



RESOLUTION NO. 26-119

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF FINAL PLAT FOR
RED ROCK ACRES SUBDIVISION (SF2513)

WHEREAS, Matrix Design Group, Inc. did file an application with the El Paso County Planning and Community Development Department for the approval of a Final Plat for the Red Rock Acres 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 March 19, 2026, 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 April 9, 2026; 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. That the application was properly submitted for consideration by the Board of County Commissioners;
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and Board of County Commissioners;
3. That the hearings before the Planning Commission and Board of County Commissioners were 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. That all exhibits were received into evidence;
5. That 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;

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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 Final Plat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County; and

WHEREAS, this Board further finds that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved Preliminary Plan;
3. 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;
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 that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];
7. 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 the ECM;
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
11. 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;
12. 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;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code;
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]; and

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; and

WHEREAS, this Board further finds that the proposed Waiver from the Code meets the criteria for a Waiver outlined in Section 7.3.3 of the Land Development Code and any other applicable criteria for consideration of a Waiver.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby approves the Final Plat application for the Red Rock Acres Subdivision;

BE IT FURTHER RESOLVED that 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 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 are 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 11, 2025, as provided by the County Attorney's Office.
6. Applicant shall address all redline comments before recordation.

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 \$7,608.55 for the Raspberry Mountain Drainage basin.
 - b. Park fees in lieu of land dedication for regional parks (Area 1) in the amount of \$2,525.
 - c. Fees in lieu of school land dedication in the amount of \$1,540 shall be paid for the benefit of Lewis-Palmer School District #38.
2. Final Plats not recorded within 24 months of Board of County Commissioners 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. 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 Resolution (Resolution No. 25-337), 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.

5. Applicant is to contact the US Fish & Wildlife Service regarding plans for the proposed access from Vista View Drive regarding potential impact to the Preble's Meadow Jumping Mouse.
6. Colorado Parks and Wildlife recommended that any trees that are removed during construction activities be replaced with similar or comparable native species on a 3:1 basis.

BE IT FURTHER RESOLVED that the following Waiver from the Land Development Code is hereby approved:

WAIVERS

Waiver from Section 8.4.3.B.2.e of the Code to allow Lots 2-5 to have no frontage on a public road.

DONE THIS 9th day of April, 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST

By:



County Clerk & Recorder

By:

A handwritten signature in black ink, appearing to read 'Cory J. Ste', is written over a horizontal line.

Chair

EXHIBIT A

**RED ROCK ACRES FILING No. 1 LEGAL DESCRIPTION
(per Title Commitment 1735477 by Stewart Title Company)**

Parcel I:

SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRESOUTH WATER DISTRICT,
recorded

November 2, 2016, at Reception Number 216713864, of a parcel of land being a part of the East ½
of Section 9, Township 11 South, Range 67 West of the 6th Principal Meridian, County of El Paso,
State of Colorado,

EXCEPT that portion contained in Warranty Deed recorded August 28, 1990, in Book 5768, at Page
753;

AND EXCEPT and except that portion contained in Warranty Deed recorded August 21, 1991, in
Book 5873, at Page 767, being more particularly described as follows:

Proposed legal description as shown on SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST
VIEW

ACRESOUTH WATER DISTRICT, recorded November 2, 2016, at Reception Number 216713864:

A parcel of land situated in the Southwest quarter of the Northeast quarter, the Northwest quarter
of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 9,
Township 11 South, Range 67 West of the Sixth Principal Meridian, County of El Paso, State of
Colorado, to-wit:

Commencing at the East Quarter corner of said Section 9; thence South 89°12'57" West, on a
direct line toward the West quarter corner of said Section 9, with all bearings contained herein
relative thereto, a distance of 1,832.47 feet to a point on the Southwesterly right-of-way line of
Colorado State Highway No. 105, from whence the Southwest corner of said Northeast corner of
said Section 9 bears South 89°12'57" West, a distance of 818.87 feet, said point being the true
point of beginning; thence South 52°19'20" East, along said Southwesterly right-of-way line of said
Colorado State Highway, a distance of 161.56 feet to the Northwest corner of that parcel
described in Book 2639 at Page 568, of the Public Records of said County, more particularly
described as Lot 1, MERRICK'S SUBDIVISION; thence South 38°47'19" West, departing from said
Southwesterly right-of-way line of said Highway, and along the Northwesterly boundary line of
said Lot 1, a distance of 171.94 feet to the Northwest corner of Lot 2 of said subdivision; thence
South 38°50'03" West, along the Northwesterly boundary line of said Lot 2, a distance of 172.62
feet to the Northwest corner of that parcel described in instrument recorded January 28, 1971, in
Book 2387, at Page 569, of the Public Records of said County; thence South 38°44'42" West, along
the Northwesterly boundary line of the aforesaid parcel, a distance of 123.39 feet; thence South
22°33'32" West, along the Westerly boundary line of the aforesaid parcel, a distance of 113.49

feet; thence South 87°06'31" East, along the Southerly boundary line of the aforesaid parcel, a distance of 204.48 feet to a point on the Westerly right-of-way line of Rockbrook Road, as platted January 5, 1971, in Plat Book P2, at Page 23, of the Public Records of said County; thence 56.60 feet along a non-tangent curve to the left, departing from the Southerly boundary line of the aforesaid parcel and along the Southwesterly right-of-way line of said road, with a radius of 102.76 feet, and central angle of 31°33'38", (long chord bears South 13°19'45" East, 55.89 feet), to a point of tangency; thence South 28°17'58" East, continuing along the Southwesterly right-of-way line of said road, a distance of 775.68 feet to a point on the South line of the Northwest quarter of the Southeaster quarter of said Section 9, from whence the Southeast corner of the Northwest quarter of the Southeast quarter of said Section 9 bears North 89°03'49" East, a distance of 121.91 feet; thence South 89°03'49" West, along the South line of the Northwest quarter of the Southeast quarter of said Section 9, a distance of 574.14 feet; thence South 00°57'07" East, departing from the aforesaid South line, a distance of 10.72 feet to the Northeast corner of CLOVEN HOOFF ESTATES SUBDIVISION, recorded October 11, 1959, in the Public Records of said County in Plat Book B2, at Page 3, said point being on the Easterly right-of-way line of Vista View Drive (vacated); thence South 87°58'39" West, along the Northerly line of said subdivision, a distance of 49.98 feet; thence South 89°16'38" West, along the North boundary line of Lot 1, Block 7, of said subdivision, a distance of 357.03 feet; thence South 89°02'07" West, along the North boundary line of Lot 2, Block 7, of said subdivision, a distance of 219.04 feet, to a point on the West line of the Southwest quarter of the Southeast quarter of said Section 9, from whence the Southwest corner of the Southeast quarter of said Section 9 bears South 00°12'16" West, a distance of 1314.40 feet; thence North 00°12'16" East, departing from the North line of the aforesaid subdivision, and along the East line of the Southeast quarter of the Southwest quarter of said Section 9, a distance of 10.28 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 9; thence North 00°12'16" East, along the West line of said Northwest quarter of the Southeast quarter of said Section 9, a distance of 1,324.69 feet to the Northwest corner of said Southeast quarter of said Section 9; thence North 00°12'16" East, along the West line of the Northeast quarter of said Section 9, a distance of 641.77 feet to a point on the Southwesterly right-of-way line of the aforesaid Colorado State Highway No. 105; thence South 52°19'20" East, departing from the aforesaid West line, and along said Southwesterly right-of-way line of said highway, a distance of 1,031.64 feet to the true point of beginning,

EXCEPT that parcel described in instrument recorded August 21, 1991, in Book 5873, at Page 767, of the Public Records of said County,

AND EXCEPT Parcel "A" as described herein:

Parcel "A" proposed legal description:

A parcel of land situate in the Southeast quarter of Section 9, Township 11 South, Range 67 West of the Sixth Principal Meridian, to wit:

Commencing at the East quarter corner of said Section 9; thence South 89°12'57" West, along the North line of the Southeaster quarter of said Section 9, on a direct line towards the West quarter corner of said Section, with all bearings contained herein relative thereto, a distance of 1,832.47 feet to its intersection with the Southwesterly right-of-way line of Colorado State Highway No. 105; thence South 52°19'20" East, along said right-of-way line, a distance of 161.56 feet to the Northwesterly corner of Lot 1, MERRICK'S SUBDIVISION; thence South 52°23'59" East, continuing along said right-of-way line, a distance of 468.88 feet to the Northwest corner of Lot 1, MORGAN SUBDIVISION NO. 1; thence South 00°18'00" West, departing from the aforesaid right-of-way line and along the Westerly line of said MORGAN SUBDIVISION NO. 1, a distance of 338.09 feet; thence North 89°42'00" West, departing from said Westerly line, a distance of 580.31 feet to the true point of beginning; thence South 43°04'04"

West, a distance of 63.00 feet; thence South 46°55'56" West, departing from the aforesaid course, a distance of 56.00 feet; thence North 43°04'04" East, departing from the aforesaid course, a distance of 63.00 feet; thence North 46°55'56" East, departing from the aforesaid course, a distance of 56.00 feet to the true point of beginning,

County of El Paso,
State of Colorado.

Parcel II:

A parcel of land located in the West ½ of Section 9, Township 11 South, Range 67 West of the 6th Principal Meridian, described as follows:

Beginning at the Northwest corner of said SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW

ACRESOUTH WATER DISTRICT, recorded November 2, 2016, at Reception Number 216713864; thence South 00°12'16" West, 641.77 feet along the West line of said plat and along the East line of the West ½ of said Section 9 to the center of said Section 9; thence continue South 00°12'16" West, 1,334.97 feet the West line of said plat and along the East line of the West ½ of said Section 9 to a point on the north line of CLOVEN HOOF ESTATES, a subdivision recorded October 11, 1959, in Plat Book B2, at Page 3, of the Public Records of El Paso County, Colorado, thence South 89°32'22" West, 1,336.57 feet along the North line of said CLOVEN HOOF ESTATES to a point on the Easterly right-of-way line of Red Rocks Ranch Road as described in Deed recorded March 12, 1971, in Book 2395, at Page 210, of the Public Records of El Paso County, Colorado; (the following nine bearings and distances are along the Easterly right-of-way of said Red Rocks Ranch Road); thence Northwesterly, 138.14 feet along the arc of a curve concave to the southeast to a point tangent, said arc having a radius of 116.24 feet, a central angle of 68°05'24" and being subtended by a chord that bears North 42°18'01" East, 130.15 feet to a point of curve to the left; thence North 76°20'43" E, 183.27 feet to a point of curve to the left; thence Northeasterly, 919.83 feet along the arc of said curve, to a point tangent, said arc having a radius of 780.00 feet, a central angle of 67°34'03" and being subtended by a chord that bears North 42°33'41" East, 867.45 feet; thence North 08°46'40" East, 374.00 feet to a point of curve to the right; thence Northeasterly, 259.13 feet along the arc of said curve, to a point tangent, said arc having a radius of 420.00 feet, a central

angle of 35°21'00" and being subtended by a chord that bears North 26°27'10" East, 255.04 feet; thence North 44°07'40" East, 344.33 feet to a point of curve to the left; thence Northerly, 156.40 feet along the arc of said curve to a point tangent, said arc having a radius of 196.66 feet, a central angle of 45°34'00" and being subtended by a chord that bears North 21°20'40" East, 152.31 feet; thence North 01°20'40" East, 203.51 feet; thence North 38°28'10" East, 33.54 feet to a point on a Southwesterly right-of-way line of Colorado State Highway No. 105; thence South 51°31'50" East, 12.58 feet along said right-of-way to a point on the East line of the Northwest ¼ of said Section 9 and the West line of said SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRESOUTH WATER DISTRICT; thence South 00°12'16" West, 641.77 feet along the East line of the Northwest ¼ of said Section 9 and the West line of said SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRESOUTH WATER DISTRICT to the Southwest corner of the Northwest ¼ of said Section 9 and the point of beginning, County of El Paso, State of Colorado.