

FINAL PLAT (RECOMMEND APPROVAL)

FULLER moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. MS244
STIMPLE SUBDIVISION FILING NO. 1

WHEREAS, Stimple Family LLP did file an application with the El Paso County Planning and Community Development Department for approval of a Minor Subdivision Final Plat for the Stimple Subdivision Filing No. 1 for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on January 16, 2025; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

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

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed Minor Subdivision Final Plat 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 Minor Subdivision Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the following criteria outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code ("Code") (as amended):

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 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 systems, 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 Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Stimple Family LLP for a Minor Subdivision Final Plat for the Stimple Subdivision Filing No. 1 be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated September 10, 2024, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$10,252.80 for the Sand Creek basin and bridge fees in the amount of \$5,556.52.
 - b. Park fees in lieu of land dedication for regional parks in the amount of \$505.00.
 - c. Fees in lieu of school land dedication in the amount of \$306.00 shall be paid for the benefit of District 20.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community

Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

4. The El Paso County Road Impact Fee Program Resolution (Resolution 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 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.

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.

BYERS seconded the adoption of the foregoing Resolution.

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

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

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS sixteenth day of January 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

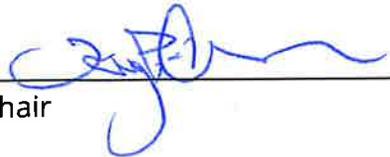
By: 
Chair

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOCATED IN A PORTION OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, AND A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

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

COMMENCING AT THE SOUTH EAST CORNER OF SAID SECTION 21;

THENCE NORTH 00°36'19" WEST, TO A POINT 40 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21 AND THE NORTHERLY BOUNDARY LINE OF RETREAT AT TIMBERRIDGE FILING NO. 3 RECORDED _____, 2023 UNDER RECEPTION NUMBER _____ IN THE RECORDS OF EL PASO COUNTY, COLORADO, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE ON SAID NORTHERLY BOUNDARY THE FOLLOWING TWO (2) COURSES:

- 1) THENCE SOUTH 89°40'23" WEST ALONG SAID BOUNDARY LINE A DISTANCE OF 348.92 FEET, TO A CURVE, HAVING A RADIUS OF 560.00 FEET, WHOSE CENTER BEARS NORTH 00°19'37" WEST;
- 2) THENCE WESTERLY, ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°00'09", AN ARC DISTANCE OF 175.95 FEET TO A SOUTHEAST BOUNDARY CORNER OF A DOCUMENT RECORDED OCTOBER 03, 2019 UNDER RECEPTION NUMBER 219122452 IN THE RECORDS OF EL PASO COUNTY, COLORADO;

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

- 1) THENCE NORTH 00°00'00" EAST A DISTANCE OF 203.23 FEET;
- 2) THENCE NORTH 21°41'10" EAST A DISTANCE OF 1,163.40 FEET, TO A POINT ON THE WESTERLY BOUNDARY LINE OF A DOCUMENT RECORDED JANUARY 16, 2018 UNDER RECEPTION NUMBER 218005438 IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ALONG SAID WESTERLY BOUNDARY LINE THE FOLLOWING TWO (2) COURSES:

- 1) THENCE SOUTH 03°17'03" WEST A DISTANCE OF 1,004.33 FEET;
- 2) THENCE SOUTH 45°31'06" EAST A DISTANCE OF 431.45 FEET, TO A POINT ON SAID NORTHERLY BOUNDARY LINE;

THENCE SOUTH 88°38'59" WEST A DISTANCE OF 158.10 FEET, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 330,387 SQUARE FEET (7.58466 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

