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

#### SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners  
FROM: Planning & Community Development  
DATE: 6/6/2023  
RE: SF2136, Latigo Trails Filing No. 9

#### Project Description

A request by Drexel, Barrell & Co. for approval of a final plat to create 39 single-family residential lots. The 106-acre parcel is zoned RR-2.5 (Residential Rural) and is located 3/4 of a mile west of Eastonville Road, one mile east of Meridian Road, and one mile south of Latigo Boulevard. The Board of County Commissioners approved a 247-lot preliminary plan on November 2, 2001 (PCD File No. SP-01-011). At the time of the approval, the preliminary plan's proposed water was found not sufficient in terms of quality, quantity, and dependability. The current final plat request was found to have been sufficient in terms of water quality, quantity, and dependability by the El Paso County Attorney's Office and the State of Colorado.

#### Notation

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

#### Planning Commission Recommendation and Vote

Mr. Trowbridge moved / Ms. Brittain Jack seconded for approval, for the final plat, utilizing the resolution attached to the staff report, with seven (7) conditions and one (1) notation, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (7-0)**. The item was heard as a called-up consent agenda item.

#### Discussion

Mr. Whitney stated that he doesn't understand how it can be reconciled that a finding of sufficiency is being declared when there is evidence that the finding of sufficiency is based on future, potential water. He is unsure whether the finding of sufficiency can be relied on. Mr. Bailey that the way the State and County assess this topic is based on water rights, not what is actively being pumped. The calculation of future availability, for the 300 years required by the County, is separate. Ms. Seago stated that is correct. Her evaluation is in regard to water rights currently under the control of the providing entity and whether or not that is sufficient to meet current demand as well as the additional proposed demand from the new development. One neighbor spoke in opposition of the project due to concern for water sufficiency with the creation of the proposed subdivision.

#### Attachments

1. Planning Commission Minutes from 5/4/2023.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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## PLANNING COMMISSION

### MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting  
Thursday, May 4, 2023  
El Paso County Planning and Community Development Department  
2880 International Circle – Second Floor Hearing Room  
Colorado Springs, Colorado

#### **REGULAR HEARING, 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** TOM BAILEY, SARAH BRITAIN JACK, JAY CARLSON, TIM TROWBRIDGE, BECKY FULLER, ERIC MORAES, AND CHRISTOPHER WHITNEY.

**PC MEMBERS VIRTUAL AND VOTING:** NONE.

**PC MEMBERS PRESENT AND NOT VOTING:** KARA OFFNER.

**PC MEMBERS ABSENT:** JOSHUA PATTERSON, BRYCE SCHUETTPELZ, AND BRANDY MERRIAM.

**STAFF PRESENT:** MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, LUPE PACKMAN, GILBERT LAFORCE, LEKISHIA BELLAMY, CRISTEL MADDEN, MIRANDA BENSON, AND EL PASO COUNTY ATTORNEY LORI SEAGO (ONLINE).

**OTHERS PRESENT AND SPEAKING:** CAREY JONES, BOB HORNE, JACK TUBBS, AND RICHARD MINGO.

#### **1. REPORT ITEMS**

**A. Planning Department.** Next PC Hearing is Thursday, May 18, 2023, at 9:00 A.M.

**Ms. Herington** advised the board that the next meeting will be their annual meeting and will include training by Ms. Seago in addition to any regular items on the agenda.

**Mr. Kilgore** added that the designation of officers will take place at the annual meeting.

**B. Call for public comment for items not on hearing agenda.** NONE.

## 2. CONSENT ITEMS

### A. Adoption of Minutes of meeting held April 20, 2023.

**PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (7-0).**

### B. SF2136

**BAGLEY**

#### **FINAL PLAT LATIGO TRAILS FILING NO. 9**

A request by Drexel, Barrell & Co. for approval of a final plat to create 39 single-family residential lots. The 106-acre parcel is zoned RR-2.5 (Residential Rural) and is located 3/4 of a mile west of Eastonville Road, one mile east of Meridian Road, and one mile south of Latigo Boulevard. (Parcel No. 4200000345) (Commissioner District No. 2).

**PC ACTION: THIS ITEM WAS PULLED TO THE CALLED-UP CONSENT CALENDAR.**

### C. MS204

**BELLAMY**

#### **MINOR SUBDIVISION KINCH SUBDIVISION**

A request by Paul and Amy Kinch for approval of a minor subdivision creating four residential lots. The 29.12-acre property is addressed as 10805 Milam Rd and zoned RR-5 (Rural Residential); located north of the intersection at Old North Gate Road and Milam Road. (Parcel No. 6224000011) (Commissioner District No. 1).

**PC ACTION: THIS ITEM WAS PULLED TO THE CALLED-UP CONSENT CALENDAR.**

## 3. CALLED-UP CONSENT ITEMS

### 2B. SF2136

**BAGLEY**

#### **FINAL PLAT LATIGO TRAILS FILING NO. 9**

A request by Drexel, Barrell & Co. for approval of a final plat to create 39 single-family residential lots. The 106-acre parcel is zoned RR-2.5 (Residential Rural) and is located 3/4 of a mile west of Eastonville Road, one mile east of Meridian Road, and one mile south of Latigo Boulevard. (Parcel No. 4200000345) (Commissioner District No. 2).

## **STAFF PRESENTATION & APPLICANT PRESENTATION**

**Mr. Trowbridge** asked for clarification regarding the water report. He thinks there may be a discrepancy between the Letter of Intent and the County Attorney's finding.

**Ms. Bagley** read the County Attorney's finding in the staff report, which reflects 12 acre-feet per year. She believes the updated request should have been uploaded to EDARP.

**Mr. Trowbridge** stated he did not see an updated Letter of Intent as of 5/3/2023.

**Ms. Seago** (online) added that she completed the water review for a total subdivision demand of 12 acre-feet, not 13. She did not require the applicant to update their Letter of Intent, she required an update to the Water Supply Information Summary.

**Mr. Bailey** asked if the water summary had been updated in the records.

**Ms. Bagley** stated it has been. Full staff presentation began.

**Mr. Bailey** requested Mr. LaForce provide more information regarding the proposed roadway.

**Mr. LaForce** stated the Preliminary Plan was already approved for this area and the applicant is following what was already approved.

**Mr. Bailey** asked where that road will lead, or where will it connect.

**Mr. LaForce** indicated the road will extend from the west (where the road currently exists) through the proposed lots, and eventually connect to the existing road that leads north. The road that is being extended is internal. There will be future filings to the east that will connect to Eastonville. The presentation continued.

**Mr. Trowbridge** stated his understanding is that the water is being provided by an adjacent metro district, not on-site wells.

**Ms. Bagley** stated that is correct and the metro district provided commitment letters.

**Mr. Carlson** asked how someone might oppose the finding of sufficiency. He noted that Mr. Jones' emailed opposition presents information that might contest that finding.

**Ms. Seago** stated that the reviews completed by the County Attorney's Office and State Engineer's Office provide evidence and information to be considered. It is the responsibility of the PC and BOCC to determine the weight of that information along with evidence that may be provided from others which may contradict those recommendations. It is up to the board to determine if the applicant has provided enough evidence of an adequate water supply.

**Mr. Carlson** asked the applicant's representative if anything had changed since a past project was turned down for not meeting water sufficiency in the past.

**Mr. Tim McConnell**, with Drexel, Barrel & Co., deferred to the owner to answer that question as he was not aware of a past denial. He added that the water rights for the projects were turned over to Meridian Service Metro District. The water is sent from this property to their metro district, it's treated, then sent back to the Latigo area for use.

**Mr. Robert Irwin**, owner, stated he is not aware of any denial. He added that the water allocated to this project was from the property itself, then conveyed to Meridian for treatment. It was ensured that the water was sufficient at that time and for future filings.

**Mr. Carlson** stated that saw the staff report mention a preliminary plan for 247 lots in 2001 was turned down for not having a finding of water sufficiency.

**Mr. Bailey** clarified that the staff report states that at the time of the preliminary plan in 2001, there was no finding of sufficiency regarding water. He asked for Ms. Seago to clarify.

**Mr. Irwin** stated that the preliminary plan in 2001 was approved and there have been multiple filings built since that time. He stated the water is sufficient and has already been reserved. The owner of Falcon Latigo has purchased the water taps. There was a purchase of 292 taps, of which 177 remain, and are available to be allocated to this and future projects.

**Mr. Bailey** asked Ms. Seago to clarify. He stated that it looks like the preliminary plan in 2001 was approved without a finding of water sufficiency. Applicants have the *choice* to request a finding of water sufficiency at the preliminary plan stage, however, it *must* be determined by the final plat stage.

**Ms. Seago** stated Mr. Bailey's comments were correct. She looked at documents from the preliminary plan and noted that there is a letter from her office stating a finding of water sufficiency could not be made with the information provided with the preliminary plan. That does not mean the preliminary plan was unable to move forward. The applicant may show sufficiency at final plat.

**Mr. Irwin** added to Ms. Seago's remarks that his understanding was that more information was needed from the state at that time.

**Mr. Carlson** thanked everyone for the clarification and reiterated his understanding that the preliminary plan was approved, but the finding of water sufficiency was deferred to a later date.

## **PUBLIC COMMENT**

**Mr. Carey Jones** currently lives in Latigo Trails. He is opposed to this filing. He is opposed to the increase in traffic. He stated the road has been a dead-end cul-de-sac for several years. He is also opposed due to concerns for water. He stated Meridian Service Metro District's numbers don't add up. In their reports, they include future wells that they don't have permitted. If those are removed, they would not be able to provide water to the already approved projects for the 300-year time period required. He stated they are already over-appropriated. Water is his biggest concern.

## **DISCUSSION**

**Mr. Carlson** asked for Ms. Seago to respond to Mr. Jones' document that states the finding of sufficiency relies on wells that are not in existence at this time.

**Ms. Seago** replied that she does not have the documents Mr. Jones provided to the board. (A copy of Mr. Jones' document was then emailed to Ms. Seago.)

**Mr. Whitney** added that he doesn't understand how it can be reconciled that a finding of sufficiency is being declared when there is evidence that the finding of sufficiency is based on future, potential water. He is unsure whether the finding of sufficiency can be relied on.

**Mr. Trowbridge** stated Mr. Jones presented information in addition to what has been provided in the staff's report. Mr. Jones' analysis looks at current plus future demand, but that's a question for the future. If there is water available now for this final plat, then questions about future demand will happen later. He mentioned Ms. Seago's earlier comment that additional information can be weighed at each individual's discretion.

**Mr. Bailey** thanked Mr. Trowbridge for that point. He added that the board has been presented with competing evidence and it is the board's responsibility to decide if more weight is placed on the County and State offices or on Mr. Jones' analysis.

**Mr. Whitney** responded to the explanation of the evaluation of current vs. future demand. He stated he would be comfortable with the finding of sufficiency if what they're looking at is current sufficiency for the current proposal.

**Mr. Bailey** stated that the State water board and the evidence provided by this process of review had determined a finding of sufficiency. There is often additional information or concern raised by the public that must be weighed along with the applicant's rights and the rights of those already in the community.

**Mr. Whitney** added that his concern was that there seems to be competing conclusions about the present availability of water.

**Mr. Bailey** stated that Mr. Jones would probably say there are competing conclusions in his mind and possibly some of the neighbors, but it is the facts that must be considered.

**Mr. Carlson** asked for clarification. If the finding of sufficiency only considers what water that is there today, it appears that the numbers (published by Meridian Service Metro District) are also taking into consideration the production of future wells. Should Mr. Jones elaborate?

**Mr. Bailey** stated it may be more appropriate for Ms. Seago to elaborate. He added that the way the State and County assess this topic is based on water rights, not what is actively being pumped. The calculation of future availability, for the 300 years required by the County, is separate.

**Ms. Seago** stated that is correct. Her evaluation is in regard to water rights currently under the control of the providing entity and whether or not that is sufficient to meet current demand as well as the additional proposed demand from the new development.

**Mr. Carlson** brought up that the document provided by Mr. Jones stated the calculation provided by the metro district includes their future wells when determining their 300-year availability. Mr. Jones removed those future wells.

**Mr. Moraes** noted that Mr. Jones numbers are attributed to a Water Resources Report by Tech Contractors in 2022. Where did that table come from? He doesn't see that in staff's report.

**Ms. Seago** answered that the table was pulled from the Water Resources Report submitted by the applicant. It is in EDARP under the document entitled "Water Resources Report". Tech Contractors is the name of the company that completed the report.

**Mr. Bailey** asked Ms. Seago if that was the report she reviewed when making her finding.

**Ms. Seago** stated it was.

**PC ACTION: TROWBRIDGE MOVED / BRITAIN JACK SECONDED FOR APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 2B, SF-21-036, FOR A FINAL PLAT, LATIGO TRAILS FILING NO. 9, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH SEVEN (7) CONDITIONS AND ONE (1) NOTATION, AND A RECOMMENDED FINDING OF WATER SUFFICIENCY WITH REGARD TO QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (7-0).**

**2C. MS204**

**BELLAMY**

**MINOR SUBDIVISION  
KINCH SUBDIVISION**

A request by Paul and Amy Kinch for approval of a minor subdivision creating four residential lots. The 29.12-acre property is addressed as 10805 Milam Rd and zoned RR-5 (Rural Residential); located north of the intersection at Old North Gate Road and Milam Road. (Parcel No. 6224000011) (Commission District No. 1).

**STAFF PRESENTATION & APPLICANT PRESENTATION**

**Mr. Bailey** asked Ms. Packman to address the public's concerns regarding drainage.

**Ms. Packman** stated she can speak to the drainage report, but not to what previously existed on the property or what has been done since the report. The drainage report shows historic patterns. The future patterns should not be much different. The creation of lots will not change drainage patterns in any way.

**Mr. Trowbridge** mentioned the lot's unusual shape. He asked if the flag was part of the lot or if it was an easement for the road.

**Mr. Hannigan**, with Hannigan & Associates, answered that the flag was part of the lot.

**Mr. Trowbridge** asked if the existing road was there due to an easement that was granted.

**Mr. Hannigan** answered that Sierra Ridge Trail is a dedicated public road that goes east from Milam Road to serve the subdivision to the north. It will also serve this subdivision. There is another access to the subdivision further east.

**Mr. Trowbridge** clarified that will be called Kinch Court. He asked about that easement.

**Mr. Hannigan** stated it is a public right-of-way that was dedicated on the plat of Timber Ridge.

**Mr. Carlson** asked for Mr. Hannigan to address the drainage concerns from neighbors. He asked if there is a willingness to accommodate what might occur with extra water coming their way.

**Mr. Hannigan** stated the drainage study indicated that was not the case. He stated they cannot release water at an increased flow from historic rates. He stated there is no drainage basin required in the area. He doesn't know exactly what the problem is.

## **PUBLIC COMMENTS**

**Mr. Bob Horne** is an adjacent neighbor. He supports the 5-acre lots but is concerned about the runoff of water once driveways and houses are developed and trees are removed. The terrain is hilly. He is asking for consideration and mitigation with development. He referenced photos that he submitted for the record and described drainage issues that resulted from landscaping of the existing house on lot 1.

**Mr. Jack Tubbs** is an adjacent neighbor. He also appreciates the proposal of 5-acre lots but is opposed to the proposed access off Sierra Ridge Trail to the subdivision. He stated the drainage easement of the proposed road would impact his driveway and his existing gate, cutting him off from Sierra Ridge Trail. He stated there would be a significant drop in terrain where they are proposing a road which will impact drainage. He also mentioned that he heard there may be a cell tower in the southwestern lot that would need access along that road.

**Mr. Richard Mingo** is an adjacent neighbor. He wanted to comment on the setbacks and CC&Rs as well as the drainage. He appreciates the same sized lots and keeping the same character as the surrounding area. He was told the County impacted what was included in the CC&Rs. Setbacks of 25 feet are proposed, but the surrounding Sierra Ridge lots have setbacks of 35 feet and 90 feet. He stated the drainage between lots one and 2 will drain into his lot. There are currently two drainage easements on his lot that will already impact his ability to build in the future. He is concerned that an increase in drainage will further restrict his building area.

**Mr. Hannigan** addressed the comments of the drainage easements on Mr. Mingo's lot. Those drainage easements were platted on the original lot. Drainage between lots 1 and 2 is utilizing those drainage easements per the intent of their plating. No additional drainage generated from this project will exceed their approved capacity. Regarding the proposed road, Kinch Court is going to be constructed within the already dedicated public right-of-way. The Tubbs can access that road if they choose. Nothing the applicant is proposing would be outside the boundaries of what the County permits. He is not aware of where the Tubbs driveway is currently located. He stated he would give the neighbors his contact info so they can look at ways to resolve their concerns.

## **DISCUSSION**

**Mr. Trowbridge** asked what type of drainage would be put in place with the construction of Kinch Court. Would that drainage connect into what runs along Sierra Ridge or to a drainage basin?

**Mr. Hannigan** stated he does not know of a storm drain, but the original Timber Ridge subdivision accounted for this right-of-way and drainage. The construction of Kinch Court is in accordance with County regulations and those plans were submitted as part of this request.



**Ms. Fuller** asked if Mr. Hannigan was saying the Tubbs would need to build a new driveway to access this road?

**Mr. Hannigan** said they wouldn't necessarily need a new driveway if they already have one. He doesn't know where their driveway currently is. They have the right to access the new road.

**Ms. Fuller** stated she is concerned about the negative consequence regarding Kinch Court.

**Mr. Bailey** clarified that the right-of-way already exists, and Kinch Court will be constructed in that existing right-of-way.

**Ms. Packman** agreed and added the road will be contained within that existing right-of-way. It will not be built on any private property. If a neighbor has a driveway next to an existing County right-of-way, that's not part of the engineering review.

**Mr. Bailey** added that the right-of-way pre-dates this application and has been known.

**Ms. Packman** agreed and said the right-of-way is already there, the road would be built within.

**Mr. Trowbridge** stated that the driveway access permit should have taken the right-of-way into account to prevent this conflict.

**Ms. Packman** stated the County checks the culvert access and site distance but does not check location of private property boundaries. The County checks anything touching public right-of-way, but anything within the private property boundary is not overseen by the County.

**Mr. Bailey** clarified that the Tubbs' driveway permit would have been considered with the existing right-of-way in place. Conflict would have been identified as part of the process by the County.

**Ms. Packman** stated she doesn't know if their driveway was permitted, but if it was, the driveway permit process reviews where the proposed driveway connects to the public road. Inspectors do look at those details first before going out to the site.

**Ms. Fuller** added that she would hope the County would protect an applicant from making that error if they weren't aware of a dedicated future public right-of-way.

**Mr. Hannigan** stated he was not suggesting the Tubbs should or need to move their driveway, he was just saying they can access the new right-of-way if they'd like.

**Ms. Herington** suggested pulling up a better aerial view of the area.

**Mr. Bailey** added that when right-of-way was dedicated and where the neighbor's driveway is located are outside the scope of this application. Public Works confirmed the right-of-way exists and the future road will be contained within that existing right-of-way. While the board is sensitive to the neighbor's concerns, and it's important the applicant is aware of those concerns, the PC should be cautious of straying from the criteria of approval when making its consideration.

**Mr. Whitney** addressed the comment that this will cut off Mr. Tubbs' access to his property. Is that true?

**Mr. Hannigan** stated they would look at that once an image was available. He clarified that the intention of his comment was only to suggest they *could* access the new road.

**Mr. Whitney** stated that while that may be true, is it Mr. Tubbs' financial responsibility to construct a new driveway if his access to Sierra Ridge is blocked?

**Mr. Hannigan** stated they were not trying to cut off his access.

**Ms. Herington** asked for a pause in the discussion so that the driveway permit for the subject property and an aerial image could be brought before the board. Image was displayed. She then read the language on the approved driveway permit. "Driveway alignment subject to change based on future development." When the driveway access permit was approved for that lot in 2008, there was discussion with the current owners that their driveway may be impacted by the development of the future right-of-way. The permit can be provided to the current owners if they don't have it.

**Mr. Bailey** reiterated that the right-of-way existed when the driveway was permitted. The alignment of the right-of-way has nothing to do with this subdivision application.

**Mr. Hannigan** added that he would be happy to work with the Tubbs.

**Ms. Fuller** reiterated that the County has determined that the drainage is adequately addressed.

**Ms. Packman** confirmed. The road will be built to County standards with ditches along the sides and a culvert so water flows under.

**Ms. Fuller** asked about the drainage of the newly created lots.

**Ms. Packman** stated drainage would follow historic patterns. Homes will be built in the future, but the requirement will be that drainage follows historic drainage patterns.

**Ms. Fuller** asked if drainage was addressed at the building permit stage.

**Mr. LaForce** answered that the topography is not currently being disturbed. Later, a site plan will be routed from the Regional Building Department to PCD to review where a potential house is located, its grading, and how drainage is impacted. Commonly, the landowner can change the internal grading of their lot but cannot change where the flow enters or exits their property.

**Mr. Carlson** asked if the drainage plan was automatically approved because they are not proposing to change the topography.

**Mr. LaForce** stated that is not the case. They evaluate the amount of disturbance and if a detention pond will be required. If there is an increase in flow due to imperviousness from a house, the engineer will review if a detention pond is needed, if the conveyance path downstream is sufficient,

or if improvements are needed. In this scenario, there is already a drainage easement. He would assume the engineer analyzed that conveyance path to determine it had adequate capacity.

**Mr. Carlson** asked about the current status of historic patterns. If the neighbor says the historic pattern is flooding his house right now, how is that addressed?

**Mr. LaForce** answered that typically, plat notes are created that advise the owner it is their responsibility to address drainage within their lot. Building sites are typically elevated so runoff does not enter the structure. It should have been addressed during the building process.

**PC ACTION: FULLER MOVED / MORAES SECONDED FOR APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 2C, MS-20-004, FOR A MINOR SUBDIVISION, KINCH SUBDIVISION, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH SEVEN (7) CONDITIONS AND ONE (1) NOTATION, AND A RECOMMENDED FINDING OF WATER SUFFICIENCY WITH REGARD TO QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (7-0).**

**4. REGULAR ITEMS. NONE.**

**5. NON-ACTION ITEMS. NONE.**

**MEETING ADJOURNED** at 10:36 A.M.

**Minutes Prepared By:** Miranda Benson

FINAL PLAT (RECOMMEND APPROVAL)

MR. TROWBRIDGE Moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF-21-036

LATIGO TRAILS FILING NO. 9

WHEREAS, Drexel, Barrell & Co. did file an application with the El Paso County Planning and Community Development Department for approval of a final plat for the Latigo Trails Filing No. 9 Subdivision for the property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on May 4, 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, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

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

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

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (2022):

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
2. The subdivision is consistent with the purposes of the Land Development Code ("Code").
3. The subdivision is in conformance with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analysis, studies, reports, plans, designs, documents, and other supporting materials.
4. 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.
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8 of the Code.
6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)].
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM") are provided by the design.
8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County and in compliance with the Code and the ECM.

10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
11. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
13. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the 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 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 SIA so the impacts of the subdivision will be adequately mitigated.
16. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Drexel, Barrell & Co. for a final plat of Latigo Trails Filing No. 9 be approved by the Board of County Commissioners with the following conditions and notations:

#### 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 this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Ms JACK seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	<u>aye</u> / no / abstain / absent
Sarah Brittain Jack	<u>aye</u> / no / abstain / absent
Jay Carlson	<u>aye</u> / no / abstain / absent
Becky Fuller	<u>aye</u> / no / abstain / absent
Brandy Merriam	aye / no / abstain / <del>absent</del>
Eric Moraes	<u>aye</u> / no / abstain / absent
Kara Offner	aye / no / abstain / absent
Joshua Patterson	aye / no / abstain / <del>absent</del>
Bryce Schuettpelz	aye / no / abstain / <del>absent</del>
Tim Trowbridge	<u>aye</u> / no / abstain / absent
Christopher Whitney	<u>aye</u> / no / abstain / absent

Not eligible to vote

The Resolution was adopted by a vote of 7 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 4th day of May 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:   
Thomas Bailey, Vice-Chair

DATED: May 4, 2023



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.

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

**HOLLY WILLIAMS**  
**STAN VANDERWERF**  
**LONGINOS GONZALEZ, JR.**

**PLANNING & COMMUNITY DEVELOPMENT**

**TO: El Paso County Planning Commission**  
  
**FROM: Kylie Bagley, Planner II**  
**Gilbert LaForce, Senior Engineer**  
**Meggan Herington, AICP, Executive Director**  
  
**RE: Project File Number: SF-21-036**  
**Project Name: Latigo Trail Filing No. 9**  
**Parcel Number: 42000-00-345**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Greg Fulton Falcon Latigo, LLC 5350 S Roslyn Street #400 Englewood, CO 80111	Tim McConnell Drexel, Barrell & Co. 3 South 7 <sup>th</sup> Street Colorado Springs, CO 80905

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>5/4/2023</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>6/6/2023</b>

**EXECUTIVE SUMMARY**

A request by Drexel, Barrell & Co. for approval of a final plat to create 39 single-family residential lots. The 106-acre parcel is zoned RR-2.5 (Residential Rural) and is located three fourths of a mile west of Eastonville Road, one mile east of Meridian Road and one mile south of Latigo Boulevard.

**A. WAIVERS/DEVIATIONS/AUTHORIZATION**

**Waiver(s)/Deviation(s):** There are no waivers or deviations associated with this request.

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

## **B. APPROVAL CRITERIA**

In approving a final plat, the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022):

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
- The subdivision is consistent with the purposes of the Land Development Code (“Code”).
- The subdivision is in conformance with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analysis, studies, reports, plans, designs, documents, and other supporting materials.
- 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.
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8 of the Code.
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)].
- Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual (“ECM”) are provided by the design.
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.

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- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County and in compliance with the Code and the ECM.
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
- Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
- The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Code.
- Off-site impacts were evaluated, and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code.
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated.
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

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**C. LOCATION**

North:	RR-2.5 (Residential Rural)	Single-family Dwellings
South:	PUD (Planned Unit Development)	Single-family Dwellings
East:	A-35 (Agricultural)	Vacant Land
West:	A-35 (Agricultural)	Single-family Dwellings

**D. BACKGROUND**

The Board of County Commissioners approved a 247-lot preliminary plan on November 2, 2001 (PCD File No. SP-01-011). At the time of the approval, the preliminary plan's proposed water was found not sufficient in terms of quality, quantity, and dependability.

The Owner and Applicant request approval of a Final Plat, Latigo Trails Filing No. 9, for the development of 39 rural residential single-family residential lots on 106.60 acres for Filing 9. The property is currently zoned RR-2.5 and the proposed plat meets the zoning standards of this district. The Meridian Service Metropolitan District will provide water service to the proposed Latigo Trails Filing Number 9, lots 1-39. The final plat request was found to have been sufficient in terms of water quality, quantity, and dependability by the El Paso County Attorney's Office and the State of Colorado.

**E. ANALYSIS**

**1. Land Development Code Analysis**

The final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code.

**2. Zoning Compliance**

The subject parcel is zoned RR-2.5 (Residential Rural) zoning district. The RR-2.5 zoning district is intended to accommodate low-density, rural, single family residential development. The density and dimensional standards for the RR-2.5 zoning district are as follows:

- Minimum lot size: 2.5 acres*
- Minimum width at the front setback line: 200 feet*
- Minimum setback requirement: front 25 feet, rear 25 feet, side 15 feet \**
- Maximum lot coverage: None*
- Maximum height: 30 feet*

*\*Agricultural stands shall be setback a minimum of 35 ft from all property lines.*

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In order to initiate any new residential uses on the property, the applicant will need to obtain site plan approval. The proposed subdivision request is being reviewed to ensure that all proposed structures will comply with the RR-2.5 zoning district dimensional standards as well as the General Development Standards of the Code and Engineering Criteria Manual requirements. Please see the map series attachment for a depiction of the zoning in the area.

## F. MASTER PLAN COMPLIANCE

### 1. Your El Paso County Master Plan

#### a. Placetype Character: Large-Lot Residential

*The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.*

*Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.*

#### **Recommended Land Uses:**

*Primary*

- *Single-family Detached Residential (Typically 2.5-acre lots or larger)*

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*Supporting*

- *Parks/Open Space*
- *Commercial Retail (Limited)*
- *Commercial Service (Limited)*
- *Agriculture*

Please see the map series attachment for a depiction of the placetype character in the area.

**Analysis:**

The Large-Lot Residential placetype supports the rural character of the County while providing for unique and desirable neighborhoods. The relevant goals and objectives are as follows:

**Goal LU1:** Ensure compatibility with established character and infrastructure capacity.

**Objective LU1-1:** Some areas of the County should be planned for new development, while other areas should be preserved, protected, or see little new development.

**Objective HC1-5:** Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.

**Objective TM1-4:** Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when needed.

The final plat illustrates 39 single-family residential lots with a minimum lot size of 2.5 acres. The subject property is surrounded by single-family residential lots that are rural in nature. The applicant is providing a 30-foot pedestrian/equestrian trail on the southern portion of the plat that will connect to the Meridian Ranch pedestrian circulation system and provide access to schools.



**b. Area of Change Designation: Minimal Change: Undeveloped**

*The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments.*

Please see the map series attachment for a depiction of the area of change designation in the area.

**Analysis:**

The minimal change: Undeveloped area of change states that these areas will experience some redevelopment but will be limited in scale. The applicant is proposing to 39 single-family residential lots that will be 2.5 acres or more, which is consistent with the minimum lot size in the RR-2.5 (Residential Rural) zoning district.

**c. Key Area Influences:** The property is not located within a key area.

**d. Other Implications (Priority Development, Housing, etc.):** The property is not located within a priority development area.

**3. Water Master Plan Analysis**

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

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

**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.*

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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 is 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 32 AFY is anticipated for Region 3.

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 final plat 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. Please see the Water section below for a summary of the water findings and recommendations for the proposed final plat.

#### **4. Other Master Plan Elements**

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

The Master Plan for Mineral Extraction (1996) identifies upland deposits and alluvial fan 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.

Please see the Parks Section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

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Please see the Transportation Section below for information regarding conformance with the 2016 Major Transportation Corridor Plan (MTCP).

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

The site does not contain any unusual geologic hazards or geotechnical constraints that would require mitigation.

### **2. Floodplain**

FEMA Flood Insurance Rate Map (FIRM) panel numbers 08041C0339G and 0841C0552G indicates the subdivision is not within a FEMA regulatory floodplain.

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

The subdivision is located within Geick Ranch Drainage Basin which is an unstudied basin with no drainage or bridge fees.

The subdivision generally drains to the south. Stormwater runoff is conveyed by a roadside ditch to two extended detention basins for water quality and flood control storage. These detention facilities will be privately owned and maintained by Latigo Creek Metropolitan District.

A grading and erosion control plan has been submitted with this application. The plan calls for permanent and construction control measures to prevent sediment and debris from affecting adjoining properties and the public stormwater system before, during and after grading activities.

### **4. Transportation**

The development is located south of Latigo Boulevard and west of Eastonville Road. All streets are planned to be public roads and will be dedicated to the County. This subdivision will result in the dedication of approximately 0.8 miles of developer constructed rural local roadways.

The El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) identified a roadway improvement project for Eastonville Road from an unimproved county road to a minor arterial road. A prior subdivision improvement agreement (SIA) for The Trails Filing No. 2 subdivision identified deferring paving of internal gravel

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roads within Filing No. 2 until such time as the County determines it to be warranted. As part of an agreement between the County Attorney's Office and the Developer the subdivision is contributing to the construction of improvements to Eastonville Road that is proportional to the development's traffic impact by providing escrow in the amount of \$165,041.00. The County also agreed that the developer will not be required to pave the existing gravel road or contribute to such work as noted in the SIA for The Trails Filing No. 2.

The development is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471), as amended.

## **H. SERVICES**

### **1. Water**

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: Based on the water demand of 12 acre-feet/year for the development and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Latigo Trails Filing No. 9.

### **2. Sanitation**

Wastewater will be provided through an onsite wastewater treatment system for each individual lot.

### **3. Emergency Services**

The property is within the Falcon Fire Protection District.

### **4. Utilities**

Electric services will be provided by Mountain View Electric Association (MVEA) and natural gas services will be provided by Black Hills Energy.

### **5. Metropolitan Districts**

The subject property is located within the Meridian Service Metropolitan District.

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**5. Parks/Trails**

Fees in lieu of park land dedication in the amount of \$17,940 for regional fees and \$0 for urban park fees will be due at the time of recording the final plat.

**6. Schools**

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.

**I. APPLICABLE RESOLUTIONS**

See attached resolution.

**J. STATUS OF MAJOR ISSUES**

There are no outstanding major issues associated with the final plat.

**K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022) staff recommends the following conditions and notations:

**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

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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.

#### **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 42 surrounding property owners on April 17, 2023, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

#### **M. ATTACHMENTS**

Map Exhibit  
Vicinity Map  
Letter of Intent  
Plat Drawing  
State Engineer's Letter  
County Attorney's Letter  
El Paso County Public Health Recommendation Letter  
Draft Resolution

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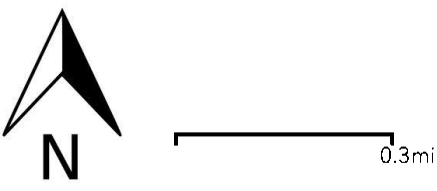
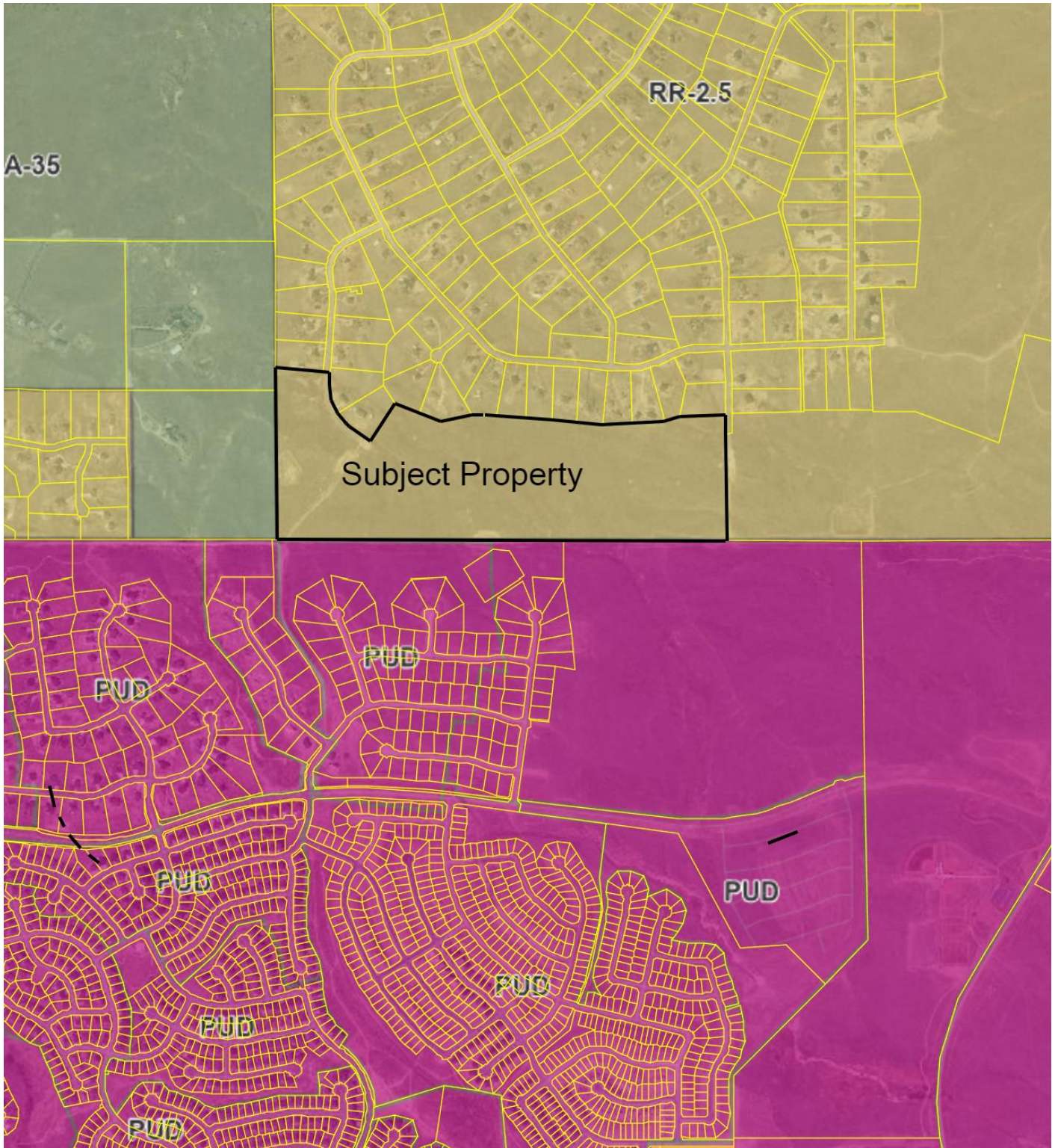
COLORADO SPRINGS, CO 80910  
PLNWEB@ELPASOCO.COM

# Map Exhibit #1: Aerial

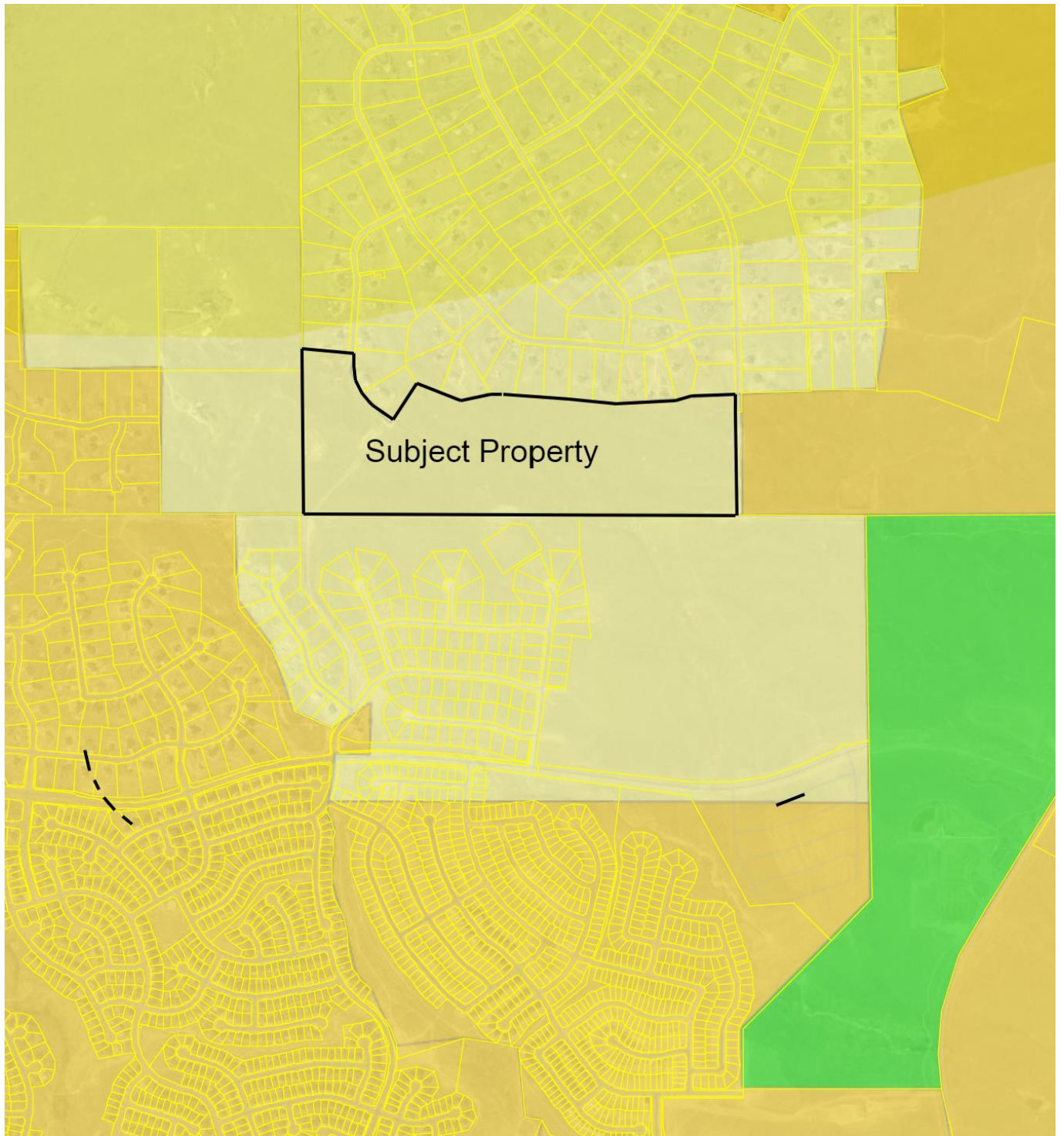


0.3mi

# Map Exhibit #2: Zoning

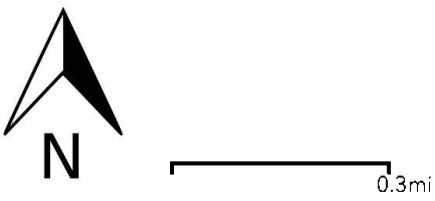


# Map Exhibit #3: Placetype



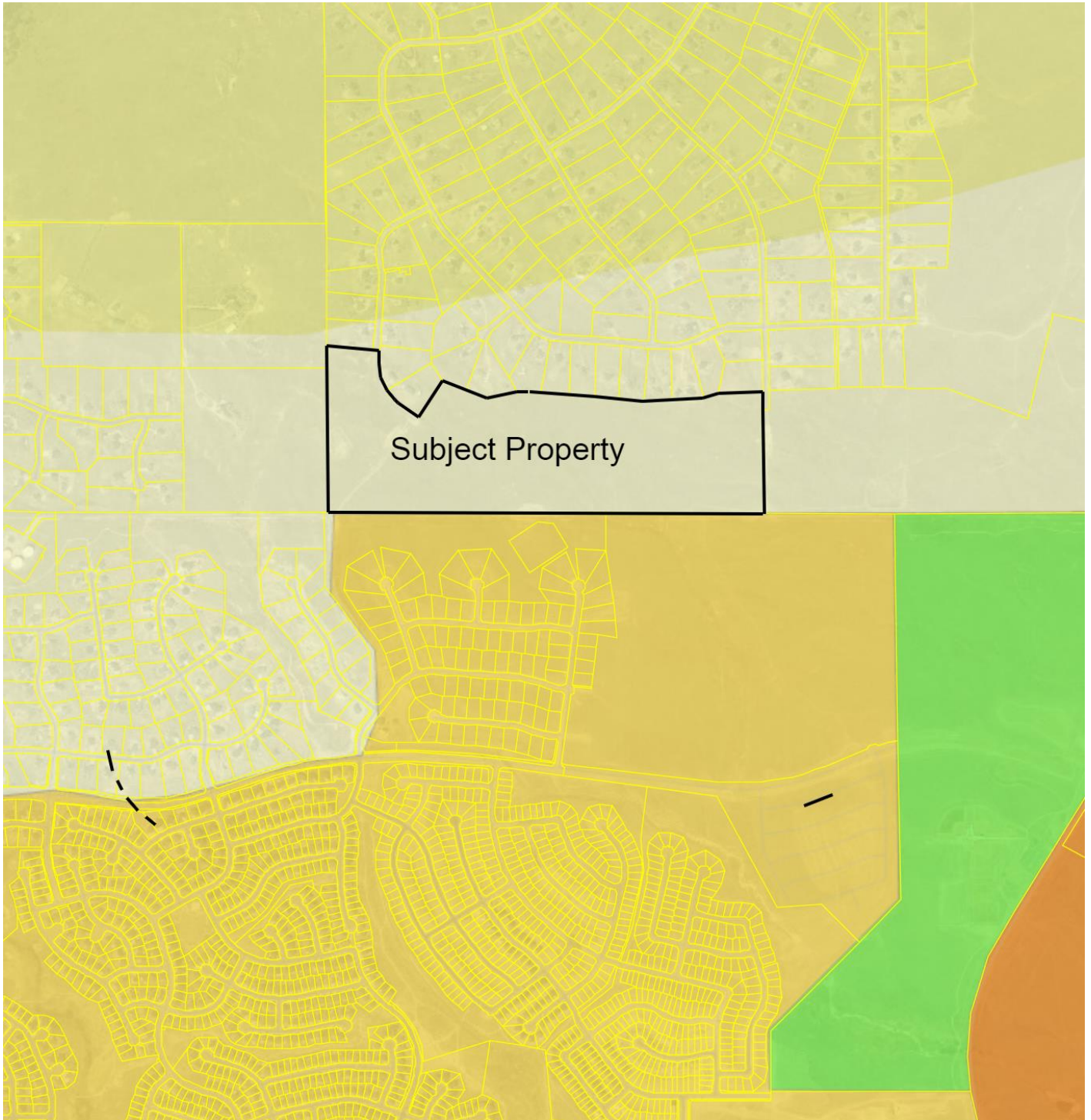
### Legend

- Rural
- Large-Lot Residential
- Suburban Residential
- Urban Residential
- Rural Center
- Regional Center
- Employment Center
- Regional Open Space
- Mountain Interface
- Military
- Utility
- Incorporated Area










# Map Exhibit #4: Area of Change



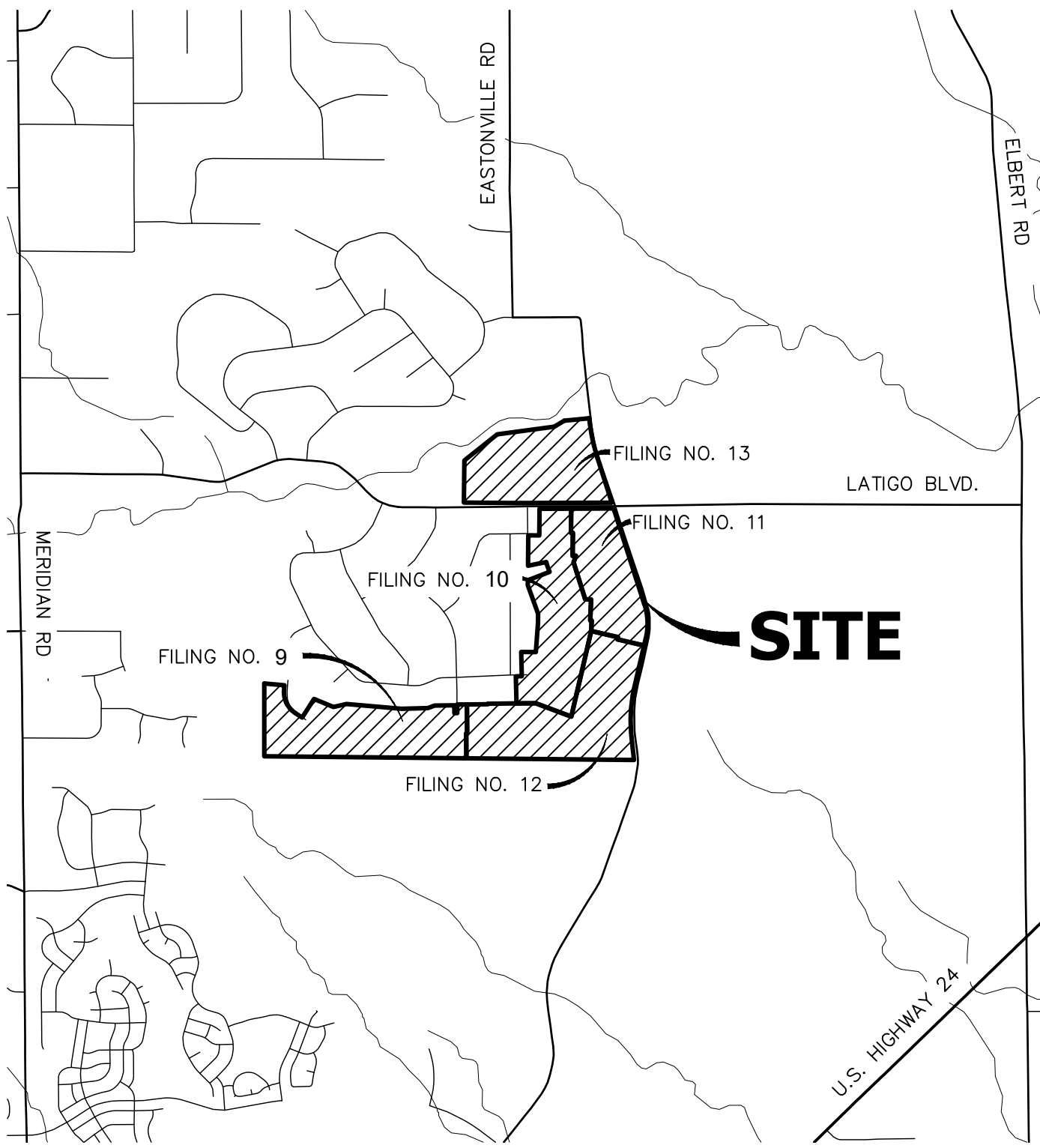
## Legend

-  Protected/Conservation Area
-  Minimal Change: Undeveloped
-  Minimal Change: Developed
-  New Development
-  Transition



0.3mi

X:\2510000\_all\2517501\Drawings\Blocks\Vicinity Map (All Filings)\2021-08-23\_Vicinity Map\_Latigo Trails.dwg, 8.5x11 Portrait, 8/23/2021 3:28:54 PM, CS



**SITE**



ORIGINAL SCALE: 1" = 3000'



VICINITY MAP  
 LATIGO TRAILS  
 JOB NO. 25175.01  
 08/23/21  
 SHEET 1 OF 1



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# William Guman & Associates, Ltd.

Bill Guman, RLA, ASLA | Principal  
Colorado Springs City Councilman 1993-2001  
Colorado Springs Planning Commissioner 1992-1993  
Regional Building Commissioner 1997-2001

URBAN PLANNING | COMMUNITY DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENT

731 North Weber Street, Suite 10 | Colorado Springs, CO 80903 | (719) 633-97

<http://www.gumanltd.com/>

MEMBERS AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS



## EL PASO COUNTY

### LETTER OF INTENT FOR: LATIGO TRAILS SUBDIVISION, FILING 9 TAX SCHEDULE NUMBER: 420000345

Amended January 18, 2023

□ **OWNER/APPLICANT, AND PLANNING CONSULTANT:**

**Owner/Applicant:**

Cheyenne Mountain Development Company, LLC  
Robert C. Irwin  
P.O. Box 60069  
Colorado Springs, CO 80960-0069  
(719) 475-7474  
(719) 633-4904 (fax)

**Planner:**

William Guman & Associates, Ltd.  
Bill Guman, RLA/ASLA  
731 North Weber Street, Suite 10  
Colorado Springs, CO 80903  
(719) 633-9700

**El Paso County Planner:**

Kari Parsons, Senior Planner  
El Paso County Development Services  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910  
(719) 520-6306

**PROJECT LOCATION/DESCRIPTION AND HISTORY OF PROPERTY:**

The Latigo Trails property for this Final Plat application is located in El Paso County in Elbert, CO, approximately 18 miles northeast of downtown Colorado Springs, situated west of Eastonville

Road and north of Meridian Ranch. The site is bordered by Latigo Boulevard to the north and Eastonville Road to the east. It is approximately 2 miles northwest of CO Highway 24.

According to the 2021 Your El Paso County Master Plan, the placetype of this development is “Large Lot Residential”. As such, it consists of single-family homes occupying lots of 2.5 acres or greater. The placetype engenders a sense of community in spite of the physical separation of homes and matches the context of the surrounding area.

The Applicant proposes to develop the site as a planned community of new single-family detached residential dwelling units that recognizes and respects the character of the rural surrounding community. For this submittal, Filing 9 consists of 39 lots within 106.6033 acres.

Neighbors of the project have been notified of this filing, and the applicant has been made available for any inquiries. Two residents have contacted the applicant. One individual asked about the potential cost of a new home in this filing, he was referred to the developer for an answer. The second individual asked if this was a continuation of the existing development. We responded that, yes, this was a new filing adjacent to and part of the existing development. No further outreach efforts were made beyond the initial contact and response to inquiry, as future filings within the development were already known and anticipated.

Public infrastructure to serve the new lots, including roads, drainage facilities, and utilities will all be constructed in compliance with applicable county standards, regulations and criteria in effect at the time of this application. In keeping with the rural character of the surrounding Elbert, Black Forest and Peyton communities, internal circulation will be comprised of paved Rural Local roads with roadside ditches.

Land to the south of filing 9 is Meridian Ranch. To the west of filing 9 is a parcel zoned A-35, containing a single, two-story residence. North of filing 9, there are single family residences from an earlier Latigo Trails filing. East of filing 9 is vacant land, to be a future filing of Latigo Trails.

### **DEVELOPMENT REQUEST**

The Owner and Applicant request approval of a Final Plat for the development of 39 rural residential single family residential lots on 106.6033 acres (e.g., .364 DU/Acre density) for filing 9. The property is currently zoned RR-2.5 and the proposed plat meets the zoning standards of this district.

**PRELIMINARY PLAN AREA:** The preliminary plan was approved under the name “Latigo Trails Subdivision” on November 2, 2001 for 246 lots. The approved tract of land was 585.63 acres, more or less, for single family residences. There was no condition of approval by the BOCC for a timeframe of expiration for the preliminary plan. At the time of the approval of the

preliminary plan, the proposed water was found not sufficient in terms of quality, not sufficient in terms of quantity and not sufficient in terms of dependability.

**PUBLIC IMPROVEMENT DISTRICT:** The project will be required to participate in the El Paso County Road Improvement Fee Program. Latigo Trails Filing 9 will join the ten-mil Public Improvement District (PID). The ten-mil PID building permit fee portion associated with this option is \$1,221 per single-family dwelling unit. The total building fee would be \$47,619 for the 39 lots within Filing 9.

**TOTAL NUMBER OF ACRES WITHIN THIS APPLICATION:** Filing 9 is 106.6033 acres.

**JUSTIFICATION FOR REQUEST**

This request is consistent with the purposes of the EPCLDC. The proposed Final Plat is in conformance with subdivision design standards and establishes an adequate level of compatibility with surrounding areas of the site already constructed and other known surrounding areas currently proposed for development.

**CRITERIA FOR APPROVAL**

Regarding the El Paso County Land Development Code, Chapter 7, 7.2.1 (D)(3)(f), Criteria for Approval for a Final Plat.

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

**ADHERENCE WITH THE 2021 YOUR EL PASO COUNTY MASTER PLAN, AND WATER MASTER PLAN**

***Land Use & Development, Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.***

The 2021 Your El Paso County Master Plan (the “Master Plan”) addresses issues directly related to the Preliminary Plan and development of the *Latigo Trails* development. The policies specifically related to the Preliminary Plan request include:

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

The Preliminary Plan proposed for the new single family rural residential lots is compatible with the existing adjacent rural residential lots in the Latigo Boulevard and Eastonville Road corridors. New lots will be similar in size to existing lots and roads serving the new lots will be compatible with the types of rural roadways in nearby adjacent neighborhoods.

**Goal 1.4 – *Continue to encourage policies that ensure “development pays for itself”.***

Latigo Trails is proposed as a development of single-family rural residences within a non-urban density area of the Elbert community. Utilities and road infrastructure needed to serve the new

lots, such as new roads, drainage and detention facilities, erosion control, etc. will be constructed as part of this development.

***Housing & Communities, Core Principle:*** *Preserve and develop neighborhoods with a mix of housing types.*

**Goal 2.2** – *Preserve the character of rural and environmentally sensitive areas.*

The Preliminary Plan with RR-2.5 zoning for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are also zoned RR-2.5, A-35, and PUD. The Applicant proposes to avoid overlot grading across the 1,027 acre site, and instead will limit grading to roadways and drainage infrastructure in keeping with the established land use character of surrounding sub-areas of the county. Lower density will help to sustain the appearance and unique environmental conditions of adjacent properties.

***Transportation & Mobility, Core Principle:*** *Connect all areas of the County with a safe and efficient multimodal transportation system.*

**Goal 4.2**-*Promote walkability and bikability where multimodal transportation systems are feasible.*

The Applicant proposes to incorporate hiking trails and light impact in various parts of the proposed development to promote non-motorized multi-modal transportation linkages within the development. Ideally, residents might travel by horseback from their home to their neighbor's home.

***Community Facilities & Infrastructure, Core Principle:*** *Continue to coordinate with local and regional agencies to provide well-managed, high-quality community facilities and services.*

**Goal 5.3** – *Ensure adequate provision of utilities to manage growth and development.*

Concerning utilities, Latigo Trails has been provided a commitment letter for delivery of electrical service by Mountain View Electrical Association. Black Hills Energy has committed to providing natural gas to the development. Meridian Service Metropolitan District has provided will-serve letters for Latigo Trails Filings 9 and 10 for water provision. Wastewater will be accommodated by individual on-site wastewater treatment systems. Based upon evaluation by our environmental and geotechnical engineers, it has been determined that Filings 9 and 10 are suitable for individual on-site wastewater treatment systems without contamination of surface and subsurface water systems.

**Goal 5.4**-*Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.*

The submitted drainage report specifically details a four-step process to minimize adverse impacts of development. The process includes reducing runoff volumes, stabilizing drainageways, treating the water quality capture volume (WQCV), and consider the need for Industrial Commercial best management practices (BMPs). A grading and erosion control plan and a stormwater management report has been submitted with the FDR to support the Filing No. 9 development.

***Environment & Natural Resources, Core Principle: Prioritize and protect the County's natural environment.***

**Goal 9.2-** *Promote sustainable best practices with regard to development and infrastructure.*

The surrounding area of the Preliminary Plan has sufficient carrying capacity to support the new development with regard to roadway capacity, water supply, septic suitability, educational facilities, and organized structural fire protection. Commitment Letters from entities that would supply this development with essential services have been submitted with this Preliminary Plan application.

The Preliminary Plan design, which includes 2.5 acre home sites and expanses of open space, ensures that development of this site will remain compatible and contiguous with existing rural residential areas. At .36 DU/Ac, Latigo Trails is compatible with numerous other subdivisions adjacent to and within a 2 mile radius of the property.

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

The subdivision is in substantial conformance with the approved preliminary plan. The overall Latigo Trails development is planned to be subdivided into multiple filings from the preliminary plan to ameliorate the overall economics of developing the site in its entirety. At this point, there are tentatively five (5) final plat filings planned for the preliminary plan area starting with this Filing No. 9. All infrastructure and improvements remain as initially envisioned to serve the community.

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

Latigo Trails Filing 9 complies with El Paso County Land Development Code, Chapter 8, Subdivision Design, Improvements and Dedications. Consistent with the chapter's purpose, this development promotes the health, safety, convenience, and welfare of the general public and establishes standards of design which will encourage the development of sound, economical, stable neighborhoods and create a healthy environment for present and future inhabitants therein.

Consistent with assisting in the orderly, efficient and integrated development of the County, Latigo Trails Filing 9 is zoned as RR-2.5. The properties to the north are also zoned RR-2.5 with existing single-family development. The properties to the west are zoned A-35 with existing rural density single-family development. The properties to the east are also zoned RR-2.5 and vacant at this time. The properties to the south are zoned PUD with open space tracts and urban density single-family to the west and vacant land to the east. The nature of the proposed 2.5 acre rural parcels provide a seamless integration into the surrounding neighborhood.

The development provides for adequate open spaces for traffic, drainage, recreation and parks, sites for schools and educational facilities, light and air. Internal roadways access each proposed home site. The density of 2.5 acres per lot provides ample room in which to recreate for residents. There is a planned 30 foot pedestrian/equestrian trail facility extending north/south through the development in the next proposed filing to the east to be constructed by the developer, which will extend to the property's south boundary and be connected to the Meridian Ranch pedestrian circulation system to provide access to schools. Additionally, there is an existing public county park just to the southeast, the Falcon Regional Park that is accessible to residents of Filing 9. The 215 park provides pavilions, restrooms, play areas, ballfields, trails, a fenced dog park, and other amenities. Latigo Trails is within School District 49, the fastest growing school district in Colorado, and has convenient access to schools within the district.

Latigo Trails Filing 9 provides logical vehicular circulation within the development. Provisions for the proper location, width, and design of roads were of paramount importance. The internal roadways are designed as typical rural local, in keeping with the nature of its RR 2.5 zoning. The roads will be County owned. The design minimizes traffic hazards and provides for safe and convenient vehicular circulation throughout the subdivision. Asphalt pavement ensures a smooth and safe surface which is easily repaired. For added safety, a two-foot-wide gravel shoulder flanks the roadway.

Regarding the on-site infrastructure, specifically, utilities, Mountain View Electric Association, Inc. has provided a letter committing to providing electrical service to this filing, as it has with the previous filings within Latigo Trails. Natural Gas service will be provided by Black Hills Energy per the provided commitment letter. Latigo Trails will be providing on-site wastewater treatment systems (OWTS), consistent with prior filings. Each lot will have its own septic system. The rural local roads as described in the previous paragraph will have a 2% cross slope from the crown, draining into roadside swales, detailed in the Grading and Erosion Control Plans. The swale section is at a 4:1 slope from the roadside and 3:1 slope from the outside of the berm. A PVC waterline of varying diameter from 8" to 12" is buried beneath the road and running its length for delivery.



The structures (homes) within Filing 9 will compliment and harmonize with the residences built in prior filings of Latigo Trails. Again, they'll be in keeping with the rural landscape and land use.

The filing is made up of residential lots with a minimum size of 2.5 acres. This is in keeping with the constraints of RR 2.5 zoning.

Protecting the natural resources, considering the natural vegetation and promoting the natural beauty of the County is an important concern for the project. The land in its predeveloped state was a largely treeless plain. Residents are strongly encouraged to use native and low water use plant material within the site. This is likely to be of impact only within close proximity of the residences. Unbuilt area of the parcel will likely be unirrigated and remain in a more pristine state, mirroring the surrounding landscape.

According to the 2021 Your El Paso County Master Plan, the placetype of this development is "Large Lot Residential". As such, it consists of single-family homes occupying lots of 2.5 acres or greater. The placetype engenders a sense of community in spite of the physical separation of homes and matches the context of the surrounding area.

To ensure that definite provision will be made for a water supply that will be sufficient in terms of quantity, dependability and quality to provide an appropriate supply of water for the type of development proposed, Latigo Trails has entered into a provision agreement with Meridian Service Metropolitan District. Its supply information and a water resources report has been provided to the County, detailing sufficiency, dependability and quality.

Pursuant to the final plat, prepared by a licensed land surveyor for Latigo Trails Filing 9, provision has been made for an adequate and accurate system to record land divisions and ensuring proper legal descriptions and survey monumentation in order to inform the public, and especially future residents, of the facts about the division, thereby safeguarding the interests of the public, the homeowner, the applicant, and the County.

To this end, documents and plans submitted to the County include, but are not limited to, construction drawings for the internal roadways, a drainage report, a fire protection report, traffic impact study, water supply information study, stormwater management plan, and a grading and erosion control plan.

*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;*

As is the case with previous filings within Latigo Trails, water service will be provided by Meridian Service Metropolitan District (MSMD).

The following information was provided by request of El Paso County per the El Paso County Water Master Plan, Chapter 7, Implementation:

A will serve letter has been provided from the Meridian Service Metropolitan District to provide water to Latigo Trails Filing No. 9, lots 1-39 and uploaded to the County. Additionally, a water resources report and water supply information summary have been provided to the County for this development.

The water resource report provides data for the Planning Commission and the BOCC to determine whether the proposed water supply is sufficient in terms of quality, quantity and dependability for the proposed subdivision. The report includes adequate documentation that the proposed water supply is sufficient in terms of quantity, dependability and quality for the proposed subdivision.

**Water Service:**

The Meridian Service Metropolitan District (MSMD) will provide water service to Latigo Trails Filing No. 9, lots 1-39. This service will consist of a 1" copper or HDPE water service line to each of the above listed lots.

Based on the already approved projects within Latigo and Meridian Ranch serviced by MSMD the current demand is 1,716 Ac-Ft per year. MSMD currently owns water rights in the amount of 6,088 Ac-Ft and based on the El Paso County 300-year rule of supply for development is 2,163 Ac-Ft. Latigo Trails Filing No. 9 will add an additional demand of 13 Ac-Ft per year based on the Water Resource Report dated August 2021 and developed by the MSMD engineer. The additional 13 Ac-Ft demand results in an overall demand of 1,729 Ac-Ft, which leaves a surplus of 446 Ac-Ft per year.

The master plan for Meridian Ranch provides for 4,500 single family homes, schools, business and open space amounting to a total demand at build out to be approximately 2,035 Ac-Ft. The projected demand is below the El Paso County water supply rule for development and the total amount of water available to MSMD every year.

**Water Supply and Demand Summary**

<b>LOTS</b>	<b>Total Supply (AF/Year)</b>	<b>Total Demand (AF/Year)</b>
39	434	13

### Water Quality

- MSMD has been providing treated water to the Latigo Trails development and Meridian Ranch developments since 2003.
- Treatment of the water consists of disinfection of the water as required for all community water systems, in addition to addressing iron, manganese and turbidity commonly found in Denver basin ground wells.
- MSMD is currently extracting groundwater from fifteen (15) wells located within the MSMD boundary, three (3) off-site wells located within the Latigo Trails development, and six (6) wells from the offsite area known as Guthrie Ranch.
- Monthly reporting is provided to the Colorado Department of Public Health and Environment (CDPHE) as required. To date there have been no deficiencies.

### System Certification

- The MSMD water system is classified as a “public water system” (PWSID# CO0121455) and meets all the applicable requirements of the CDPHE.

*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;*

Sewage treatment will be handled via on-site wastewater treatment systems (OWTS) for each lot. We have provided documentation in the form of a wastewater report by CTL Thompson to this end. The site is suitable for OWTS with two suitable OWTS sites per lot available to be identified at the time of plot/site plan submittal for each individual lot.

*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)];*

With regards to soil and topographic conditions on-site, a soils and geology report has been provided by a licensed engineer. The report addresses suitability of developable areas within constraints of soils and geologic conditions. Further, CTL Thompson, as engineers in this capacity, have recommended that they provide construction observation services to verify soil conditions consistent with those found during their investigation.

The Colorado Geological Survey’s review comment of the submitted geotechnical report (as posted on EDARP) indicates:

*<<Provided CTL's recommendations are adhered to, and lot-specific investigations and analyses are conducted for use in design of individual foundations, floor systems, subsurface drainage,*

*and pavements, CGS has no objection to approval of the residential subdivision as proposed.>>*

As such, prior to construction of proposed residences, lot-specific subsurface soil investigations will be performed to determine whether or not shallow groundwater, hydro-compacted soils, and/or potentially expansive soils are present on the lot, and to determine an appropriate foundation design, basement or crawl-space suitability, and/or lot-specific recommendations are necessary to mitigate these conditions. Language requiring lot-specific subsurface soil investigation will appear as a Note on the Final Plat. Drainage easements are “no build areas”. *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. A new full-spectrum EDB will be provided on Lot 7 in the southwest part of the project with associated required easements. An existing pond to the southeast of the development will be utilized and upgraded to current criteria with required easements.

*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 roadways on site and existing adjoining public roadways. Conestoga Trail, Horse Canyon Trail, Conestoga Trail South, and Buffalo River Trail (60' R.O.W.) will provide access to all lots within Filing 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 likewise been uploaded, as required, to EDARP, and include the Fire Protection Report, the Fire Commitment Letter, Electric Provider Commitment Letter, Natural Gas Commitment Letter and a Traffic Impact Study.

*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.

*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 filing.

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 filing.

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.

Latigo Trails Filing 9 will not have a homeowners' association, so there will be no HOA articles of incorporation, or HOA bylaws.

There are no common areas requiring maintenance in this filing. There are easements for drainage and utility purposes. The easements allow for Latigo Creek Metro District (ponds and drainage swales) and the utility company entities to have access for maintenance, etc.

Proposed improvements will include the construction of county-owned (e.g., public) and maintained asphalt roadways ('Rural Local' classification with roadside ditches). Drainage and storm water detention facilities will be constructed and maintained in conformance with County standards and specifications. Electric, natural gas, and telecommunication service points-of-connection will be extended from the roadways up to all new lots. Water will be provided via a central water system to be developed by the Owner/Applicant and will be operated and maintained by the Latigo Trails Metropolitan District (organization of a Metropolitan District will be completed at the time of Final Plat recording). Individual septic systems will be provided via an On-Site Wastewater Treatment System (OWTS) prepared by the Owner in accordance with El Paso County Department of Health policy guidelines.

Grading and earthmoving activities will be limited to roadway, drainage and utility construction areas. Individual lot owners will assume responsibility for grading their respective lot; no 'overlot' grading is proposed to occur over most of the site.

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

The proposed final plat meets the noted sections.

*The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]*

A Notice to Mineral Estate Owners has been provided to the County, attesting that no mineral estate owners were found.

**END**

# THE TRAILS FILING NO. 9

## 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

**BE IT KNOWN BY THESE PRESENTS:**

THAT FALCON LATIGO, LLC, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

**LEGAL DESCRIPTION:**

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 A 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.

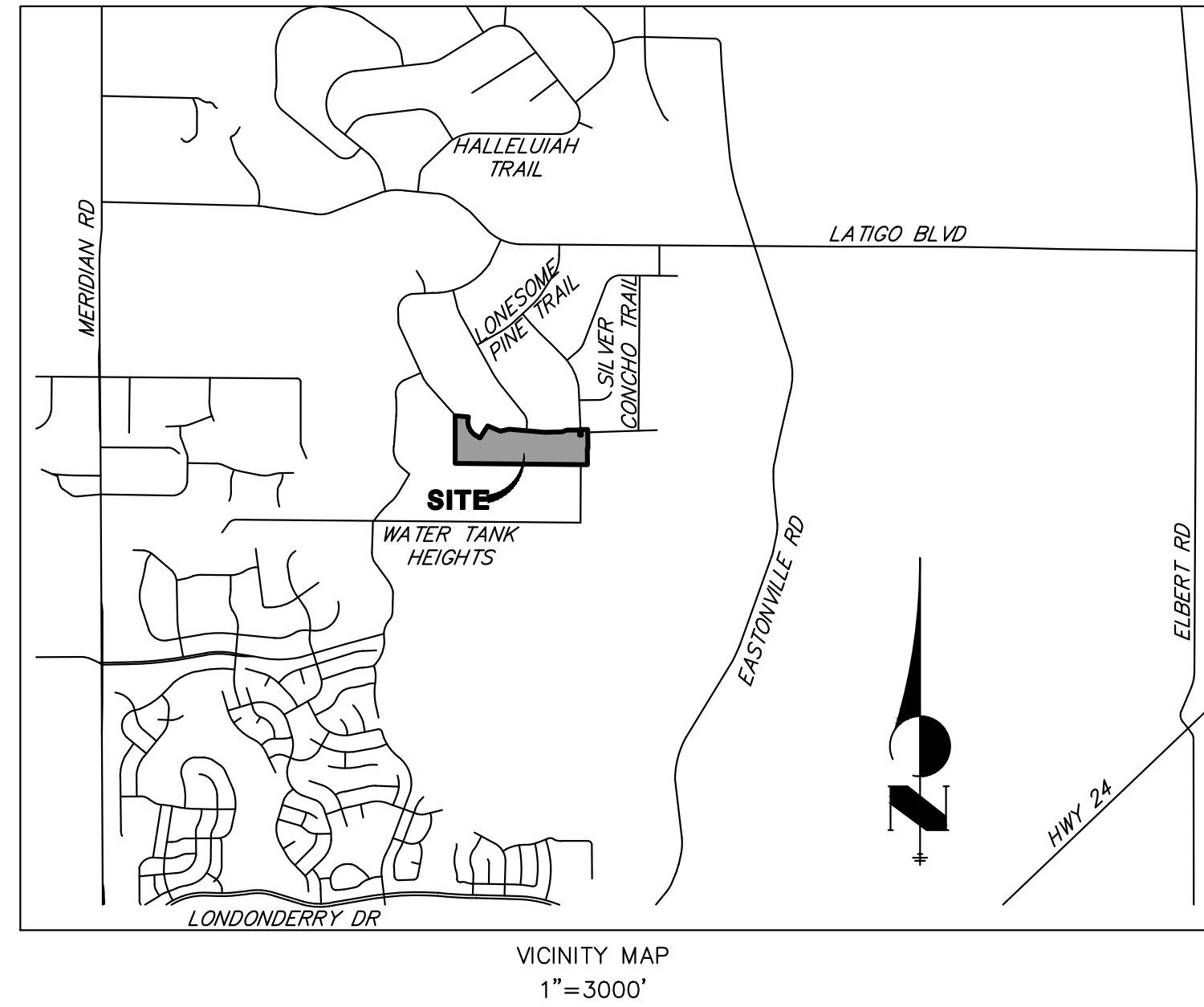
CONTAINING A CALCULATED AREA OF 4,643,639 SQUARE FEET OR 106.6033 ACRES.

**DEDICATION:**

THE ABOVE OWNER HAS CAUSED SAID TRACT OF LAND TO BE PLATTED INTO 39 LOTS, STREETS, AND EASEMENTS AS SHOWN ON THIS PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO EL PASO COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THIS PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO EL PASO COUNTY AND/OR ITS ASSIGNS. PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO VACATE, RELEASE OR QUIT-CLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VEST IN EL PASO COUNTY. ALL PUBLIC STREETS ARE HEREBY DEDICATED TO EL PASO COUNTY FOR PUBLIC USE. THIS TRACT OF LAND AS HEREIN PLATTED SHALL BE KNOWN AS "THE TRAILS FILING NO. 9" IN EL PASO COUNTY, COLORADO.

**EASEMENTS:**

ALL EASEMENTS THAT ARE DEDICATED HEREON FOR PUBLIC UTILITY PURPOSES RELATED TO GAS AND ELECTRIC SHALL BE SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED AT RECEPTION NUMBER 212112548 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND AFFECT.



**OWNERS CERTIFICATE:**

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDER OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF THE TRAILS FILING NO. 9. ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO THE 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 MATTER 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 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.

THE AFOREMENTIONED, FALCON LATIGO, LLC, A COLORADO LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

AS: \_\_\_\_\_ OF FALCON LATIGO, LLC

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. BY: \_\_\_\_\_

AS: \_\_\_\_\_ OF FALCON LATIGO, LLC

WITNESS MY HAND AND OFFICIAL SEAL:

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

**OWNERS CERTIFICATE**

THE AFOREMENTIONED, BRJM, LLC, A COLORADO LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

BY: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

AS: \_\_\_\_\_ OF BRJM, LLC

STATE OF COLORADO )  
COUNTY OF EL PASO ) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. BY: \_\_\_\_\_

AS: \_\_\_\_\_ OF BRJM, LLC

WITNESS MY HAND AND OFFICIAL SEAL:

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

**SURVEYOR'S CERTIFICATE:**

I JARROD ADAMS, 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 JULY 28, 2021, 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 \_\_\_\_\_, 2022.

JARROD ADAMS, \_\_\_\_\_ DATE  
COLORADO REGISTERED PLS # 38252

**NOTICE:**

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.

**PCD DIRECTOR CERTIFICATE:**

THIS PLAT FOR "THE TRAILS FILING NO. 9" WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

**ASSESSORS CERTIFICATE:**

TEXT PLACEHOLDER

EL PASO COUNTY ASSESSOR

**BOARD OF COUNTY COMMISSIONERS CERTIFICATE:**

THIS PLAT FOR "THE TRAILS FILING NO. 9" WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS AND EASEMENTS) ARE ACCEPTED, BUT 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.

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

**CLERK AND RECORDER**

STATE OF COLORADO  
COUNTY OF EL PASO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

AND WAS RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

EL PASO COUNTY CLERK AND REORDER

**FEES:**

DRAINAGE FEE: N/A  
BRIDGE FEE: N/A  
SCHOOL FEE: N/A  
PARK FEE: \$17,940.00

**SUMMARY:**

39 LOTS	100.3957 ACRES	94.18%
RIGHTS-OF-WAY	6.2076 ACRES	5.82%
TOTAL	106.6033 ACRES	100.00%

JOB NO. 25175.02  
DECEMBER 30, 2022  
SHEET 1 OF 5



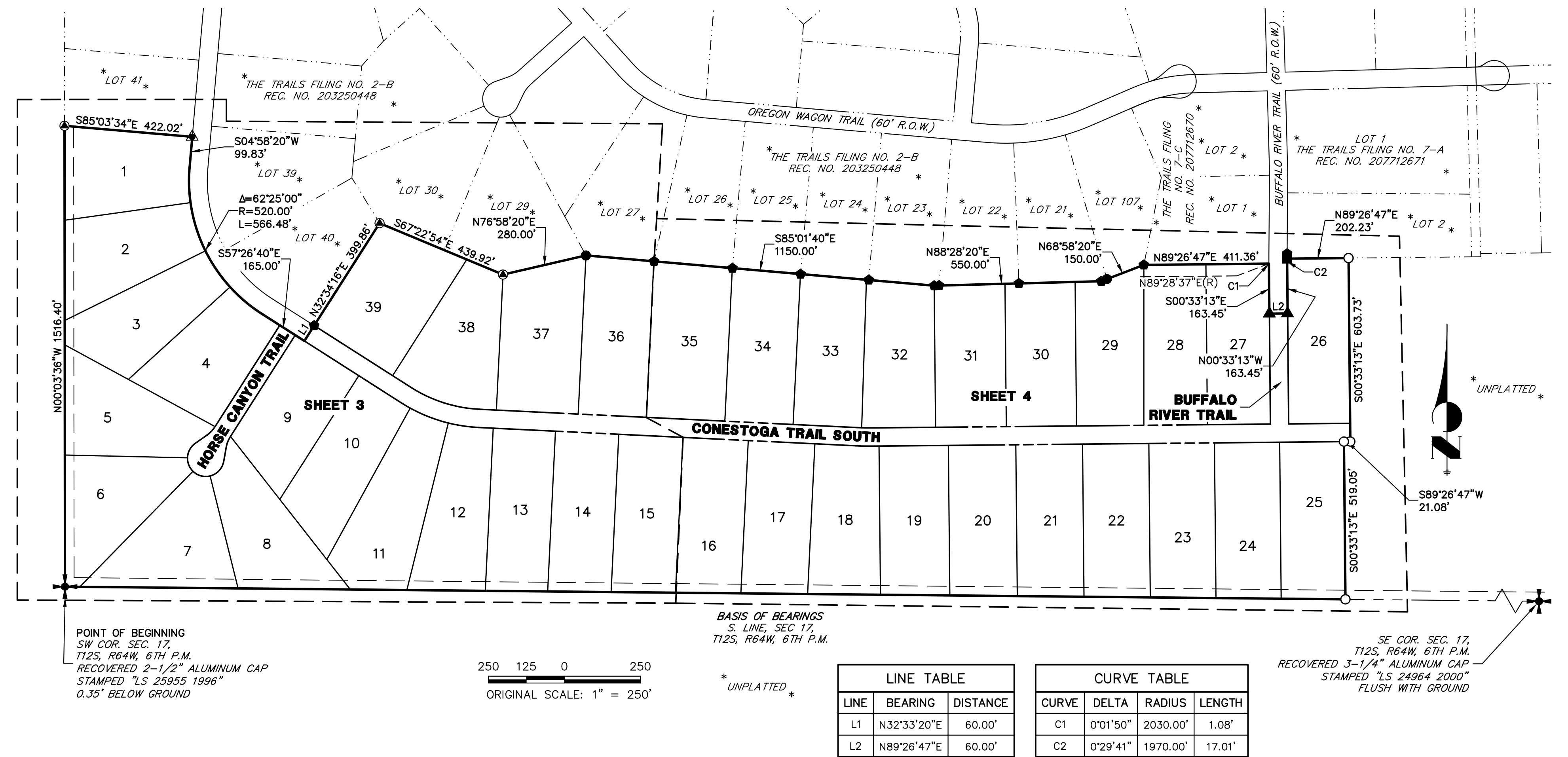
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# THE TRAILS FILING NO. 9

## 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

### GENERAL NOTES:

1. PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
2. ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEIPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF EL PASO COUNTY, COLORADO.
3. THE BASIS OF BEARINGS IS 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.
4. THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN, AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR EL PASO COUNTY, COLORADO, PANEL NUMBER 08041C0339G, EFFECTIVE DATE DECEMBER 7, 2018.
5. WATER SERVICES SHALL BE SUPPLIED BY MERIDIAN SERVICE METROPOLITAN DISTRICT.
6. SEWER SERVICES SHALL BE SUPPLIED BY THE LOT OWNER.
7. ELECTRIC SERVICES SHALL BE SUPPLIED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION.
8. NATURAL GAS SERVICES SHALL BE SUPPLIED BY BLACK HILLS ENERGY.
9. FIRE PROTECTION BY THE BLACK FOREST FIRE PROTECTION DISTRICT.
10. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN THE STATE OF COLORADO.
11. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN OR FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT; TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; NATURAL HAZARDS REPORT; GEOLOGY AND SOILS REPORT;
12. 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.
13. UNLESS OTHERWISE INDICATED, ALL SIDE LOT LINES ARE PLATTED ON EITHER SIDE WITH A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, EXCEPT WHEN THE SIDE YARD IS ADJACENT TO A PUBLIC STREET AND THEREFORE A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL FRONT LOT LINES ARE HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT AND ALL REAR LOT LINES ARE HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR THE SURFACE MAINTENANCE OF EASEMENTS IS HEREBY VEST IN THE INDIVIDUAL PROPERTY OWNERS.
14. 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 LISTED SPECIES (E.G., PREBLE'S MEADOW JUMPING MOUSE).
15. THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
16. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
17. 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 DEVELOPMENT IMPROVEMENTS 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 RECEIPTION NUMBER \_\_\_\_\_ 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 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.  
  
THIS PLAT RESTRICTION MAY BE REMOVED OR RESCINDED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR UPON EITHER APPROVAL OF AN ALTERNATIVE FORM OF COLLATERAL OR COMPLETION AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH SAID SUBDIVISION IMPROVEMENTS AGREEMENT. THE PARTIAL RELEASE OF LOTS FOR SALE, CONVEYANCE OR TRANSFER MAY ONLY BE GRANTED IN ACCORDANCE WITH ANY PLANNED PARTIAL RELEASE OF LOTS AUTHORIZED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT.
18. 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 CRS 18-4-508.
19. ALL PROPERTY WITHIN THIS SUBDIVISION IS INCLUDED IN LATIGO CREEK METROPOLITAN DISTRICT.
20. THE LATIGO CREEK METROPOLITAN DISTRICT WILL BE RESPONSIBLE FOR MAINTENANCE OF ROADS AND DRAINAGE FACILITIES UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, THE ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.
21. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANTS AS RECORDED AT RECEIPTION NUMBER \_\_\_\_\_ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
22. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATION.
23. THE SUBDIVIDER(S) AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNEES 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 OBLIGATIONS, 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.
24. THERE SHALL BE NO DIRECT RESIDENTIAL LOT ACCESS TO LATIGO BOULEVARD AND EASTONVILLE ROAD.
25. THE TEMPORARY TURNAROUND EASEMENT AS SHOWN ON THIS PLAT AND REFERENCED IN THE EASEMENT AGREEMENT AS RECORDED AT RECEIPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY WILL BE VACATED UPON THE COMPLETION OF ROADWAY CONSTRUCTION OF \_\_\_\_\_ ROAD WITH A FUTURE FINAL PLAT, IN ACCORDANCE WITH THE TERMS OF SAID EASEMENT.
26. INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS FROM HORSE CANYON TRAIL AND CONESTOGA TRAIL SOUTH ROAD PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3.



### GENERAL NOTES:

27. **GEOLOGIC HAZARD NOTE:**  
  
THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT BY C.T.L. THOMPSON IN FILE NO. PCD SF-21-036 AVAILABLE AT THE EL PASO COUNTY PLANNING DEVELOPMENT DEPARTMENT:  
  
THERE ARE NO GEOLOGIC HAZARDS PRECLUDING THE DEVELOPMENT.  
  
AS SUCH, PRIOR TO CONSTRUCTION OF PROPOSED RESIDENCES, LOT-SPECIFIC SUBSURFACE SOIL INVESTIGATIONS WILL BE PERFORMED TO DETERMINE WHETHER OR NOT SHALLOW GROUNDWATER, HYDRO-COMPACTED SOILS, AND/OR POTENTIALLY EXPANSIVE SOILS ARE PRESENT ON THE LOT, AND TO DETERMINE AN APPROPRIATE FOUNDATION DESIGN, BASEMENT OR CRAWL-SPACE SUITABILITY, AND/OR LOT-SPECIFIC RECOMMENDATIONS ARE NECESSARY TO MITIGATE THESE CONDITIONS.
28. DRIVEWAY CULVERTS SHALL BE SIZED PER THE DRIVEWAY CULVERT EXHIBIT IN THE APPROVED FINAL DRAINAGE REPORT FOR LATIGO TRAILS FILING NO. 9 AND ADDENDUM TO MASTER DEVELOPMENT/PRELIMINARY DRAINAGE PLAN FOR LATIGO TRAILS, PREPARED BY JR ENGINEERING, LLC. ENGINEERED SITE PLANS ARE REQUIRED FOR LOTS WITH 24" OF LARGER DRIVEWAY CULVERTS.
29. SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT MUST APPROVE EACH SYSTEM AND, IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL. THESE SYSTEMS MAY COST MORE TO DESIGN, INSTALL, AND MAINTAIN. SOILS AND GEOLOGY CONDITIONS ON SITE REQUIRE THAT ALL (OR CERTAIN LOTS) ON-SITE WASTEWATER SYSTEMS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.  
  
WATER SERVICE FOR THIS SUBDIVISION IS PROVIDED BY THE MERIDIAN SERVICE METROPOLITAN DISTRICT SUBJECT TO THE DISTRICT'S RULES, REGULATIONS AND SPECIFICATIONS. WASTEWATER SERVICE FOR THIS SUBDIVISION IS PROVIDED BY THE LOT OWNER.
30. LOT 7 OF THIS PROPERTY IS SUBJECT TO A PRIVATE DETENTION BASIN/STORMWATER QUALITY BMP MAINTENANCE AGREEMENT AND EASEMENT AS RECORDED AT RECEIPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY. THE LATIGO CREEK METROPOLITAN DISTRICT IS RESPONSIBLE FOR MAINTENANCE OF THE SUBJECT DRAINAGE FACILITIES.
31. PURSUANT TO RESOLUTION \_\_\_\_\_, APPROVED BY THE BOARDS OF DIRECTORS, EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT \_\_\_\_\_ AND RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AT RECEIPTION NO. \_\_\_\_\_, THE PARCELS WITHIN THE PLATTED BOUNDARIES OF THE TRAILS FILING NO. 9 ARE INCLUDED WITHIN THE BOUNDARIES OF THE EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT AND AS SUCH IS SUBJECT TO APPLICABLE ROAD IMPACT FEES AND MILL LEVY.
32. LOT 6 IS SUBJECT TO SHARED POND MAINTENANCE ACCESS AND DRIVEWAY EASEMENT AS DESCRIBED IN THE POND MAINTENANCE AGREEMENT RECORDED UNDER RECEIPTION NO. \_\_\_\_\_

JOB NO. 25175.02  
DECEMBER 30, 2022  
SHEET 2 OF 5



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PCD FILE NO. SF-21-036



# THE TRAILS FILING NO. 9

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

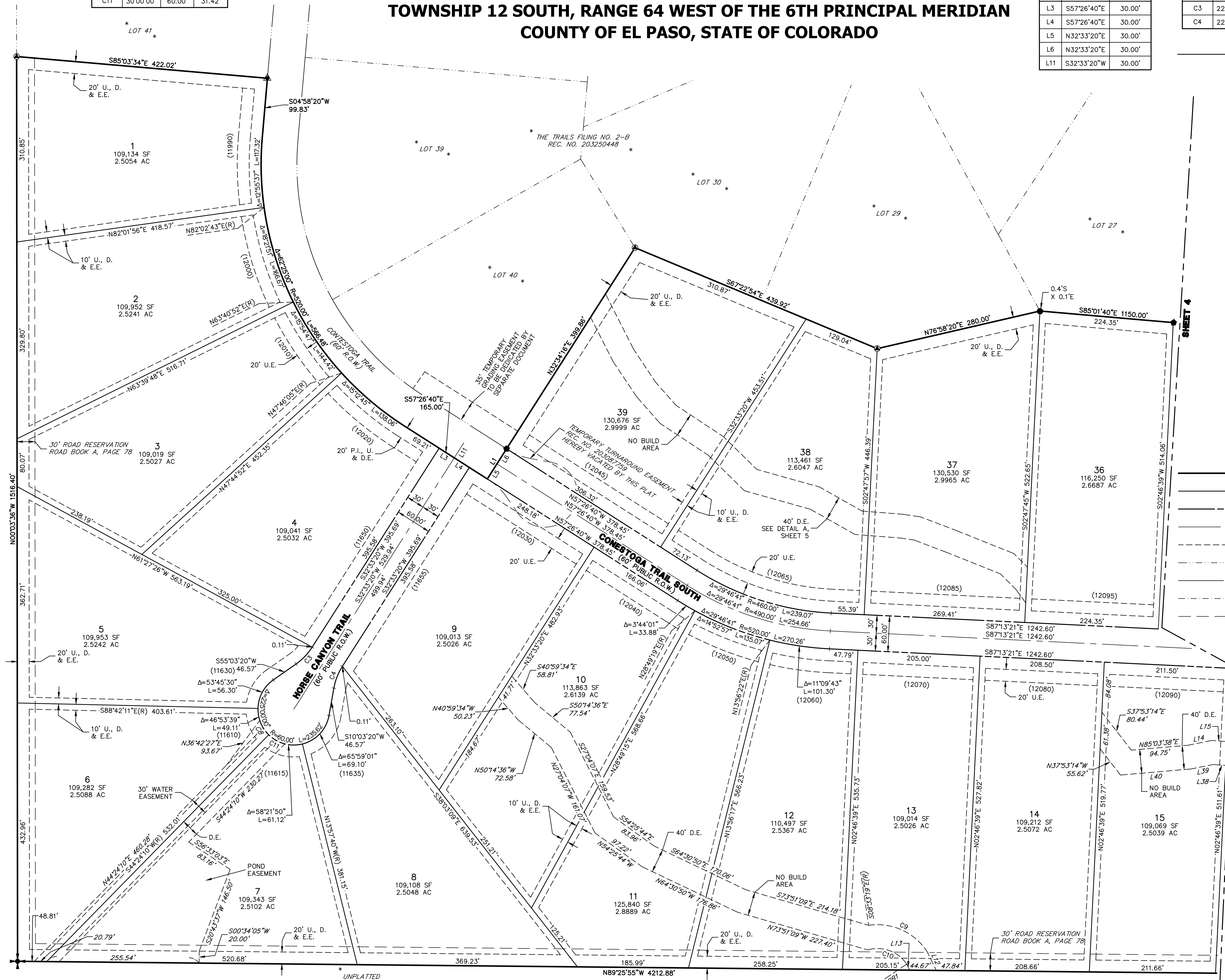
CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C8	27°19'31"	60.00'	28.61'
C11	30°00'00"	60.00'	31.42'

LINE TABLE		
LINE	BEARING	DISTANCE
L3	S57°26'40"E	30.00'
L4	S57°26'40"E	30.00'
L5	N32°33'20"E	30.00'
L6	N32°33'20"E	30.00'
L11	S32°33'20"W	30.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C3	22°30'00"	100.00'	39.27'
C4	22°30'00"	100.00'	39.27'

**LEGEND**

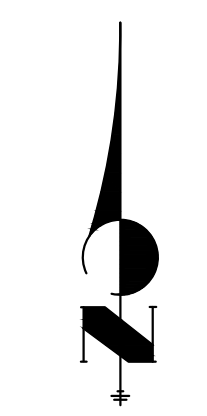
- SET 18" #5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "JR ENG LS 38252" FLUSH WITH GROUND
- RECOVERED 1-1/4" WHITE PLASTIC CAP STAMPED "LS 9646" FLUSH WITH GROUND
- ▲ RECOVERED 1-1/4" RED PLASTIC CAP STAMPED "LS 19625" 0.2' BELOW GROUND
- ◆ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 24964" FLUSH UNLESS OTHERWISE NOTED
- RECOVERED #5 REBAR FLUSH WITH GROUND
- ▲ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19625" FLUSH UNLESS OTHERWISE NOTED
- RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19623" FLUSH WITH GROUND
- SF SQUARE FEET
- AC ACRES
- (####) ADDRESS
- (R) RADIAL BEARING
- \* NOT PART OF SURVEY
- U.E. UTILITY EASEMENT
- P.I., U. PUBLIC IMPROVEMENTS, UTILITY & D.E. DRAINAGE EASEMENT
- D.E. DRAINAGE EASEMENT
- U., D. & E.E. UTILITY, DRAINAGE AND EQUESTRIAN EASEMENT
- PROPOSED SUBDIVISION LINE
- PROPOSED LOT LINE
- - - PROPOSED RIGHT-OF-WAY LINE
- - - PROPOSED CENTERLINE
- - - PROPOSED EASEMENT
- EXISTING PROPERTY LINE
- - - EXISTING RIGHT-OF-WAY LINE
- - - EXISTING CENTERLINE
- - - EXISTING EASEMENT



LINE TABLE		
LINE	BEARING	DISTANCE
L12	S25°52'24"E	33.67'
L13	N25°52'24"W	11.29'

RADIAL BEARING TABLE	
LINE	BEARING
RB1	S55°58'31"W

25.00'  
25.00'  
SITE VISIBILITY AND PUBLIC IMPROVEMENT EASEMENT (TYP.)  
DETAIL (A)  
NOT TO SCALE



80 40 0 80  
ORIGINAL SCALE: 1" = 80'

JOB NO. 25175.02  
DECEMBER 30, 2022  
SHEET 3 OF 5



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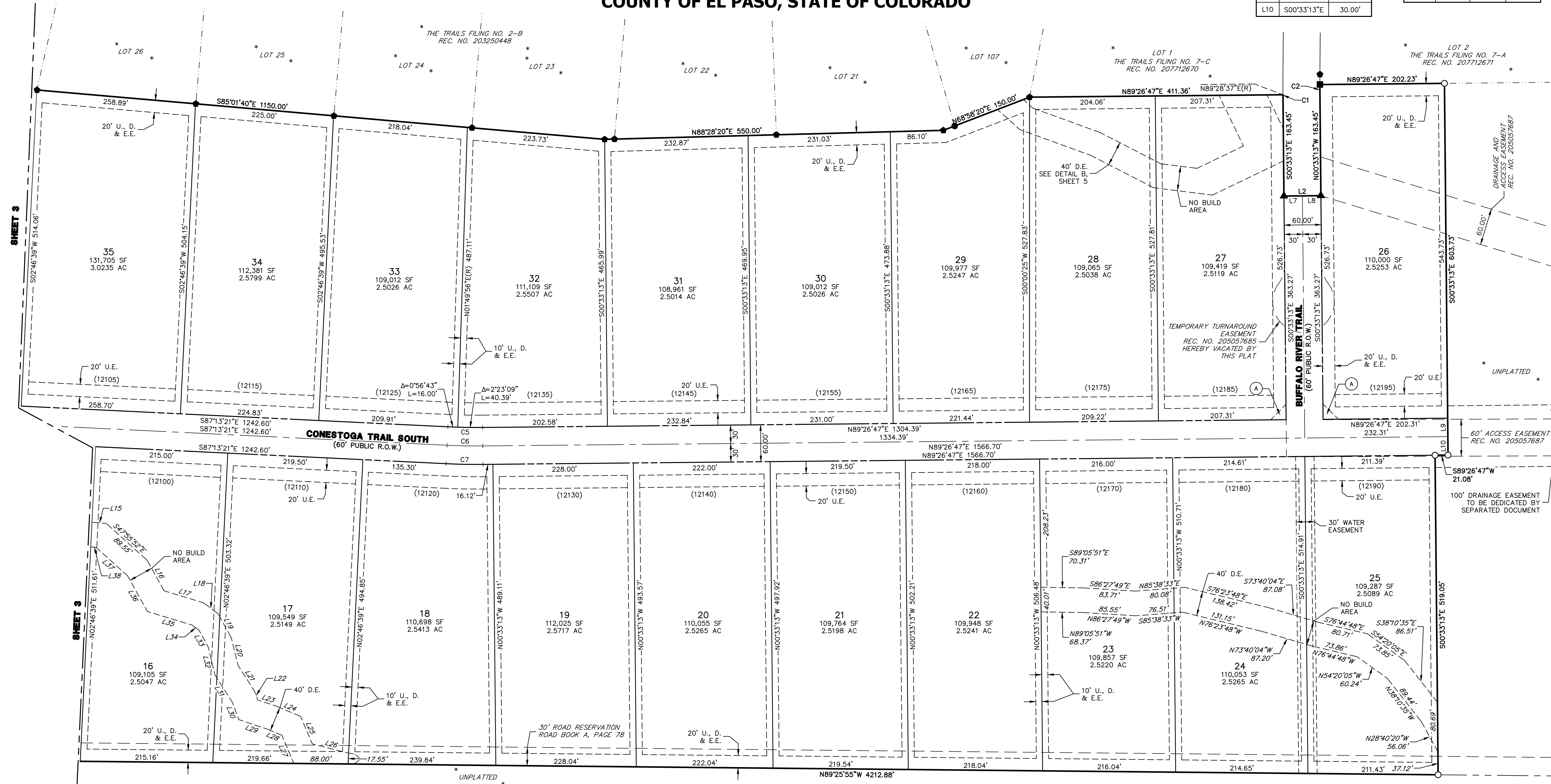
PCD FILE NO. SF-21-036

# THE TRAILS FILING NO. 9

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

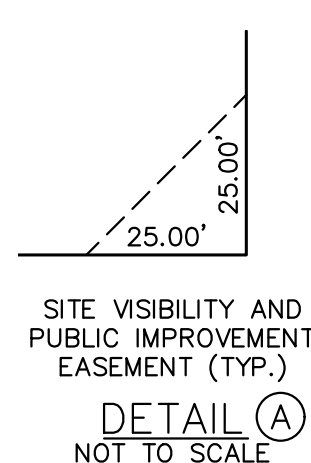
LINE TABLE		
LINE	BEARING	DISTANCE
L7	S89°26'47"W	30.00'
L8	S89°26'47"W	30.00'
L9	S00°33'13"E	30.00'
L10	S00°33'13"E	30.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C5	3°19'52"	970.00'	56.39'
C6	3°19'52"	1000.00'	58.14'
C7	3°19'52"	1030.00'	59.88'



### LEGEND

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li>○ SET 18" #5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "JR ENG LS 38252" FLUSH WITH GROUND</li> <li>● RECOVERED 1-1/4" WHITE PLASTIC CAP STAMPED "LS 9646" FLUSH WITH GROUND</li> <li>▲ RECOVERED 1-1/4" RED PLASTIC CAP STAMPED "LS 19625" 0.2' BELOW GROUND</li> <li>◆ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 24964" FLUSH UNLESS OTHERWISE NOTED</li> </ul> | <ul style="list-style-type: none"> <li>● RECOVERED #5 REBAR FLUSH WITH GROUND</li> <li>▲ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19625" FLUSH UNLESS OTHERWISE NOTED</li> <li>◆ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19623" FLUSH WITH GROUND</li> <li>SF SQUARE FEET</li> <li>AC ACRES</li> </ul> | <ul style="list-style-type: none"> <li>(####) ADDRESS</li> <li>(R) RADIAL BEARING</li> <li>* NOT PART OF SURVEY</li> <li>U.E. UTILITY EASEMENT</li> <li>P.I., U. &amp; D.E. PUBLIC IMPROVEMENTS, UTILITY &amp; DRAINAGE EASEMENT</li> <li>D.E. DRAINAGE EASEMENT</li> <li>U., D. &amp; E.E. UTILITY, DRAINAGE AND EQUESTRIA</li> </ul> |
| <ul style="list-style-type: none"> <li>———— PROPOSED SUBDIVISION LINE</li> <li>———— PROPOSED LOT LINE</li> <li>———— PROPOSED RIGHT-OF-WAY LINE</li> <li>———— PROPOSED CENTERLINE</li> <li>———— PROPOSED EASEMENT</li> <li>———— EXISTING PROPERTY LINE</li> <li>———— EXISTING RIGHT-OF-WAY LINE</li> <li>———— EXISTING CENTERLINE</li> </ul>   |   |  |



80 40 0 80  
 ORIGINAL SCALE: 1" = 80'  
 JOB NO. 25175.02  
 DECEMBER 30, 2022  
 SHEET 4 OF 5

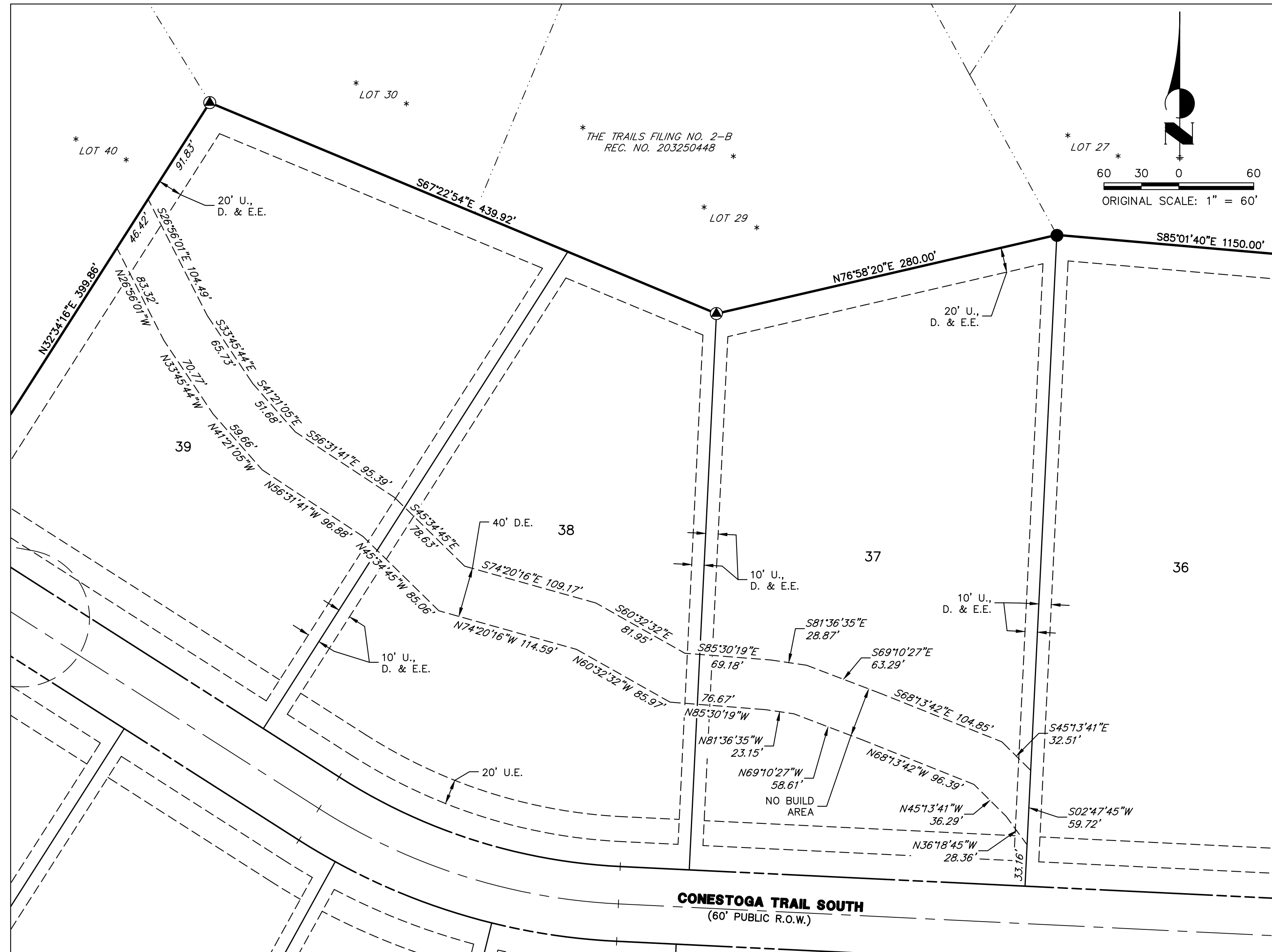


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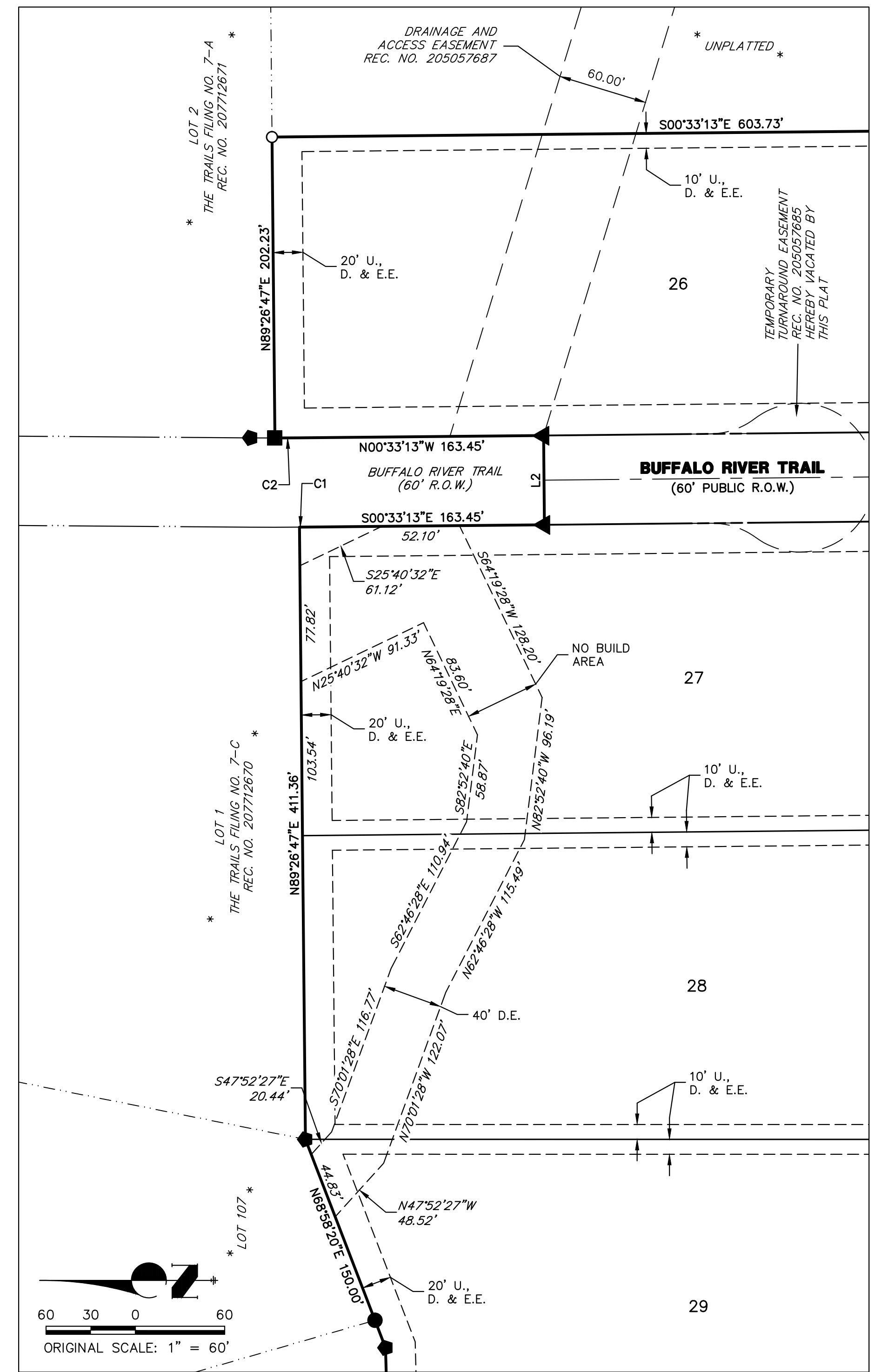
PCD FILE NO. SF-21-036

# THE TRAILS FILING NO. 9

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



**DETAIL A**



**DETAIL B**

**LEGEND**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>○ SET 18" #5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "JR ENG LS 38252" FLUSH WITH GROUND</li> <li>● RECOVERED 1-1/4" WHITE PLASTIC CAP STAMPED "LS 9646" FLUSH WITH GROUND</li> <li>▲ RECOVERED 1-1/4" RED PLASTIC CAP STAMPED "LS 19625" 0.2' BELOW GROUND</li> <li>● RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 24964" FLUSH UNLESS OTHERWISE NOTED</li> <li>● RECOVERED #5 REBAR FLUSH WITH GROUND</li> <li>▲ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19625" FLUSH UNLESS OTHERWISE NOTED</li> <li>■ RECOVERED 1-1/4" YELLOW PLASTIC CAP STAMPED "LS 19623" FLUSH WITH GROUND</li> <li>SF SQUARE FEET</li> <li>AC ACRES</li> <li>(####) ADDRESS</li> </ul> | <ul style="list-style-type: none"> <li>(R) RADIAL BEARING</li> <li>* NOT PART OF SURVEY</li> <li>U.E. UTILITY EASEMENT</li> <li>P.I., U. &amp; D.E. PUBLIC IMPROVEMENTS, UTILITY &amp; DRAINAGE EASEMENT</li> <li>D.E. DRAINAGE EASEMENT</li> <li>U., D. &amp; E.E. UTILITY, DRAINAGE AND EQUESTRIAN EASEMENT</li> <li>———— PROPOSED SUBDIVISION LINE</li> <li>———— PROPOSED LOT LINE</li> <li>———— PROPOSED RIGHT-OF-WAY LINE</li> <li>———— PROPOSED CENTERLINE</li> <li>----- PROPOSED EASEMENT</li> <li>----- EXISTING PROPERTY LINE</li> <li>----- EXISTING RIGHT-OF-WAY LINE</li> <li>----- EXISTING CENTERLINE</li> <li>----- EXISTING EASEMENT</li> </ul> |
|--|--|

LINE TABLE		
LINE	BEARING	DISTANCE
L14	N78°38'24"E	41.08'
L15	S85°48'36"E	48.75'
L16	S29°03'02"E	56.76'
L17	S73°09'46"E	66.87'
L18	S52°54'20"E	29.59'
L19	S28°45'50"E	44.65'
L20	S13°34'31"E	45.91'
L21	S32°36'35"E	49.57'
L22	S20°33'36"E	15.50'
L23	S71°28'59"E	32.04'
L24	S67°13'43"E	42.34'
L25	S23°07'32"E	48.63'
L26	S75°36'33"E	60.83'
L27	N23°07'32"W	49.89'

LINE TABLE		
LINE	BEARING	DISTANCE
L28	N67°13'43"W	24.65'
L29	N71°28'59"W	49.60'
L30	N20°33'36"W	30.33'
L31	N32°36'35"W	52.05'
L32	N13°34'31"W	47.28'
L33	N28°45'50"W	30.76'
L34	N52°54'20"W	13.89'
L35	N73°09'46"W	75.93'
L36	N29°03'02"W	66.32'
L37	N47°55'52"W	69.17'
L38	N85°48'36"W	29.56'
L39	S78°38'24"W	37.86'
L40	S85°03'38"W	118.73'

JOB NO. 25175.02  
DECEMBER 30, 2022  
SHEET 5 OF 5



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Fort Collins 970-491-9888 • www.jrengineering.com

PCD FILE NO. SF-21-036



September 29, 2022

Kyle Bagley, Project Manager  
Elbert County Community & Development Services  
Transmitted via the EPC EDARP Portal: <https://epcdevplanreview.com/>

**Re: Latigo Trails Filing No. 9 (Final Plat) - 3<sup>rd</sup> Letter**  
**File #: SF2136**  
Part of the W ½ of Sec. 16, Twp. 12S, Rng. 64W, 6<sup>th</sup> P.M.  
Upper Black Squirrel Creek Designated Basin  
Water Division 2, Water District 10

Dear Kyle Bagley:

We have reviewed the above-referenced proposal for the Final Plat of Latigo Trails Filing No. 9, which will create 39 single-family lots on 107 acres in the W ½ of Sec. 16, Twp. 12S, Rng. 64W, 6<sup>th</sup> P.M. The entire Latigo Trails development consists of several phases on 1,027 acres. This letter supersedes the letter dated July 2, 2022 from this office concerning Filing No. 9.

### Water Supply Demand

According to the June 23, 2022 Letter of Intent (“Letter”), the estimated water demand for the filing is **12 acre-feet/year** for household use, including irrigation, for all 39 lots. These estimates are based on an estimated demand of 0.31 acre-feet/year per residential home including outside irrigation.

### Source of Water Supply

According to the July 18, 2022 will serve letter (“Letter”), Meridian Service Metropolitan District (MSMD) is committed to serving Filing No. 9. MSMD provides water to the Latigo Trails development as an out of district user per a 2001 Intergovernmental Agreement to provide water service.

According to the Letter, MSMD has commitments to provide water service to the following:

1. Meridian Ranch with a demand of approximately 1,606.2 acre-feet/year,
2. the other Latigo Trails filings with a demand of 34.7 acre-feet/year (not including Filing No. 9),
3. A perpetual lease to provide 85 acre-feet/year to the Paint Brush Hills Metropolitan District (“PBHMD”), and
4. A 25 acre-feet/year lease with El Paso County for Falcon Regional Park.

The total demand on MSMD is approximately 1,751 acre-feet/year. The additional demand of **Filing No. 9** brings the demand on MSMD up to approximately **1,763 acre-feet/year**.



According to the Letter and the July 2022 Water Resources Report (“Report”), the District owns and controls 5,865 acre-feet/year of water rights or **2,058 acre-feet/year<sup>1</sup> based on a 300-year supply**. MSMD obtains their supply from nontributary Denver Basin bedrock aquifer wells and alluvial wells which withdraw groundwater under various determinations of water rights or final permits owned and controlled by MSMD as summarized in Table 3 of the Report and below:

1. Meridian Ranch (Determination of Water Right nos. 154-BD, 155-BD, 156-BD, and 157-BD),
2. Guthrie Ranch (228-BD, 229-BD, 230-BD, and Final Permit nos. 612-RFP and 27554-FP),
3. Latigo Trails (568-BD, 569-BD, 570-BD, and 46406-F), and
4. Hart Ranch (2099-BD and 2100-BD).

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

*“(7) Finding of Sufficient Quantity*

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

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an **allocation** approach based on 300 years, the allowed average annual amount of withdrawal of allocated Denver Basin aquifer water would be reduced to one third of that amount. The water supply available to MSMD of 2,058 acre-feet/year based on a 300-year supply is **greater** than the annual demand on MSMD of 1,763 acre-feet/year. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

Therefore, **the uncommitted firm supply available to MSMD is 295 acre-feet/year**. Additionally, it is anticipated that the demand from Meridian Ranch at full build out will be 2,033 acre-feet/year which is less than MSMD’s available supply.

Well nos. 612-RFP and 27554-FP withdraw water from the Upper Black Squirrel Creek alluvial aquifer, which is currently considered to be a renewable source.

### **State Engineer's Office Opinion**

Based upon the above and pursuant to sections 30-28-136(1)(h)(I) and 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 vested 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.

---

<sup>1</sup> This amount accounts for 30.2 acre-feet/year of NT and NNT-4% replacement obligations.

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 on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced determinations of water rights, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100 year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

If you or the Applicant have any questions, please contact Wenli Dickinson at (303) 866-3581 x8206 or at [Wenli.Dickinson@state.co.us](mailto:Wenli.Dickinson@state.co.us).

Sincerely,



Ioana Comaniciu, P.E.  
Water Resource Engineer

Ec: Referral No. 28921  
Upper Black Squirrel Ground Water Management District

County Attorney

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

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

January 5, 2023

SF-21-36 Latigo Trails Filing No. 9  
Final Plat

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 Cheyenne Mountain Development Company, LLC (“Applicant”), to subdivide an approximately 107 +/- acre tract of land into 39 single-family detached residential dwelling units (the “Property”). The property is zoned RR-2.5 (Rural Residential).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the subdivision demand is 13 acre-feet per year for 39 lots which includes irrigation. All other documents provided by Applicant are based on an estimated demand of 12 acre-feet per year for 39 lots, however, and this review is based on the lower figure.<sup>1</sup> The Applicant must therefore be able to provide a supply of 3,600 acre-feet of water (12 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 Meridian Service Metropolitan District (“District”). As detailed in the *Water Resources Report* dated July

<sup>1</sup> It is recommended that Applicant be required to update the Water Supply Information Summary. See Requirement B.

**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

2022 (“Report”), the average daily use for each of the 39 lots will be 0.31 acre-feet per dwelling unit/year for a total water demand of 12.09 acre-feet/year.

4. The District’s Manager provided a letter of commitment for Latigo Trails Filing No. 9 dated July 18, 2022, in which the District General Manager stated that the District will provide water service to the Property in the amount of 12 acre-feet per year.

State Engineer’s Office Opinion

5. In a letter dated September 29, 2022, the State Engineer reviewed the proposal to subdivide the 107 +/- acre parcel into 39 single-family lots. The State Engineer stated that the “Meridian Service Metropolitan District (MSMD) is committed to serving Filing No. 9.” The State Engineer indicates the correct number of lots as 39 and indicates a water demand of 12 acre-feet/year based on the Letter of Intent from June 23, 2022. The State Engineer indicates they received a letter of commitment dated July 18, 2022 from the District which indicated that “[t]he total demand on MSMD is approximately 1,751 acre-feet/year. The additional demand of Filing No. 9 brings the demand on MSMD up to approximately 1,763 acre-feet/year.... [T]he District owns and controls... 2,058 acre-feet/year based on a 300-year supply.” Finally, “pursuant to sections 30-28-136(1)(h)(II) and 300-28-136(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 vested water rights.”

Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Latigo Trails Filing No. 9 is 12 acre-feet per year to be supplied by the Meridian Service Metropolitan District. **Based on the water demand of 12 acre-feet/year for the development and the District’s availability of water sources, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Latigo Trails Filing No. 9.**

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* provided June 23, 2022, the *Water Resources Report* dated July 2022, the *Meridian Service Metropolitan District letter* dated July 18, 2022, and the *State Engineer Office’s Opinion* dated September 29, 2022. 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 must upload a corrected *Water Supply Information Summary* to match the current water demand of the project.
  - Applicant must remove the Commitment Letter from water service provider dated September 7, 2021, and upload the correct version currently named “Latigo Fig. 9 will serve – signed” dated July 18, 2022 in the space where the prior version occupies.

cc. Ryan Howser, Planner III

**From:** Carey Jones <careyjo363@gmail.com>  
**Sent:** Tuesday, May 2, 2023 8:28 PM  
**To:** PCD Hearings  
**Subject:** Latigo Trails Filing No. 9 Testimony and Exhibits  
**Attachments:** Latigo Trails Filing No 9 Objection Petition Signatures.txt; Latigo Trails Filing No 9 Objection Petition Comments.txt; Latigo Resident Personal Statement.docx; Latigo Trails Filing 9 Water Resources Rebuttal.docx

**CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.**

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Hi

I would like to submit the following exhibits and testimony for the public hearing for Latigo Trails Filing No. 9:

Name: Carey Jones  
Phone Number: (503) 351-4799  
Project Name: Latigo Trails Filing No. 9  
File Number: SF2136

Please let me know if you have any questions regarding the documents submitted.

Respectfully

Carey Jones

Name	City	State	Postal Code	Country	Signed On
Carey Jones	Coos Bay	OR		US	4/23/2023
Beau Bommer	Chino	CA	91710	US	4/23/2023
Amanda Campbell	Elbert	CO	80106	US	4/23/2023
Harrisen Rosane	Elbert	CO	80106	US	4/24/2023
Julie Davis	Colorado Springs			CO 80905	US 4/24/2023
Adare Hotel	Colorado Springs			CO 80918	US 4/24/2023
Stephanie Muñoz	Colorado Springs			CO 80903	US 4/24/2023
Deborah Carter	Elbert	CO	80106	US	4/24/2023
Peter Page	Elbert	CO	80106	US	4/24/2023
Paula Page	Elbert	CO	80106	US	4/24/2023
Rockiey Carter	Elbert	CO	80106	US	4/24/2023
Susana Muñoz	Madrid		28019	Spain	4/24/2023
Craig Decker	Peyton	CO	80831	US	4/25/2023
Taylor Liddelaw	Atlanta		30302	US	4/25/2023
Toni Liszt	Rosedale	MD		21237	US 4/25/2023
Nataliia Zhuchenko	Brooklyn			11218	US 4/25/2023
Marvin Sass	Willowbrook			60527	US 4/25/2023
Craig Cleary	Kalamazoo			49006	US 4/25/2023
Yisra Hamad	Conway		72034	US	4/25/2023
Majok Majok	East Syracuse			13057	US 4/25/2023
Joe Stodola	Ridgeway	WI		53582	US 4/25/2023
Stacy Rea	Colorado Springs			CO 80910	US 4/25/2023
Joshua Curphey	Peterborough			PE7	US 4/25/2023
Terrilynn Gosnell			11985 Conestoga	Trail S CO 80106	US 4/25/2023
stephanie bahena			Escondido	92027	US 4/25/2023
Yourmom Ekdkdk	Sexy		Sex	US	4/25/2023
Shannon Shaffer	Charleston			25314	US 4/25/2023
Brian Grover	Elbert	CO	80106	US	4/26/2023
Tamara Wineland	Colorado Springs			CO 80918	US 4/26/2023
Renee Scruitsky	Colorado Springs			CO 80906	US 4/26/2023
Debbie Thompson	Colorado Springs			CO 80908	US 4/26/2023
Amanda Goodell	Elbert	CO	80106	US	4/26/2023
Humberto Alarcon			Colorado Springs	CO 80918	US 4/26/2023
Bernadette Ohlsen			Colorado Springs	CO 80908	US 4/26/2023
John McLaughlin	Elbert	CO	80106	US	4/26/2023
Jane Newman	Elbert	CO	80106	US	4/26/2023
Christa Gleadhill			Peyton CO 80831	US	4/26/2023
Michele Skirka	Elbert	CO	80106	US	4/26/2023
Bill Easterling	Elbert	CO	80106	US	4/26/2023
Marissa Adam	Colorado Springs			CO 80106	US 4/26/2023
Melissa Staie	Colorado Springs			CO 80908	US 4/26/2023
Lori Perez	Colorado Springs			CO 80917	US 4/27/2023
Francine Gowen	Elbert	CO	80106	US	4/27/2023
Sebastian Sassi	Peyton	CO	80831	US	4/28/2023
Nathan Kling	Colorado Springs			CO 80910	US 4/28/2023
Alicia Froke	Colorado Springs			CO 80906	US 4/28/2023
Casey Froke	Peyton	CO	80831	US	4/28/2023
Tiffany Bruffy	Peyton	CO	80831	US	4/28/2023
Jeff Thornton	Elbert	CO	80106	US	4/29/2023

Fran Gorman	Elbert	CO	80106	US	4/30/2023	
Nick Servello	Peyton	CO	80831	US	4/30/2023	
Joann Campbell	Elbert	CO	80106	US	5/1/2023	
Thomas Myers	Colorado Springs			CO	80901	US 5/1/2023
Lisa Schiller	Navarre		32566	US	5/2/2023	
Jeffrey Behan	Elbert	CO	80106	US	5/2/2023	
Ricky Campbell	Elbert	CO	80106	US	5/2/2023	
Johnny Yates	Elbert	CO	80106	US	5/2/2023	

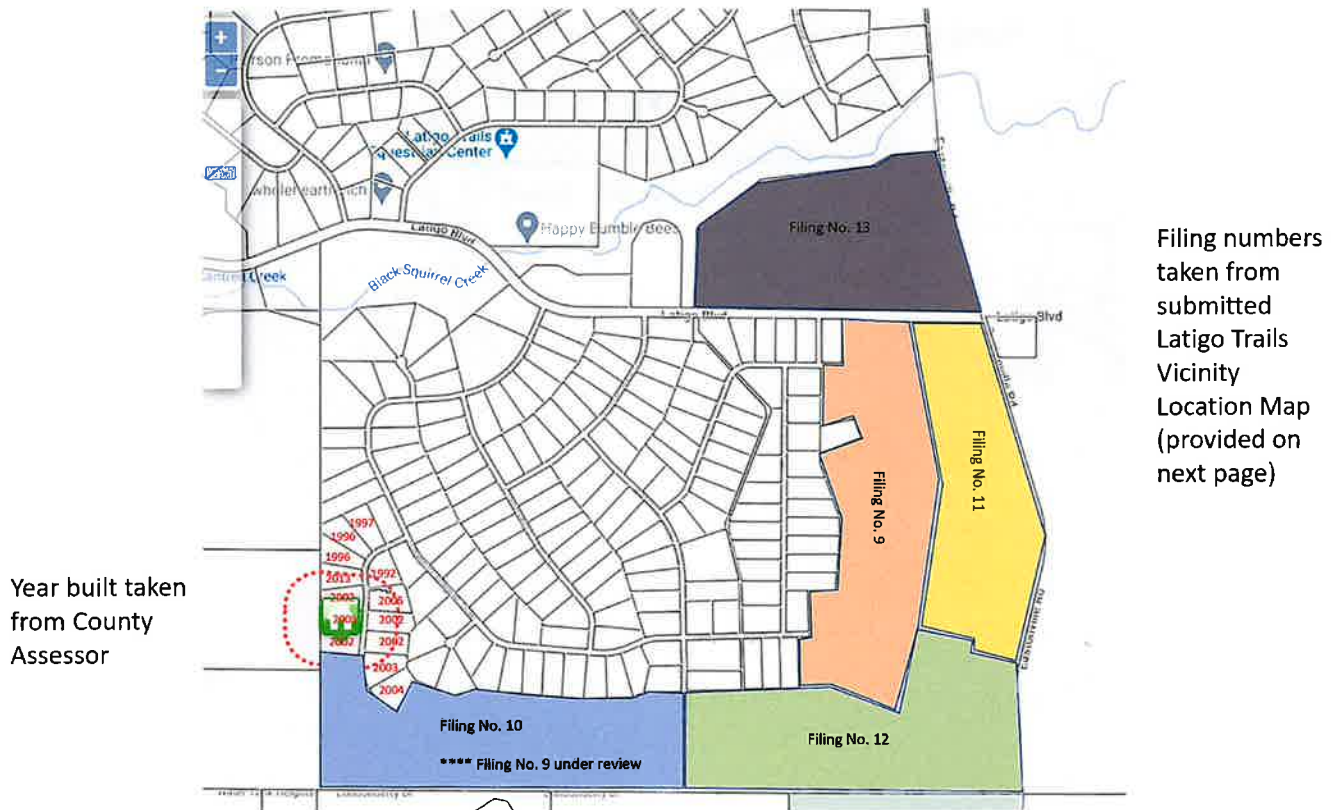
Name	City	State	Postal Code	Country	Commented	Date	Comment
Debbie Carter	Latigo Trails	CO	80106	US		4/24/2023	""Water and traffic issues.""
Terrilynn Gosnell	Colorado Springs	CO	80106	US		4/25/2023	""Traffic and water supply concerns""
Amanda Goodell	Elbert	CO	80106	US		4/26/2023	""I oppose due to increases in traffic, land and view congestion, impact on wildlife, increase in pollution and water concerns.""
C G	Peyton	CO	80831	US		4/26/2023	""Water and traffic issues""
Sebastian Sassi	Peyton	CO	80831	US		4/28/2023	""The water and transportation infrastructure in the Meridian Ranch area is already overtaxed. STOP BUILDING!""
Fran Gorman	Elbert	CO	80106	US		4/30/2023	""No more building.""
Joann Campbell	Elbert	CO	80106	US		5/1/2023	""Stop the building!! There is not enough water in our area""

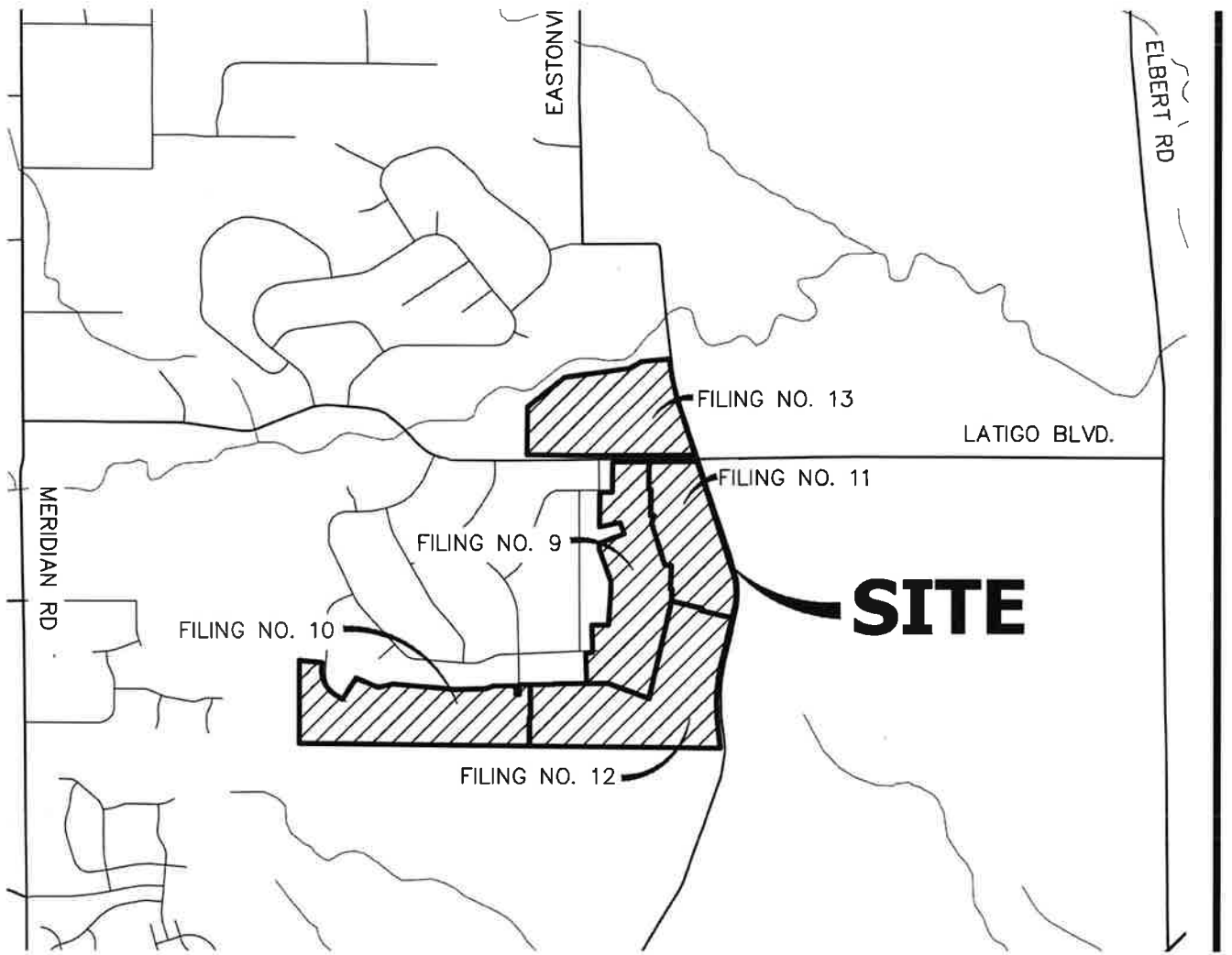
### Latigo Resident Personal Statement

Our portion of the community has been a dead-end road since 1992 when the first home on the street was built. We know our neighbors and have a tight knit community who look out for one another. Our children play on the street and our neighbors walk the street daily.

By making this road into a thorough fair, the developers will alter the nature of this portion of the neighborhood significantly. Three decades is a long time for homes to be established on a dead-end road to all of a sudden being altered into one of two main north-south roads in Falcon. If you are going to approve this development, would you please take into consideration, having the developer leave Conestoga Trail South a cul-du-sac, like it has been for three decades. The developer can still get their money from new home build development without completely altering the nature of this part of the neighborhood.

As a native Coloradan, who has grown up in this exact area and has roots planted here since 1977, and is now raising my own family here, seeing all this development is both beneficial and devastating. It breaks my heart to know that all these developments that keep happening are going to eventually lead to dried aquifers and lack of sustainability thus, dramatically affecting the lively hood of my young boys and their future in this area as second-generation Coloradans.





## Latigo Trails Filing No. 9 – Water Resources Rebuttal

“Water is life.” These words, spoken by the Ute Indians and echoed by Gov. Jared Polis and the El Paso County Water Master Plan, sum up the value of water for our communities on the Front Range. El Paso County, through this Water Master Plan, attempts to proactively address the looming water crises that threatens its residents. However, after the fourth driest March on record, 100% of El Paso County is currently in the middle of a drought (Drought Conditions for El Paso County, 2023), and is one of 64 counties in Colorado that carries a USDA Disaster Designation for drought (USDA Designates 64 Colorado Counties as Primary Natural Disaster Areas, n.d.). Colorado Springs has recently enacted ordinances to address water shortages due to the looming crisis in El Paso County. Future developments, including Latigo Trails Filing No. 9, further threatens the already stressed water supply. Poor stewardship and misappropriation of our water resources in El Paso County threaten the life of our communities and the livelihood of its current residents.

Current projections point to a possible water supply gap of 560,000 Acre-Feet (AF) statewide in the next 28 years (Colorado Water Plan, 2023). Officials estimate as much as 64,000 AF of the gap to be in the Arkansas River Basin, within which most of El Paso County is located. The majority of water providers in unincorporated areas, including Meridian Service Metro District (MSMD), “rely heavily on Denver Basin aquifers for their supply, which are generally nonrenewable sources” (Water Master Plan, 2019). In fact, 85% of water supplied in the county utilize the Denver Basin Aquifer. While many of these service providers have state issued paper water rights, the amount of water each can withdraw can be substantially different. To address the long-term sustainability of the aquifers, El Paso County implemented a “300-year water supply regulation” to “encourage developers to bring in additional renewable water sources” (Water Master Plan, 2019). However, land development continues to occur in areas where it can only be supplied from Denver Basin aquifers. At this rate, continued, unchecked development jeopardizes the sustainability and availability of the primary, unrenewable source of water in El Paso County.

In regards to Latigo Trails Filing No. 9, the developer supplied a Water Resource Statement by MSMD in order to address water concerns. In this statement, MSMD committed to supplying water to Latigo Trails Filing No. 9. However, in their analysis, MSMD misappropriates available water rights based on the El Paso County Maximum Annual Appropriation (300 yr). In order to accurately predict water needs for the expanding community, MSMD makes multiple assumptions in order to determine overall water demand. While these assumptions may or may not be appropriate, the ultimate projection of 1763 AFY, shown in Figure 1, is accepted by the Colorado Division of Water Resources (Williams, 2023).



Land Use	Master Plan 5,292 SFEs Total				Existing/Approved Projects				Proposed: Latigo Trails Filing No. 9				Projected Current Demand			
	AFY	ADD	MDD	PHD	AFY	ADD	MDD	PHD	AFY	ADD	MDD	PHD	AFY	ADD	MDD	PHD
	gpm				gpm				gpm				gpm			
<b>Potable</b>																
Meridian SFE <sup>1</sup>	1550	961	2,402	3,843	1,413	876	2,190	3,504	-	-	-	-	1,413	876	2,190	3,504
Latigo SFE <sup>1</sup>	91	56	140	224	35	22	54	86	12	7	19	30	47	29	73	116
School	163	101	253	405	87	54	134	215	-	-	-	-	87	54	134	215
Commercial	4	2	6	9	2	1	4	6	-	-	-	-	2	1	4	6
Civic	2	1	2	4	1	0	1	2	-	-	-	-	1	0	1	2
Paint Brush Hills Metro <sup>2</sup>	85	-	-	-	85	-	-	-	-	-	-	-	85	-	-	-
Regional Park <sup>3</sup>	25	15	39	62	25	15	39	62	-	-	-	-	25	15	39	62
Golf Course	1	0.3	1	1	1	0.3	1	1	-	-	-	-	1	0.3	1	1
<b>Subtotal</b>	<b>1920</b>	<b>1,137</b>	<b>2,843</b>	<b>4,549</b>	<b>1,648</b>	<b>969</b>	<b>2,423</b>	<b>3,877</b>	<b>12</b>	<b>7.5</b>	<b>18.7</b>	<b>30</b>	<b>1,660</b>	<b>977</b>	<b>2,442</b>	<b>3,907</b>
<b>Irrigation</b>																
Single Family Residential	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School	97	60	150	240	89	55	139	222	-	-	-	-	89	55	139	222
Commercial	2	1	3	5	1	1	2	3	-	-	-	-	1	1	2	3
Civic	3	2	5	8	2	1	3	5	-	-	-	-	2	1	3	5
Park/ Streetscape	12	7	18	29	10	6	15	25	-	-	-	-	10	6	15	25
Golf Course <sup>4</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Subtotal</b>	<b>114</b>	<b>70</b>	<b>176</b>	<b>282</b>	<b>102</b>	<b>63</b>	<b>159</b>	<b>254</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>102</b>	<b>63</b>	<b>159</b>	<b>254</b>
<b>Total</b>	<b>2033</b>	<b>1,208</b>	<b>3,019</b>	<b>4,831</b>	<b>1,751</b>	<b>1,033</b>	<b>2,582</b>	<b>4,131</b>	<b>12</b>	<b>7</b>	<b>19</b>	<b>30</b>	<b>1,763</b>	<b>1,040</b>	<b>2,600</b>	<b>4,160</b>

<sup>1</sup> Single Family Residential water demand is based on 0.31 AFY (10-yr ave. residential consumption per SFE is 0.29 AFY). This amount includes both domestic indoor use and outside irrigation.

<sup>2</sup> Perpetual lease to Paint Brush Hills Metropolitan District

<sup>3</sup> Perpetual lease to El Paso County for Falcon Regional Park

<sup>4</sup> Golf Course irrigation is provided by surface water diversion. Absolute Decree Case No. 2005CW43

**Figure 1. Projections of Water Needs for MSMD (Tech Contractors, July 2022)**

In the initial report, MSMD failed to accurately provide the amount of water appropriated to them through existing and future wells (Williams, 2023). The table depicting water allocations, shown in Figure 2, shows all current and planned wells with their associated water appropriations.

Well No.	Permit No.	Appropriation	MSMD Share of State Maximum Annual Appropriation (100-yr) (AFY)	El Paso County Maximum Annual Appropriation (300-yr) (AFY)
<b>Meridian Ranch</b>				
DA-1	60140-F	157-BD	31.9	10.6
FUTURE DAWSON		157-BD	820.0	273.3
D-3	64496-F	156-BD	1171.0	390.3
A-1	56516-F	155-BD	942.0	314.0
A-2	56517-F	155-BD		
A-4	59680-F	155-BD		
A-5	84844-F	155-BD		
A-6	82765-F	155-BD		
A-7	84556-F	155-BD		
A-8	84557-F	155-BD		
A-9	59681-F	155-BD		
LFH-1	56513-F	154-BD		
LFH-2	56514-F	154-BD		
LFH-3	56515-F	154-BD		
LFH-4	59678-F	154-BD		
LFH-5	84845-F	154-BD		
LFH-6	82766-F	154-BD		
LFH-7	84558-F	154-BD		
LFH-8	84559-F	154-BD		
LFH-9	59679-F	154-BD		
<b>TOTAL</b>	<b>Meridian Ranch</b>		<b>3719.9 AFY</b>	<b>1239.9 AFY</b>
<b>Guthrie Ranch</b>				
GLFH-1 <sup>3</sup>	61234-F <sup>2</sup>	228-BD	289.8	96.6
GLFH-2 <sup>3</sup>	61235-F <sup>2</sup>			
GA-1 <sup>3</sup>	61236-F <sup>1</sup>	229-BD	240.6	80.2
GA-2 <sup>3</sup>	61237-F <sup>1</sup>			
G No. 1 <sup>4</sup>	612-RFP-R	Permit Date 8/26/03	170.0	170.0
G No. 2 <sup>4</sup>	27554-FP-R	Permit Date 7/28/05	30.0	30.0
<b>TOTAL</b>	<b>Guthrie Ranch</b>		<b>730.4 AFY</b>	<b>376.8 AFY</b>
<b>Latigo Trails</b>				
FUTURE ARAPAHOE		568-BD	124.6	41.5
FUTURE DENVER		569-BD	369.6	123.2
DA-2	74410-F	570-BD	130.0	43.3
DA-3	74409-F			
FUTURE DAWSON			223.9	74.6
LFH-1	46406-F	Permit Date 8/07/06	453.0	151.0
<b>TOTAL</b>	<b>Latigo Trails</b>		<b>1301.1 AFY</b>	<b>433.6 AFY</b>
<b>Hart Ranch</b>				
FUTURE LARAMIE FOX <sup>3</sup>		2099-BD	62.5	20.8
FUTURE ARAPAHOE <sup>3</sup>		2100-BD	51.5	17.2
<b>TOTAL</b>	<b>Hart Ranch</b>		<b>114.0 AFY</b>	<b>38.0 AFY</b>
Average Annual Replacement Obligations				<b>30.2 AFY</b>
<b>TOTAL WATER AVAILABLE TO MSMD</b>			<b>5865 AFY</b>	<b>2058 AFY</b>

Sum of "Future" Wells: 550.6 AFY  
(Per El Paso County Maximum Annual Appropriation)

Total of El Paso County Maximum Annual Appropriation without Future wells: 1507.5 AFY

Figure 2. Well Allocations and Appropriations for MSMD (Tech Contractors, July 2022)

MSMD calculates unpermitted future wells and undrilled wells as part of their final allocations for appropriated water. In projecting their total water rights, they include wells that are not approved, and do not exist in their final calculations. If one simply removes the wells marked as "Future", that do not hold permits, the total amount of misappropriated water is 550.6 AFY. This drops the total amount of water available per the El Paso County Maximum Annual Appropriation (300 Yr) from 2058 AFY to 1507.5 AFY. According to MSMD's projected needs on existing and approved projects, the total need is 1751 AFY. This means there is a deficit of 243.5 AFY of water for current and existing projects that MSMD does not currently possess, but is allocating. Additionally, the well allocated to this

development, LFH-1, is not even built yet. However, even if this well is drilled during development, MSMD is still significantly deficient in their water allocations. These issues raise significant questions to the management of the water supply in Falcon, as well as the sustainability of future developments. Regardless, due diligence is needed to accurately account for the water available to MSMD and Latigo Trails Filing No. 9.

Multiple communities in Falcon, to include Meridian Ranch, Paint Brush Hills, and Latigo Trails, rely on MSMD to be good stewards of our natural resources. Since the overwhelming majority of this water is drawn from the Denver Basin Aquifers, mismanagement not only effects the entirety of El Paso County, but residents of the Front Range as far north as Cheyenne, WY. While the developer submitted an initial water resource plan to the Colorado Division of Water Resources, tables of the water appropriations were not included in the initial drafts. These tables were requested by the state, however, there is no documentation as to if these changes were seen, let alone accepted by the Division of Water Resources. Regardless, the water projections for MSMD show that the water district is already over stressed. Water is not available for the current and existing projects, let alone for adding new developments such as the Latigo Trails Filing No. 9. Should Latigo Trails Filing No. 9 be approved, the precedent is set to also accept Filings 10, 11, 12, and 13 as well, further pushing our resources past the brink. This unchecked development risks the livelihood of not only residents of Falcon, but the rest of El Paso County and the Front Range. I urge the Board of County Commissioners to stand up for the current residents of El Paso County that rely on these resources to survive, and be the leaders we need to finally bring balance to the constant development.

## References

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RESOLUTION NO. 23-

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 6<sup>th</sup> day of June, 2023, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

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

By: \_\_\_\_\_  
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND 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.