacent large residential lots are also in the process of replat and commercial development applications with El Paso County. The site is bounded on the east by Meridian Road.

### Zoning / Land Use

The property has been recently rezoned as Commercial Regional (CR). The replat consists of five commercial lots bisected by public right-of-way. In order for the proposed public right-of-way to align with the planned Meridian Park Drive to the north, and existing Falcon Market Place to the south, both Lots 14 and 15 of Falcon Ranchettes were required to be replatted. The current owner of Lot 14 will be a signatory on the replat and has been consulted during the entire design process.

The proposed public right-of-way and lots 1-4 of this replat encompass the area that is to be developed at this time by Meridian & Owl X, LLC. The project will be constructed in one phase, providing for multiple commercial pad sites to be accessed from a public roadway with public utilities. Lot 5 will remain as a single-family residence until such time that it is redeveloped.

Meridian Park Drive is proposed as a Collector roadway to be extended from the Eastonville roundabout on the Falcon Marketplace property to the south, to Owl Place where future extension to the Bent Grass subdivision will take place by others. Dedication of right-of-way for Meridian Park Drive is proposed to straddle the current property line, by agreement with the adjacent landowner.

### **Existing Facilities**

There is currently an existing house on Lot 15 that is served by well and septic. The house is to be removed in its entirety and the well and septic removed or abandoned per CDPHE regulations. The house and all accessory out-building and facilities on Lot 14 will remain in place.

The East Branch of the Upper Black Squirrel Creek Tributary currently flows southwest across Lot 15 before discharging into the sub-regional detention facility SR4 to the south. A CLOMR to contain the floodplain across the property within a 10'x6' concrete box culvert, has been approved by FEMA (Case No. 22-08-0669R, December 21, 2022).

The West Branch of the Upper Black Squirrel Creek Tributary currently flows southeast across Lot 14 before discharging into the sub-regional detention facility SR4 to the south. No changes are proposed within the area encumbered by the floodplain on this lot, and this will not change with the previously mentioned CLOMR approval for the East Branch. Any future development of Lot 14 (Lot 5 Owl Marketplace as to be replatted) will require separate drainage analysis and potential CLOMR/LOMR applications.

### **Traffic / Access / Noise**

A Traffic Impact Study was prepared by SM Rocha, LLC dated April 2023, with an addendum dated December 2023. The conclusion of the Study is that the transportation facilities in place are generally adequate to serve the proposed development. Connection to the roundabout at Eastonville Road, and the existing signalized intersections at Meridian Road and Eastonville Road, and Meridian Road and Bent Grass Meadows Drive aid in acceptable operation levels.

Owl Place is currently a full-movement intersection at Meridian Road. As part of the Owl Marketplace Filing No.1 development, this intersection is proposed to be revised to a right in only access. This was analyzed as part of the traffic addendum and concluded as an acceptable approach.

### **Utilities**

Water and sanitary sewer services for the to-be replatted Lots 1-4 will be provided by the Woodmen Hills Metropolitan District. The site is located outside of the City of Colorado Springs city limits but within the Colorado Springs Utilities' gas

territory. Mountain View Electric Association will provide the electrical service to the property.

An 8" water main and an 8" sanitary sewer main are proposed to extend the length of Meridian Park View, with connection to the concurrent development to the north that will provide the looping required by the District. Services to the commercial pad sites on lots 1-4 will be provided off these mains.

Service to Lot 5 will remain on well and septic until such time that the lot is replatted. Lot 5 is not included within the Woodmen Hills Metropolitan District.

### **Schools**

The project is located within Falcon School District No. 49. No land dedication or fees are required as the site is proposed to be developed as commercial land use.

### **Drainage**

The East Branch of the Upper Black Squirrel Creek Tributary currently flows southwest across Lot 15 before discharging into the sub-regional detention facility SR4 to the south. A CLOMR to contain the floodplain across the property within a 10'x6' concrete box culvert, has been approved by FEMA (Case No. 22-08-0669R, December 21, 2022).

The West Branch of the Upper Black Squirrel Creek Tributary currently flows southeast across Lot 14 before discharging into the sub-regional detention facility SR4 to the south. No changes are proposed within the area encumbered by the floodplain on this lot, and this will not change with the previously mentioned CLOMR approval for the East Branch. Any future development of Lot 14 (Lot 5 Owl Marketplace as to be replatted) will require separate drainage analysis and potential CLOMR/LOMR applications.

No onsite water quality or detention is proposed for the property given the proximity of the sub-regional detention facility SR4 on the adjacent Falcon Marketplace property to the south. Both water quality and detention were considered for this property in the design of SR4, negating the need for onsite treatment. However, a stilling basin will be installed at the terminus of the box culvert at Pond SR4 to aid in energy dissipation, and a trickle channel extension will be installed from this point to connect to the existing trickle channel. The separate onsite storm system will discharge directly into the existing easterly forebay in Pond SR4, which will be modified with an additional baffle to aid in energy dissipation.

### **Parks / Open Space**

No land dedication or fees are required. All on-site landscape and irrigation will be provided in accordance with County land use requirements.

### **Deviations/Variations from Criteria**

A non-standard roadway cross section deviation is requested for the Meridian Park Drive cross-section. A formal deviation request is included with this submittal.

### **Criteria for Approval**

Per section 7.2.1.D.3.f in the Land Development Code, this project meets the following criteria:

#### **1. The proposed subdivision is in conformance with the goals, objectives, and policies of the Master Plan;**

This area of Falcon, specifically the Woodmen Rd/Meridian Rd corridor is identified in the Your El Paso Master Plan as a suburban residential priority development area. This replat is in conformance with the goals of the Plan to meet corridor improvement plans for growth and access to goods and services in the area, as listed below:

*Goal 1.1 – Ensure compatibility with established character and infrastructure capacity.*

*Goal 3.3 – Encourage the development of commercial districts in underserved areas.*

*Goal 4.1 – Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion and promoting safe and efficient travel.*

The proposed replat is consistent with the character and objectives of the Suburban Residential Placetype by providing limited retail and services along the perimeter street - Meridian Road, and near the commercial intersection of Meridian Road and Woodmen Road. The property is adjacent to the Regional Center Placetype to the south.

The properties are bookended to the north and south by Commercial Development Areas identified in the Master Plan.

The property is not in a Key Area, however the Falcon Marketplace development to the south is in a key potential annexation area. The continuity of this proposed development with surrounding activity will likely result in the area's future annexation and/or classification as a future key area. The rezone and development support the character of the key area by providing similar land uses occurring along Meridian Road.

The proposed development follows the goals of the Master Plan and intends to provide proper transitional uses and buffers addressing all potential impacts for the adjacent uses. Additional access and drainage improvements lessen and ultimately improve the impacts of the area.

The proposed development reduces traffic impact to Meridian Road and also allows for slower safer vehicular and pedestrian access through to the Falcon Marketplace development on the south via Meridian Park Drive.

### **El Paso County – Water Master Plan**

The proposed subdivision also satisfies the intent and policies of the El Paso County Water Master Plan:

*Policy 5.2.4 – Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.*

The proposed subdivision is located within the Woodmen Hills Metropolitan District (WHMD) and a supportive Will Serve Letter noting the District’s ability to serve the proposed development in an efficient manner with the current infrastructure has been provided.

### **2. The subdivision is in substantial conformance with the approved preliminary plan;**

As this application is a vacate and replat, no preliminary plan has been prepared for this development.

### **3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements for the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials;**

Owl Marketplace Filing No. 1 complies with El Paso County Land Development Code, Chapter 8, Subdivision Design, Improvements and Dedications.

### **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 this 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;**

The proposed subdivision is located within the Woodmen Hills Metropolitan District (WHMD) and a supportive Will Serve Letter noting the District’s ability to serve the proposed development in an efficient manner with the current infrastructure has been provided.

The property is currently undergoing the inclusion process with the Woodmen Hills Metropolitan District.

**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 this Code;**

The proposed subdivision is located within the Woodmen Hills Metropolitan District (WHMD) and a supportive Will Serve Letter noting the District's ability to serve the proposed development in an efficient manner with the current infrastructure has been provided.

The property is currently undergoing the inclusion process with the Woodmen Hills Metropolitan District.

**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)];**

A geotechnical study has been completed and included with this submittal.

**7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;**

We have provided a Final Drainage Report, Grading, Erosion and Stormwater Quality Control Permit and Erosion Control Plan, addressing proposed adequate drainage improvements.

In addition, the East Branch of the Upper Black Squirrel Creek Tributary currently flows southwest across the property before discharging into the sub-regional detention facility SR4 to the south. A CLOMR to contain the floodplain across the property within a 10'x6' concrete box culvert, has been approved by FEMA (Case No. 22-08-0669R, December 21, 2022).

**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 this Code and the ECM;**

Legal and physical access is provided to all parcels from the proposed public internal roadway on site and existing adjoining public roadways.

**9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;**

Required items supporting this requirement have been included with this submittal and include the Fire Protection Report, the Fire

Commitment Letter, Electric Provider Commitment Letter, Natural Gas Commitment Letter and a Traffic Impact Study.

**10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;**

The Fire Protection letter affirms that the subdivision design and all its components provide adequate and appropriate support for fire suppression and safety, including vehicular access and water delivery.

**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;**

Minimal off-site impacts are anticipated with this development.

**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;**

The Subdivision Improvements Agreement (SIA) and related Financial Assurance Estimate (FAE) addresses all concerns related to financial guarantees/construction of infrastructure and public facilities. The SIA and FAE have been uploaded to the County EDARP site.

**13. The subdivision meets other applicable sections of Chapter 6 and 8; and**

The proposed replat meets the noted sections, subject to the requested waivers noted above, for which justification is provided.

**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.]**

No mineral estate owners were found for the property,

**Contact Information**

Drexel, Barrell & Co., a full service engineering and surveying firm, represents the property owners. Following is the contact information for all parties.

**Developer:**

Meridian & Owl X, LLC  
Brian Zurek  
450 N. McClintock Drive  
Chander, AZ 85226  
Phone: (480) 313-2724

**Consultant:**

Drexel, Barrell & Co.  
Mr. Tim McConnell, P.E., President  
3 South 7<sup>th</sup> Street, Colorado Springs, CO 80905  
719-260-0887 phone  
[tmccConnell@drexelbarrell.com](mailto:tmccConnell@drexelbarrell.com)

We trust you find our application for the Owl Marketplace Filing No. 1 Vacate and Replat acceptable. We look forward to working with the County in processing the application and submittal package. Please call if you have any questions or require any additional information.

Respectfully,

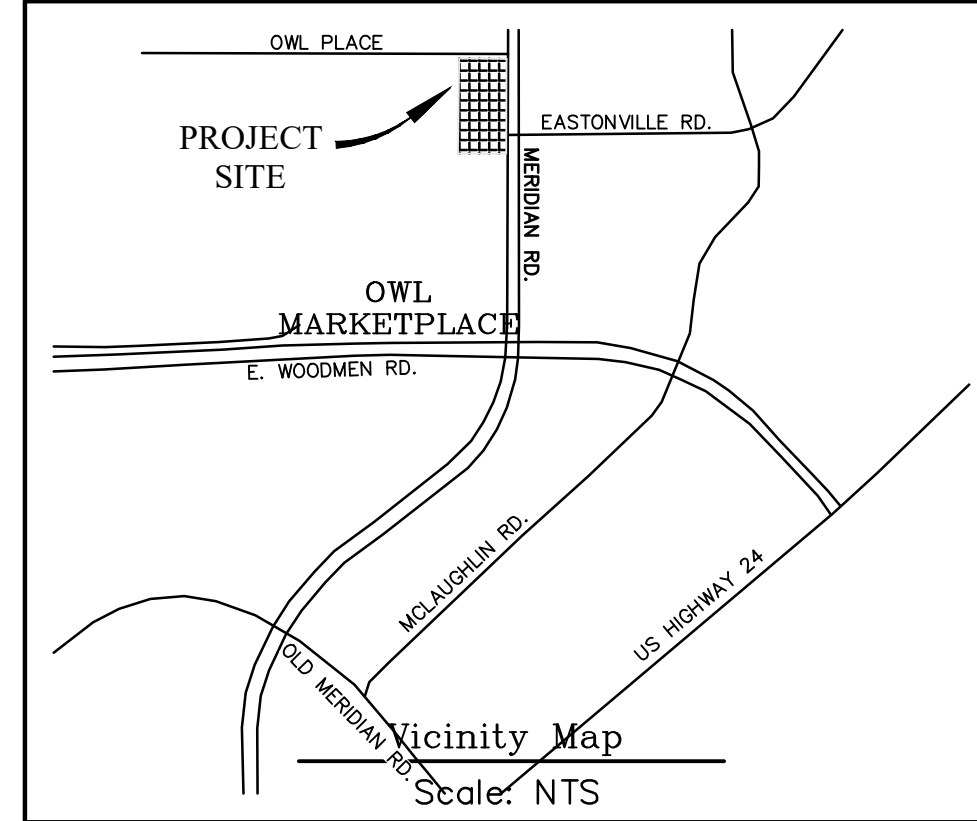


*Drexel, Barrell & Co.*  
Tim D. McConnell, P.E.  
President



# OWL MARKETPLACE FILING NO. 1

A REPLAT OF LOT 15, FALCON RANCHETTES, AND VACATION OF PERMANENT EASEMENT PE-2, RECEPTION NO. 211005648, LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



## BE IT KNOWN BY THESE PRESENTS:

THAT BRIAN ZUREK, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACTS OF LAND:

## LEGAL DESCRIPTION (See Survey Note #4):

A PARCEL OF LAND IN THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 15, FALCON RANCHETTES, AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK V-2, PAGE 15 OF THE RECORDS OF EL PASO COUNTY, COLORADO, CONTAINING 4.604 ACRES, MORE OR LESS.

## OWNERS CERTIFICATE:

THE UNDERSIGNED, BEING THE OWNER, MORTGAGEE, BENEFICIARY OF DEEDS OF TRUST AND HOLDER OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, TRACTS AND EASEMENTS FOR PUBLIC IMPROVEMENTS, UTILITIES AND DRAINAGE PURPOSES AS SHOWN OR NOTED HEREON UNDER THE NAME AND SUBDIVISION OF "OWL MARKETPLACE FILING NO. 1". ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EROSION CONTROL FOR SAME WILL BE PROVIDED AT SAID OWNER'S EXPENSE, ALL TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC IMPROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE PERMANENT EASEMENT PE-2, RECORDED UNDER RECEPTION NO. 211005648 IS HEREBY VACATED. ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

## IN WITNESS THEREOF:

THE AFORESAID, BRIAN ZUREK, HAS EXECUTED THIS INSTRUMENT

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024

BY:

BRIAN ZUREK

## ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024

BY \_\_\_\_\_ BRIAN ZUREK

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_

## SURVEY NOTES:

- THE PURPOSE OF THIS REPLAT IS TO CREATE 4 NEW LOTS, PUBLIC RIGHT-OF WAY AND EASEMENTS AS SHOWN HEREON.
- THE BEARINGS AS SHOWN HEREON ARE BASED UPON THE CONSIDERATION THAT THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SE1/4 OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH P.M. IS ASSUMED TO BEAR SOUTH 89°43'52" WEST, BEING MONUMENTED AS SHOWN HEREON. NOTE: BASIS OF BEARINGS AND ACTUAL DIMENSIONS MAY VARY FROM LEGAL DESCRIPTION DUE TO ROTATIONAL ANALYSIS OF BOUNDARY LINES AND ACCEPTED FOUND MONUMENTS FROM PREVIOUS SURVEYS.
- THE LINEAL UNIT OF MEASURE IS THE U.S. SURVEY FOOT. ALL MONUMENTS FOUND OR SET ARE WITHIN 0.1± OF THE GROUND SURFACE, UNLESS NOTED OTHERWISE.
- TITLE COMMITMENT NOTES: THE UNDERSIGNED HAS RELIED UPON STEWART TITLE COMPANY dba EMPIRE TITLE, A DIVISION OF STEWART, FOR THE FOLLOWING PROPERTY:  
LOT 15, FALCON RANCHETTES, PLAT BOOK V2, PAGE 15, TITLE INSURANCE FILE NUMBER 1713081, REVISION NUMBER C2, WITH AN EFFECTIVE DATE OF JUNE 28, 2022 AT 8:00 A.M. FOR OWNERSHIP AND FOR THE PURPOSE OF SHOWING RECORDED EASEMENTS AND RIGHTS-OF-WAY ACROSS SAID PREMISES.  
THE SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & COMPANY TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. §18-4-508.
- SURVEY FIELD WORK COMPLETED ON APRIL 12, 2023.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

## SURVEYOR'S CERTIFICATION:

I, PETER VAN STEENBURGH, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON 04/12/2023, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

I ATTEST THE ABOVE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

PETER VAN STEENBURGH \_\_\_\_\_ DATE  
COLORADO REGISTERED PLS #37913

## BOARD OF COUNTY COMMISSIONERS APPROVAL

THIS PLAT FOR "OWL MARKETPLACE FILING NO. 1" WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024, SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL, THE DEDICATIONS OF LAND TO THE PUBLIC MERIDIAN PARK DRIVE, ADDITIONAL RIGHT-OF-WAY ON MERIDIAN ROAD, AND ALL PUBLIC UTILITY AND PUBLIC IMPROVEMENT EASEMENTS ARE ACCEPTED, TOGETHER WITH THE VACATION OF THE NON-EXCLUSIVE PERMANENT EASEMENT PE-2, BUT THE PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

FALCON RANCHETTES IN ENTIRETY IS VACATED AND AMENDED FOR THE AREAS DESCRIBED BY THIS REPLAT SUBJECT TO ALL COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER, RECEPTION #029878200

CHAIR, BOARD OF COUNTY COMMISSIONERS \_\_\_\_\_ DATE \_\_\_\_\_

## FEES:

FALCON BASIN DRAINAGE FEE:

FALCON BASIN BRIDGE FEE:

## CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO  
COUNTY OF EL PASO

I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024 AND WAS RECORDED AT

RECEPTION NUMBER \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY.

EL PASO COUNTY CLERK AND RECORDER \_\_\_\_\_

## PLAT NOTES:

- THIS PROPERTY IS LOCATED WITHIN ZONE X--AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 08041C0553G HAVING AN EFFECTIVE DATE OF DECEMBER 7, 2018. A CONDITIONAL LETTER OF MAP REVISION (CLOMR) HAS BEEN APPROVED FOR THE SITE PER FEMA CASE NO. 22-08-0669R, DATED DEC 21, 2022. Pikes Peak Regional Building Department WILL REQUIRE AN EFFECTIVE LOMR REMOVING LOTS #1-4 FROM THE FLOODPLAIN PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THE INDIVIDUAL LOTS. LOT 5 WILL REMAIN IN THE FLOODPLAIN UNTIL FUTURE DEVELOPMENT AND SEPARATE CLOMR/LOMR PROCESS OCCURS.
- THE NUMBER OF LOTS HEREBY PLATTED IS 4. THERE ARE NO TRACTS.
- DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO PARKS AND DIVISION OF 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 LISTED SPECIES (e.g., PREBLE'S MEADOW JUMPING MOUSE).
- PURSUANT TO RESOLUTION \_\_\_\_\_ APPROVED BY THE BOARD DIRECTORS, EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT \_\_\_\_\_ AND RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AT RECEPTION NUMBER \_\_\_\_\_ THE PARCELS WITHIN THE PLATTED BOUNDARIES OF OWL MARKETPLACE FILING NO. 1 ARE INCLUDED WITHIN THE BOUNDARIES OF THE EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT AND AS SUCH IS SUBJECT TO APPLICABLE ROAD IMPACT FEES AND MIL LEVY.
- 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 SUBMITTAL. 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.
- THE SUBDIVIDER/DEVELOPER IS RESPONSIBLE FOR EXTENDING UTILITIES TO EACH LOT, TRACT, OR BUILDING SITE.
- WATER AND WASTEWATER SERVICE FOR LOT 1-4 IS PROVIDED BY THE WOODMEN HILLS METROPOLITAN DISTRICT AND SUBJECT TO THE DISTRICT'S RULES, REGULATIONS AND SPECIFICATIONS.
- GAS SERVICE FOR THIS SUBDIVISION IS PROVIDED BY COLORADO SPRINGS UTILITIES. ELECTRIC SERVICE FOR THIS SUBDIVISION IS PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION. BOTH SERVICES ARE SUBJECT TO THE RESPECTIVE DISTRICT PROVIDERS RULES, REGULATIONS, AND SPECIFICATIONS.
- ALL ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- GEOLOGIC HAZARD NOTE--FINAL PLAT: THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS: ARTIFICIAL FILL; EXPANSIVE SOILS; SHALLOW BEDROCK; GROUNDWATER & FLOODPLAIN AREAS; SEASONAL SHALLOW GROUNDWATER & RADON; MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT SOILS & GEOLOGY STUDY BY ENTECH ENGINEERING, INC. JUNE 22, 2023 IN FILE VR2321 AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.  
EXPANSIVE SOILS: ACROSS ALL LOTS  
SHALLOW BEDROCK: ACROSS ALL LOTS  
GROUNDWATER & FLOODPLAIN AREAS: FLOODPLAIN TO BE REMOVED BY CLOMR/LOMR  
SEASONAL SHALLOW GROUNDWATER: ACROSS ALL LOTS  
RADON: ACROSS ALL LOTS  
IN AREAS OF HIGH GROUNDWATER: DUE TO HIGH GROUNDWATER IN THE AREA, ALL FOUNDATIONS SHALL INCORPORATE AN UNDERGROUND DRAINAGE SYSTEM.
- NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NO. \_\_\_\_\_ IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY COLORADO. OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER.
- EASEMENTS UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 10' USE PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.
- ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
- DEDICATION STATEMENT FOR STREETS, PARKS, TRAILS, OPEN SPACE, SCHOOLS, OR OTHER USES AND DEDICATION OF PUBLIC STREETS, ALLEYS AND EASEMENTS TO THE COUNTY: MERIDIAN PARK DRIVE IS HEREBY DEDICATED TO EL PASO COUNTY FOR RIGHT-OF-WAY PURPOSES BY THIS PLAT. ALL PUBLIC IMPROVEMENT EASEMENTS AND PUBLIC UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO EL PASO COUNTY BY THIS PLAT FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING PUBLIC UTILITIES AND PUBLIC IMPROVEMENTS. THE EASEMENTS ARE NON-EXCLUSIVE AND SHALL BE MAINTAINED BY THE PROPERTY OWNER. THE COUNTY WILL MAINTAIN THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH STANDARD COUNTY OPERATION AND MAINTENANCE PRACTICES.
- NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
- THERE SHALL BE NO DIRECT LOT ACCESS TO MERIDIAN ROAD, OWL PLACE OR EASTONVILLE ROAD.
- NON-EXCLUSIVE PERMANENT EASEMENT PE-2, RECEPTION NO. 211005648 IS HEREBY VACATED WITH THE ACCEPTANCE OF THIS PLAT BY EL PASO COUNTY.
- THE 10 FOOT SIDE LOT LINE UTILITY EASEMENT ON BOTH SIDES OF THE WEST LOT LINE OF LOT 15, PER THE PLAT OF SAID FALCON RANCHETTES IS HEREBY VACATED.
- RECIPROCAL ACCESS/PARKING AGREEMENT: ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO A RECIPROCAL ACCESS AND PARKING AGREEMENT TO BE RECORDED LATER.
- THE OWL PLACE 'RIGHT IN ONLY AT MERIDIAN ROAD' MAY CLOSE IN THE FUTURE DUE TO THE EXPANSION OF MERIDIAN ROAD AND/OR AS DEEMED NECESSARY BY THE COUNTY ENGINEER.
- ACREAGE NOTE: TOTAL GROSS ACREAGE = 4.604 ACRES +/-  
NET ACREAGE OF SUBDIVISION (LOTS 1-4) = 3.928 ACRES +/-  
NET ACREAGE OF LAND DEDICATED FOR RIGHT OF WAY = 0.676 ACRES +/-  
NET ACREAGE OF MERIDIAN PARK DRIVE = 0.560 ACRES +/-  
NET ACREAGE OF MERIDIAN ROAD = 0.116 ACRES +/-

OCTOBER 18, 2024

Sheet 1 of 3

DREXEL, BARRELL & CO.  
Engineers & Surveyors  
101 SAWATCH STREET, SUITE 100  
COLORADO SPGS, COLORADO 80905  
(719) 260-0887  
Job No.21611-01 Drawing:21611-01 REPLAT.dwg

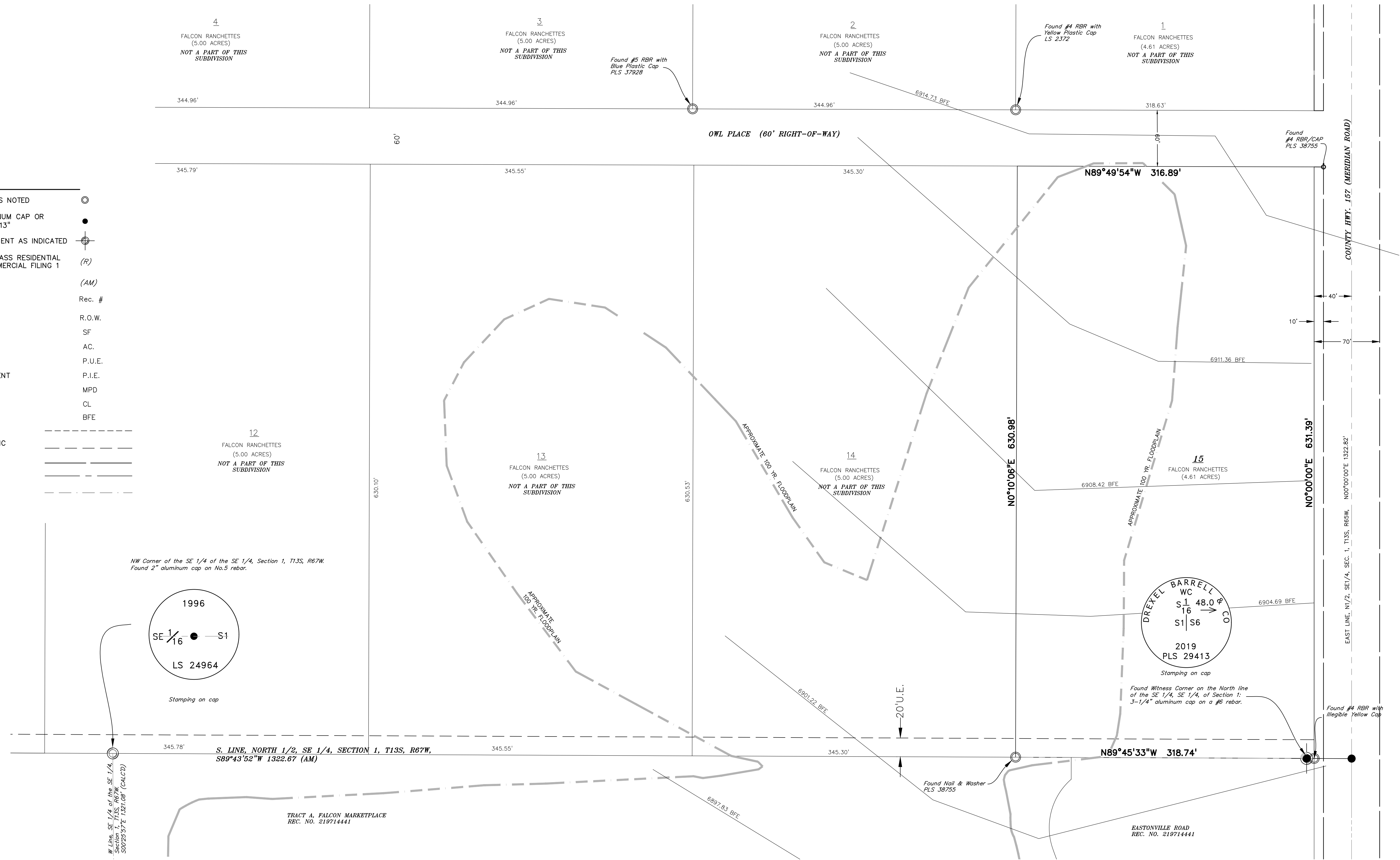
PCD FILE VR2321

# OWL MARKETPLACE FILING NO. 1

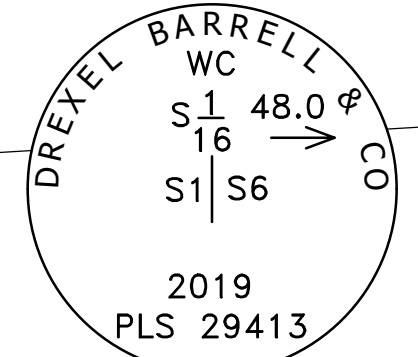
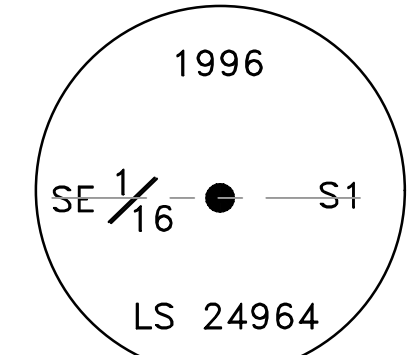
A REPLAT OF LOT 15, FALCON RANCHETTES, AND VACATION OF PERMANENT EASEMENT PE-2, RECEPTION NO. 211005648, LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

## LEGEND

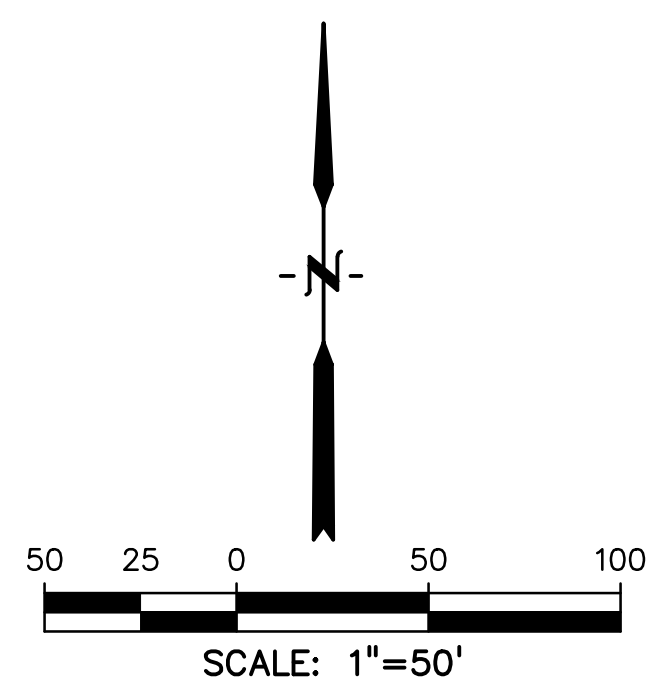
FOUND SURVEY MONUMENT AS NOTED	⊙
SET #5 REBAR & 1.5" ALUMINUM CAP OR NAIL & STEEL DISC "PLS 37913"	●
SECTION CORNER/REF MONUMENT AS INDICATED	⊕
RECORD DIMENSION: BENT GRASS RESIDENTIAL FILING 1 & BENT GRASS COMMERCIAL FILING 1	(R)
MEASURED DIMENSION	(AM)
RECEPTION NUMBER	Rec. #
RIGHT OF WAY	R.O.W.
SQUARE FEET	SF
ACRE(S)	AC.
PUBLIC UTILITY EASEMENT	P.U.E.
PUBLIC IMPROVEMENT EASEMENT	P.I.E.
MERIDIAN PARK DRIVE	MPD
CENTERLINE	CL
BASE FLOOD ELEVATION	BFE
EXISTING EASEMENT	---
PROPOSED UTILITY AND PUBLIC IMPROVEMENT EASEMENT	---
EXISTING R.O.W.	---
CENTERLINE PROPOSED ROAD	---
100 YR. FLOODPLAIN	---



NW Corner of the SE 1/4 of the SE 1/4, Section 1, T13S, R67W.  
Found 2" aluminum cap on No.5 rebar.



Found Witness Corner on the North line of the SE 1/4, SE 1/4, of Section 1: 3-1/4" aluminum cap on a #6 rebar.



CURRENTLY EXISTING  
PLAT #3800

FEE:

OCTOBER 18, 2024

Sheet 2 of 3

DREXEL, BARRELL & CO.  
Engineers-Surveyors  
101 SAWATCH STREET, SUITE 100  
COLORADO SPGS, COLORADO 80905  
(719) 260-0887  
Job No.21611-01 Drawing:21611-01 REPLAT.dwg

PCD FILE VR2321

# OWL MARKETPLACE FILING NO. 1

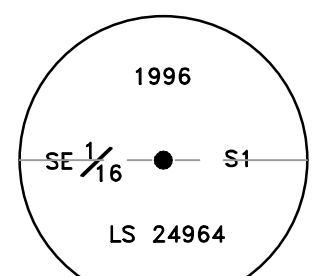
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## LEGEND

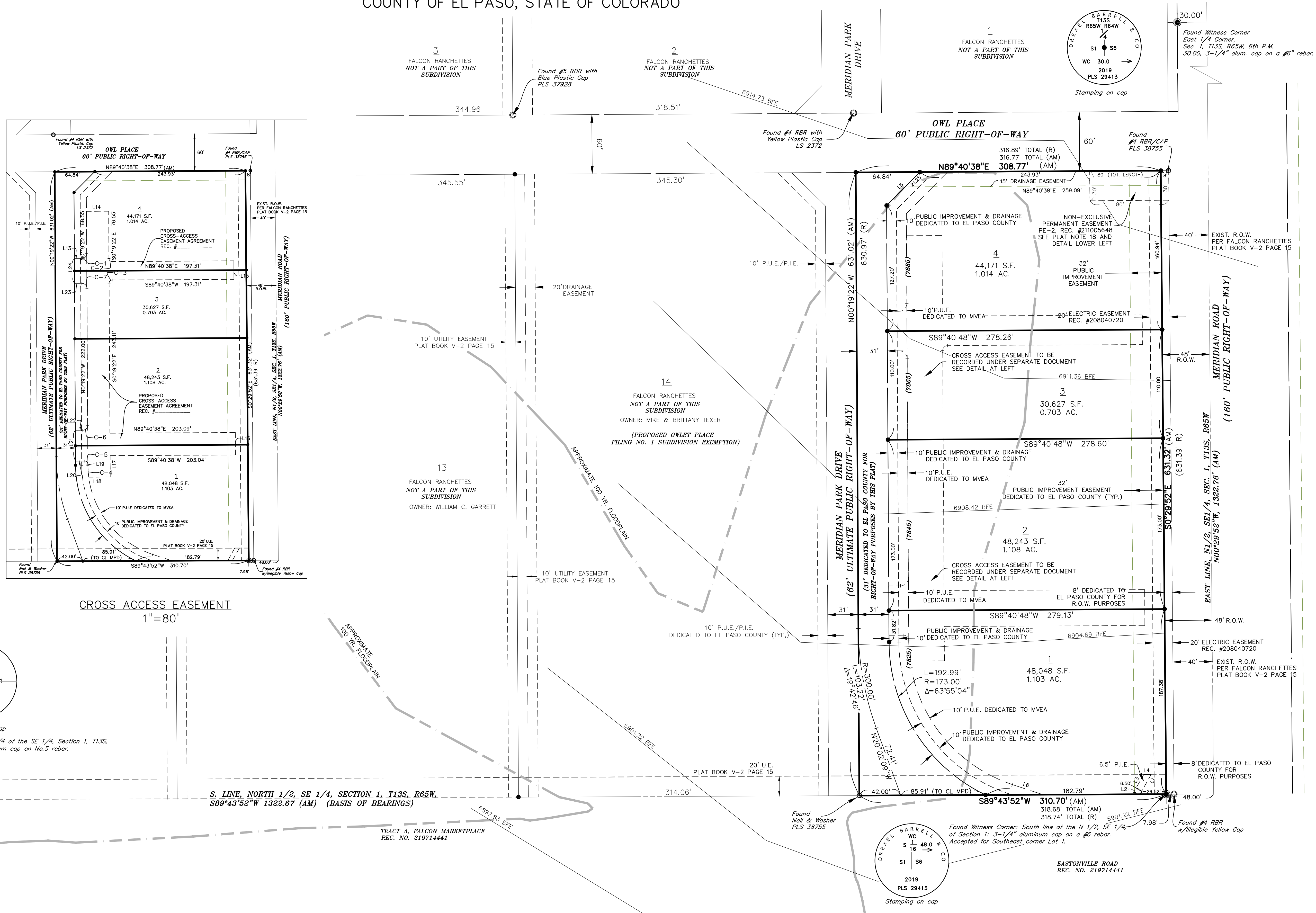
- FOUND SURVEY MONUMENT AS NOTED ⊙
- SET #5 REBAR & 1.5" ALUMINUM CAP OR NAIL & STEEL DISC "PLS 37913" ●
- SECTION CORNER/REF MONUMENT AS INDICATED ⊕
- RECORD DIMENSION: BENT GRASS RESIDENTIAL FILING 1 & BENT GRASS COMMERCIAL FILING 1 (R)
- MEASURED DIMENSION (AM)
- RECEPTION NUMBER Rec. #
- RIGHT OF WAY R.O.W.
- SQUARE FEET SF
- ACRE(S) AC.
- PUBLIC UTILITY EASEMENT P.U.E.
- PUBLIC IMPROVEMENT EASEMENT P.I.E.
- MOUNTAIN VIEW ELECTRIC ASSOCIATION MVEA
- MERIDIAN PARK DRIVE MPD
- CENTERLINE CL
- BASE FLOOD ELEVATION BFE
- EXISTING EASEMENT ---
- PROPOSED UTILITY AND PUBLIC IMPROVEMENT EASEMENT ---
- EXISTING R.O.W. ---
- CENTERLINE PROPOSED ROAD ---
- 100 YR. FLOODPLAIN ---

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C-1	12.57'	8.00'	90°00'00"	N44°40'38"E	11.31'
C-2	7.85'	5.00'	90°00'00"	S45°19'22"E	7.07'
C-3	7.85'	5.00'	90°00'00"	S44°40'38"W	7.07'
C-4	19.34'	150.88'	7°20'42"	N03°59'43"W	19.33'
C-5	7.85'	5.00'	90°00'00"	N45°19'20"W	7.07'
C-6	12.57'	8.00'	90°00'01"	N44°40'39"E	11.31'
C-7	12.57'	8.00'	90°00'00"	N45°19'22"W	11.31'

LINE #	LENGTH	DIRECTION
L1	23.04'	S29°30'09"W
L2	7.49'	S89°43'52"W
L3	23.04'	N29°30'09"E
L4	7.49'	N89°43'52"E
L5	47.78'	N44°46'12"E
L6	32.74'	S71°41'57"E
L13	12.00'	S89°40'38"W
L14	36.00'	N89°40'38"E
L15	30.00'	N0°19'22"W
L16	36.31'	S0°19'22"E
L17	34.69'	S0°19'22"E
L18	34.82'	S89°40'38"W
L19	1.82'	S0°19'20"E
L20	15.00'	N89°40'40"E
L21	50.00'	S0°19'21"E
L22	12.00'	N89°40'39"E
L23	12.00'	S89°40'38"W
L24	40.00'	S0°19'22"E



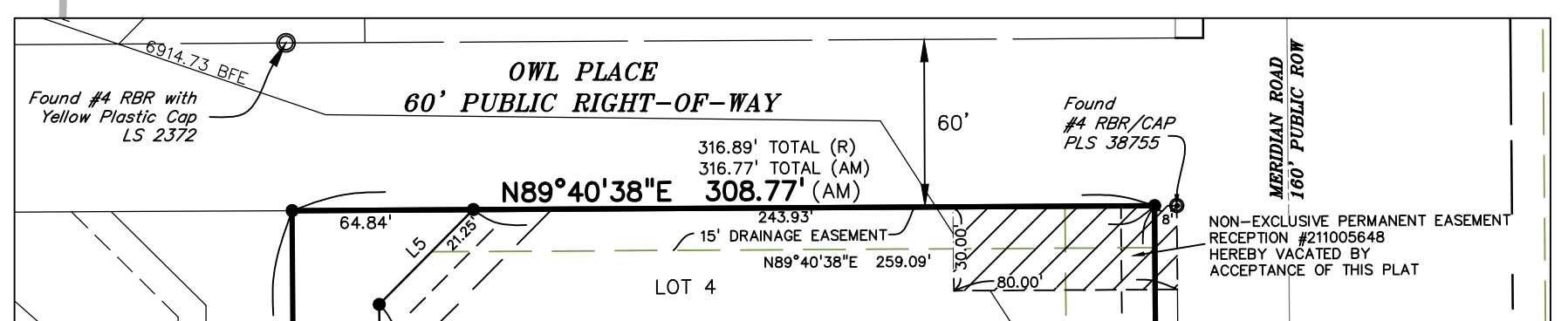
Stamping on cap  
NW Corner of the SE 1/4 of the SE 1/4, Section 1, T13S, R65W. Found 2" aluminum cap on No.5 rebar.



CROSS ACCESS EASEMENT  
1"=80'

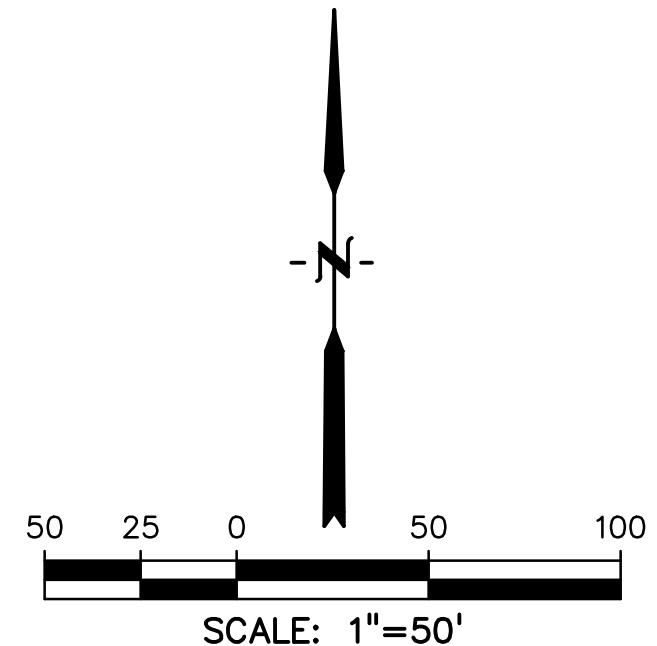
S. LINE, NORTH 1/2, SE 1/4, SECTION 1, T13S, R65W,  
S89°43'52"W 1322.67' (AM) (BASIS OF BEARINGS)

TRACT A, FALCON MARKETPLACE  
REC. NO. 219714441



EASEMENT VACATION  
1"=60'

REPLAT





November 8, 2023

Kylie Bagley  
El Paso County Planning and Community Development  
Transmission via EDARP portal

**Re: Owl Place Vacation and Replat, EA21191 VR2321  
SE ¼ of the SE ¼ of Sec. 1, T13S, R65W of the 6th PM  
Water Division 2, Water District 10**

Dear Kylie Bagley:

We have reviewed your November 2, 2023 submittal concerning the above referenced proposal to subdivide 4.61 acres into 4 lots ranging in size from 0.8 acres to 1.1 acres.

### Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for the four lots were estimated using three Single Family Equivalent units (“SFE”) of 0.353 SFE per acre of commercial land, totaling 4.88 acre-feet per year.

### Source of Water Supply

The proposed water supplier is the Woodmen Hills Metropolitan District (“District”). The District has provided a letter dated July 24, 2023 committing to serve the subdivision upon inclusion of the property into the District’s service area, which at that time was in process. Information in our files indicates the district has approximately 1,186 acre-feet per year of Denver Basin ground water available for additional commitments.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

“Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (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.”

### State Engineer’s Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II)], C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

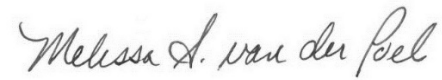
Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.



Should you have any questions, please contact Melissa A. van der Poel of this office at 303-866-3581.

Sincerely,

A handwritten signature in cursive script that reads "Melissa A. van der Poel".

Melissa A. van der Poel, P.E.  
Water Resources Engineer

cc: Subdivision File 31025

County Attorney

Kenneth R. Hodges, County Attorney  
719-520-6485  
Centennial Hall  
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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

November 12, 2024

VR-23-21 Owl Marketplace Filing No. 1  
Vacation and Replat

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

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Final Plat proposal by Meridian & Owl X LLC ("Applicant"), to redevelop an approximately 4.61 +/- acre tract of land into 4 commercial lots (the "Property"). The property is zoned RR-5 (Rural Residential).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary ("WSIS"), the subdivision demand is 4.88 acre-feet per year for commercial uses. The Applicant must therefore be able to provide a supply of 1,464 acre-feet of water (4.88 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Woodmen Hills Metropolitan District ("District"). As detailed in the Water Resources Report dated September 2024 ("Report"), the total demand for commercial use is 4.88 acre-feet per year based on a planning value of 3.0 Single Family Equivalent (SFE) per acre of commercial land calculated. This total includes irrigation.

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY  
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY  
TERRY A. SAMPLE

LORI L. SEAGO  
DOREY L. SPOTTS

BRYAN E. SCHMID  
STEVEN W. MARTYN

MERI GERINGER  
ERIKA KEECH

The Report states that the District has an annual supply of water on a 300-year basis in the amount of 2,157 acre-feet from both renewable and non-renewable sources. The District reports use of 817.02 acre-feet of water in 2023, leaving an excess of available water to serve this subdivision.

4. The District provided a letter of commitment Owl Marketplace Filing No. 1 dated May 2, 2024, in which the District stated that “. . .the District commits 4.88 acre-feet of water per year for the subdivision. WHMD has adequate water supplies to meet the anticipated additional demand.”

#### State Engineer’s Office Opinion

5. In a letter dated November 8, 2023, the State Engineer reviewed the proposal to subdivide 4.61 acres into 4 lots. The State Engineer stated that the proposed supply of water is to be served by Woodmen Hills Metropolitan District (“WHMD”) and estimates that WHMD has 1,186 annual acre-feet available for additional commitments.

Finally, the State Engineer offered their opinion that “[b]ased upon the above and pursuant to section 30-28-136(1)(h)(I) and Section 30-28-136(1)(h)(II)], C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.”

#### Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Owl Marketplace Filing No. 1 is 4.88 acre-feet per year to be supplied by the Woodmen Hills Metropolitan District. **Based on the water demand of 4.88 acre-feet/year for the subdivision and the District’s availability of water sources, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Owl Marketplace Filing No. 1.**

7. 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.

8. Basis. The County Attorney’s Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated September 2024, the *Woodmen Hills Metropolitan District letter* dated May 2, 2024, and the *State Engineer Office’s Opinion* dated November 8, 2023. 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.
- B. Prior to recording the final plat, Applicant shall upload to the file written confirmation from the SEO's office that its records have been corrected to reflect a 4-lot commercial subdivision served by the District.

cc. Kylie Bagley, Project Manager, Planner



VACATION AND REPLAT (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR2321  
OWL MARKETPLACE FILING NO. 1

WHEREAS, Drexel, Barrell and Co. did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to vacate one existing lot and replat into four commercial lots within the CS (Commercial Service) zoning district 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 this Commission on January 16, 2025; 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; and
7. For the above-stated and other reasons, the proposed Vacation and Replat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, in approving a Vacation and Replat of a Subdivision, the El Paso County Planning Commission and Board of County Commissioners shall find that the application meets the criteria of approval listed in Section 7.2.3(C)(4) of the Land Development Code ("Code") (as amended):

1. The Replat complies with the Code and the original conditions of approval associated with the recorded Plat;
2. No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
3. The Replat is in keeping with the purpose and intent of the Code;
4. The Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable;
5. 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 Engineering Criteria Manual ("ECM");
6. The approval will not adversely affect the public health, safety, and welfare; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the Replat has been resolved.

WHEREAS, (Sufficiency) 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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Drexel, Barrell and Co. for approval of a Vacation and Replat to allow four commercial lots within the CS (Commercial Service) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

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 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 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 Applicant shall submit the Mylar to Enumerations for addressing.
5. 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 Division of 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 El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. 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.

- 9. The Vacation and Replat (PCD File No. VR2321) and Subdivision Exemption (PCD File No. EX243) must be recorded at the same time to ensure the entirety of the proposed right-of-way contained in both platting applications are dedicated to the County.
- 10. An effective LOMR (Letter of Map Revision) removing the existing floodplain from the proposed lots shall be approved by FEMA prior to plat recordation.

NOTATIONS

- 1. Final plats not recorded within 24 months of Board of County Commissioners approval shall be deemed expired, unless an extension is approved.
- 2. 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. 24-377), 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.
- 3. Drainage fees in the amount of \$295,440.08 and bridge fees in the amount of \$40,585.74 shall be paid for the Falcon Drainage Basin (CHWS1400) at the time of plat recordation.

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.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

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

DONE THIS 16th day of January 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Chair

EXHIBIT A

LOT 15, FALCON RANCHETTES, COUNTY OF EL PASO, STATE OF COLORADO.