

BOCC

Steve Schleiker
06/07/2023 02:20:24 PM
Doc \$0.00 5
Rec \$0.00 Pages

El Paso County, CO



223048065

RESOLUTION NO. 23-196

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

**APPROVAL OF FINAL PLAT
LATIGO TRAILS FILING NO. 9 (SF-21-036)**

WHEREAS, Drexel, Barrell & Co. did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Latigo Trails Filing No. 9 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 May 4, 2023, 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 June 6, 2023; 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 hearings before the Planning Commission and the Board of County Commissioners.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. All exhibits were received into evidence.

5. The subdivision is in general 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. 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 Land Development 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 Land Development 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 Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. 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 Land Development Code.
15. 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 the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Latigo Trails Filing No. 9 Subdivision;

BE IT FURTHER RESOLVED that the following conditions and notation shall be placed upon this approval:

CONDITIONS

1. 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.
2. 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.
3. 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.
4. Park fees in lieu of land dedication for regional parks area 2 in the amount of \$17,940 and urban park area 3 fees in the amount of \$0 shall be paid at the time of plat recordation.
5. Fees in lieu of school land dedication in the amount of \$9,360 shall be paid to El Paso County for the benefit of District 49 at the time of plat recording.

6. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations dated January 5, 2023, provided by the County Attorney's Office.
7. The developer shall complete an escrow agreement with El Paso County in the amount of \$165,041.00 to be applied towards future improvements to Eastonville Road prior to final plat recordation.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.

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

DONE THIS 6th day of June, 2023, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____

County Clerk & Recorder



By: Camie Bomer
Chair

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE SOUTHEAST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "LS 24964 2000" FLUSH WITH THE GROUND AND AT THE SOUTHWEST CORNER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 25955 1996" 0.35" BELOW GROUND, BEARING N89°25'55"W.

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE WEST LINE OF SAID SECTION 17, N00°03'36"W A DISTANCE OF 1,516.40 FEET, TO THE SOUTHWESTERLY CORNER OF LOT 41, THE TRAILS FILING NO. 2-B RECORDED UNDER RECEPTION NO. 203250448 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE SOUTHERLY BOUNDARY LINE OF SAID THE TRAILS FILING NO. 2-B, THE FOLLOWING ELEVEN (11) COURSES:

1. S85°03'34"E A DISTANCE OF 422.02 FEET;
2. S04°58'20"W A DISTANCE OF 99.83 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 62°25'00" AND AN ARC LENGTH OF 566.48 FEET, TO A POINT OF TANGENT;
4. S57°26'40"E A DISTANCE OF 165.00 FEET;
5. N32°33'20"E A DISTANCE OF 60.00 FEET;
6. N32°34'16"E A DISTANCE OF 399.86 FEET;
7. S67°22'54"E A DISTANCE OF 439.92 FEET;
8. N76°58'20"E A DISTANCE OF 280.00 FEET;
9. S85°01'40"E A DISTANCE OF 1150.00 FEET;
10. N88°28'20"E A DISTANCE OF 550.00 FEET;
11. N68°58'20"E A DISTANCE OF 150.00 FEET, TO THE SOUTHWESTERLY CORNER OF LOT 1, THE TRAILS FILING NO. 7-C RECORDED UNDER RECEPTION NO. 207712670;

THENCE ON THE SOUTHERLY LINE OF SAID LOT 1, N89°26'47"E A DISTANCE OF 411.36 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BUFFALO RIVER TRAIL AS SHOWN ON THE PLAT OF THE TRAILS FILING NO. 7 RECORDED UNDER RECEPTION NO. 205057689, SAID POINT BEING A POINT OF NON-TANGENT CURVE;

THENCE ON SAID RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N89°28'37"E, HAVING A RADIUS OF 2,030.00 FEET, A CENTRAL ANGLE OF 00°01'50" AND AN ARC LENGTH OF 1.08 FEET, TO A POINT OF TANGENT;
2. S00°33'13"E A DISTANCE OF 163.45 FEET;
3. N89°26'47"E A DISTANCE OF 60.00 FEET;
4. N00°33'13"W A DISTANCE OF 163.45 FEET, TO A POINT OF CURVE;
5. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,970.00 FEET, A CENTRAL ANGLE OF 00°29'41" AND AN ARC LENGTH OF 17.01 FEET, TO THE SOUTHWESTERLY CORNER OF LOT 2, THE TRAILS FILING NO. 7-A RECORDED UNDER RECEPTION NO. 207712671, SAID POINT BEING A POINT OF NON-TANGENT;

THENCE ON SAID SOUTHERLY LINE, N89°26'47"E A DISTANCE OF 202.23 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING THREE (3) COURSES;

1. S00°33'13"E A DISTANCE OF 603.73 FEET;
2. S89°26'47"W A DISTANCE OF 21.08 FEET;
3. S00°33'13"E A DISTANCE OF 519.05 FEET, TO A POINT ON THE SOUTH LINE OF SAID SECTION 17;

THENCE ON SAID SOUTH LINE, N89°25'55"W A DISTANCE OF 4,212.88 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4,643,639 SQUARE FEET OR 106.6033 ACRES.