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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Jim Egbert, Chair

FROM: Kari Parsons, Planner II
Jeff Rice, PE Engineer III
Craig Dossey, Executive Director

RE: Project File #: SF-18-021
Project Name: Redtail Ranch Subdivision
Parcel Nos.: 52090-00-128, 52090-00-129, 52090-02-006, 52090-02-008

OWNER:	REPRESENTATIVE:
Michael Ludwig 4255 Arrowhead Drive Colorado Springs, CO. 80908	N.E.S., Inc. Andrea Barlow 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO. 80903

Commissioner District: 1

Planning Commission Hearing Date:	4/2/2019
Board of County Commissioners Hearing Date	4/23/2019

EXECUTIVE SUMMARY

A request by Michael Ludwig for approval of a final plat for Redtail Ranch subdivision to create and authorize the development of 12 single-family lots. The proposed final plat, if approved, will also vacate and replat Lots 1 and 2 of the Walker Place Subdivision, which is included in the concurrently proposed Redtail Ranch Preliminary Plan (SP-18-004). The four (4) parcels, totaling 67.9 acres, are zoned RR-5 (Residential Rural) and are located north of Shoup Road and west of Vollmer Road and are within Section 9, Township 12 South, Range 65 West of the 6th P.M. The parcels are included within the boundaries of the Black Forest Preservation Plan (1987) area.

The Redtail Ranch final plat is consistent with the current RR-5 (Residential Rural) zoning and the concurrently reviewed preliminary plan. The final plat meets the submittal and review criteria for a final plat as well as the general development standards of Chapter 6, the final plat review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the El Paso County Land Development Code (2019).

Water is proposed to be provided via individual wells. Individual onsite wastewater treatment systems (OWTS) are proposed to serve the development.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by Michael Ludwig for approval of a final plat to create 12 single-family residential lots.

Waiver(s)/Deviation(s): No waivers are requested 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. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a replat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.3, Vacating or Altering a Recorded Plat, of the El Paso County Land Development Code (2019):

- The replat complies with this Code, and the original conditions of approval associated with the recorded plat;
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- The replat is in keeping with the purpose and intent of this Code;
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;

- 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;
- The approval will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.

In approving a final plat, the BoCC 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 (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- 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;
- 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;
- 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;
- 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)];
- 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;
- 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;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this 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;
- 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 meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: RR-5 & RR-2.5 (Residential Rural)	Platted/Single-family residential
South: RR-5 (Residential Rural)	Platted/Single-family residential
East: PUD (Planned Unit Development)	Unplatted/Single-family residential
West: RR-5 (Residential Rural)	Unplatted/Single-family residential

E. BACKGROUND

The County initiated zoning of this area from unzoned to A-4 (Agricultural) on September 21, 1965, by Board Resolution 434870. Subsequent nomenclature changes renamed the A-4 zoning district to RR-3 (Residential Rural) in 1991 and then to RR-5 (Residential Rural) in 2007. Two of the parcels were platted as Lots 1 and 2 of the Walker Place subdivision on March 29, 2010. A concurrent final plat application is under review.

The proposed development is adjacent to existing single-family residential development. The applicant has agreed to provide a 10-foot public trail easement for non-motorized uses to be maintained by the Black Forest Trails Association on the north side of the proposed Sanctuary Pine Drive and on the west side of Ward Lane. Both roads are proposed to be dedicated County rights-of-way. The applicant has also agreed to provide a 10-foot trail easement from the western boundary to the proposed trail easement west of Ward Lane. The Black Forest Trails Association has provided a letter accepting the maintenance responsibility of the trail easement. Water sufficiency for water quality, quantity, and dependability is requested with the concurrent preliminary plan (SP-18-004).

F. ANALYSIS

1. Land Development Code Compliance

The final plat application meets the final plat submittal requirements, the General Development Standards of Chapter 6, the Standards for Divisions of Land in

Chapter 7, and the Standards for Subdivision in Chapter 8 of the Land Development Code (2019).

2. Zoning Compliance

The Redtail Ranch subdivision final plat is consistent with the density and dimensional standards of the RR-5 zoning district as identified in Chapter 5, Table 5-4 of the Code and as follows:

- Minimum lot size – 5 acres
- Setbacks – 25 feet front, rear, and sides
- Maximum building height – 30 feet
- Maximum lot coverage – none
- Minimum width at front setback- 200 feet

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Goal 6.1.A-Encourage patterns of growth and development which complement the regions unique natural environments and which reinforce community character.

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.

Policy 6.1.14- Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.

Goal 8.4 Provide for community and neighborhood parks, local trails and recreational facilities in developed unincorporated areas.

The proposed final plat proposes a five (5) acre lot size minimum and is compatible with previously developed areas in terms of factors such as density, land use, and access. The applicant has provided a trail connection from the western boundary of the subject property through the proposed development which extends to Vollmer Road as requested by the Black Forest Trails Association. The final plat as designed will help preserve many of the natural

features and unique environments located on the property by placing drainage ways in no build areas or easements, which is consistent with the policies and goals of the Plan.

4. Small Area Plan Analysis

The property is within the Black Forest Preservation Plan (1987) area and, more specifically, within Planning Unit No. 1, the Timbered Sub- Area. The Plan recommends one unit per five acre overall average rural residential development. The Plan encourages the preservation of open space as a mechanism to preserve meadows and ponds in the area. This proposal is consistent with the Plan in terms of overall density and conservation of natural features, which have been placed in designated “no-build areas.” Staff finds the final plat request to be generally consistent with the Plan.

5. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential.

The Master Plan for Mineral Extraction (1996) identifies no aggregate resource 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.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A geology and soils report, dated January 2018, was submitted by Entech Engineering, Inc., in support of the concurrent preliminary plan application. The report provides a geologic hazards evaluation and preliminary geotechnical investigation of the plan area. The report identified shallow or perched groundwater, surface drainage, and erosion in some areas. The report concludes that mitigation measures identified in the report can be completed so as to not preclude development. The applicant has identified the areas that will need to be mitigated as no build areas on the final plat in the notes section, as well as depicting the areas of concern on the plat map as “no-build areas” or drainage easements.

Colorado Geological Survey (CGS) was sent a referral and request for comments with the concurrent preliminary plan application. The CGS provided comment that no geologic hazards or constraints exist at the site that would preclude development.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential.

3. Floodplain

No portion of the subject property is within a Federal Emergency Management Agency (FEMA) 100-year floodplain, as shown on Flood Insurance Rate Map (FIRM) panel No. 08041C0320G, dated December 7, 2018.

4. Drainage and Erosion

The proposed development is located within the Kettle Creek Drainage Basin and Upper Black Squirrel Drainage Basin. Kettle Creek is a miscellaneous (unstudied) fee basin; Upper Black Squirrel is not studied and has no fee. The site generally drains to the southwest toward Burgess Creek (Kettle Creek/Fountain watershed) through unimproved drainageways, and southeast toward Black Squirrel Creek (Upper Black Squirrel/Black Squirrel watershed) through two culverts under Vollmer Road. Two full-spectrum sand filter basins and permanent ditch checks are proposed to provide detention, water quality capture volume (WQCV), and sediment control for the rural subdivision. There is an existing stock pond on the western portion of the site that may remain as an amenity for the future lot owner. Staff has requested that the developer obtain and assign the water rights for the pond (if it remains) to the lot so that a future owner is not required to breach the pond upon purchase of the lot. The Preliminary/Final Drainage Report submitted for this project concludes that “the proposed development will not adversely impact surrounding developments.”

A grading and erosion control (GEC) plan was provided but has not been completed or approved as of the time of drafting this staff report. The GEC plan calls for best management practices (BMPs) to prevent sediment and debris from impacting adjoining properties and the public drainage system before, during and after construction. The existing site conditions resulting from Black Forest Fire damage and subsequent tree removal will also be stabilized by the developer.

The developer will need to obtain County and State permits as required for grading activities, including an El Paso County Erosion and Stormwater Quality Control Permit (ESQCP) and Construction Permit issued by the Planning and Community Development Department.

5. Transportation

The applicant is proposing to access Vollmer Road, classified in the El Paso County Major Transportation Corridors Plan Update (MTCP), 2040 Roadway Plan (Map 14), as a 2-lane Rural Minor Arterial road. Primary access to the subdivision is proposed via construction of Sanctuary Pine Drive, a local rural paved road opposite Vollmer Road from the Sanctuary in the Pines development. The west end of Sanctuary Pine Drive will connect to a proposed extension of Ward Lane (also paved) as a secondary access.

A transportation memorandum dated January, 2019, was provided with the preliminary plan submittal. The memorandum recommends shoulder improvements to Vollmer Road at the proposed intersection with Sanctuary Pine Drive in order to provide a safe condition.

The El Paso County Road Impact Fee will be applicable to final plats within the Redtail Ranch development.

The proposed development will add approximately 2,950 linear feet of rural local paved road to the County road network.

H. SERVICES

1. Water

Individual wells are proposed to serve the subdivision.

Sufficiency: Sufficient

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office is anticipated to recommend a finding of sufficiency with regard to water quantity and dependability with the preliminary plan request. Staff anticipates providing a letter at the time of the Planning Commission hearing. El Paso County Public Health previously made a favorable recommendation regarding water quality.

2. Sanitation

Individual onsite wastewater treatment systems are proposed to serve the development. El Paso County Public Health has made a favorable recommendation regarding wastewater disposal.

3. Emergency Services

The property is within the boundaries of the Black Forest Fire Protection District. The District was sent a referral and has requested a 15-foot emergency access easement along the northern boundary from Ward Lane to the western property line. The applicant has depicted the easement on the plat map. Fencing is not anticipated to block the access easement.

4. Utilities

The requested final plat is within the electrical service area of Mountain View Electric Association and the natural gas service area of Black Hills Energy. Both agencies have committed to serve the development.

5. Metropolitan Districts

The property is not within a metropolitan district.

The property is not anticipated to be included into a Public Improvement District. Traffic impact fees shall be paid in accordance with Resolution 18-471.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$5,160.00 for regional fees will be due at the time of recording the final plat.

7. Schools

Fees in lieu of school land dedication in the amount of \$3,672.00 will be due at the time of recording the final plat.

I. APPLICABLE RESOLUTIONS

Approval Page 19

Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no major issues with this request.

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) and 7.2.3 (Vacating or Altering a Recorded Plat) of the El Paso County Land Development Code (2019) staff recommends 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 applicant must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Applicant 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 El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the construction of public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. 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. 18-471), 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.

10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$5,160.00 shall be paid at the time of plat recordation.
11. Fees in lieu of school land dedication in the amount of \$3,672.00 shall be paid to El Paso County for the benefit of Academy School District No. 20 at the time of plat recording.
12. Drainage fees for the Kettle Creek (FOMO3000) drainage basin, in the amount of \$11,678.72, shall be paid to El Paso County at the time of final plat recordation.
13. All review comments shall be addressed prior to scheduling this project for the Board of County Commissioners hearing.

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 19 adjoining property owners on March 18, 2019, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Plat Drawing
State Engineer's Letter
County Attorney's Letter

El Paso County Parcel Information

File Name: SP-18-004/SF-18-021

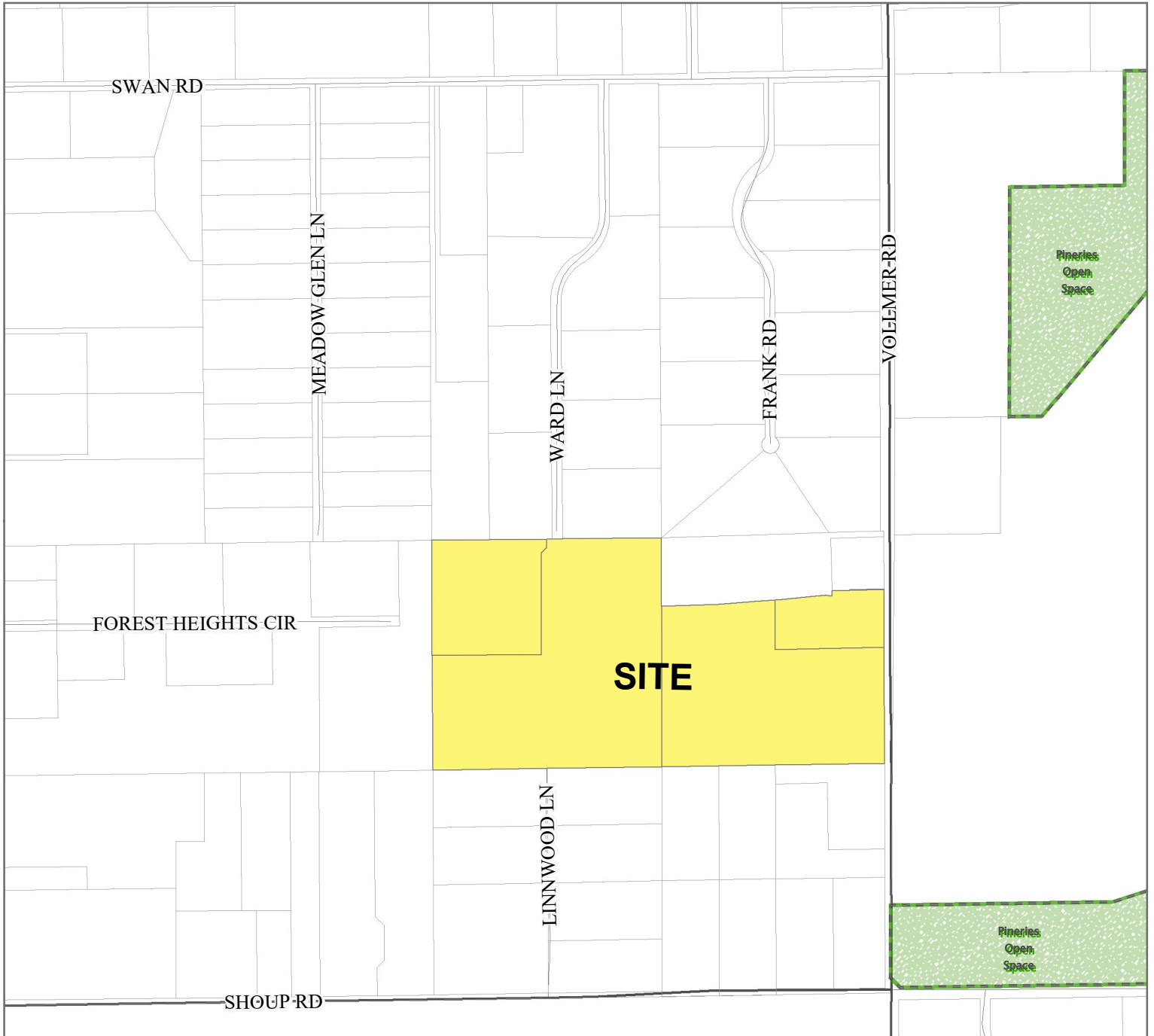
Zone Map No. --

Date: MARCH 8, 2019

PARCEL	NAME
5209000128	LUDWIG MICHAEL
5209000129	LUDWIG MICHAEL
5209002008	LUDWIG MICHAEL S
5209002006	LUDWIG MICHAEL S

ADDRESS	CITY	STATE
4255 ARROWHEAD DR	COLORADO SPRINGS	CO
4255 ARROWHEAD DR	COLORADO SPRINGS	CO
4255 ARROWHEAD DR	COLORADO SPRINGS	CO
4255 ARROWHEAD DR	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80908	3779
80908	3779
80908	3779
80908	3779



REDTAIL RANCH

FINAL PLAT

LETTER OF INTENT – FINAL PLAT

MARCH 2019

PROPERTY OWNER & DEVELOPER:

Michael Ludwig
4255 Arrowhead Dr.
Colorado Springs, CO 80908

CONSULTANT:

N.E.S. Inc.
619 North Cascade Avenue,
Colorado Springs, CO 80903

REQUEST

Michael Ludwig is requesting approval of the following applications:

1. A Final Plat for Redtail Ranch, consisting of 12 lots (63.35 ac.) and public ROW (4.509 ac.) on approximately 67.9 acres.

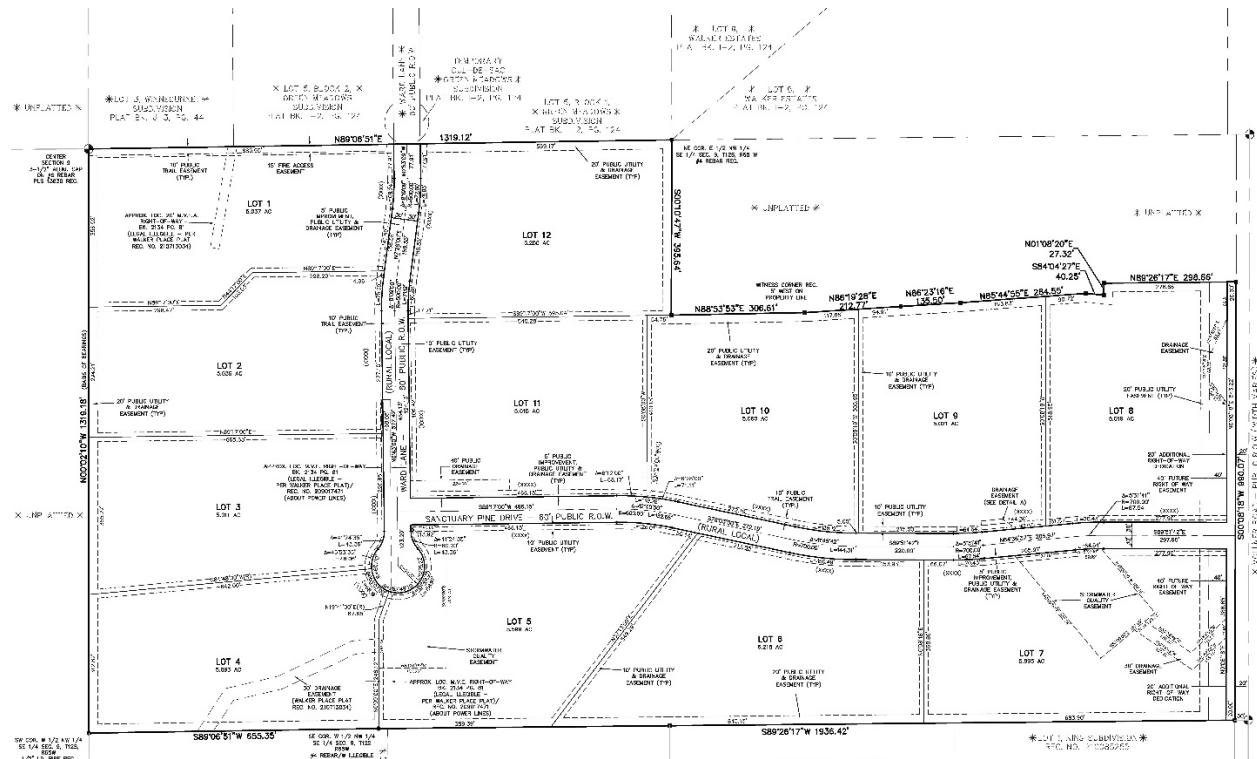
SITE DESCRIPTION

Redtail Ranch consists of 4 parcels located northwest of Vollmer Road and Shoup Road in Black Forest with a total of 67.9 acres. The surrounding properties consist of single-family lots approximately 5-acres in size. Over recent years the site has been cleared of trees destroyed in the Black Forest Fire, 2013. A patch of trees remains near the center of the site. The 1,182-acre Sanctuary in the Pines to the east is approved for a development of 390 lots (2.5-acre minimum). The proposed Sanctuary Pine Drive aligns with the Sanctuary Pine Drive on the east side of Vollmer.



PROJECT DESCRIPTION

The project proposes 12 single family lots, of a minimum 5-acres in size. The lots have a 25-foot building setback on all sides. Lots 7 and 8 include 20-feet of dedicated ROW along Vollmer and an additional 40-feet of Preservation ROW totaling 60-feet to accommodate the future planned widening of Vollmer Road to a minor arterial requiring 90 feet of ROW from the centerline of Vollmer. The proposed streets are a continuation of an existing road – Ward Lane (dirt road), and an approved but not yet constructed road – Sanctuary Pine Drive. The proposed roads are a rural local road and will be built per County standards as a 60-foot asphalt ROW. Lot 4 is accessed off of the cul-de-sac. The lot widths and acreages vary to accommodate easements, topography and existing natural features.



WILDFIRE

The Wildfire Hazard Evaluation Report addresses the various wildfire fuel types and the potential hazards of this site and provides recommendations to mitigate and avoid future fire hazards. The majority of the subdivision is composed of grassland including woody fuel components (masticated limbs, etc.). The woody fuel is pressed into the soils and is not readily available for rapid combustion. Limited grass and surface fuels exist on the site since the Black Forest Fire that burned the majority of the trees on the site and limited growth has occurred. While the threat of wildland fire could never be completely eliminated the overall wildfire hazard of the property is considered as low. The Report provides wildfire mitigation measures to reduce the potential loss and spread of wildfire.

SOILS & GEOLOGY HAZARDS/CONSTRAINTS

The Geology and Soils Report provided by RMG, outlines potential Geologic Hazards and Constraints as defined in the Engineering Criteria Manual. Constraints identified and discussed in Section 7 of the Report consist of Potentially Expansive Soils, Radon which is generally considered high in most of Colorado, Flooding and Surface Drainage, potentially Shallow Ground Water, and Erosion. All of these constraints can be properly mitigated or avoided through standard construction practices. No significant

hazards or constraints were identified and “no build areas” are not necessary in regards to geology and soils. Bedrock was encountered throughout the site through the test borings; however, none of the bedrock is considered steeply dipping bedrock which would require preservation/no build areas.

DRAINAGE & PONDS

The site contains four existing stock ponds on proposed lots 3, 5, 7 and southern portion of lot 9 partially in the roadway. A natural drainage transverses the southeast corner of lot 4. The ponds and drainage will be addressed as follows:

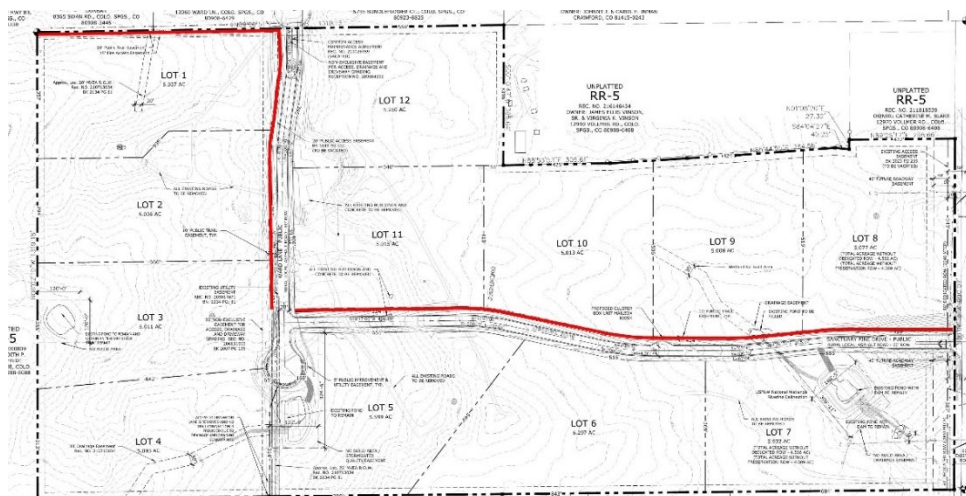
- **Lot 5 Pond and Lot 4 Drainage:** The existing pond will be partially filled and formalized as a Stormwater Quality Pond to meet County Standards. The 30' drainage easement is to remain as natural drainage and to accommodate any overflow of the Pond. The Stormwater Quality Pond will be maintained by the Homeowners Association.
- **Lot 3 Pond:** This pond will be removed and filled.
- **Lot 7 Pond:** The existing pond on lot 7 will be formalized as a Stormwater Quality Pond to meet County Standards. The Stormwater Quality Pond will be maintained by the Homeowners Association.
- **Pond partially on lot 9 and the Roadway:** This pond will be removed and filled in.
- **Permanent Sediment Control:** Permanent sediment control will be added as provided in Construction Documents.

WATER & WASTEWATER

Water will be provided by individual wells on each lot and Wastewater will be provided through individual On-site Wastewater Treatment Systems. Existing systems may remain or will be removed and disposed of according to EPC Environmental Health requirements. Four existing wells and five septic fields are identified on the property. Water will be provided through twelve private wells accessing either the Dawson or Denver aquifers. A water decree was entered on July 18, 2018 allowing utilization of the Denver Basin aquifer. Existing septic systems will remain or be removed and mitigated properly. New systems are recommended and permits are to be obtained by the individual lot owners.

TRAILS & CONNECTIVITY

Through coordination with the Black Forest Trails Association (BFTA), including a tour of the property identifying possible locations, a 10' trail access easement is proposed. The trail runs along the north side of lot 1, south along the west side of Ward Lane, and along the north side of Sanctuary Pine Drive and provides a connection to the Pineries Open Space on the east side of Vollmer. The trail easement



overlaps the MVEA utility easement and has been confirmed as an acceptable location by MVEA. The BFTA will be responsible for maintenance of the trail.

PROJECT JUSTIFICATION – FINAL PLAT

The Final Plat is consistent with the approval criteria set forth in Section 7.2.1.D.3.f of the LDC as follows:

- 1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan; El Paso County, Colorado Land Development Code Rules Governing Divisions of Land – Chapter 7-Page 9 Effective 05/2016;**

EL PASO COUNTY POLICY PLAN

Policy 6.4.3

Allow rural residential development in those areas with sufficient "carrying capacity" including roadway capacity, water supply, septic suitability, educational facilities and organized structural fire protection.

Policy 6.4.4

Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undevelopable areas.

BLACK FOREST PRESERVATION PLAN

3. Residential

Goal 3.A - Promote a residential environment which perpetuates the rural-residential character of the Black Forest Planning Area.

Policy 3.1 - Continue the promotion of residential subdivisions with an overall average minimum lot area of 5 acres in the Timbered Area and other designated portions of the planning area. The minimum lot size for five-acre overall density areas should be at least 2.5 acres in most instances.

6. Transportation

Policy 6.6 Reserve adequate rights-of-way for roads indicated as potential major transportation corridors.

This development is consistent with the intent of the County Policy Plan and the Black Forest Preservation Plan and the surrounding developments. The development maintains the Residential Rural designation of the RR-5 zone while providing consistency in the area. The site is located within the Timbered Area of the Black Forest Preservation Plan and is consistent with the description and intent of the area.

"Residential densities within this planning unit (Timbered Area) should be strictly held to an overall average of one dwelling unit per 5 acres. Individual well and septic systems will be utilized."

TRAILS ADDENDUM

A 10-foot Black Forest Trails Association easement is provided to allow connectivity throughout the Black Forest Area. The Black Forest Trails Association has been added as a signature on the Plat accepting maintenance responsibility of the trail.

- 2. The subdivision is in substantial conformance with the approved preliminary plan;**
The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The proposed 5-acre single family lots meet the requirements of the RR-5 zone and the proposed Preliminary Plan. Consistent with the surrounding properties that range in size from 4.45-acres to 8.68-acres, many of which are 5-acres single family lots.
- 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;**
The subdivision design standards and additional engineering requirements are met including minimum lot size, setbacks, and building height.
- 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 this Code;**
A sufficient water supply is available as demonstrated in the Water Resources and Wastewater Treatment Report. Water will be supplied via wells.
- 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 this Code;**
Sewage disposal is via on-site wastewater treatment systems (OWTS) and is addressed in the Water Resources and Wastewater Treatment Report.
- 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)];**
These matters are addressed in the Soils and Geology Report provided by RMG. RMG determined that the proposed development is feasible and the potential for uncontrolled fill is not considered a geologic hazard. Where the uncontrolled fill is unavoidable, mitigation measures are proposed.
- 7. 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;**
These matters are addressed in the Drainage Report provided by Classic Consulting. Lot 5 and Lot 7 contain existing drainage ponds and easements have been added to accommodate these ponds. Lot 4 contains an existing drainage easement (Walker Place Drainage Easement) which is to remain. The existing pond on Lot 3 is removed. The Stormwater Quality Ponds are to be maintained by an HOA.
- 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 this Code and the ECM;**
All lots will be accessible by new public streets that comply with the LDC and ECM. Street names have been approved by El Paso–Teller County 911 Authority. The access easements regarding Ward Lane have been terminated by Virtue of Merger and have been removed from the Plat and Preliminary Plan. An updated Title Commitment is provided for reference.

9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

The site will be served by well and septic. Mountain View Electric and Black Hills Energy will provide electric and natural gas services as stated in the Will Serve letters included in this submittal. The property will be served by the U.S. Postal Service, a kiosk per the USPS standards is located between Lots 9 & 10.

10. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The site is within the Black Forest Fire Protection District. Through discussions with the District a 15' fire access easement is identified along northern edge of Lot 1 to provide emergency ingress and egress. Access easement to Linnwood was discussed but is not feasible due to the Drainage Pond and necessary County Criteria to formalize the existing pond. The Wildfire Hazard Evaluation Report addresses the various wildfire fuel types and the potential hazards of this site and provides recommendations to mitigate and avoid future fire hazards.

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;

This subdivision extends Ward Road into the property and provides a direct public, paved access road to Vollmer Road. Required improvements along Vollmer Road are also being provided to allow for this new intersection to function safely. This new intersection provides a secondary access for all the Ward Road residents. The property owner of each lot will pay the full fee in accordance with the County Road Impact Fee Program at the time of building permit.

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;

This subdivision provides on-site public, paved roads for all proposed lots and detention/stormwater quality as required. All public facilities are included in the financial assurance provided with platting.

13. The subdivision meets other applicable sections of Chapter 6 and 8; and El Paso County, Colorado Land Development Code Rules Governing Divisions of Land – Chapter 7-Page 10 Effective 05/2016
The proposed subdivision meets the applicable sections 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.]

No known commercial mining deposits exist.

REDTAIL RANCH FILING NO. 1

A REPLAT OF LOTS 1 AND 2, WALKER PLACE, TOGETHER WITH A PORTION OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT MICHAEL S. LUDWIG AS TO PARCELS A, B, C AND D; AND MICHAEL LUDWIG AS TO PARCELS E AND F, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

LEGAL DESCRIPTION:

6 PARCELS OF LAND BEING A PORTION OF A PORTION OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WESTERLY LINE OF WALKER PLACE, RECORDED UNDER RECEPTION NUMBER 214018546, EL PASO COUNTY RECORDS, BEING MONUMENTED ON THE NORTH END (CENTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.) BY A 3–1/2" ALUMINUM CAP STAMPED "PLS 13830" AND ON THE SOUTH END BY A 2" I.D. PIPE, IS ASSUMED TO BEAR N00°02'10"W, 1319.18 FEET.

PARCEL A:

LOTS 1 AND 2, WALKER PLACE, COUNTY OF EL PASO, STATE OF COLORADO, AS AMENDED BY SURVEYOR'S AFFIDAVIT OF AMENDMENT RECORDED APRIL 6, 2010 UNDER RECEPTION NO. 210031708, ALSO KNOWN AS THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

PARCEL C:

A NON-EXCLUSIVE EASEMENT FOR ACCESS, DRAINAGE AND DRIVEWAY GRADING OVER A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, AS CREATED BY EASEMENT RECORDED JUNE 8, 2009 UNDER RECEPTION NO. 209064392.

PARCEL D:

THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

PARCEL E:

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT FOR THE EAST 30 FEET THEREOF FOR A PUBLIC ROAD, AND EXCEPT FOR THAT PORTION THEREOF CONVEYED BY SPECIAL WARRANTY DEED RECORDED OCTOBER 3, 2006 UNDER RECEPTION NO. 206145897.

PARCEL F:

THE NORTH 330.0 FEET OF THE EAST 660.0 FEET OF THE SOUTH 990.0 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT FOR THE EAST 30 FEET THEREOF FOR A PUBLIC ROAD, AND EXCEPT FOR THAT PORTION THEREOF CONVEYED BY SPECIAL WARRANTY DEED RECORDED OCTOBER 3, 2006 UNDER RECEPTION NO. 206145897.

OWNERS CERTIFICATE:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS 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 REDTAIL RANCH FILING NO. 1. ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO 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 MATTERS 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.

OWNER:

THE AFOREMENTIONED MICHAEL S. LUDWIG HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2018

WITNESS MY HAND AND OFFICIAL SEAL.

MICHAEL S. LUDWIG

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, A.D. BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

OWNER:

THE AFOREMENTIONED MICHAEL LUDWIG HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2018

WITNESS MY HAND AND OFFICIAL SEAL.

MICHAEL LUDWIG

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, A.D. BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

ACCEPTANCE OF TRAIL MAINTENENCE

THE PUBLIC TRAIL EASEMENT AS PLATTED HEREON IS HEREBY ACCEPTED FOR MAINTENANCE BY THE BLACK FOREST TRAIL ASSOCIATION, A COLORADO NONPROFIT CORPORATION.

BY:

AS _____

OF BLACK FOREST TRAIL ASSOCIATION, A COLORADO NONPROFIT CORPORATION.

STATE OF COLORADO)

) ss

COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, A.D. BY _____.

AS _____ OF BLACK FOREST TRAIL ASSOCIATION, A COLORADO

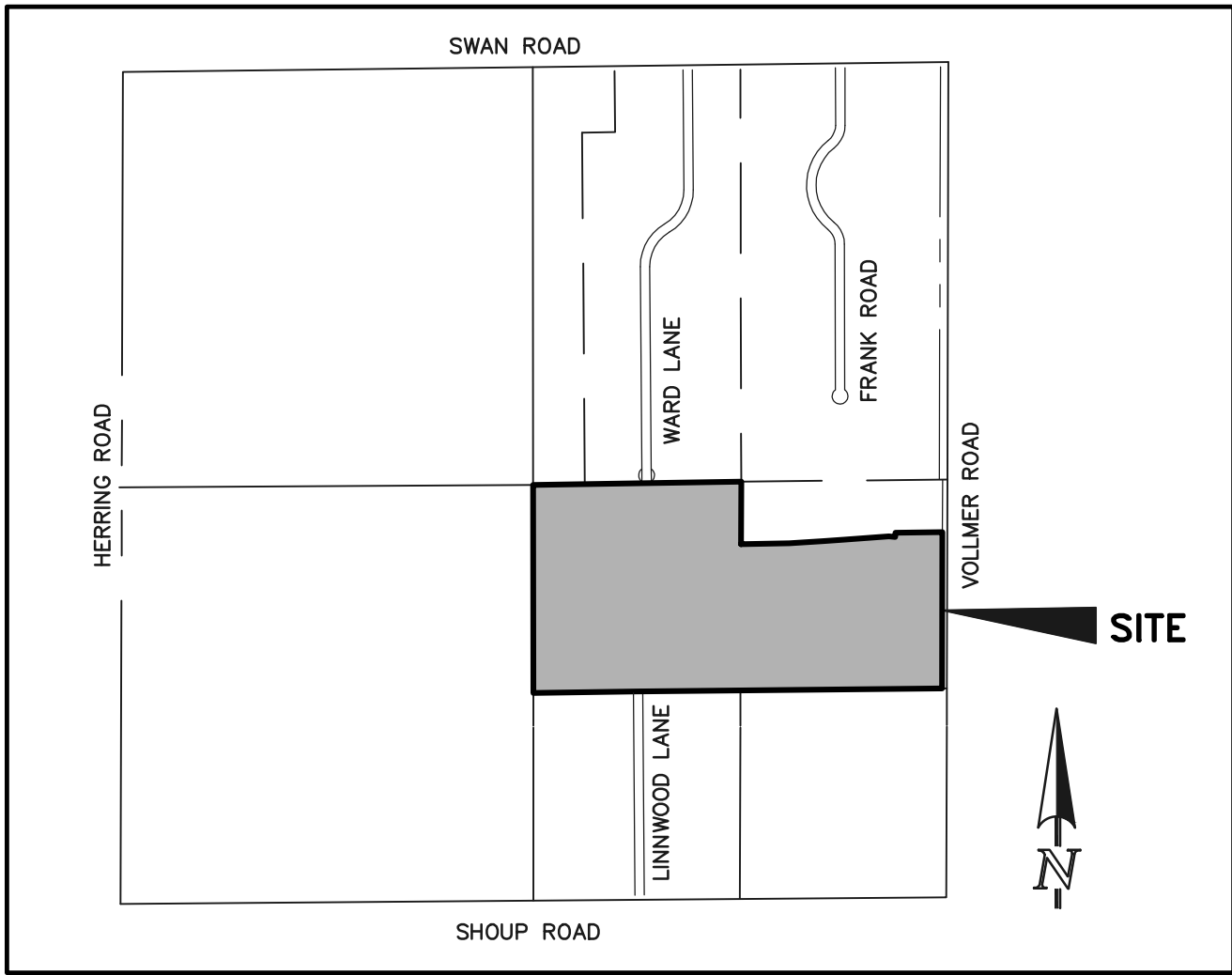
NONPROFIT CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

GENERAL NOTES:

- THE DATE OF PREPARATION IS MARCH 13, 2018.
- INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL DOMESTIC WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS.
- SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY HEALTH DEPARTMENT MUST APPROVE EACH SYSTEM AND IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL.
- ALL STRUCTURAL FOUNDATIONS SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN THE STATE OF COLORADO. SOILS REPORT BY RMG DATED NOVEMBER 9, 2018.
- THE TRACT OF LAND HEREIN PLATTED LIES WITHIN SECTION 9, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND A PORTION OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN.
- UNLESS SHOWN OTHERWISE, ALL FRONT LOT LINES ARE HEREBY PLATTED WITH A 5.00 FOOT WIDE PUBLIC IMPROVEMENT AND DRAINAGE EASEMENT, AND A 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT. ALL SIDE LOT LINES ARE HEREBY PLATTED WITH A 10.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT AND ALL REAR LOT LINES ARE HEREBY PLATTED WITH A 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, WITH THE SOLE RESPONSIBILITY FOR THE SURFACE MAINTENANCE OF EASEMENTS BEING VESTED WITH THE INDIVIDUAL PROPERTY OWNER.
- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT IN THE PRELIMINARY PLAN (SP-18-004) FILE: SOILS AND GEOLOGICAL STUDY; WATER AVAILABILITY STUDY; DRAINAGE REPORTS; EROSION CONTROL REPORT; TRAFFIC IMPACT STUDY.
- THE TOTAL NUMBER OF LOTS BEING PLATTED IS 12.
- THE ARTICLES OF INCORPORATION FOR _____ HOMEOWNER'S ASSOCIATION, INC., WERE FILED WITH THE COLORADO SECRETARY OF STATE UNDER IDENTIFICATION NUMBER _____. THIS PLAT IS SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE RESTRICTIONS AND COVENANTS AS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.
- DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF A APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF PARKS AND WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH & WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF PARKS AND WILDLIFE REGARDING THE ENDANGERED SPECIES ACT.
- THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- PURCHASERS OF LOTS WITHIN THIS SUBDIVISION ARE HEREBY ALERTED THAT THESE LOTS CONTAIN STORM WATER CONVEYANCE PATHS. SAID PURCHASERS ACKNOWLEDGE ACCEPTANCE OF THESE FLOWS ONTO, AND THROUGH, THESE LOTS. THE PURCHASER OF THESE LOTS SHALL BE RESPONSIBLE FOR MAINTAINING THESE PATHS AND FOR PROVIDING MEASURES TO ELIMINATE EROSION, IF SUCH SHOULD OCCUR.
- WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED ON A 100 YEAR AQUIFER LIFE: HOWEVER, FOR EL PASO COUNTY PLANNING PURPOSES, WATER IN THE DENVER BASIN AQUIFERS IS EVALUATED BASED ON A 300 YEAR AQUIFER LIFE. APPLICANTS AND ALL FUTURE OWNERS IN THE SUBDIVISION SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO ANTICIPATED WATER LEVEL DECLINES.
- FLOODPLAIN STATEMENT: THIS SITE, REDTAIL RANCH FILING NO. 1, IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 08041C03256, EFFECTIVE DATE DECEMBER 7, 2018.
- 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 RECEPTION NO. _____, 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 DEVELOPMENT SERVICES DEPARTMENT 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 DEPARTMENT 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.



VICINITY MAP

N.T.S.

GENERAL NOTES (CONT.):

- DUE TO WILDFIRE CONCERNS, THE APPLICANTS AND SUBSEQUENT HOMEOWNERS ARE ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAKS PROVISIONS AS RECOMMENDED BY THE COLORADO STATE FOREST SERVICE AND ILLUSTRATED THROUGH PUBLICATIONS AVAILABLE THROUGH THE STATE FOREST SERVICE. A WILDFIRE MITIGATION REPORT WAS PREPARED FOR THIS SITE AND IS ON FILE WITH THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY DEPARTMENT OF TRANSPORTATION AND UNITED STATES POSTAL SERVICE REGULATIONS.
- FIRE PROTECTION IS BY BLACK FOREST FIRE PROTECTION DISTRICT.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OR RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD, CLASSIC CONSULTING ENGINEERS AND SURVEYORS AND THE SURVEYOR OF RECORD RELIED UPON THE TITLE COMMITMENT ORDER NUMBER SR55061433-4 PREPARED BY LAND TITLE GUARANTEE COMPANY AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF JUNE 16, 2018 AT 5:00:00.
- THE SUBDIVIDERS AGREE ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNS THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE COUNTYWIDE TRANSPORTATION IMPROVEMENT FEE RESOLUTION (RESOLUTION 18-471), AS AMENDED, 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.
- A DRIVEWAY PERMIT IS REQUIRED TO BE APPLIED FOR AND APPROVED BY EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT PRIOR TO THE ESTABLISHMENT OF ANY DRIVEWAY.
- THERE SHALL BE NO DIRECT LOT ACCESS TO VOLLMER ROAD.
- ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORMWATER DRAINAGE IN AND THROUGH THEIR PROPERTY. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN THE STORMWATER CONVEYANCE PATHS.
- INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3. IF A DRIVEWAY IS PROPOSED TO CROSS A DRAINAGE EASEMENT OR WETLAND NO BUILD AREA, AN ENGINEERED SITE PLAN, PREPARED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF COLORADO, WILL BE REQUIRED FOR COUNTY REVIEW.
- THIS PROPERTY IS SUBJECT TO THE FINDINGS SUMMARY AND CONCLUSIONS OF A GEOLOGIC HAZARD REPORT PREPARED BY ROCKY MOUNTAIN GROUP, 11/9/2018. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE SP-18-004 WITHIN THE EL PASO COUNTY OFFICE, PLANNING AND COMMUNITY DEVELOPMENT TEAM, 2880 INTERNATIONAL CIRCLE, SUITE 110, COLORADO SPRINGS, CO, 80910, IF YOU WOULD LIKE TO REVIEW SAID REPORT.
- NOTICE: FUTURE PROPERTY OWNERS ARE ADVISED THAT EL PASO'S APPROVAL OF THIS PLAT DOES NOT INCLUDE CERTIFICATION OF WATER RIGHTS OR THE STRUCTURAL STABILITY OF THE EXISTING STOCK POND LOCATED ON THE SUBJECT PROPERTY. THE STATE OF COLORADO HAS JURISDICTION REGARDING MODIFICATION OR ELIMINATION OF THE POND.
- THE TRAIL LYING WITHIN THE 10' PUBLIC TRAIL EASEMENT SHALL BE MAINTAINED BY THE BLACK FOREST TRAIL ASSOCIATION.
- AN ENGINEERED SITE PLAN PREPARED BY A COLORADO PROFESSIONAL ENGINEER AND CONFORMING TO EPC LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL STANDARDS, AND CONSISTENT WITH THE PLAN AND RECOMMENDATIONS IN THE FINAL DRAINAGE REPORT, SHALL BE PROVIDED TO EPC PCD AND APPROVED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR LOTS 9, 10 AND 11. IF AN ADDITIONAL DRAINAGE EASEMENT IS NECESSARY IT SHALL BE SUBMITTED FOR REVIEW WITH THE ENGINEERED SITE PLAN AND SHALL BE RECORDED WITH THE CLERK AND RECORDER PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

SURVEYOR'S STATEMENT:

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING,
ENGINEERS AND SURVEYORS, LLC.

DATE

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.

BOARD OF COUNTY COMMISSIONERS CERTIFICATE

THIS PLAT FOR REDTAIL RANCH FILING NO. 1 WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THIS ____ DAY OF _____, 2018, 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 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.

CHAIR, BOARD OF COUNTY COMMISSIONERS

DATE

DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

DATE

CLERK AND RECORDER:

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ M. THIS ____ DAY OF _____, 20____, A.D., AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, RECORDER

BY: _____
DEPUTY

DRAINAGE (UPPER BLACK SQUIRREL CHBS2000): _____

DRAINAGE (KETTLE CREEK FOMO3000): _____

BRIDGE FEES: _____

URBAN PARK: _____

REGIONAL PARK: _____

SCHOOL FEE ACADEMY SCHOOL DISTRICT 20: _____

SURCHARGE: _____

PRELIMINARY

THIS DOCUMENT HAS NOT BEEN
PLAT CHECKED

REDTAIL RANCH FILING NO. 1
2525.00
MARCH 13, 2018
REV. NOVEMBER 15, 2018
SHEET 1 OF 3

OWNER:

MICHAEL S. LUDWIG
MICHAEL LUDWIG
C/O LUDWIG DRILLING
704 TOPEKA WAY
CASTLE ROCK, CO 80109

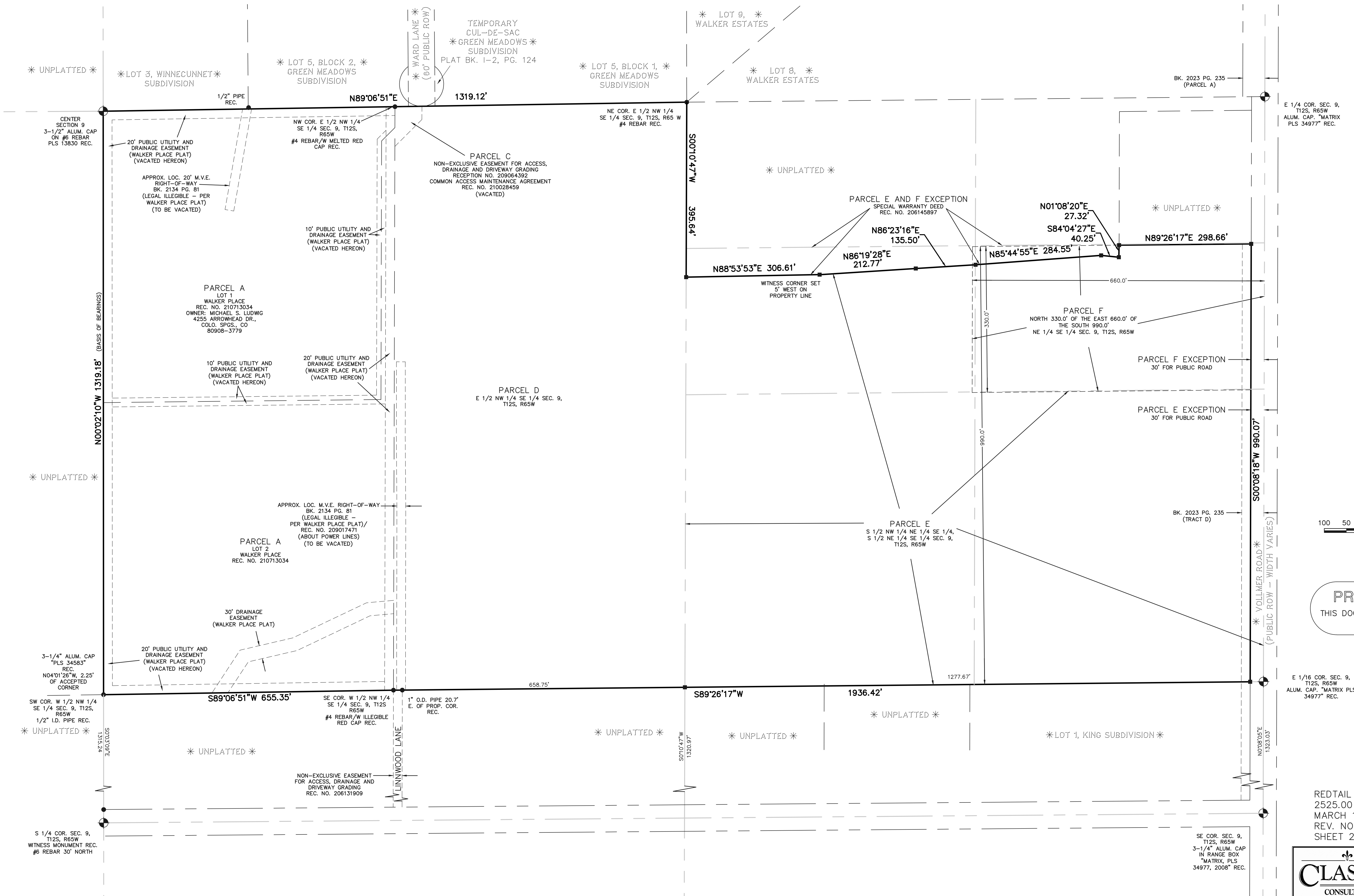
NO.	REVISION	DATE
1	REV. STREET ALIGNMENT	11/15/18
2	COUNTY COMMENTS	11/29/18
3	COUNTY COMMENTS	01/23/19

619 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80903
(719)785-0790
(719)785-0799 (Fax)

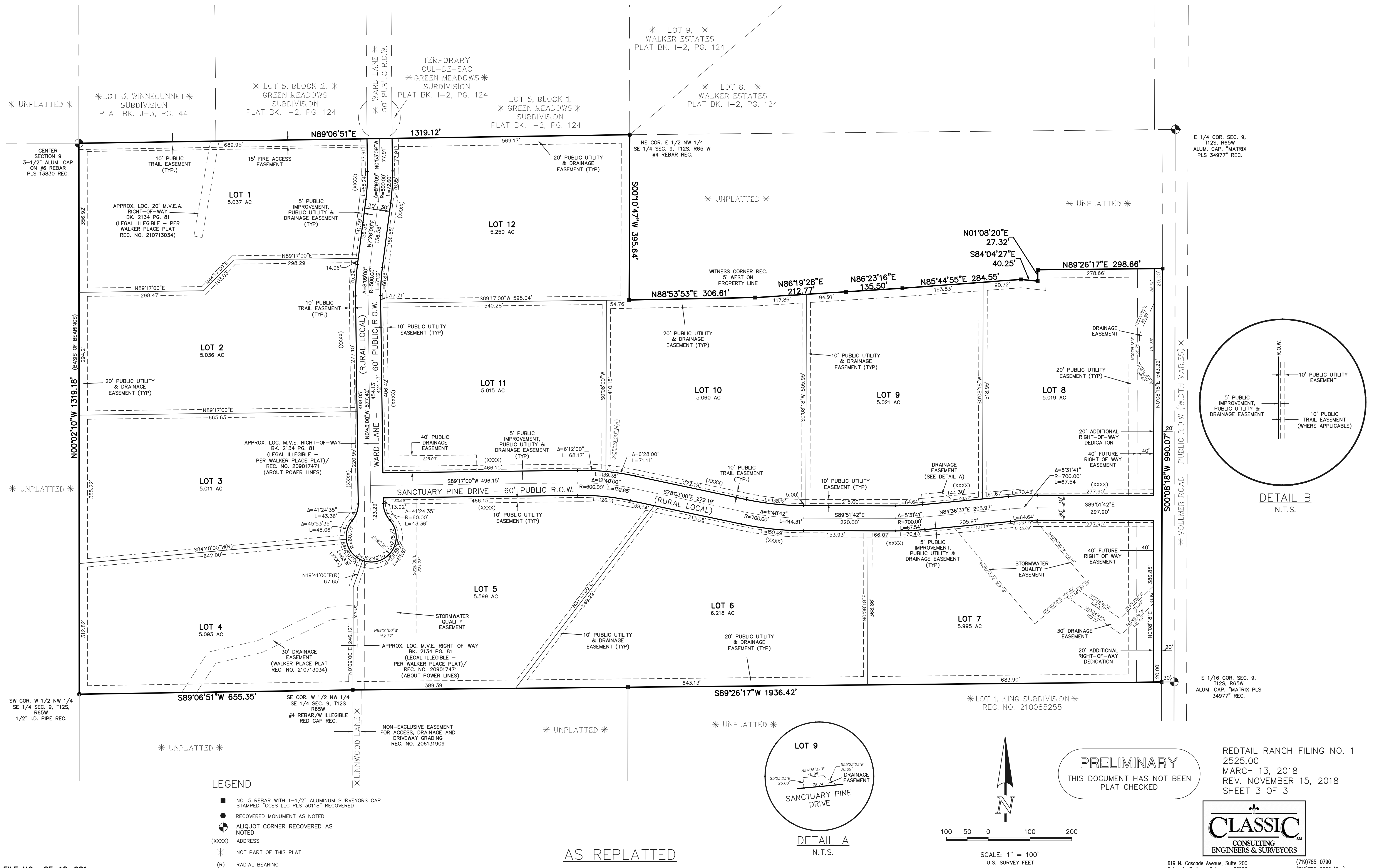


REDTAIL RANCH FILING NO. 1

A REPLAT OF LOTS 1 AND 2, WALKER PLACE, TOGETHER WITH A PORTION OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



A REPLAT OF LOTS 1 AND 2, WALKER PLACE, TOGETHER WITH A PORTION OF SECTION 9, TOWNSHIP 12 SOUTH,
RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



September 5, 2018

El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Redtail Ranch Subdivision
Sec. 9, Twp. 12S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 24915

To Whom It May Concern,

We have received the submittal concerning the above referenced proposal to subdivide a 67.9± acres tract of land into twelve new lots. All of the lots will be a minimum of 5± acres in size. Our records indicate that there are a number of existing wells on located on the property with permit no's: 68030-F, 74767-F, 74768-F, 1122 & 146809. The proposed supply of water to the subdivision will be individual on-lot wells for each lot, with wastewater being disposed of through individual on-lot septic disposal systems.

Water Supply Demand

According to the Water Supply Information Summary received in the submittal, the estimated water demand for the development is 1.06 acre-feet/year/household. Based on the Division 2 Water Court case no. 2018CW3003 this amount breaks down to 0.26 acre-feet/year for in house use, 0.8 acre-feet/year for home gardens and lawns, watering of horses of equivalent livestock, and use in water features or hot tubs.

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The anticipated source of water is to be provided by on-lot wells producing from the Dawson or Denver aquifer that will operate pursuant to the augmentation plan decreed by the Division 2 Water Court in case no. 2018CW3003. This case adjudicated water in the Dawson,

Denver, Arapahoe and Laramie-Fox Hills aquifers underlying the 67.94 acres of land which makes up the entire proposed Redtail Ranch Subdivision.

According to the decrees entered by the Division 2 Water Court in case no. 2018CW3003, the following amounts of water shown in Table 1, below, were determined to be available underlying the 67.94 acre property.

Table 1 – Denver Basin Ground Water Rights

Aquifer	Tributary Status	Volume (AF)	Annual Allocation 100 Year (AF/Year)	Annual Allocation 300 Year (AF/Year)
Dawson	NNT	5,536	55.4	18.5
Denver	NNT 4%	4,212	42.1	14.0
Arapahoe	NT	2,953	29.5	9.8
Laramie-Fox	NT	1,947	19.5	6.5

The plan for augmentation decreed in Division 2 Water Court case no. 2018CW3003 allows for diversion of 12.72 acre-foot annually from the Dawson or Denver aquifers for a maximum of 300 years.

Permit No's. 68030-F, 74767-F, 74768-F were issued pursuant to CRS 37-90-137(4) and court decreed plans for augmentation to construct a wells for domestic related uses. Permit No's. 1122 & 146809 were issued pursuant to CRS 37-92-602 for domestic uses and all permits are located in the SE ¼ of Section 9, Twp 12S, Rng 65W, 6th P.M. It appears that these wells are located on the property and the applicant has proposed to continue to utilize the existing wells pursuant to the decreed plan for augmentation. **This will require that the applicant apply for, and obtain a new well permits issued pursuant to Section 37-90-137(4) C.R.S.**

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed is equal to one percent of the total amount available as determined by Rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those amounts for a maximum of 100 years.

In the El Paso County Land Development Code, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

"-Finding of Sufficient Quantity – The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (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 three hundred years, the annual estimated demand, for the entire subdivision, is 12.72 acre-feet as allowed by the augmentation plan. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

State Engineer's Office Opinion

Based on the above, it is our opinion, pursuant to CRS 30-28-136(1)(h)(I), that the anticipated water supply can be provided without causing material injury to decreed water rights so long as the applicant obtains well permits issued pursuant to C.R.S. 37-90-137(2) and the plan for augmentation noted herein, for all wells in the subdivision and operates the wells in accordance with the terms and conditions of any future well permits.

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.

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 is greater than the annual amount of water required to supply the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Division 2 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decrees, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in Division 2 Water Court case no. 2018CW3003, was calculated based on estimated current aquifer conditions. For planning purposes 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 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. Furthermore, that applicant will need to apply for, and obtain a new well permits issued pursuant to Section 37-90-137(2) C.R.S.

Should you or the applicant have questions regarding any of the above, please contact me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Franco", enclosed within a thin black rectangular border.

Ivan Franco, P.E.
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer
Doug Hollister, District 10 Water Commissioner