

## **RECORD OF ADMINISTRATIVE ACTION**

### **APPROVAL OF A FINAL PLAT FOR CREEKSIDE SOUTH AT LORSON RANCH (SF-20-017)**

WHEREAS, Lorson LLC, Nominee For Murray, Lorson Ranch Metropolitan District No. 1, and Lorson Conservation Invest 1, LLLP, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Creekside South at Lorson Ranch subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

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

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

WHEREAS, on January 27, 2021, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

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

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

4. All exhibits were received into evidence.
5. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. At a public hearing on the preliminary plan held on July 28, 2020, the Board found that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Code and Engineering Criteria Manual ("ECM").
12. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to El Paso County in compliance with the Code and the ECM.
13. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
14. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.

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

The El Paso County Planning and Community Development Department Director, therefore, APPROVES the final plat application for the Creekside South at Lorson Ranch Subdivision.

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

#### **CONDITIONS**

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

5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate as approved by the ECM Administrator, shall be filed at the time of final plat recordation.
8. Collateral sufficient to ensure completion of the public improvements as listed in the approved Financial Assurance Estimate shall be provided at the time of final plat recordation.
9. The subdivider(s) agrees on behalf of him/herself and any successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would disclose the fee obligation before sale of the property.
10. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
11. Regional park fees (Region 2) in lieu of land dedication in the amount of \$93,400.00 and urban park fees (Urban Area 3) in lieu of land dedication in the amount of \$59,000.00 shall be paid at the time of final plat recordation. A park lands agreement shall be an acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the final plat.

12. Drainage, bridge, and surety fees for the Jimmy Camp Creek basin, in the amounts of \$332,387, \$15,552, and \$126,883, respectively, shall be paid at the time of final plat recording. If credits have been established prior to recordation of the final plat, the credits may be applied towards the fees due.
13. Access to Creekside South at Lorson Ranch requires construction of Trappe Drive and the other roads within Lorson Ranch East Filing No. 4 south of Lorson Boulevard, which construction shall be completed or collateral provided for the incomplete portions prior to recording the Creekside South at Lorson Ranch final plat.
14. The License Agreement shall be filed at the time of final plat recordation.

## NOTATIONS

1. Approval of the final plat will expire after twenty-four (24) months unless the final plat has been recorded or a request for extension has been granted.
2. The property is located within the boundaries of Widefield School District No. 3. The applicant is not required to pay fees in lieu of land dedication for a school site pursuant to a School Site Dedication and Waiver of Fees in Lieu of Land Dedication agreement between Lorson, LLC, Widefield School District No. 3 and El Paso County as originally approved by the Board of County Commissioners on April 12, 2012, and as amended by approval of the Board of County Commissioners on August 23, 2016.

DONE THIS 27th day of January 2021 at Colorado Springs, Colorado.

CRAIG DOSSEY, EXECUTIVE DIRECTOR  
EL PASO COUNTY PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT



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EXHIBIT A

**CREEKSIDE SOUTH AT LORSON RANCH  
SUBDIVISION BOUNDARY LEGAL DESCRIPTION**

A PARCEL OF LAND IN THE NORTH HALF (N1/2) OF SECTION 23, T15S, R65W OF THE 6th P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARING:**

THE EAST-WEST CENTERLINE OF SAID SECTION 23 BEING MONUMENTED AT THE WEST QUARTER CORNER OF SAID SECTION WITH A FOUND NO. 6 REBAR, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 23 MONUMENTED WITH AN ALUMINUM CAP STAMPED "PLS NO. 31161", BEARS N89°41'54"E A DISTANCE OF 5319.46 FEET, TO WHICH LINE ALL BEARINGS IN THIS LEGAL DESCRIPTION ARE RELATIVE;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 23;

THENCE N89°41'54"E ALONG THE CENTERLINE OF SAID SECTION 892.24 FEET TO THE SOUTHEAST CORNER OF "CREEKSIDE AT LORSON RANCH FILING NO. 1" AS RECORDED UNDER RECEPTION NO. 220714514 IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF "CREEKSIDE AT LORSON RANCH FILING NO. 1" THE FOLLOWING TWENTY-TWO (22) COURSES;

- 1) THENCE N36°43'29"E A DISTANCE OF 311.41 FEET;
- 2) THENCE N28°55'26"E A DISTANCE OF 265.02 FEET;
- 3) THENCE S77°01'58"E A DISTANCE OF 350.83 FEET;
- 4) THENCE N83°30'09"E A DISTANCE OF 446.06 FEET;
- 5) THENCE N16°26'24"E A DISTANCE OF 116.82 FEET TO A POINT OF CURVE;
- 6) THENCE 281.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 215.00 FEET, A CENTRAL ANGLE OF 74°59'26", THE CHORD OF 261.74 FEET BEARS N53°56'07"E TO A POINT OF TANGENT
- 7) THENCE S88°34'10"E A DISTANCE OF 160.16 FEET;
- 8) THENCE S44°43'03"E A DISTANCE OF 230.04 FEET;
- 9) THENCE S65°32'01"E A DISTANCE OF 188.46 FEET;
- 10) THENCE N85°20'33"E A DISTANCE OF 169.20 FEET;
- 11) THENCE N17°08'25"E A DISTANCE OF 123.42 FEET;
- 12) THENCE N60°55'25"E A DISTANCE OF 219.41 FEET;
- 13) THENCE N77°50'20"E A DISTANCE OF 405.01 FEET;
- 14) THENCE S82°16'06"E A DISTANCE OF 188.62 FEET;
- 15) THENCE N76°28'55"E A DISTANCE OF 247.86 FEET;
- 16) THENCE N31°05'09"E A DISTANCE OF 90.00 FEET;
- 17) THENCE N58°54'51"W A DISTANCE OF 4.71 FEET;
- 18) THENCE N31°55'05"E A DISTANCE OF 182.34 FEET;
- 19) THENCE N11°17'09"E A DISTANCE OF 285.14 FEET;
- 20) THENCE N00°29'43"E A DISTANCE OF 173.06 FEET;
- 21) THENCE N11°46'57"E A DISTANCE OF 127.69 FEET;
- 22) THENCE N21°18'01"E A DISTANCE OF 20.20 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LORSON

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BOULEVARD AS SHOWN IN THE PLAT OF " LORSON RANCH EAST FILING NO. 1" AS RECORDED UNDER  
RECEPTION NO. 219714288 IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ALONG SAID LINE THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE S86°49'28"E A DISTANCE OF 128.25 FEET;
- 2) THENCE N89°35'58"E A DISTANCE OF 125.90 FEET;
- 3) THENCE S47°05'26"E A DISTANCE OF 38.26 FEET;
- 4) THENCE S00°24'02"E A DISTANCE OF 38.12 FEET TO A POINT ON THE WEST LINE OF THAT PARCEL  
DESCRIBED IN A WARRANTY DEED UNDER RECEPTION NO. 217154370 IN THE EL PASO COUNTY RECORDS;

THENCE ALONG THE WEST LINES OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES;

- 1) THENCE S00°24'02"E A DISTANCE OF 429.71 FEET TO A POINT OF CURVE;
- 2) THENCE 538.03 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 595.00  
FEET, A CENTRAL ANGLE OF 51°48'35", THE CHORD OF 519.88 FEET BEARS S26°18'20"E TO A POINT OF  
TANGENT;
- 3) THENCE S52°12'37"E A DISTANCE OF 365.17 FEET TO A POINT ON A TANGENT CURVE;
- 4) THENCE 160.11 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 780.00  
FEET, A CENTRAL ANGLE OF 11°45'39", THE CHORD OF 159.83 FEET BEARS S58°05'27"E TO THE WEST LINE  
OF THAT EASEMENT DESCRIBED IN BOOK 2665 AT PAGE 715 OF THE EL PASO COUNTY RECORDS;

THENCE S38°22'41"W ALONG SAID EASEMENT LINE 250.28 FEET;

THENCE S00°19'53"E ALONG SAID EASEMENT LINE 168.87 FEET TO THE EAST-WEST CENTERLINE OF SECTION 23;

THENCE S89°41'54"W ALONG SAID CENTERLINE 4073.30 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 2,799,015 Sq. Ft. (64.257 ACRES MORE OR LESS).