

## **STERLING RANCH EAST FILING 5 REZONE AND PRELIMINARY PLAN**

### **LETTER OF INTENT**

**AUGUST 2023, REVISED JANUARY 2024**

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#### **OWNER/APPLICANT:**

CLASSIC SRJ LAND, LLC  
2138 FLYING HORSE CLUB DR.  
COLORADO SPRINGS, CO 80921

#### **CONSULTANT:**

N.E.S. INC.  
ANDREA BARLOW  
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COLORADO SPRINGS, CO 80903  
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#### **SITE DETAILS:**

**TSN:** 5233000018, 5200000552

#### **ACREAGE:**

REZONE-42.033 ACRES (1,830,966 SF)  
PRELIMINARY PLAN-47.168 ACRES (2,054,638.08 SF)

**CURRENT ZONING:** RR-5

**PROPOSED ZONING:** RS-5000

**CURRENT USE:** VACANT LAND

**PCD FILE #:** P237  
SP235

#### **REQUEST**

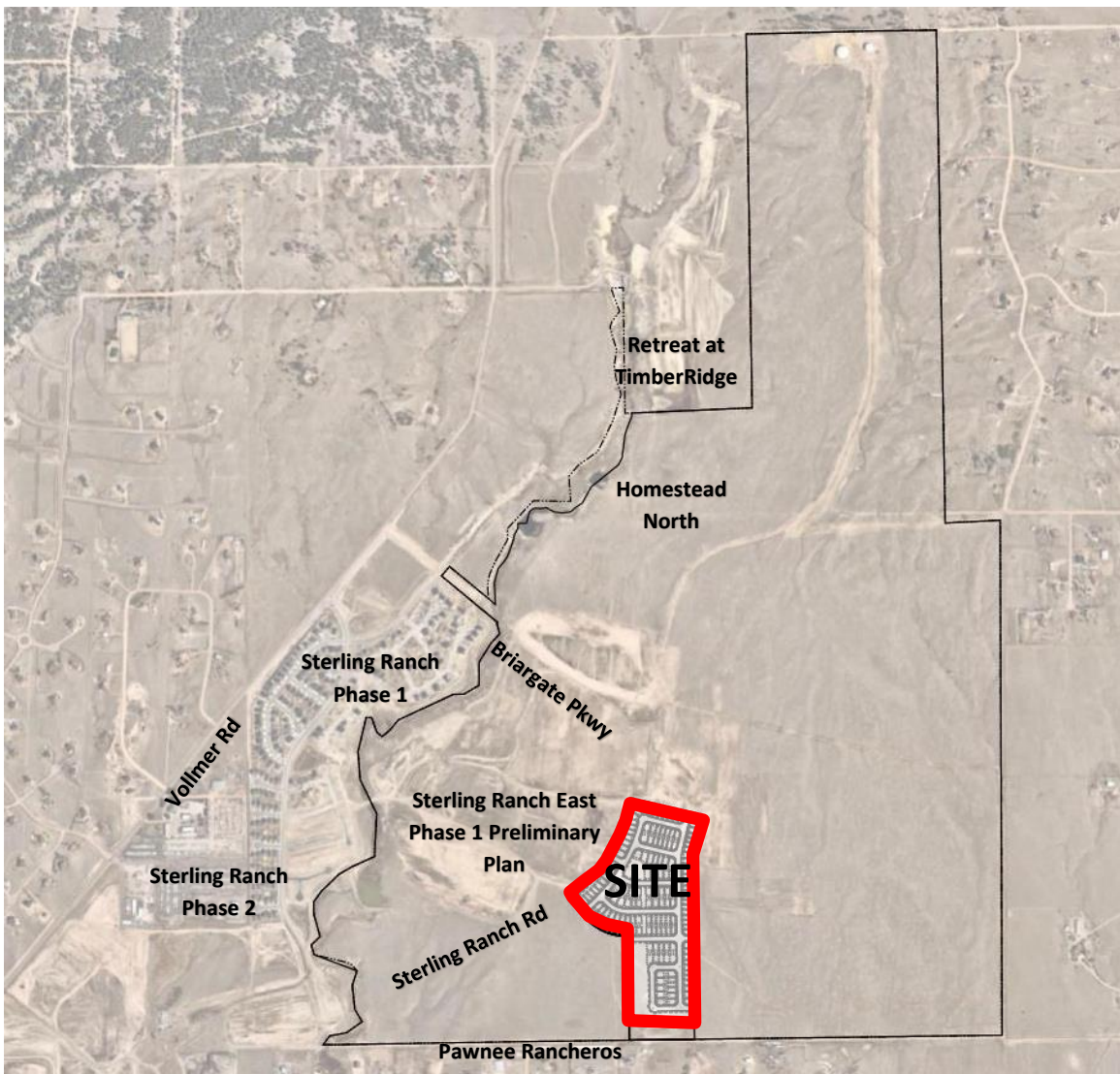
N.E.S. Inc. on behalf of Classic SRJ Land LLC requests approval of the following applications:

1. Rezone of 42.033 AC from RR-5 to RS-5000.
2. 47.168 AC Preliminary Plan for Sterling Ranch East Filing 5; a 160 lot detached single-family development including a 4.63AC community park site, 1.34AC for parks, open space and drainage and a 4.56AC detention basin. The acreage for the Preliminary Plan includes 5.137 AC along the southern boundary of Sterling Ranch that was previously rezoned to RR-0.5 under Resolution 23-172.

3. A finding of water sufficiency with the Preliminary Plan and subsequent Final Plats to be approved administratively.

### LOCATION

Sterling Ranch East Filing 5 Preliminary Plan encompasses 47.168 AC and is part of the overall Sterling Ranch Master Planned Community located east of Vollmer Road and east of the Sand Creek Channel. This development lies directly adjacent to the recently approved Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4. The proposed development lies south of the proposed extension of Briargate Parkway and west and south of the proposed extension of Sterling Ranch Road. Sterling Ranch East Filing 3 is directly west and southwest of the proposed development. The site is bounded to the north by future Oak Park Drive and the future extension of Sterling Ranch Road to the northwest. Sterling Ranch East Phase 1 Preliminary Plan Filing 1-4 is east and north of the proposed development. East of the project is zoned RR-5 and planned as a future filing within the Sterling Ranch Community. This area is shown as 3-5 DU/AC on the approved Sterling Ranch Sketch Plan. The Pawnee Rancheros existing subdivision is

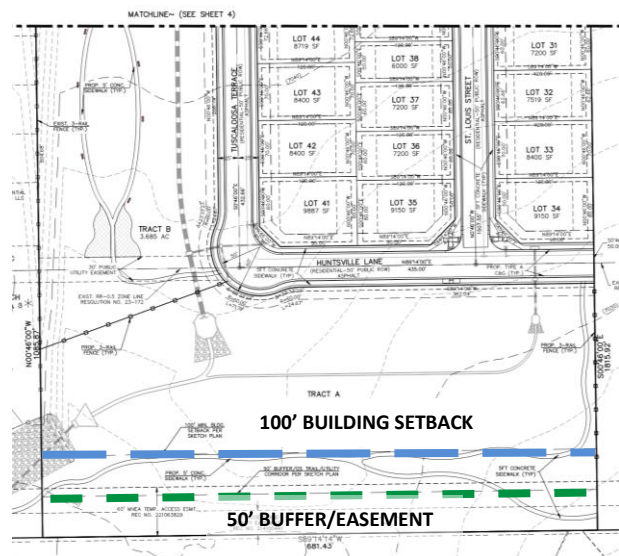
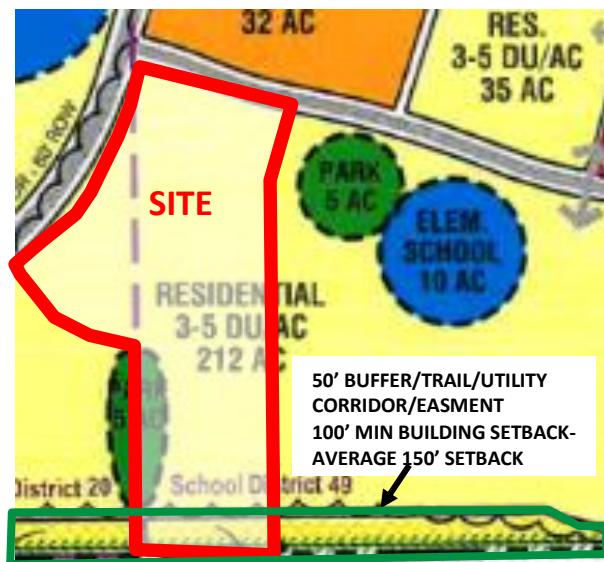


directly south and zoned RR-5. Tract A, which will serve as a detention basin, abuts the southernmost edge of the project boundary. This tract is currently zoned RR-0.5 and will serve to transition from the RS-5000 to the RR-5 Pawnee Rancheros to the south.

### PROJECT DESCRIPTION & CONTEXT

Sterling Ranch East Filing 5 proposes a rezoning of 42.033AC from RS-5000 to RR-5. Tract A, which is a detention basin, is currently zoned RR-0.5 (under resolution 23-172). Tract A provides approximately 1,815 linear feet of separation from the RS-5000 rezoning boundary of Sterling Ranch East Filing 5 to the Pawnee Rancheros. This tract will serve to transition the existing RR-5 uses of the Pawnee Rancheros south of the project to the proposed RS-5000 uses of Sterling Ranch East Filing 5 to the north. The preliminary plan thereby exceeds the 150FT average building setback and 50FT buffer shown along the southern boundary of the approved Sterling Ranch Sketch Plan.

A concurrent Preliminary Plan proposes 160 detached single-family lots on 47.17AC. The acreage for the Preliminary Plan includes 5.137 AC along the southern boundary of Sterling Ranch that was previously rezoned to RR-0.5 under Resolution 23-172. The development includes 27.67AC of detached single-family lots, 8.97AC ROW, 4.63AC Community Park, 1.34AC for parks, open space and drainage and 4.56AC to serve as detention. The gross density of the portion of the project to be rezoned to RS-5000 is 3.4 DU/AC and the net density is 5.8 DU/AC. This density is consistent with the 3-5 DU/AC density on the approved Sketch Plan. Sterling Ranch East Filing 5 will be platted as a single filing to be known as Sterling Ranch East Filing 5.



The project proposes a 10FT landscape setback on Sterling Ranch Road. All building setbacks, heights and lot coverage will meet the RS-5000 zoning standards.

A finding of water sufficiency is requested with the Preliminary Plan and administrative approval of the subsequent final plat.

**SKETCH PLAN CONSISTENCY:** The Sterling Ranch Sketch Plan for 4,800 dwelling units on 1,444 acres was approved December 19, 2022. The Sketch Plan identifies the area included within this proposed preliminary plan as residential at a density of 3-5 du/ac per acre. Sterling Ranch East Filing 5 proposes 160 lots with a gross density of 3.4 du/ac which is consistent with the approved Sketch Plan.

Along the south boundary of the site, the Sketch Plan identifies 2 du/ac per acre residential density, a 50-foot buffer and a 100-foot setback with 150FT average setback. This lower density and buffer were intended as a transition between the suburban density within the rest of the Sterling Ranch development and the lower density 5-acre lots in the Pawnee Rancheros subdivision to the south. Tract A, located in the southernmost portion of the proposed Sterling Ranch East Filing 5 Preliminary Plan, is zoned RR-0.5 and planned as a 4.6AC detention basin. Tract A provides a 1,815FT separation between the proposed RS-5000 boundary line and the existing Pawnee Rancheros. The 1,815FT depth of Tract A exceeds the 50FT buffer, and 150FT average building setback along the south boundary shown on approved Sterling Ranch Sketch Plan.

A 5FT wide concrete community trail is proposed within Tract A, this trail will connect to a 5FT community trail within Sterling Ranch East Filing 3. The community trail connects the Sand Creek trails to the west and a future community trail extension to the east. The inclusion of a 5-foot trail within the 50-foot buffer tract along the south boundary is consistent with the approved Sketch Plan. This trail will provide connectivity from the eastern portion of Sterling Ranch East Filing 5 to the Regional Trail on the west side of Sand Creek and the community parks, trails and open space within Sterling Ranch.

**COMPATIBILITY/TRANSITIONS:** This Preliminary Plan continues the suburban density approved within Sterling Ranch to date and anticipated in the remainder of the Sterling Ranch Sketch Plan area. Directly north of the project is proposed as a high-density residential development on the Sketch Plan. This higher density transitions the lower density of Sterling Ranch East Filing 5 to the higher intensity activity along Sterling Ranch Road and Briargate Parkway. Tract A, opens space and ponding, provides approximately 1,815 linear feet of separation from the RS-5000 rezoning boundary of Sterling Ranch East Filing 5 to the Pawnee Rancheros. This tract will serve to transition the existing RR-5 uses of the Pawnee Rancheros south of the project to the proposed RS-5000 uses of Sterling Ranch East Filing 5 to the north.

The future extension of Sterling Ranch Road bounds the project to the northwest with Sterling Ranch East Filing 1, zoned RS-5000 and approved for 294 lots to the immediate northwest of Sterling Ranch Road. Directly west of the preliminary plan is Sterling Ranch East Filing 3 which is zoned RS-5000 and approved for 187 single family lots. The proposed zoning and uses of Sterling Ranch East Filing 5 are within the density range and use characteristics of adjacent properties. Nearly 6AC of community park, open space, drainage and trails are allocated within Sterling Ranch East Filing 5 creating connectivity to Sterling Ranch parks and trails.

The Pawnee Rancheros RR-5 subdivision lies to the south of the rural residential RR-0.5, which buffers the RR-5 zoned property. Tract A, a 4.6AC detention basin, is located along the southern boundary of Sterling Ranch East Filing 5. The 1,815FT depth of Tract A provides separation and transition from the existing RR-5 uses of the Pawnee Rancheros and the proposed RS-5000 density proposed within Sterling

Ranch East Filing 5. A 5FT wide concrete community trail is proposed within Tract A. This trail connects to a 5FT wide community trail along the south which provides connectivity to the Sand Creek Regional Trail to the west and community trails within Sterling Ranch to the east. This connection is consistent with the intent of the approved Sketch Plan.

**TRAFFIC:** A Traffic Impact Analysis for Sterling Ranch East Filing 5 was prepared by LSC in July of 2023. The report incorporates multiple traffic studies completed within the area since 2008. Appendix Table 1 of the TIS includes a list of traffic studies withing Sterling Ranch and in the vicinity of area of study completed within the past five years for reference. The Traffic Impact Study indicated:

- Sterling Ranch East Filing 5 Rezone and Preliminary Plan is projected to generate about 1,509 new external trips on the average weekday, with about half entering and half exiting the site during a 24-hour period. During the morning peak hour, which generally occurs for one hour between 6:30 and 8:30am, about 28 vehicles would enter and 84 vehicles would exist the site. During the afternoon peak hour, which generally occurs for one hour between 4:15 and 6:15pm, about 95 vehicles would enter and 56 vehicles would exit the site.
  - Intersection improvement needed to accommodate Sterling Ranch East Filing 5 and other development in Sterling Ranch include:
    - Reconstruction of Vollmer/Burgess to a modern one-lane roundabout, when Level of Service degrades below LOS F. As a modern roundabout, it is projected to operate at LOS C or better for all approaches during the peak hours, based on the projected short-term and 2043 traffic volumes. This improvement will occur in conjunction with the Sterling Ranch Filing 5 plat.
  - The intersections of Vollmer/Briargate, Briargate/Sterling Ranch are projected to operate at a satisfactory level of service as stop-sign controlled intersections in the short-term future. By 2043 these intersections will be signal controlled.
  - Some of the movements at the intersections of Marksheffel/Vollmer and Marksheffel/Sterling Ranch Road are projected to operate at LOS E or LOS F during the peak hours. Once signalized, all movements at these intersections are projected to operate at LOS D or better, based on the projected short-term and 2043 total traffic volumes.
  - Sterling Ranch Road/lake Tahoe Drive and Sterling Ranch Road/Newport Beach Drive are projected to operate at a satisfactory level of service (LOS D or better) during the peak hours as stop-sign controlled intersections, based on the projected short term and 2043 traffic volumes.
  - By 2043, it was assumed that Oak Drive would be constructed between Sterling Ranch Road and Banning Lewis Parkway.

**AIR QUALITY:** The proposed residential use will not negatively impact air quality. The proposed development is located within a developing area with convenient access to Vollmer Road, E Woodmen Road, and Highway 24, providing shorter travel time to employment and commercial facilities.

**NOISE:** Chapter 8.4.2(B)(2)(b)(ii) of the Land Development Code states that noise mitigation shall be required for single-family and duplex residential subdivisions, which contain lots that will be individually owned, and are located adjacent to expressways, principal arterials or railroads. Mitigation shall reduce the existing or projected exterior noise levels to 67 dBA Leq. A noise study to determine the area of potential impact is required where a subdivision includes or borders an expressway, principal arterial or railroad.

Sterling Ranch Road does not require noise mitigation as it is classified as a collector, but the 6' concrete panel noise wall is continued along Sterling Ranch Road screening for privacy and to provide a consistent development identify. A detail of the 6' concrete panel wall is provided in the preliminary plan set (sheet 18).

**WATER:** Sterling Ranch East Filing 5 is to be provided central and sewer services through the Falcon Area Water and Wastewater Authority (FAWWA). Sterling Ranch East Filing 5 includes 160 lots, 52 of which fall into high-density development ratios for small lots, and roughly 2.42 annual acre-feet of water set aside for irrigated landscaping. It is expected that an urban residential home in Sterling Ranch will require an average of 0.353 annual acre-feet, which is the adopted user characteristic for FAWWA. The resulting user demand is 57.08 acre-feet.

Water rights adjudications have been decreed by the State of Colorado, Water Division 2 District Court, Water Division 1 District Court, and the Colorado Groundwater Commission. The comprehensive rights for the FAWWA service include both decrees and determinations. The most recent water rights added to the Sterling Ranch Inventory are three acquisitions: McCune Ranch 391.33 AC for 300 YRs, Bar-X Ranch 592.78 AF for 300 YRs, and Shamrock West 220.10 AF for 300 yrs. These acquisitions leave a net excess of 972.19AF for 300 years of currently available water, and therefore is more than sufficient water supply to meet the needs of Sterling Ranch East Filing 5 on the 300-year basis.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1930.03 AF for 300 YRs which would be adequate supply to meet the needs of 5,468 SFE. This leaves a net excess of currently available water of 972.19 AF for 300 YR and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch East Filing 5 on the 300-year basis.

**WASTEWATER:** The wastewater commitment is for 27.520 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The loading projected from this preliminary plan represents roughly 2.74% of the contractual capacity available to FAWWA. FAWWA therefore has more than adequate wastewater treatment capacity to provide service to this preliminary plan area. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro August in 2023.

**OTHER UTILITIES:** The site is within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Colorado Springs Utilities (south of Briargate Parkway) for natural gas supply. Will serve letters are included with the submittal.

**DRAINAGE:** The drainage improvements associated with the Sterling Ranch East Filing 5 Preliminary Plan are consistent with the Master Development Drainage Plan for Sterling Ranch. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Sand Creek Drainage Basin Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. Classic Engineering includes recommendation concerning necessary improvements that will be required as a result of the development of this property. The points of storm water release from the proposed site are required to be at or below the calculated historic flow quantities. The report concludes the development of the site does not significantly impact any downstream facility or property to an extent greater than which currently exists in the pre-development conditions.

**FLOODPLAIN:** The entirety of the site is located within Zone x flood hazard zone on FEMA Floodplain Map No. 08041C0533G effective December 7, 2018. Zone X indicates an approximate one percent (1%) annual risk of flooding.

**WETLANDS:** The Natural Features and Wetlands Report created by Bristlecone Ecology in June of 2023 found that there are no existing wetlands or aquatic habitat. There are extensive wetlands present along the Sand Creek channel. These are located to the west of the project site and associated with a different project. The development of Sterling Ranch East Filing 5 will not impact the wetlands associated with the Sand Creek Channel.

**WILDLIFE:** Bristlecone Ecology's Natural Features and Wetlands Report found that in general the site provides moderate to poor quality habitat for some grassland and woodland wildlife, including birds, mammals, reptiles and amphibians. The site vicinity provides little potential nesting habitat for raptors as there are no trees, and poor habitat for Northern harrier, which nests on the ground in dense, midstory grasslands. The site has potential to provide foraging and breeding habitat for coyote, red fox, and potentially black bear; it is also listed as a potential human conflict area for mountain lion though this species is unlikely to occur. Development of the site would inevitably affect some habitat for wildlife; impacts on grassland species is expected to be moderate to low. Impacts on woodland species is negligible. Impacts on reptiles and amphibians is low. Species that prefer suburban habitats, including some species of birds, are expected to benefit from an increase in planted trees and bird feeders in yards. Designated open spaces will conserve some of the open grassland habitats that are currently available. Implementation of a stormwater management plan will assist in protecting water quality in downstream reaches, which will benefit aquatic species including invertebrates. Detention facilities may add seasonal water features that could support additional wildlife such as waterfowl and amphibians. Deer, foxes, bears, raccoons, and skunks may experience adverse effects from the increase in urbanization in close proximity to wildland areas. Few sensitive species were present and only in small numbers, and thus are not expected to be affected any more than other species. No state listed species were present. Federally listed T&E species are not expected to occur on the project site.

**WILDFIRE:** Approximately 80% of the project area is mapped as “moderate” wildfire risk while the remaining 12% is mapped “high risk.” High risk areas of the site include the areas on the southern side of the site, where the site has been previously disturbed. The primary wildland fuel type is dry climate grass. The Colorado State Forest Service has determined a high-risk wildlife hazard potential. Development of the site will reduce available wildfire fuels in this area.

**GEOLOGIC HAZARDS:** The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions such as expansive soils, hydrocompaction, shallow bedrock, and seasonally shallow groundwater areas. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

**SCHOOLS:** Sterling Ranch East Filing 5 is within Falcon School District 49. A 10AC elementary school site is identified on the Sterling Ranch Sketch Plan immediately east of the project site. School land dedication will be ratified at the time of the final plat in lieu of fees.

**TRAILS AND OPEN SPACE:** Sterling Ranch East Filing 5 includes a 4.63AC neighborhood park and 1.34AC of connected open spaces and 4.6AC of detention. The 4.63AC park is located central to the development with access provided by attached sidewalks and a direct connection to the community trail. A 5ft concrete community trail serves to connect the park and open spaces to the southern community trail, which provides connection to the Sand Creek Regional Trail and 29AC Community Park. The park and trails will be owned and maintained by the Sterling Ranch Metropolitan District.

**DISTRICTS/ENTITIES SERVING THE PROPERTY:**

The following districts will serve the property:

- Falcon School District 49
- Sterling Ranch Metro District
- Black Forest Fire Protection District
- Mountain View Electric Association
- City of Colorado Springs Utilities Department – Gas

**RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS**

See Project Justification below related to Map Amendment criteria.

The relevant County master plan documents for the Sterling Ranch East Filing 5 Preliminary Plan are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

**YOUR EPC MASTER PLAN**



The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. The primary land use in this placetype is single family detached residential with lot sizes smaller than 2.5 acres and up to a 5 du/ac density. Supporting land uses include single-family attached, multifamily residential, commercial retail, commercial service, institutional, parks, and open space. The gross density of Sterling Ranch East Filing 5 is 3.4 DU/AC which is consistent with the primary land use in the Suburban Residential placetype. The proposed park, trails, and open space areas are consistent with the supporting land uses for this placetype.

In the Key Area Influences chapter, this site is also designated as a potential area for annexation. This is indicative of the sites' suburban character and need for centralized services. The Owner/developer has chosen not to annex into the City as the Sterling Ranch Metropolitan District is already created and bonded.

In the Areas of Change chapter of the County Master Plan, the Preliminary Plan area is identified as a "New Development" area, which will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas, and are expected to be complimentary to adjacent development. The Sterling Ranch East Phase Filing 5 preliminary plan will implement this transformation through new development that is consistent with the densities and uses for the Suburban Residential placetype and in the already approved Sketch Plan.

Core Principle 1, Land Use and Development, seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county," and Goal 1.1 seeks to, "ensure compatibility with established character and infrastructure capacity." The Sterling Ranch East Filing 5 Preliminary Plan is compatible with adjacent residentially zoned areas and continues the suburban density approved with the Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4, FourSquare PUDSP, and the remainder of the Sterling Ranch Sketch Plan area.

#### **WATER MASTER PLAN**

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

*Goal 6.0 – Require adequate water availability for proposed development.*

*Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*

*Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.*

The Water Master Plan identifies the Sterling Ranch development as an "Expected Growth Area" by 20404 within Region 3. Sterling Ranch East Filing 5 is to be provided central and sewer services through the Falcon Area Water and Wastewater Authority (FAWWA), which will become the overall service entity for, not only Sterling Ranch Metropolitan District, but the Retreat and future Ranch as well.

Sterling Ranch East Filing 5 includes 160 lots, 52 of which fall into high-density development ratios for small lots, and roughly 2.42 annual acre-feet of water set aside for irrigated landscaping. It is expected that an urban residential home in Sterling Ranch will require an average of 0.353 annual acre-feet, which is the adopted user characteristic for FAWWA. This is consistent with historic needs for nearby developments. Note that for smaller high-density lots, FAWWA has adopted an SFE equivalency ratio to account for substantially reduced water needs, although this is partially offset by estimation of common area irrigation needs. The resulting water demand is 57.08 acre-feet.

Water rights adjudications have been decreed by the State of Colorado, Water Division 2 District Court, Water Division 1 District Court, and the Colorado Groundwater Commission. The comprehensive rights for the FAWWA service include both decrees and determinations. The most recent water rights added to the Sterling Ranch Inventory are three acquisitions: McCune Ranch 391.33 AC for 300 YRs, Bar-X Ranch 592.78 AF for 300 YRs, and Shamrock West 220.10 AF for 300 yrs. These acquisitions leave 972.19AF for 300 years net excess of currently available water, and therefore is more than sufficient water supply to meet the needs of Sterling Ranch East Filing 5 on the 300-year basis.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1930.03 AF for 300 YRs which would be adequate supply to meet the needs of 5,468 SFE. This leaves a net excess of currently available water of 972.19 AF for 300 YR and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch East Filing 5 Preliminary Plan on the 300-year basis.

#### **EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)**

The MTCP identifies the extension of Briargate Parkway as a 4-Lane Principal Arterial between Black Forest Rd and Meridian Road by 2040. No additional change of classification or widening is identified on the 2060 Corridor Preservation Map. Construction of this road is facilitated through the Sterling Ranch East Phase 1 Preliminary Plan and Sterling Ranch Development. The County has commissioned a consultant to initiate the design of this road extension and the Sterling Ranch developer has met with the consultant to coordinate intersection locations along Briargate Parkway.

#### **EL PASO COUNTY PARKS MASTER PLAN**

The Trails Master Plan map identifies a proposed Regional Trail adjacent to Sand Creek through Sterling Ranch. This has been accommodated in the Sterling Ranch filings already approved or in progress on the west side of the creek. There are no proposed regional trails in this portion of Sterling Ranch. Multiple community trails are included for circulation and recreational use with connections provided to the Sand Creek Regional Trail. The Preliminary Plan includes a 4.63AC community park and other smaller open space tracks to serve residents. Parks and open space within the Sterling Ranch total 96.8 acres. All parks, trails, and open spaces will be owned and maintained by the Sterling Ranch Metropolitan District.

## PROJECT JUSTIFICATION

### **Map Amendment Approval Criteria-Chapter 5.3.5 (B)**

- 1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;**

#### El Paso County Master Plan

The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. The primary land use in this placetype is single family detached residential with lot sizes smaller than 2.5 acres and up to a 5 du/ac density. Supporting land uses include single-family attached, multifamily residential, commercial retail, commercial service, institutional, parks, and open space. The Sterling Ranch East Filing 5 Preliminary Plan, which will accommodate densities of less than 5 du/ac, is consistent with the Suburban Residential placetype land uses and characteristics. The proposed schools, parks and open space areas are consistent with the supporting land uses for this placetype.

In the Key Area Influences chapter, this site is also designated as a potential area for annexation. This is indicative of the sites' suburban character and need for centralized services. The Owner/developer has chosen not to annex into the City as the Sterling Ranch Metropolitan District is already created and bonded.

In the Areas of Change chapter of the County Master Plan, the Preliminary Plan area is identified as a "New Development" area, which will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas, and are expected to be complimentary to adjacent development. The Sterling Ranch East Phase Filing 5 preliminary plan will implement this transformation through new development that is consistent with the densities and uses for the Suburban Residential placetype and in the already approved Sketch Plan.

Core Principle 1, Land Use and Development, seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county," and Goal 1.1 seeks to, "ensure compatibility with established character and infrastructure capacity." The Sterling Ranch East Filing 5 Preliminary Plan is compatible with adjacent residentially zoned areas and continues the suburban density approved with the Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4, FourSquare PUDSP, and the remainder of the Sterling Ranch Sketch Plan area.

## WATER MASTER PLAN

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

*Goal 6.0 – Require adequate water availability for proposed development.*

*Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*

*Policy 6.0.11 – Continue to limit urban level development to those areas served by centralized utilities.*

Sterling Ranch East Filing 5 is to be provided central and sewer services through the Falcon Area Water and Wastewater Authority (FAWWA), which will become the overall service entity for, not only Sterling Ranch Metropolitan District, but the Retreat and future Ranch as well. FAWWA has sufficient supply and infrastructure in the area to serve this development. The total commitment of the Sterling Ranch System includes 1975 SFE in the Sterling Ranch Service Area. The total Sterling commitments stand at 858.87 acre-feet and available supply is now 697.39 acre-feet. This net deficit of available water is 161.48 AF, however, FAWWA has additionally contracted supply of 576.95 AF at Bar-X and 391.33 AF at McCune which is more than enough to meet the demands.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

FAWWA has sufficient supply and infrastructure in the area to serve this development. The total commitment of the Sterling Ranch System includes 1975 SFE in the Sterling Ranch Service Area. The total Sterling commitments stand at 858.87 acre-feet and available supply is now 697.39 acre-feet. This net deficit of available water is 161.48 AF, however, FAWWA has additionally contracted supply of 576.95 AF at Bar-X and 391.33 AF at McCune which is more than enough to meet the demands.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater.

The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. The 2060 water supply is projected to be 8,284-acre feet per year and the projected demand is 8,307-acre feet.

The FAWWA is expected to serve 3,710 single-family equivalent (SFE) homes in the year 2040 requiring 1,310 annual acre-feet. In the year 2060 the system is expected to serve 7,310 single-family equivalent homes requiring 2,580-acre feet per year.

In order to meet future demands, contractual arrangements have been made to obtain additional legal and physical supply including contracts with McCune Water SR Water LLC and the Bar X Water. In addition to adding off-site sources, additional priority is to acquire and invest in additional renewable water supplies. Future supply has been contracted for and implementation is under way.

FAWWA’s main supply source is centralized at a point that both Cherokee Metropolitan District and Woodmen Hills Metropolitan District have adjacent major storage and delivery facilities. It is possible that future agreements could be made.

#### EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The MTCP identifies the extension of Briargate Parkway as a 4-Lane Principal Arterial between Black Forest Rd and Meridian Road by 2040. No additional change of classification or widening is identified on the 2060 Corridor Preservation Map. This road will be constructed through the Sterling Ranch development and will be facilitated by this rezone. The County has commissioned a consultant to initiate the design of this road extension and the Sterling Ranch developer has met with the consultant to coordinate intersection locations along Briargate Parkway.

#### EL PASO COUNTY PARKS MASTER PLAN

The Trails Master Plan map identifies a proposed Regional Trail adjacent to Sand Creek through Sterling Ranch. This has been accommodated in the Sterling Ranch filings already approved or in progress on the west side of the creek. There are no proposed regional trails in this portion of Sterling Ranch. Multiple community trails are included for circulation and recreational use with connections provided to the Sand Creek Regional Trail. The Preliminary Plan includes a 4.63AC community park and other smaller open space tracks to serve residents. Parks and open space within the Sterling Ranch total 96.8 acres. All parks, trails, and open spaces will be owned and maintained by the Sterling Ranch Metropolitan District.

## **2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;**

As the proposed rezoning fulfils the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below,

it therefore complies with the statutory provisions that allow County's to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

**3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and**

This Rezone continues the suburban density approved within Sterling Ranch to date and anticipated in the remainder of the Sterling Ranch Sketch Plan area. Directly north of the project is The Villages, a high-density single-family PUD development offering a range of unit types. The higher density of the Villages PUD transitions the lower density of Sterling Ranch East Filing 5 to the higher intensity uses of Sterling Ranch Road and Briargate Parkway. The future extension of Sterling Ranch Road bounds the project to the northwest with Sterling Ranch East Filing 1, zoned RS-5000 and approved for 294 lots to the immediate northwest of Sterling Ranch Road. Directly west of the preliminary plan is Sterling Ranch East Filing 3 which is zoned RS-5000 and approved for 187 single family lots. The proposed zoning and uses of Sterling Ranch East Filing 5 are within the density range and use characteristics of adjacent properties.

The Pawnee Rancheros RR-5 subdivision lies to the south. Tract A, a 4.6AC detention basin, is located along the southern boundary of Sterling Ranch East Filing 5. The 1,815 FT depth of Tract A provides separation and transition from the existing RR-5 uses of the Pawnee Rancheros and the proposed RS-5000 density proposed within Sterling Ranch East Filing 5. A 5 FT wide concrete community trail is proposed within Tract A. This trail connects to a 5FT wide community trail along the south which provides connectivity to the Sand Creek Regional Trail to the west and community trails within Sterling Ranch to the east. This connection is consistent with the intent of the approved Sketch Plan. Nearly 6 AC of community park, open space, drainage and trails are allocated within Sterling Ranch East Filing 5 creating connectivity to Sterling Ranch parks and trails.

**4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.**

Future development of this portion of the property will meet the use and dimensional standards for the RS-5000 zone as set out in Chapter 5 of the Land Development Code (LDC). Rezoning and development of the site for 160 detached single-family lots, right-of-way, community park, open space and drainage is suitable for the property.

**Preliminary Plan Approval Criteria-Chapter 7.2.1.D.2.e**

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

The relevant County Plans for Sterling Ranch East Filing 5 Preliminary Plan are Your El Paso County Master Plan, the County Water Master Plan, the 2040 Major Transportation Corridor Plan, and the County Parks Master Plan. Sterling Ranch East Filing 5 Preliminary Plan is in general conformity with these plans as described above.

**2. The subdivision is consistent with the purposes of this Code;**

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 subdivision of 160 residential lots, parks, open space and community trails, is consistent with the County Master Plan and provides a compatible land use to the lower density single-family lots to the south, and the higher density and commercial uses within the rest of Sterling Ranch. The development will provide much needed new housing opportunities for existing and future County residents that is supported by an appropriate level of services, utilities, and recreational opportunities. The accompanying traffic report indicates that the proposed site-generated traffic resulting from this development is not expected to create a negative impact to traffic operations for the existing or proposed surrounding roadway network. Intersection improvements needed for the development of Sterling Ranch East Filing 5 are shown in Table 5 of the Traffic Impact Study completed by LSC, July 27, 2023.

**3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;**

The proposed subdivision of residential lots is consistent with the Sketch Plan, as net density of 3.8 DU/AC is consistent with 3-5 DU/AC on the Sketch Plan, and the buffer at the south boundary is retained. All subdivision design standards are met. Early grading is not requested with this Preliminary Plan.

**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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);**

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by the FAWWA and the Water resources report provided by JDS Hydro. A water commitment letter for 57.08 acre-feet/year and waste water commitment for 27.520 gal/day has been included with the submittal. A finding of water sufficiency is requested with this Preliminary Plan.

**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;**

The wastewater commitment is for 25,570 gal/day on an average daily- maximum monthly basis. This commitment includes both school sites and all proposed residential lots. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro. A water and waste water commitment letter has been included with this submittal.

**6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];**

The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions such as expansive soils, hydrocompaction, shallow bedrock, and seasonally shallow groundwater areas. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. Foundations in areas of high groundwater must have a minimum 30-inch depth for frost protection. In areas where high subsurface moisture conditions are anticipated periodically, subsurface perimeter drains are recommended to help prevent the intrusion of water into areas below grade. Fill added to these areas further raise foundations above groundwater levels. Foundations should be kept as high as possible. Where shallow groundwater is encountered, under slab drains or interceptor drains may be necessary. It is anticipated that shallow water areas will be mitigated with site grading and the installation of sewer underdrains. Specific recommendation should be made after additional investigation and site grading has been completed.

**7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;**

These matters are addressed in the Drainage Report prepared by Classic Engineering. This includes details of all required public and private improvements.

**8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;**

The public improvements proposed with this subdivision are all adequate to serve the needs of the proposed development. The accompanying traffic report indicates that the proposed site-generated traffic resulting from this development is not expected to create a negative impact to traffic operations for the existing or proposed surrounding roadway network. Intersection improvements needed for the development of Sterling Ranch East Filing 5 are shown in Table 5 of the Traffic Impact Study completed by LSC, July 27, 2023.

The required on- and off-site public and private improvements are detailed in the Traffic Impact Study and Preliminary Drainage Report.

**9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;**

All lots will be accessible by new public streets that comply with the LDC, ECM and PPRBD. All lots have the required minimum 30 feet of frontage to the public streets.



**10. The proposed subdivision has established an adequate level of compatibility by**

**(1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision;**

The natural Features and Wetlands report created by Bristlecone Ecology in June of 2023 found that in general the site was comprised of dry grassland. The project contains no Colorado Natural Heritage Conservation Areas or Potential Conservation Areas according to the CNHP, and according to the USFWS' information for the Planning and Conservation, does not contain Wildlife Refuges or Hatcheries. The area has been used historically as rangeland, but residential and commercial development is increasing steadily. The Sand Creek Channel serves as the nearest primary natural physical feature, Sterling Ranch East Filing 5 provides community trail connections to Sand Creek regional trails and Sterling Ranch Park and Open spaces. Sterling Ranch East Filing 5 includes 4.63AC of centralized community park space, 1.34AC of open space and drainage areas and 4.56AC of detention. A 5FT wide community trail loops through the community, connecting to the Sterling Ranch interconnected parks and trails system.

**(2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;**

Recreation and open space areas within Sterling Ranch East Filing 5 Preliminary Plan will provide a variety of recreational opportunities, internal trails and parks. A proposed 5FT concrete community trail loops through the development. This trail provides connection to the 4.63AC community park, 1.34AC of open space/drainage areas, and connection to the Sterling Ranch interconnected parks and trails system. The southern segment of the community trail provides a direct connection to the Sand Creek Regional Trail and 29AC community park.

**(3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;**

This Preliminary Plan continues the suburban density approved in Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4. The Preliminary Plan is compatible with the existing RS-5000 zoning to the west, northwest and future uses east of the site. The proposed high-density uses of the Villages to the north serve to transition the higher intensity uses of Briargate Parkway and Sterling Ranch Road to the lower intensity uses of Sterling Ranch East Filing 5.

The Pawnee Rancheros RR-5 subdivision lies to the south. Tract A, a 4.6AC detention basin, is located along the southern boundary of Sterling Ranch East Filing 5. The 1,815FT depth of Tract A provides separation and transition from the existing RR-5 uses of the Pawnee Rancheros and the proposed RS-5000 density proposed within Sterling Ranch East Filing 5. A

5FT wide concrete community trail is proposed within Tract A to provide connectivity to the Sand Creek Regional Trail to the west and community trails within Sterling Ranch to the east. This is consistent with the intent of the approved Sketch Plan.

**(4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and**

The Natural Features and Wetlands report created by Bristlecone Ecology in June of 2023 found few aquatic resources on the site. Two ponds are present, both considered preamble wetlands and therefore presumed to be non-jurisdictional. As such, impacts to regulated aquatic resources will not occur and a Section 404 permit from the USACE is not expected to be necessary. Few sensitive species were present on site and only in small numbers, and thus are not expected to be affected any more than other species. Development of the site would inevitably affect some habitat for wildlife; impacts on grassland species is expected to be moderate to low. Impacts on woodland species is negligible. Impacts on reptiles and amphibians is low. Species that prefer suburban habitats, including some species of birds, are expected to benefit from an increase in planted trees and bird feeders in yards. The site vicinity provides little potential nesting habitat for raptors as there are no trees, and poor habitat for Northern harrier, which nests on the ground in dense, midstory grasslands. No big game migratory routes traverse the Project, and only a few pronghorn have been observed. Ranges for several migratory birds, including the state-threatened burrowing owl, overlap the project area, though habitat for burrowing owls is not present based on the lack of prairie dog presence.

The Sand Creek Channel serves as the nearest primary natural physical feature, Sterling Ranch East Filing 5 provides community trail connections to Sand Creek regional trails and Sterling Ranch Park and Open spaces. Sterling Ranch East Filing 5 includes 4.63AC of centralized community park space, 1.34AC of open space and drainage areas and 4.56AC of detention. A 5FT wide community trail loops through the community, connecting to the Sterling Ranch interconnected parks and trails system.

**(5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;**

A Traffic Impact Analysis for Sterling Ranch East Filing 5, prepared by LSC in July of 2023, is included in this submittal. There are 4 access points provided to the preliminary plan area at full build out. The accompanying traffic report indicates that the proposed site-generated traffic resulting from this development is not expected to create a negative impact to traffic operations for the existing or proposed surrounding roadway network. Intersection improvements needed for the development of Sterling Ranch East Filing 5 are shown in Table 5 of the Traffic Impact Study completed by LSC, July 27, 2023.

**11. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;**

Water and sanitary service is provided by the FAWWA. Natural gas is provided by Colorado Springs Utilities. Electricity is provided by Mountain View Electric Association. Adequate police and fire protection are also provided. The required will serve letters are included with this submittal.

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

The proposed subdivision meets the applicable sections of these parts of the Code. The site lies within the Black Forest Fire Protection District. A service commitment letter from the District and a Fire Protection Report are included with the submittal.

**13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.**

All applicable sections of Chapter 6 and 8 are met. No waivers or deviations are required. Early grading is not requested with the Preliminary Plan.

All required public and private improvements, both on- and off-site, are itemized in the Traffic Impact Statement and Preliminary Drainage Report.