



## RECORD OF ADMINISTRATIVE ACTION

### APPROVAL OF A FINAL PLAT FOR RETREAT AT TIMBERRIDGE FILING NO. 2 (SF-21-021)

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. 2 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

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

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

WHEREAS, on June 1, 2022, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

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

1. The application was properly submitted for consideration by the Planning and Community Development Executive Director.
2. Proper publication, and public notice were provided as required by law for the administrative review of the application by the Planning and Community Development Director.
3. The administrative review of the application by the Planning and Community Development Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen (14) day time period to submit comments.

4. All exhibits were received into evidence.
5. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. At a public hearing on the preliminary plan held on May 17, 2021, the Board found that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Code and Engineering Criteria Manual ("ECM").
12. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to El Paso County in compliance with the Code and the ECM.
13. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
14. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.

15. 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.
16. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so that the impacts of the subdivision will be adequately mitigated.
17. The subdivision meets other applicable sections of Chapters 6 and 8 of the Code.
18. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
19. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.

The El Paso County Planning and Community Development Director therefore APPROVES the final plat application for the Retreat at TimberRidge Filing No. 2 Subdivision.

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

#### **CONDITIONS**

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.

5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate as approved by the ECM Administrator, shall be filed at the time of final plat recordation.
8. Collateral sufficient to ensure the public improvements as listed in the approved Financial Assurance Estimate shall be provided when at the time of final plat recordation.
9. The subdivider(s) agrees on behalf of him/herself and any successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would disclose the fee obligation before sale of the property.
10. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
11. Drainage fees for the Sand Creek drainage basin in the amount of \$262,992.30 and bridge fees in the amount of \$115,411.76 shall be paid at the time of final plat recordation.
12. Park fees in lieu of land dedication for the regional park fees (Area 2) in the amount of \$41,400.00 and urban park (Areas 2 and 3) fees in the amount of \$26,100.00 shall be paid at the time of plat recordation.

13. School fees in lieu of land dedication for the benefit of School District 20 in the amount of \$27,540.00 shall be paid at the time of plat recordation.

14. The subdivider(s) shall:

- a. Provide escrow or collateral for the improvements to Vollmer Road between Briargate Parkway and Poco Road, which are currently associated with Homestead North Filing No. 1 (PCD files SF-22-013 and CDR-21-010).
- b. If escrow is provided, the escrow agreement shall be approved by the PCD Director prior to recording the agreement. If construction financial assurances are provided, the Financial Assurance Estimate shall be approved by PCD prior to obtaining collateral and recording the plat.
- c. These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program; a Credit Agreement Request shall be submitted for approval if credits will be requested.

## NOTATIONS

1. Approval of the final plat will expire after twenty-four (24) months unless the final plat has been recorded or a request for extension has been granted.

DONE THIS 1st day of June, 2022 at Colorado Springs, Colorado.

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



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**EXHIBIT A**

**LEGAL DESCRIPTION:**

TWO (2) PARCELS OF LAND BEING A PORTION OF SECTIONS 27 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END WHICH IS THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28, BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED "ESI PLS 10376, 2006" AND AT THE EAST END, WHICH IS A 30' WITNESS CORNER TO THE EAST OF THE EAST QUARTER CORNER OF SAID SECTION 28, BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED "ESI 10376, 2006", IS ASSUMED TO BEAR S89°08'28"W A DISTANCE OF 1356.68 FEET.

**PARCEL A**

COMMENCING AT THE NORTHWEST CORNER OF RETREAT AT TIMBERRIDGE FILING NO. 1 RECORDED UNDER RECEPTION NO. 220714653, EL PASO COUNTY, COLORADO, SAID POINT BEING ALSO ON THE EASTERLY RIGHT OF WAY LINE OF VOLMER ROAD AS RECORDED IN BOOK 2678 AT PAGE 430, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N21°41'10"E, ON THE EASTERLY RIGHT OF WAY LINE OF SAID VOLMER ROAD, A DISTANCE OF 657.86 FEET;

THENCE S68°18'50"E, A DISTANCE OF 40.00 FEET;

THENCE S46°30'00"E, A DISTANCE OF 243.59 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S46°30'00"E, HAVING A DELTA OF 114°51'36", A RADIUS OF 60.00 FEET AND A DISTANCE OF 120.28 FEET TO A POINT ON CURVE;

THENCE N12°00'00"E, A DISTANCE OF 307.77 FEET;

THENCE S78°00'00"E, A DISTANCE OF 490.00 FEET;

THENCE S12°00'00"W, A DISTANCE OF 183.00 FEET;

THENCE N90°00'00"E, A DISTANCE OF 378.68 FEET;

THENCE S86°05'18"E, A DISTANCE OF 253.40 FEET;

THENCE S00°00'00"E, A DISTANCE OF 208.46 FEET;

THENCE S41°00'00"E, A DISTANCE OF 256.15 FEET;

THENCE S16°19'41"E, A DISTANCE OF 155.30 FEET;

THENCE S03°30'00"W, A DISTANCE OF 107.28 FEET;

THENCE S17°19'01"W, A DISTANCE OF 103.72 FEET;

THENCE S18°00'00"W, A DISTANCE OF 100.00 FEET;

THENCE S19°43'22"W, A DISTANCE OF 95.70 FEET;

THENCE S27°50'00"W, A DISTANCE OF 94.45 FEET;

THENCE S35°37'50"W, A DISTANCE OF 108.98 FEET;

THENCE S36°37'30"W, A DISTANCE OF 200.00 FEET;

THENCE S53°22'30"E, A DISTANCE OF 150.00 FEET;

THENCE S36°37'30"W, A DISTANCE OF 10.00 FEET TO THE NORTHWESTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 1;

THENCE ON THE BOUNDARY OF SAID RETREAT AT TIMBERRIDGE FILING NO. 1 THE FOLLOWING TWELVE (12) COURSES:

1. S36°37'30"W, A DISTANCE OF 263.98 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 12°37'30", A RADIUS OF 525.00 FEET AND A DISTANCE OF 115.68 FEET TO A POINT ON CURVE;
3. N66°00'00"W, A DISTANCE OF 197.47 FEET;
4. N35°00'00"W, A DISTANCE OF 230.09 FEET;
5. N05°00'00"W, A DISTANCE OF 55.08 FEET;
6. N85°00'00"E, A DISTANCE OF 184.29 FEET;
7. N04°30'10"W, A DISTANCE OF 243.01 FEET;
8. N90°00'00"W, A DISTANCE OF 424.49 FEET;
9. N54°48'53"W, A DISTANCE OF 205.37 FEET;
10. N66°30'00"W, A DISTANCE OF 255.51 FEET TO A POINT ON CURVE;
11. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S66°30'00"E, HAVING A DELTA OF 09°20'00", A RADIUS OF 770.00 FEET AND A DISTANCE OF 125.43 FEET TO A POINT ON CURVE;
12. N57°10'00"W, A DISTANCE OF 661.28 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 45.715 ACRES.

#### PARCEL B

COMMENCING AT THE SOUTHEAST CORNER OF RETREAT AT TIMBERRIDGE FILING NO. 1 RECORDED UNDER RECEPTION NO. 220714653, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE BOUNDARY OF SAID RETREAT AT TIMBERRIDGE FILING NO. 1 THE FOLLOWING FOURTEEN (14) COURSES:

1. N02°25'00"W, A DISTANCE OF 18.66 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 01°30'30", A RADIUS OF 1025.00 FEET AND A DISTANCE OF 26.98 FEET TO A POINT OF TANGENT;
3. N00°54'30"W, A DISTANCE OF 154.28 FEET;
4. S89°05'30"W, A DISTANCE OF 150.00 FEET;
5. N00°54'30"W, A DISTANCE OF 175.00 FEET;
6. N05°04'00"W, A DISTANCE OF 416.10 FEET;
7. N89°05'30"E, A DISTANCE OF 145.17 FEET;
8. S88°03'59"E, A DISTANCE OF 85.10 FEET;
9. N89°05'30"E, A DISTANCE OF 160.00 FEET;
10. N00°54'30"W, A DISTANCE OF 720.00 FEET;
11. N06°02'18"E, A DISTANCE OF 136.13 FEET TO A POINT ON CURVE;
12. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N06°02'18"E, HAVING A DELTA OF 05°02'42", A RADIUS OF 725.00 FEET AND A DISTANCE OF 63.84 FEET TO A POINT ON CURVE;
13. N11°05'00"E, A DISTANCE OF 147.40 FEET;
14. N71°41'17"W, A DISTANCE OF 87.90 FEET;

THENCE N19°50'00"E, A DISTANCE OF 225.69 FEET;  
THENCE N05°57'53"E, A DISTANCE OF 241.74 FEET;

THENCE N89°05'30"E, A DISTANCE OF 150.00 FEET;  
THENCE N00°54'30"W, A DISTANCE OF 28.43 FEET TO A POINT OF CURVE;  
THENCE ON THE ARC OF CURVE TO THE RIGHT HAVING A DELTA OF 83°24'30", A RADIUS OF 55.00 FEET AND A DISTANCE OF 80.07 FEET TO A POINT ON CURVE;  
THENCE N07°30'00"W, A DISTANCE OF 198.00 FEET;  
THENCE S77°00'00"E, A DISTANCE OF 251.41 FEET;  
THENCE S00°54'30"E, A DISTANCE OF 2478.00 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27 TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
THENCE S87°35'00"W, ON SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27, A DISTANCE OF 639.38 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 30.114 ACRES.

CONTAINING A TOTAL CALCULATED AREA OF 75.829 ACRES.