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El Paso County Planning & Community Development
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Colorado Springs, CO 80910

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 3/14/2024
RE: SKP235, Sterling Ranch Sketch Plan Amendment,
P239, Sterling Ranch North RR-2-5 Map Amendment (Rezoning),
P2310, Sterling Ranch North RR-0.5 Map Amendment (Rezoning), and
P2311, Sterling Ranch North RS-5000 Map Amendment (Rezoning)

Project Description

A request by Classic SRJ Land, LLC for approval of a Sketch Plan Amendment of 212 acres; approval of a Map Amendment (Rezoning) of 33.97 acres from RR-5 (Residential Rural) to RR-2.5 (Rural Residential); approval of a Map Amendment (Rezoning) of 37.87 acres from RR-5 (Residential Rural) to RR-0.5 (Rural Residential); and approval of a Map Amendment (Rezoning) of 328.72 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). The requested RS-5000 Map Amendment (Rezoning) includes a portion of the requested amended Sketch Plan area and the approved Sketch Plan area. The property is located immediately adjacent and to the north of the future extension of Briargate Parkway/Stapleton Corridor, immediately adjacent and to the south of Arroya Lane, east of Vollmer Road, and east of the Sand Creek Channel.

The requested Sketch Plan Amendment area is in the northern portion, “the Smokestack,” of the approved 1,443.70-acre Sterling Ranch Sketch Plan. The amendment proposes to increase the density in the northern area of the approved Sterling Ranch Sketch Plan. No reduction in open space is proposed. The requested Rezoning transitions from rural density at the northern portion of the Sketch Plan area, adjacent and to the south of Arroya Lane to urban density north of the Briargate-Stapleton Corridor.

There is no public opposition to the requested Sketch plan Amendment or Map Amendments (Rezoning). The items were heard as regular agenda items at the Planning Commission hearing on February 14, 2024.

Notation

Please see the project manager’s staff report for staff analysis and conditions.

Discussion

Mr. Smith asked the applicant if housing prices differed per zoning district. Mr. Moreland replied yes, ranging from \$400,000 (Urban Lots) to 1.2 million dollars (Rural Lots). Mr. Trowbridge stated he was not inclined to support “smooshing” density and referred to the previous and out-of-date Black Forest Preservation Plan (1998). Mr. Whitney discussed existing and planned adjacent zoning and asked for clarification of compatibility. He recognized the change in character since 2008 (original Sterling Ranch Sketch Plan Approval). Mr. Carlson stated he was impressed with the applicant’s proposed transition from the existing lots to the west and east.

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Planning Commission Recommendation and Vote

Ms. Fuller moved and Mr. Schuettpelz seconded the motion to recommend approval for the Sketch Plan Amendment (SKP235), with two (2) conditions and that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (7-0)**.

Mr. Schuettpelz moved and Mr. Smith seconded the motion to recommend approval for the Map Amendment (Rezoning), (P239), with two (2) conditions and two (2) notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (7-0)**.

Ms. Fuller moved and Mr. Smith seconded the motion to recommend approval for the Map Amendment (Rezoning), (P2310), with two (2) conditions and two (2) notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (7-0)**.

Mr. Schuettpelz moved and Mr. Smith seconded the motion to recommend approval for the Map Amendment (Rezoning), (P2311), with two (2) conditions and two (2) notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (7-0)**.

Attachments

1. Draft Planning Commission Minutes from February 15, 2024
2. Signed Planning Commission Resolutions
3. Planning Commission Staff Report
4. Draft BoCC Resolutions

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, February 15, 2024
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, WAYNE SMITH, BRYCE SCHUETTEL, TIM TROWBRIDGE, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS BRANDY MERRIAM, ERIC MORAES, AND KARA OFFNER.

STAFF PRESENT: JUSTIN KILGORE, ELIZABETH NIJKAMP, GILBERT LAFORCE, CHARLENE DURHAM, HAO VO, BRET DILTS, ED SCHOENHEIT, DANIEL TORRES, KARI PARSONS, RYAN HOWSER, MIRANDA BENSON, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: NINA RUIZ, HERB ZIMMERMAN, LANNY KIDD, ANDREA BARLOW, AND LOREN MORELAND.

1. REPORT ITEMS

Mr. Kilgore advised the board that the next PC Hearing is Thursday, March 7, 2024, at 9:00 A.M.

Mr. LaForce, Development Services (Engineering) Manager with DPW, introduced two new staff members.

Mr. Dilts and **Ms. Vo** each introduced themselves.

2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held February 1, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (7-0).

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B. CS233

HOWSER

**MAP AMENDMENT (REZONING)
MAYBERRY FILING NO. 4**

A request by Mayberry Communities, LLC for approval of a Map Amendment (Rezoning) 4.44 acres from PUD (Planned Unit Development) to CS (Commercial Service). A concurrent Final Plat is also being requested. Approval of the Map Amendment (Rezoning) shall be considered prior to consideration of the Final Plat. The property is located on the south side of Colorado State Highway 94, approximately two (2) miles east of the intersection of Colorado State Highway 94 and Peyton Highway. (Parcel No. 3414102015) (Commissioner District No. 4)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: MS. FULLER MOVED / MR. TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER CS233 FOR A MAP AMENDMENT (REZONING), MAYBERRY FILING NO. 4, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

C. SF2317

HOWSER

**FINAL PLAT
MAYBERRY FILING NO. 4**

A request by Mayberry Communities, LLC for approval of a Final Plat illustrating eight (8) commercial lots on 4.44 acres. A concurrent Map Amendment (Rezoning) is also being requested. Approval of the Map Amendment (Rezoning) shall be considered prior to consideration of the Final Plat. The property is located on the south side of Colorado State Highway 94, approximately two (2) miles east of the intersection of Colorado State Highway 94 and Peyton Highway. (Parcel No. 3414102015) (Commissioner District No. 4)

NO PUBLIC COMMENT

DISCUSSION

Mr. Whitney mentioned that he saw a reference to add a seemingly significant plat note regarding geologic conditions and hazards. He doesn't see that plat note mentioned in the conditions or notations that are included in the motion. He asked if the staff report indicating importance is sufficient or if it should be included in the motion. He asked if it was already included by reference in the Pre-construction Conference notation.

Ms. Parsons explained that PCD staff is identifying that the applicant provided a geological and soils study that Colorado Geological Survey (CGS) has reviewed and provided comment. Through the review period, PCD staff utilizes CGS comments to enable the applicant to depict certain notes on the Preliminary Plan and Final Plat. She stated that because the applicant has already depicted the recommended notes, an additional condition of approval is not needed. PCD staff is pointing to the review comment because the approval criteria references constraints being mitigated so they do not impede development.

Mr. Whitney asked if that note can be seen on the Final Plat and if PCD staff is satisfied with the note.

Mr. Howser confirmed.

PC ACTION: MS. FULLER MOVED / MR. SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER SF2317 FOR A FINAL PLAT, MAYBERRY FILING NO. 4, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH NINE (9) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

D. SF2231

HOWSER

**FINAL PLAT
JOYFUL VIEW SUBDIVISION**

A request by OGC RE2, LLC for approval of a 70.24-acre Final Plat illustrating nine (9) single-family residential lots. The properties are zoned RR-5 (Residential Rural) and are located at 19925 Joyful View and 20045 Joyful View, Calhan, CO 80808. (Parcel Nos. 3300000466 and 3300000467) (Commissioner District No. 2)

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER MR. TROWBRIDGE.

4. CALLED-UP CONSENT ITEMS

3D. SF2231

HOWSER

**FINAL PLAT
JOYFUL VIEW SUBDIVISION**

A request by OGC RE2, LLC for approval of a 70.24-acre Final Plat illustrating nine (9) single-family residential lots. The properties are zoned RR-5 (Residential Rural) and are located at 19925 Joyful View and 20045 Joyful View, Calhan, CO 80808. (Parcel Nos. 3300000466 and 3300000467) (Commissioner District No. 2)

STAFF & APPLICANT PRESENTATIONS

Mr. Whitney clarified that his earlier question (regarding geological plat notes) was meant for this project. He appreciated the previous explanation. The presentation continued.

Mr. Carlson asked if the proposed cul-de-sac would allow sufficient access to Lot 4 (when considering the drainage constraints).

Mr. Schoenheit, with DPW Development Services (Engineering), confirmed it would allow access.

Mr. Carlson mentioned that most of the usable land on Lot 4 is at the southern end.

Mr. Markewich asked for clarification regarding the historic zoning change from A-4 to RR-5.

Mr. Howser explained that the change was strictly nomenclature; the zoning types are otherwise the same. The staff presentation concluded. The applicant's presentation began.

Ms. Ruiz, with Vertex Consulting Services, representing the applicant, addressed Mr. Carlson's comment. She explained that Lot 4 has about 2.5 acres of buildable area in the northern portion, which connects to the cul-de-sac. The applicant evaluated possible well and septic system locations to confirm the lot will be buildable without crossing the floodplain. The presentation continued.

Mr. Smith asked for further explanation regarding the fire cistern.

Ms. Ruiz referenced the proposed location of the cistern (on Lot 7). She explained that the developer is responsible for its construction. The Fire Department will inspect the cistern prior to any building permits being issued.

Mr. Whitney asked if all surrounding property was zoned RR-5. (It is.)

Mr. Markewich asked if there was any required ongoing maintenance for the fire cistern after its initial construction. He asked who will be responsible for ongoing road and cistern maintenance.

Ms. Ruiz explained that covenants will be established as part of the subdivision process. The covenants will establish a shared responsibility for the private drive as well as the cistern.

Mr. Trowbridge asked if the Fire Department will inspect the cistern on an ongoing basis or will the residents of the subdivision need to provide the Fire Department with regular inspection reports.

Ms. Ruiz stated the Fire Department would complete the inspections, but she's not sure how often. The applicant's presentation concluded.

PUBLIC COMMENTS

Mr. Herb Zimmerman spoke in opposition. He lives west of the subject property. He commended Mr. Schoenheit for his professionalism. He submitted a letter for himself as well as a neighbor. He stated that though the property was assigned zoning 40 years ago, much has happened since that time. He stated that because the parcel is landlocked, he thinks the PC should take into consideration everything that is surrounding to ensure it makes sense. He believes the property directly north is zoned A-35.

Mr. Carlson clarified that the land north of the subject property is zoned RR-5. (A zoning map was presented to show the surrounding zoning districts.)

Mr. Zimmerman observed and understood that the land immediately north of the subject property is zoned RR-5. He stated that regardless of the zoning district, all surrounding properties are made up of 35 acres or greater. He doesn't think the subdivision makes sense in the area because it is landlocked and surrounded by larger parcels.

Mr. Lanny Kidd spoke in opposition. He lives west of the subject property. He stated he purchased in the area because he didn't want very many neighbors. He stated there are currently no parcels in the area smaller than 35 acres. He worries that more houses will mean more dogs, which could kill his calves.

Ms. Ruiz responded to the public comments. Regarding the comment that the subdivision doesn't fit with the surrounding character, she pointed out that there are other 5-acre subdivisions in the vicinity. She stated that even though the immediately adjacent properties are not 5 acres, the area has been zoned RR-5 for 40 years. She stated that when the Master Plan was adopted, the subject area was recognized as appropriate for 5-acre lots.

DISCUSSION

Ms. Fuller stated she would be in support of the proposal. She stated splitting the parcels into 5-acre lots is allowed within RR-5, so the board is not in a position where they can restrict that right. She understands that it may feel like a big change in the character, but 5-acre lots are allowed within that zoning type.

Mr. Whitney agreed with Ms. Fuller. He understands the opposed neighbors' frustration as he also lives on acreage that is surrounded by parcels denser than his own. As Ms. Fuller stated, the board is not able to make recommendations based on personal preference, but by what is allowed by law and regulation. For that reason, he will also be in favor of the application.

Mr. Markewich stated he would also be in favor because he believes the application meets the review criteria. He mentioned that as time passes, many of the other large parcels may be similarly subdivided unless the zoning is changed.

PC ACTION: MR. SCHUETTELZ MOVED / MR. SMITH SECONDED TO RECOMMEND APPROVAL OF CALLED-UP ITEM 3D, FILE NUMBER SF2231 FOR A FINAL PLAT, JOYFUL VIEW SUBDIVISION, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS, TWO (2) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

5. REGULAR ITEMS (Items 5A through 5D were presented as a combined report and presentation.)

A. SKP235

PARSONS

SKETCH PLAN STERLING RANCH SKETCH PLAN AMENDMENT

A request by Classic SRJ Land, LLC for approval of a 212-acre Sketch Plan Amendment to the approved 1,444-acre Sterling Ranch Sketch Plan. Multiple concurrent Map Amendment (Rezoning) requests are also being considered. The applicant intends to develop single-family homes. The property is located north of the Future Briargate Parkway/Stapleton Corridor, south of Arroya Lane, and east of the Sand Creek Channel. A combined staff report has been provided. (Parcel Nos. 227000005, 5227000006, 5227000008, and 5200000553) (Commissioner District No. 2)

B. P239

PARSONS

MAP AMENDMENT (REZONING) STERLING RANCH NORTH RR-2.5 REZONE

A request by Classic SRJ Land, LLC for approval of a Map Amendment (Rezoning) 33.97 acres from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The applicant intends to develop single-family homes

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pursuant to the concurrently requested Sterling Ranch Sketch Plan Amendment. The property is located north of the Future Briargate Parkway/Stapleton Corridor, south of Arroya Lane, and east of the Sand Creek Channel. A combined staff report has been provided. (Parcel Nos. 227000005, 5227000006, 5227000008, and 5200000553) (Commissioner District No. 2)

C. P2310

PARSONS

**MAP AMENDMENT (REZONING)
STERLING RANCH NORTH RR-0.5 REZONE**

A request by Classic SRJ Land, LLC for approval of a Map Amendment (Rezoning) 37.87 acres from RR-5 (Residential Rural) to RR-0.5 (Residential Rural). The applicant intends to develop single-family homes pursuant to the concurrently requested Sterling Ranch Sketch Plan Amendment. The property is located north of the Future Briargate Parkway/Stapleton Corridor, south of Arroya Lane, and east of the Sand Creek Channel. A combined staff report has been provided. (Parcel Nos. 227000005, 5227000006, 5227000008, and 5200000553) (Commissioner District No. 2)

D. P2311

PARSONS

**MAP AMENDMENT (REZONING)
STERLING RANCH NORTH RS-5000 REZONE**

A request by Classic SRJ Land, LLC for approval of a Map Amendment (Rezoning) 328.72 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). The applicant intends to develop single-family homes pursuant to the concurrently requested Sterling Ranch Sketch Plan Amendment. The property is located north of the Future Briargate Parkway/Stapleton Corridor, south of Arroya Lane, and east of the Sand Creek Channel. A combined staff report has been provided. (Parcel Nos. 227000005, 5227000006, 5227000008, and 5200000553) (Commissioner District No. 2)

STAFF & APPLICANT PRESENTATIONS

Mr. Whitney mentioned that the staff report indicates there is no increase in the overall density for the Sketch Plan. He wonders about the potential for incrementalism. He asked if there is anything preventing the applicant from requesting further amendment to later increase the density.

Ms. Parsons replied that any applicant has the right to request any development. She mentioned that this Sketch Plan had a reduction in density previously, from 5,400 units to 4,800 units, when further details (like a potential ASD20 school location) were actualized. Areas that were fully built-out were updated on the Sketch Plan, which reduced the overall density. She stated that she would not anticipate the 4,800-unit cap increasing based on the planned roadway infrastructure. The presentation continued.

Mr. Carlson asked about the width of the buffer on the east side of the proposed amendment.

Ms. Parsons answered that the buffer will be approximately 40 acres. The width cannot be defined because exact dimensions are not provided on a Sketch Plan. That information will be available on the Preliminary Plan. The applicant might have a general idea of width, but she has not seen that plan yet. PCD and DPW staff presentations concluded.

Mr. Smith asked if the Sherriff's Office was a review agency.

Ms. Parsons confirmed that most applications, including this one, are sent to the Sherriff's Office for review and comment through the EDARP system. The Sherriff's Office did not provide comments or concerns regarding the Sterling Ranch Sketch Plan area, nor have they requested a substation, though they could in the future. The applicant's presentation began.

Ms. Barlow, with N.E.S., representing the applicant, addressed Mr. Carlson's question regarding the width of the buffer. She indicated different areas on the presentation image. The buffer varies from 50 feet wide in the north to 250 feet wide in the southern portion. The presentation continued.

Mr. Trowbridge stated he was not generally in favor of the proposed Sketch Plan amendment. He stated it appears that the larger lots are being shoved to the far north and the density is tripling, sometimes even quadrupling. He prefers a gradual transition in density. He remarked that while the Black Forest Preservation Plan (BFPP) is no longer in place on its own, it was part of the Master Plan discussion and much of its spirit was incorporated into the Plan, including gradual density transitions. He stated the revised transition happens very suddenly.

Ms. Barlow replied that she is aware of the Master Plan's process and how the BFPP as well as other small area plans were pulled in. She further stated that the ultimate decision regarding the subject area (and even further north) was to define it as the Suburban Residential placetype which is appropriate for new development ranging in density from 2.5-acre lots to 5 units per acre. The proposal is within that range. She believes they meet the Master Plan's new guidance. She stated the Master Plan supersedes the previous plans.

Mr. Trowbridge remarked that he didn't disagree.

Mr. Smith mentioned that the size of the lot has been discussed, but he wonders about the resulting affordability between each lot size.

Ms. Barlow clarified that Mr. Smith was asking about the ultimate price of the house after construction. She deferred to Mr. Moreland.

Mr. Loren Moreland, with Classic SRJ Land LLC, answered that they are evaluating variables, such as Metro Districts and what is already built in the region. He stated that higher density homes (3-5 units per acre) average between \$450,000-\$550,000, which he stated is becoming more affordable. He added that the 2.5-acre homes sold in TimberRidge cost around \$1.2 million. The 0.33-acre homes west of the subject area are selling for an average of \$930,000. He stated that as density increases, so does affordability.

Mr. Whitney asked for further explanation of the immediate surrounding development.

Ms. Barlow referred to an image in her slideshow presentation. The Retreat at TimberRidge PUD is west and northwest of the subject area. When the Sketch Plan was originally approved in 2008, the region west of the smokestack was zoned RR-5. It was rezoned to PUD in 2017. The Ranch's Sketch Plan, southeast of the subject area, approved 2,200 units within approximately 800 acres. The current zoning of that region is RR-2.5, but the Sketch Plan anticipates a range of densities; the largest lots will be 1-acre lots along the perimeter. Immediately east of the subject area, there are 5-acre lots. East of that, Eagleview Subdivision's Preliminary Plan was recently approved for 2.5-acre lots. Continuing east, the Paintbrush Hills subdivision has 5,000 to 12,000 sq ft lots.

Mr. Whitney asked if the purpose of the amendment was to accelerate density where it is appropriate to match the adjacent TimberRidge density.

Ms. Barlow agreed with that statement. The surrounding area has changed since 2008.

Mr. Whitney understood and agreed.

Ms. Barlow stated the applicant would not have requested an amendment if the surrounding changes had not been a factor. She further stated that while Classic Homes is the current developer of the subject and western area, they were not the original owner or initiator of the PUD change. She referred to another slideshow image that illustrated 2.5-acre lots along the north.

Ms. Fuller mentioned that the density transition lines are not random; they match what is adjacent.

Ms. Barlow confirmed and further pointed out how the proposed density mirrors the existing density to the west.

Mr. Whitney expressed his concern that if surrounding areas increase in density, further amendments might be requested.

Ms. Barlow mentioned that the area to the west is already built-out in the southern part and they are in the final stages along the north. That area is unlikely to change. If there are density changes that are approved in the east before the subject area is fully developed, she conceded that they might request an amendment to match that density. She remarked that buffers and transitions often create pockets of higher density once surrounding areas fully develop.

NO PUBLIC COMMENTS

DISCUSSION

Mr. Carlson stated he would normally agree with Mr. Trowbridge's remarks, but in this case, he appreciates the applicant's sensitivity to transition with the lots to the north and east. He specifically mentioned the "L" shape of the 0.5-acre rezone and the buffer region along the 5-acre properties. He commended the applicant.

PC ACTION: MS. FULLER MOVED / MR. SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER SKP235 FOR A SKETCH PLAN AMENDMENT, STERLING RANCH SKETCH PLAN AMENDMENT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

PC ACTION: MR. SCHUETTELZ MOVED / MR. SMITH SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5B, FILE NUMBER P239 FOR A MAP AMENDMENT (REZONING), STERLING RANCH NORTH RR-2.5 REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

PC ACTION: MS. FULLER MOVED / MR. SMITH SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5C, FILE NUMBER P2310 FOR A MAP AMENDMENT (REZONING), STERLING RANCH NORTH RR-0.5 REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

PC ACTION: MR. SCHUETTPELZ MOVED / MR. SMITH SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5D, FILE NUMBER P2311 FOR A MAP AMENDMENT (REZONING), STERLING RANCH NORTH RS-5000 REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-0).

6. NON-ACTION ITEMS (NONE)

MEETING ADJOURNED at 10:47 A.M.

Minutes Prepared By: Miranda Benson

SKETCH PLAN (RECOMMEND APPROVAL)

Ms. Fuller moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SKP235

STERLING RANCH SKETCH PLAN AMENDMENT

WHEREAS, Classic SRJ Land, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a 212-acre Sketch Plan Amendment to the approved 1,444-acre Sterling Ranch Sketch Plan for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on February 15, 2024; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice was provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons were heard at that hearing;
4. All exhibits were received into evidence;
5. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
6. For the above-stated and other reasons, the proposed Sketch Plan is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and the Board of County Commissioners shall determine that the following criteria for approval, outlined in Section 7.2.1, Sketch Plan, of the El Paso County Land Development Code, as amended, have been met to approve a Sketch Plan:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The proposed subdivision is in conformance with the requirements of this Code;
3. The proposed subdivision is compatible with existing and proposed land uses within and adjacent to the Sketch Plan area;
4. The water supply report provides sufficient information to identify probable compliance with the water supply standards and identifies any need for additional water supplies;
5. Services are or will be available to meet the needs of the subdivision including, roads, police and fire protection, schools, recreation facilities, and utility service facilities;
6. The soil is suitable for the subdivision;
7. The geologic hazards do not prohibit the subdivision, or can be mitigated;
8. The subdivision will not interfere with the extraction of any known commercial mining deposit [C.R.S. § 34-1-302(1), et seq.];
9. The design of the subdivision protects the natural resources or unique landforms;
10. The proposed methods for fire protection are adequate to serve the subdivision; and
11. The subdivision is appropriate and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the application of Classic SRJ Land, LLC for a 212-acre Sketch Plan Amendment to the approved 1,444-acre Sterling Ranch Sketch Plan for approval for property in the unincorporated area of El Paso County as described in Exhibit A, be approved by the El Paso County Board of County Commissioners with the following conditions:

CONDITIONS

1. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of 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.

- 2. The Subdivider(s) agrees 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 19-471), 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.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Mr. Schuettpelz seconded the adoption of the foregoing Resolution.

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

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

The Resolution was adopted by a vote of 7 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 15th day of February 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: [Signature]
Thomas Bailey, Chair
Jay Carlson, Vice-Chair

EXHIBIT A

THE WEST HALF OF THE WEST HALF OF THE EAST HALF AND EAST HALF OF THE WEST HALF AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27; THE EAST HALF OF THE SOUTHEAST QUARTER AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTH AND EAST OF THE COUNTY ROAD KNOWN AS VOLLMER ROAD, OF SECTION 28; THE WEST HALF OF THE EAST HALF AND THE WEST HALF OF SECTION 34; THE EAST HALF AND THE EAST HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, AND ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 33 LYING SOUTH AND EAST OF THE COUNTY ROAD KNOWN AS VOLLMER ROAD, EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33 LYING SOUTH AND EAST OF SAID COUNTY ROAD AS DEEDED TO COLORADO INTERSTATE GAS COMPANY BY WARRANTY DEED RECORDED IN BOOK 1173 AT PAGE 359; AND THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHEAST OF THE COUNTY ROAD KNOWN AS VOLLMER ROAD, OF SECTION 32, EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32 DEEDED TO J. MARCUS BROWN BY TRUSTEES' DEED RECORDED IN BOOK 3292 AT PAGE 168; ALL IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO. ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO LYING SOUTH AND EAST OF THE COUNTY ROAD (VOLLMER ROAD), ALSO: THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LYING SOUTHERLY OF AN EXISTING EAST- WEST FENCE AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED DECEMBER 23, 2004 AT RECEPTION NO. 204209417, COUNTY OF EL PASO, STATE OF COLORADO, ALSO: THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., LYING SOUTHEASTERLY OF THE PUBLIC ROAD KNOWN AS VOLLMER ROAD, EL PASO COUNTY, COLORADO, AND

CONTAINING 1443.695 ACRES MORE OR LESS.

MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

Mr. Schvettpelz moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P239

SMOKESTACK AT STERLING RANCH NORTH RR-2.5 REZONE

WHEREAS, Classic SRJ Land, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by this Commission on February 15, 2024; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Map Amendment (Rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code ("Code") (as amended):

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

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change

to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Mr. Smith seconded the adoption of the foregoing Resolution.

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

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

The Resolution was adopted by a vote of 1 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 15th day of February 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION


By: 
~~Thomas Bailey, Chair~~
Jay Carlson, Vice-Chair

EXHIBIT A
LEGAL DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTION 27, 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 EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2; THENCE N00°54'30"W, A DISTANCE OF 837.61 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N00°54'30"W, A DISTANCE OF 610.02 FEET TO THE NORTH LINE OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF SAID SECTION 27 THE FOLLOWING TWO (2) COURSES:

1. N88°38'53"E, A DISTANCE OF 1,330.89 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27;
2. N89°05'33"E, A DISTANCE OF 665.29 FEET TO THE NORTHWESTERLY CORNER OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE S01°01'59"E, ON THE WESTERLY BOUNDARY OF SAID INDIAN WELLS SUBDIVISION FILING NO. 1, A DISTANCE OF 1,092.56 FEET;
THENCE N71°06'46"W, A DISTANCE OF 502.14 FEET; THENCE N11°15'36"W, A DISTANCE OF 234.39 FEET;
THENCE S89°50'45"W, A DISTANCE OF 716.65 FEET;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 15°51'04", A RADIUS OF 500.00 FEET, AND A DISTANCE OF 138.33 FEET;
THENCE N74°18'11"W, A DISTANCE OF 157.76 FEET;
THENCE S88°38'53"W, A DISTANCE OF 479.88 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 33.97097 ACRES (1,479,775 SQUARE FEET).

MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

Ms. Fuller moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2310

SMOKESTACK AT STERLING RANCH NORTH RR-0.5 REZONE

WHEREAS, Classic SRJ Land, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RR-0.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by this Commission on February 15, 2024; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Map Amendment (Rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code ("Code") (as amended):

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

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RR-0.5 (Residential Rural) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change

to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Mr. Smith seconded the adoption of the foregoing Resolution.

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

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

The Resolution was adopted by a vote of 1 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 15th day of February 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
~~Thomas Bailey, Chair~~
Jay Carlson, Vice-Chair

EXHIBIT A
LEGAL DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTION 27, 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 EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2; THENCE N00°54'30"W, A DISTANCE OF 274.03 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°54'30"W, A DISTANCE OF 563.57 FEET; THENCE N88°38'53"E, A DISTANCE OF 479.88 FEET;

THENCE S74°18'11"E, A DISTANCE OF 157.76 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 15°51'04", A RADIUS OF 500.00 FEET, AND A DISTANCE OF 138.33 FEET;

THENCE N89°50'45"E, A DISTANCE OF 716.65 FEET; THENCE S11°15'36"E, A DISTANCE OF 234.39 FEET;

THENCE S71°06'46"E, A DISTANCE OF 502.14 FEET TO THE WESTERLY BOUNDARY OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE S01°01'59"E, ON SAID WESTERLY BOUNDARY, A DISTANCE OF 1,249.69 FEET; THENCE S89°05'30"W, A DISTANCE OF 756.72 FEET;

THENCE N00°09'15"W, A DISTANCE OF 1,248.33 FEET; THENCE S89°50'45"W, A DISTANCE OF 860.00 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 61°09'02", A RADIUS OF 200.00 FEET, AND A DISTANCE OF 213.46 FEET;

THENCE S89°05'30"W, A DISTANCE OF 224.51 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 37.86798 ACRES (1,649,529 SQUARE FEET).

MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

Mr. Schweitz moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P2311

SMOKESTACK AT STERLING RANCH NORTH RS-5000 REZONE

WHEREAS, Classic SRJ Land, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on February 15, 2024; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and

7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Map Amendment (Rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code ("Code") (as amended):

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

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a

period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

- 2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Mr. Smith seconded the adoption of the foregoing Resolution.

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

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

The Resolution was adopted by a vote of 7 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 15th day of February 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
~~Thomas Bailey, Chair~~
Jay Carlson, Vice-Chair

EXHIBIT A
LEGAL DESCRIPTION:

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTIONS 27 AND 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED ASFOLLOWS:

BASIS OF BEARINGS:THE EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT ATTIMBERRIDGE FILING NO. 2 SAID POINT BEING THE POINT OF BEGINNING;

THENCE N00°54'30"W, A DISTANCE OF 274.03 FEET; THENCE N89°05'30"E, A DISTANCE OF 224.51 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S61°18'17"E, HAVING A DELTA OF 61°09'02", A RADIUS OF 200.00 FEET, AND A DISTANCE OF 213.46 FEET; THENCE N89°50'45"E, A DISTANCE OF 860.00 FEET;

THENCE S00°09'15"E, A DISTANCE OF 1,248.33 FEET;

THENCE N89°05'30"E, A DISTANCE OF 756.72 FEET TO THE WESTERLY BOUNDARY OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE ON SAID WESTERLY AND SOUTHERLY BOUNDARY THE FOLLOWING TWO(2) COURSES:

1. S01°01'59"E, A DISTANCE OF 2,832.59 FEET;

2. N87°09'09"E, A DISTANCE OF 574.82 FEET TO THE NORTHWESTERLY CORNER OF BOW VALLEY SUBDIVISION, RECORDED IN PLAT BOOK N-3 AT PAGE 8;

THENCE S00°13'01"E, ON SAID WESTERLY BOUNDARY, A DISTANCE OF 1,362.74 FEET; THENCE CONTINUING S00°13'01"E, A DISTANCE OF 1,281.65 FEET;

THENCE S89°33'47"W, A DISTANCE OF 260.78 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 13°54'42", A RADIUS OF 1,500.00 FEET, AND A DISTANCE OF 364.20 FEET;

THENCE N76°31'31"W, A DISTANCE OF 2,234.78 FEET; THENCE

N13°28'29"E, A DISTANCE OF 629.50 FEET; THENCE

N76°31'31"W, A DISTANCE OF 864.69 FEET; THENCE

N13°28'29"E, A DISTANCE OF 438.21 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 63°41'16", A RADIUS OF 770.00 FEET, AND A DISTANCE OF 855.90 FEET;

THENCE N77°09'45"E, A DISTANCE OF 226.32 FEET;

THENCE N00°54'30"W, A DISTANCE OF 1,401.50 FEET TO THE SOUTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2;

THENCE CONTINUE N00°54'30"W, ON THE EASTERLY BOUNDARY OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2, A DISTANCE OF 2,478.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 328.71906 ACRES (14,319,002 SQUARE FEET).

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Kari Parsons, Senior Planner
Charlene Durham, PE, Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Numbers: SKP235, P239, P2310, and P2311
Project Names: Sterling Ranch Sketch Plan Amendment,
Sterling Ranch North RR-2-5 Map Amendment (Rezone),
Sterling Ranch North RR-0.5 Map Amendment (Rezone), and
Sterling Ranch North RS-5000 Map Amendment (Rezone)
Parcel Numbers: 5227000005, 5227000006, 5227000008, and 5200000553

OWNER:	REPRESENTATIVE:
Classic SRJ Land, LLC 2138 Flying Horse Club Drive Colorado Springs, CO, 80921	N.E.S., Inc. 619 North Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	2/15/2024
Board of County Commissioners Hearing Date:	3/14/2024

EXECUTIVE SUMMARY

A request by Classic SRJ Land, LLC for:

- approval of a Sketch Plan Amendment of 212 acres;
- approval of a Map Amendment (Rezoning) of 33.97 acres from RR-5 (Residential Rural) to RR-2.5 (Rural Residential);

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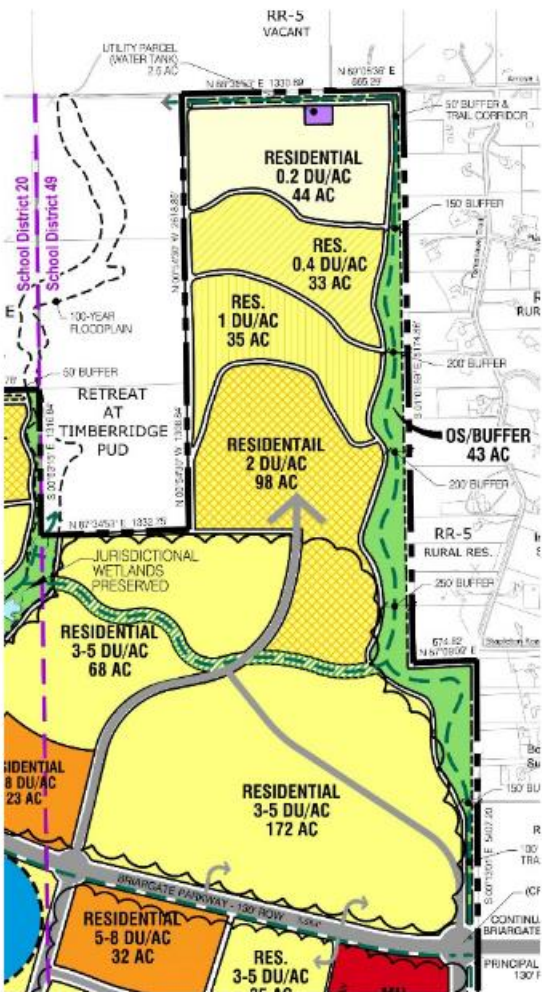


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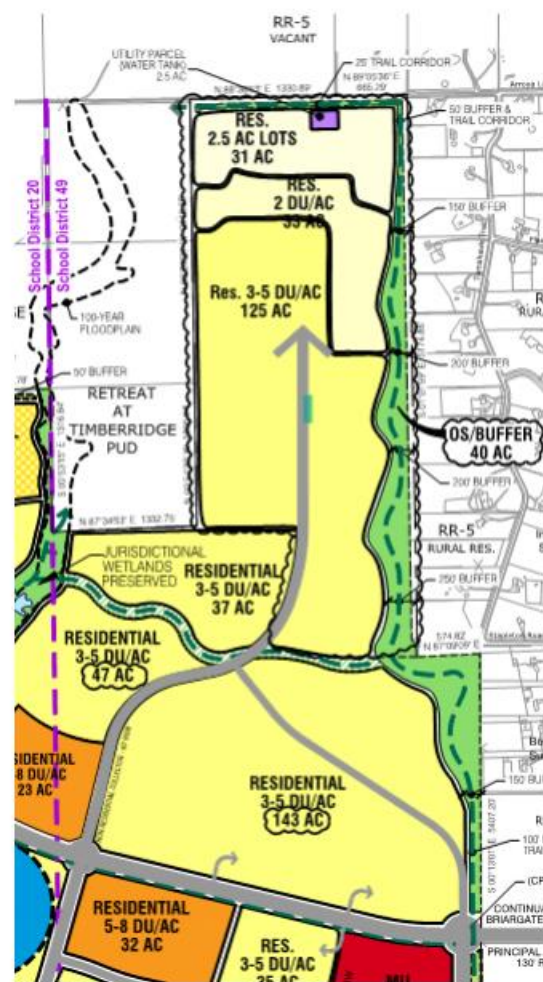
- approval of a Map Amendment (Rezoning) of 37.87 acres from RR-5 (Residential Rural) to RR-0.5 (Rural Residential); and
- approval of a Map Amendment (Rezoning) of 328.72 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban).

The property is located immediately adjacent and to the north of the future extension of Briargate Parkway/Stapleton Corridor, immediately adjacent and to the south of Arroya Lane, east of Vollmer Road, and east of the Sand Creek Channel.

The requested Sketch Plan Amendment area is in the northern portion, “the Smokestack,” of the approved Sterling Ranch Sketch Plan. The amendment proposed to increase the density as depicted in the applicant’s exhibit below:



Approved Sterling Ranch Sketch Plan



Proposed Sterling Ranch Sketch Plan

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The requested amended Plan area and Rezones provide a more rapid density increase located south of Arroya Lane and towards the Stapleton Briargate Corridor than the currently approved Sketch Plan.

The requested Sterling Ranch Sketch Plan Amendment also depicts a buffer along the east boundary to further transition from the existing rural single-family development to the east. The property to the west is developed urban single-family residential.

A. APPROVAL CRITERIA

In approving a Sketch Plan, Section 7.2.1.D.1, Subdivision, of the El Paso County Land Development Code ("Code") (as amended) states the Board of County Commissioners ("BoCC") shall find that:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The proposed subdivision is in conformance with the requirements of this Code;
- The proposed subdivision is compatible with existing and proposed land uses within and adjacent to the Sketch Plan area;
- The water supply report provides sufficient information to identify probable compliance with the water supply standards and identifies any need for additional water supplies;
- Services are or will be available to meet the needs of the subdivision including, roads, police and fire protection, schools, recreation facilities, and utility service facilities;
- The soil is suitable for the subdivision;
- The geologic hazards do not prohibit the subdivision, or can be mitigated;
- The subdivision will not interfere with the extraction of any known commercial mining deposit [C.R.S. §§ 34-1-302(1), et seq.];
- The design of the subdivision protects the natural resources or unique landforms;
- The proposed methods for fire protection are adequate to serve the subdivision; and
- The subdivision is appropriate and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.

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In approving a Map Amendment (Rezoning), the BoCC shall find that the request meets the criteria for approval outlined in Section 5.3.5, Map Amendment (Rezoning), of the Code:

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

B. LOCATION

North:	RR-5 (Residential Rural)	Single-family Residential
	Planned Unit Development	Vacant
South:	RR-5 (Residential Rural)	Vacant
East:	RR-5 (Residential Rural)	Single-family Residential
West:	PUD (Residential Suburban)	Single-family Residential

C. BACKGROUND

The Sterling Ranch Sketch Plan, consisting of 1,443.70 acres, was heard, and approved by the Board of County Commissioners on November 18, 2008. Minor Sketch Plan Amendments have been approved which have relocated the school sites, parkland, utility sites, and have lowered the maximum number of residential units to 4,800.

The surrounding single-family land uses and densities are compatible with the requested Sketch Plan Amendment. More specifically, the Retreat at TimberRidge Planned Unit Development, located north and west of the Sterling Ranch Sketch Plan, includes a transition from rural 5-acre single-family lots to 2.5-acre single-family lots adjacent to Arroya Lane. The Retreat at TimberRidge Development then transitions to more urban density type lots at the southern portion of the Development, similar to the requested Sketch Plan Amendment’s density transition, and concurrent Map Amendment (Rezoning) requests. The amended area is approximately 212 acres of the 1,443.7-acre Sterling Ranch Sketch Plan Area. The 25-foot trail corridor established with the Retreat at TimberRidge Development is proposed to be extended to the east

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through the requested Sketch Plan area, which is anticipated to provide trail corridor connectivity to the Sand Creek Regional Trail Corridor.

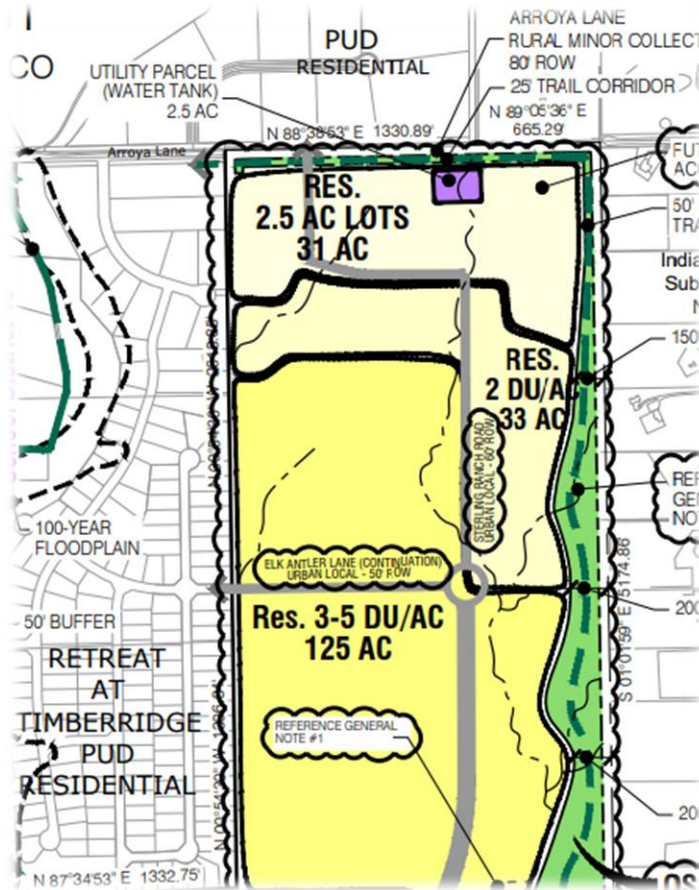


Figure C1: Map depicting density transition

D. ANALYSIS

1. Land Development Code Compliance

The applicant is proposing a 212-acre amendment to the approved Sterling Ranch Sketch Plan, approval of a Map Amendment (Rezoning) of 33.97 acres from RR-5 (Residential Rural) to RR-2.5 (Rural Residential), approval of a Map Amendment (Rezoning) of 37.87 acres from RR-5 (Residential Rural) to RR-0.5 (Rural Residential), and approval of a Map Amendment (Rezoning) of 328.72 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban. Section 7.2.1, Subdivision, of the El Paso County Land Development Code ("Code") (as amended) states:

"The sketch plan is the first step of the approval process for larger or more complex divisions of land. The sketch plan process reviews, at a conceptual level, the

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feasibility and design characteristics of the proposal based on the standards set forth in this Code...The review examines the feasibility of the division of land including review of the schematic design, ability to obtain water and sanitation, location of geologic hazards, identification of environmentally sensitive areas and wildlife habitat areas, source of required services, vehicular and pedestrian circulation, relationship to surrounding land uses, evaluation of wildfire hazards and conformance with the requirements of this Code and Master Plan. During this step, public hearings are held before the Planning Commission and the BoCC...A sketch plan amendment may be reviewed and approved concurrently with any zoning and platting actions."

Section 5.3.5, Map Amendment (Rezoning), of the Code (as amended) states:

"The purpose of zoning is to locate particular land uses where they are most appropriate, considering public utilities, road access, and the established development pattern. In addition to categorizing land by uses such as residential, commercial, and industrial, the Land Development Code also specifies such details as building setback lines, the height and bulk of buildings, the size and location of open spaces, and the intensity to which the land may be developed. The zoning of parcels of land generally conforms to and promotes the County's Master Plan. Zoning protects the rights of property owners while promoting the general welfare of the community. By dividing land into categories according to use, and setting regulations for these categories, zoning governs private land use and segregates incompatible uses.

Generally, Rezoning is justifiable under one of the following circumstances:

- When the requested Rezoning is in general conformance or consistency with the County's Master Plan;*
- If inconsistent with the Master Plan, a material change in the character of the area since the date of the current zoning is demonstrated;*
- When there was an error or oversight in the original zoning of the property; or*
- The zone change is necessary for the general health, safety, or welfare of the community."*

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A transition from the rural properties north and east of Sterling Ranch development is proposed by depicting the Rural Residential zoning districts in the northern portion of the requested Sketch Plan Amendment. In addition, a 40-acre open-space tract buffers the rural properties to the east from the urban density depicted on the requested Sketch Plan as the single-family residential land uses approach the Briargate Parkway/Stapleton Corridor.

The Retreat at TimberRidge PUD located west of the subject area also includes a mix of rural and urban densities with the smallest lot size of 12,596 square feet adjacent to the proposed plan area, which is compatible with the depicted densities within the Sketch Plan.

More specifically, the amended Sterling Ranch Sketch Plan depicts a density in the northern portion of the “smokestack” of 0.25 dwelling units per acre (2.5 acre-lot size minimum) and requested Rezone to RR-2.5 (Rural Residential). The applicant is also requesting a Rezone to RR-0.5 (Residential Rural) and depicting an average density of 2 dwelling units per acre south of the 0.25 dwelling units per acre. The amended Sketch Plan also depicts a density range of 3-5 dwelling units per acre on the remainder of the requested Plan and a concurrent Rezone to RS-5000 (Residential Suburban). The Plan depicts pedestrian connectivity along the northern and eastern boundaries of Plan which connects the proposed open space, and parkland within the development to adjacent bi-modal pedestrian trails.

The proposed urban density is consistent with the developed single-family in the developed portion of the Sterling Ranch Sketch Plan area, zoned RS-5000 which includes Homestead at Sterling Ranch Filing Nos. 1-2 and Branding Iron at Sterling Ranch Filing Nos. 1-2 subdivisions. Also, included within the developed Sketch Plan area, Homestead North at Sterling Ranch Filing Nos. 1-3 are zoned RS-6000 and are currently being developed.

This portion of El Paso County has experienced, and continues to experience, significant growth and development along the Briargate Parkway/Stapleton Corridor and Vollmer Road corridors. The land uses allowed within the proposed zoning districts are compatible with the existing and approved rural and urban level residential development surrounding the subject property.

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The proposed Sketch Plan Amendment and Rezoning are consistent with the Your El Paso Master Plan (2021, See discussion in Section E of this report). The Sketch Plan Amendment application meets the Sketch Plan submittal requirements, the standards for Divisions of Land in Chapter 7 of the El Paso County Land Development Code (“Code”) (as amended). The three (3) Map Amendment (Rezoning) applications meet the purpose of zoning and criteria of approval in Chapter 5 of the Code (as amended).

2. Zoning Compliance

The applicant is requesting approval of a Map Amendment (Rezoning) of 33.97 acres from the RR-5 (Residential Rural) to the RR-2.5 (Residential Rural) zoning district. The RR-5 (Residential Rural) zoning district is intended to accommodate low-density, rural, single-family residential development. The density and dimensional standards for the RR-5 (Residential Rural) zoning district are as follows:

- *Minimum lot size: 2.5 acres*
- *Minimum width at the front setback line: 200 feet*
- *Setbacks - 25 feet in the front, rear, and 15 feet on the sides*
- *Maximum lot coverage - none*
- *Maximum height: 30 feet*

The applicant is also requesting approval of a Map Amendment (Rezoning) of 37.87 acres from the RR-5 (Residential Rural) to the RR-0.5 (Residential Rural) zoning district. The RR-0.5 (Residential Rural) zoning district is intended to accommodate rural residential uses where urban services are generally available. The density and dimensional standards for the RR-0.5 (Residential Rural) zoning district are as follows:

- *Minimum lot size: 21,780 square feet*
- *Minimum width at the front setback line: 100 feet*
- *Setbacks - 25 feet in the front and rear, 10 feet on the sides**
- *Maximum lot coverage - none*
- *Maximum height: 30 feet*

** The side yard setback for an accessory structure shall be 10 feet, unless the structure is at least 60 from the front property line or nearest road right of way, where a 5 feet setback is allowed. In no instance shall an accessory structure be closer to the front property line than the principal structure.*

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The applicant is also requesting approval of a Map Amendment (Rezoning) of 328.72 acres from the RR-5 (Residential Rural) to the RS-5000 (Residential Suburban) zoning district. The RS-5000 (Residential Suburban) zoning district is intended to accommodate single-family and 2-family residential development. The density and dimensional standards for the RS-5000 (Residential Suburban) zoning district are as follows:

- *Minimum lot size: 5,000 square feet*
- *Minimum width at the front setback line: 50 feet*
- *Setbacks - 25 feet in the front and rear, 5 feet on the sides*
- *Maximum lot coverage - 40 percent / 45 percent**
- *Maximum height: 30 feet*

**Where a single-story ranch style residence is proposed, the maximum lot coverage may be 45 percent of the total lot area.*

The requested Map Amendment (Rezoning) are consistent with the requested Sketch Plan Amendment. The Sketch Plan Amendment must be approved prior to the rezonings pursuant to the order of the established entitlement process.

E. MASTER PLAN COMPLIANCE

1. Your El Paso Master Plan

a. Placetype Character: Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

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Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

Recommended Land Uses:

Primary

- *Single-Family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

Analysis: The property is located within the Suburban Residential placetype. The Suburban Residential placetype comprises the County’s traditional residential neighborhoods with supporting commercial uses at key intersections. The application is consistent with the land use and densities set forth in the approved sketch plan. Relevant goals and objectives are as follows:

Goal 1.3 – *Encourage a range of development types to support a variety of land uses.*

Goal 2.1 – *Promote development of a mix of housing types in identified areas.*

Goal LU3 – *Encourage a range of development types to support a variety of land uses.*

Objective LU3-1 – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

Objective HC4-1 – *Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.*

Objective E2-1 – *Promote conservation design techniques for any future development near riparian areas to protect them through incorporation into the development.*

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Objective HC2-6 – Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.

Objective TM1-4 – Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when maintenance is needed.

The Sketch Plan Amendment and three (3) Map Amendment (Rezoning) are consistent with the Suburban Residential Placetype. The riparian corridor containing the Sand Creek Channel is outside of the Sterling Ranch Amendment and Rezoning areas; however, the applicant depicts a connecting trail corridor along Arroya Lane and the eastern boundary of the development area within a 40-acre open-space tract intended to buffer the rural properties to the east. The applicant is anticipated to provide pedestrian connectivity throughout the development with sidewalks which will connect to the Sand Creek Regional Trail Corridor within the development. The Sketch Plan Amendment also depicts a density transition from the rural residential 5-acre lots north and east of the development by proposing a density increase from north to south within the development area, which is anticipated to provide a variety of housing types within the development area.

b. Area of Change Designation: New Development

The subject parcel is within an area of New Development: These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

Analysis: The proposed Sketch Plan and three (3) Map Amendments (Rezoning) are located in an area which is expected to completely or significantly change in character. The applicant proposes to develop the subject property with single-family residential homes which is consistent with the existing land use to the west, and planned development to the south adjacent to the site. The property to the east is not located in the Area of Change Designation. The requested

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Sketch Plan depicts an open-space corridor to buffer the density change from the existing rural single-family land use to the east from the requested urban single-family land use within the requested development area.

c. Key Area Influences: Potential Areas for Annexation

The subject property is located within the Potential Areas for Annexation. The key area map demonstrates the anticipated urban growth areas in unincorporated El Paso County. The property is not contiguous to the City boundary. The applicant does not wish to annex into the City at this time. The applicant, City and County are coordinating on the design of Vollmer Road and Briargate Parkway/Stapleton Corridor. Continued coordination between the applicant, City, and County is anticipated to occur to ensure the design and construction for the Sand Creek Channel, and impacted roadways.

d. Other Implications (Priority Development, Housing, etc.) The subject property is located within a High Priority Development Area, Falcon Area.

The Falcon community has developed its own unique character and functions like a small municipality. New Suburban Residential development would not only match the existing development pattern in Colorado Springs and Falcon to the east and west but also act as a density buffer between more urban development to the south and large-lot to the north. The proposed rezone is also consistent with the High Priority Areas, and the guidelines below:

- *Residential development near the municipal boundaries adjacent to this area may include single-family attached and multi-family units.*
- *The County should emphasize Stapleton Road, Woodmen Road and Vollmer Road as connectivity corridors that would provide important access to necessary goods and services in surrounding communities, generally supporting suburban residential development.*
- *The County should support the completion of Stapleton Road to improve connectivity between Falcon and Colorado Springs.*
- *Neighborhood-level commercial uses and public services should also be considered in these areas at key intersections.*



The subject area is anticipated to continue to have significant growth due to the establishment of central water and sanitation services. As residential development occurs, commercial areas are anticipated to develop in these areas along the Briargate Parkway/Stapleton Corridor to provide local services to the residents in the area. The proposed Sketch Plan Amendment and three (3) Map Amendment (Rezoning) requests are consistent with the developed area and with the goals and policies of the Master Plan.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

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

Goal 1.2 – *Integrate water and land use planning.*

Goal 3.1 – *Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

Policy 4.1.4 – *Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.*

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

Policy 6.0.1 – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*

Policy 6.4.1.3 – *Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.*

Policy 6.4.1.4 – *Promote long-term planning by water providers for sustainable water supplies serving new development.*

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The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Region 3, Falcon Area, which is expected to experience significant growth by 2040. Specifically, the 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.”

The Water Master Plan identifies a current water demand of 4,494-acre feet (AF) and a current supply of 7,164 AF for this Region, resulting in a surplus of water (decreed water rights) of 2,670 AF. The area included within the rezoning request is projected in the Water Master Plan as likely to reach build out by year 2040. For year 2040, the Plan projects a water demand of 6,403 AF for Region 3 versus a projected supply of 7,921 AF, resulting in a reduced surplus of 1,518 AF. When considering additional development in Region 3, it is important to note that the Plan ultimately projects a water supply deficit for the Region of 1,143 AF by 2060.

A finding of water sufficiency regarding quantity, dependability, and quality is not required nor requested with the proposed Sketch Plan Amendment or Rezoning requests.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Services Division, and the US Fish & Wildlife Services were each sent referrals and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) does not identify valued deposits in 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.

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The Community Services Department Parks Division has provided the response below which includes an analysis regarding conformance with The El Paso County Parks Master Plan (2022):

“The 2022 El Paso County Parks Master Plan shows two proposed regional trail connections and one proposed bicycle route impacted by the project. The proposed Arroyo Lane Primary Regional Trail traverses east/west along the northern property boundary and will provide connectivity to Meridian Ranch to the east and the Sand Creek Regional Trail to the immediate west near the intersection of Arroyo Lane and Vollmer Road. The proposed Woodmen Hills Secondary Regional Trail runs north/south along the easternmost Sterling Ranch property boundary, making vital connections between the Sand Creek and Arroyo Lane Regional Trails in the north, Briargate Parkway to the south, and ultimately, the Rock Island Primary Regional Trail further south within the Town of Falcon.

Furthermore, the proposed Briargate Parkway Bicycle Route runs east/west adjacent to the southern side of the Sketch Plan Amendment. A dedicated public right-of-way already exists along the aforementioned bicycle route, so no easement requests are necessary at that location; however, the applicant is advised that multi-modal transportation options will be developed within the rights-of-way in the future, especially given the current development of the Briargate Parkway / Stapleton Road Corridor Study.

The 2022 El Paso County Parks Master Plan includes an update to the Candidate Open Space Areas, utilizing a weighted overlay of numerous natural and man-made attributes which contribute to strong candidate open space areas. The Sterling Ranch Sketch Plan Amendment and the three rezoning areas fall primarily within the bounds of the updated Black Forest South Candidate Open Space Area...

The Sterling Ranch Sketch Plan Amendment shows 148 acres of open space, dedicated to neighborhood or community parks, greenways, drainages, landscaping buffers, and trails. This constitutes approximately 10.2% of the total project area of 1,444 acres. In addition to the 57- acre open space along the Sand Creek corridor and the 40-acre open space buffer along the eastern boundary of Sterling Ranch, numerous 4- and 5-acre neighborhood parks are shown in the Sketch Plan, as well as a centrally-located 28-acre community park located alongside Sand Creek, within easy walking distance of the Sand Creek Primary Regional Trail.

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The Sketch Plan Amendment Letter of Intent highlights the 40-acre open space buffer along the eastern boundary of Sterling Ranch. The Woodmen Hills Secondary Regional Trail is located within this north-south trending open space area, which varies in width from 50' at its northern end to 250' near its intersection with Briargate Parkway. This open space buffer continues to the southeasternmost corner of Sterling Ranch as a location for a neighborhood trail and utilities. Additionally, the Sketch Plan includes a 25' trail corridor along Arroyo Lane to accommodate the Arroyo Lane Primary Regional Trail.

Community Services Department Parks Division Staff is pleased the Sketch Plan Amendment contains a large percentage of park and open space areas, including the aforementioned 28-acre community park situated along Sand Creek, as well as numerous neighborhood parks, passive use areas, open spaces, and public trail corridors. Staff encourages the applicant to continue to develop park, trail, active-use area, and playground plans that provide a wide variety of recreational choices to users of all age groups and abilities. Furthermore, staff encourages the developers to construct internal trail systems that link residents not only to the proposed neighborhood and community parks, schools, and businesses, but also to the County's regional trail system. Lastly, staff recommends that the developers designate and provide to El Paso County 25-foot trail easements along the southern side of Arroyo Lane and through the eastern open space buffer for the purpose of public access, construction, and maintenance of the Arroyo Lane Primary Regional Trail and Woodmen Hills Secondary Regional Trail, respectively."

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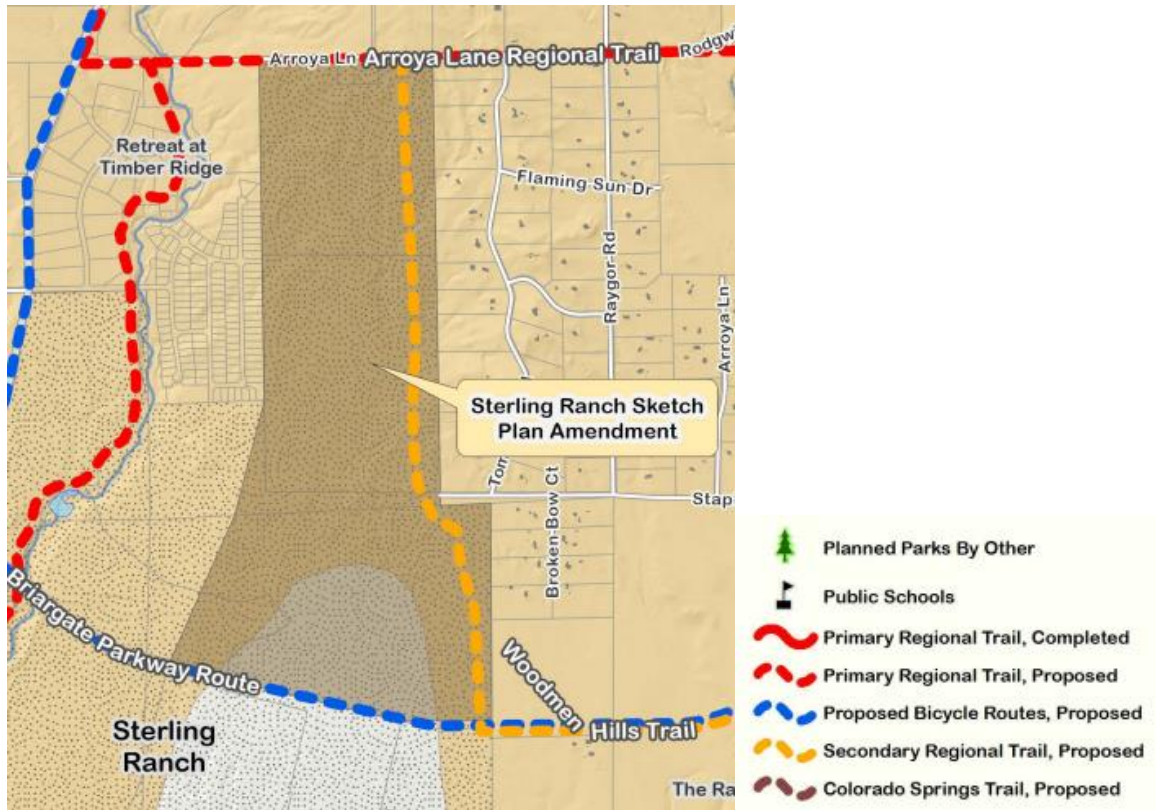


Figure E.3: Parks Master Plan Trail Map

Please see the Transportation Section below for information regarding conformance with the 2016 Major Transportation Corridor Plan (MTCP).

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified in the development area that would preclude development in the Soil, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated August 25, 2023, that would preclude development if mitigation were to occur. The following comment has been provided by the Colorado Geological Survey (CGS):

“As noted on page 1 of Entech’s Study (Entech Engineering, Job No. 231065, August 25, 2023), the hazards and constraints identified on this site include artificial fill, expansive soils, shallow bedrock, and seasonally shallow groundwater, potentially seasonally shallow groundwater, and areas of flowing water. Entech makes appropriate preliminary recommendations for mitigating the site’s hazards. CGS has no objection to conditional approval of the sketch plan for the 3rd amendment for Sterling Ranch.”

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2. Floodplain

Per FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0535G, no portion of the Sketch Plan Amendment area is located within a regulatory floodplain.

3. Drainage and Erosion

The proposed subdivision is located within the Sand Creek drainage basin, which was studied in 1996. This basin requires drainage and bridge fees to be paid at the time of final plat recording. The site generally drains from northeast to southwest toward the main tributary of Sand Creek, which ultimately outfalls into Fountain Creek. Conveyance of offsite runoff from the properties north and east of the preliminary plan area will be provided through the Sterling Ranch East development.

A Drainage Letter was provided with the project submittal, addressing changes to the Master Drainage and Development Plan (MDDP) Amendment No. 2, which was approved with the Sterling Ranch Sketch Plan Second Amendment (SKP-22-005). It states that the proposed changes remain consistent with the pre-development drainage conditions, while accounting for the increased density and revised developed flows within the amendment area. The drainage letter concludes that “development of the proposed site does not significantly impact any downstream facility or property to an extent greater than that which currently exists in the pre-development conditions.”

The developer’s consultants will design facilities to comply with full-spectrum detention and water quality requirements and the proposed drainage plan remains in general conformance with the 2022 MDDP.

An erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, a financial assurance estimate (FAE), a stormwater management plan (SWMP), and wet utility plans will be required with the pre-subdivision grading request or final plat.



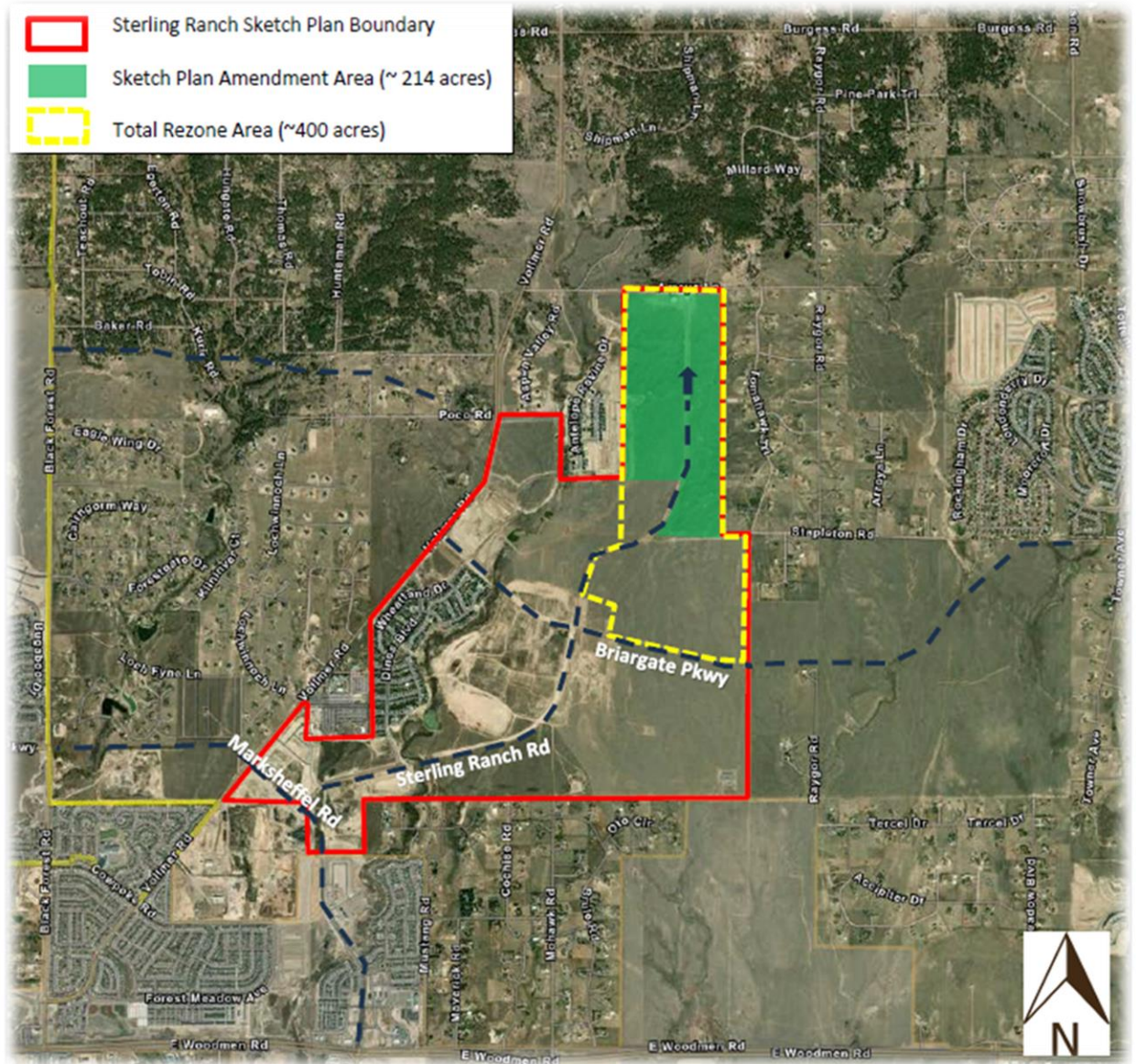


Figure F.1: Transportation and Drainage Overview

4. Transportation

The Sterling Ranch Sketch Plan Amendment No. 3 and rezone areas are located approximately 1,300 feet east of the intersection of Vollmer Road and Arroyo Lane and approximately 3,200 feet southeast of the intersection of Vollmer Road and proposed Briargate Parkway. Access to the development is proposed from Arroyo Lane and Briargate Parkway. Per the submitted Traffic Impact Study (TIS), no changes to the access plan from the previously approved Sketch Plan Amendment are proposed.

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Traffic generated from the maximum 703 proposed dwelling units in this development is estimated to be approximately 6,629 average daily trips. The proposed interior roads will be public paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the TIS are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP), and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS.

G. SERVICES

1. Water

Falcon Area Water and Wastewater Authority (FAWWA) provides water service and is anticipated to serve the development via an intergovernmental agreement with the Sterling Ranch Metropolitan District. Water sufficiency is not required with either a Sketch Plan or Map Amendments (Rezoning).

2. Sanitation

Falcon Area Water and Wastewater Authority (FAWWA) provides wastewater service and is anticipated to serve the development via an intergovernmental agreement with the Sterling Ranch Metropolitan District.

3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Natural gas service is provided by Black Hills Energy. The agencies were sent a referral and have no outstanding comments.

5. Schools

The site is within the boundaries of the Falcon School District No. 49. The applicant continues to depict one school site within the Sketch Plan area outside of the requested Sketch Plan Amendment area. Further discussion with Falcon School



District No. 49 is anticipated to continue in concurrence with the subsequent entitlement processes within the Sterling Ranch Development Area.

H. APPLICABLE RESOLUTIONS

The Sketch Plan amendment request must be approved prior to the approval of the three (3) Map Amendment (rezoning) requests. See attached resolutions.

I. STATUS OF MAJOR ISSUES

No major issues remain.

J. RECOMMENDED CONDITIONS AND NOTATIONS

A. Should the Board of County Commissioners find that the Sketch Plan Amendment request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code ("Code") (as amended), staff recommends the following conditions:

CONDITIONS

1. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of 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.
2. The Subdivider(s) agrees 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 19-471), 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.

B. Should the Board of County Commissioners find that the Map Amendment (Rezoning) requests meet the criteria for approval outlined in Section 5.3.5,



Map Amendment (Rezoning), of the Code (as amended) staff recommends the following conditions and notations for each rezoning request:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.



K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 34 adjoining property owners on January 31, 2024, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

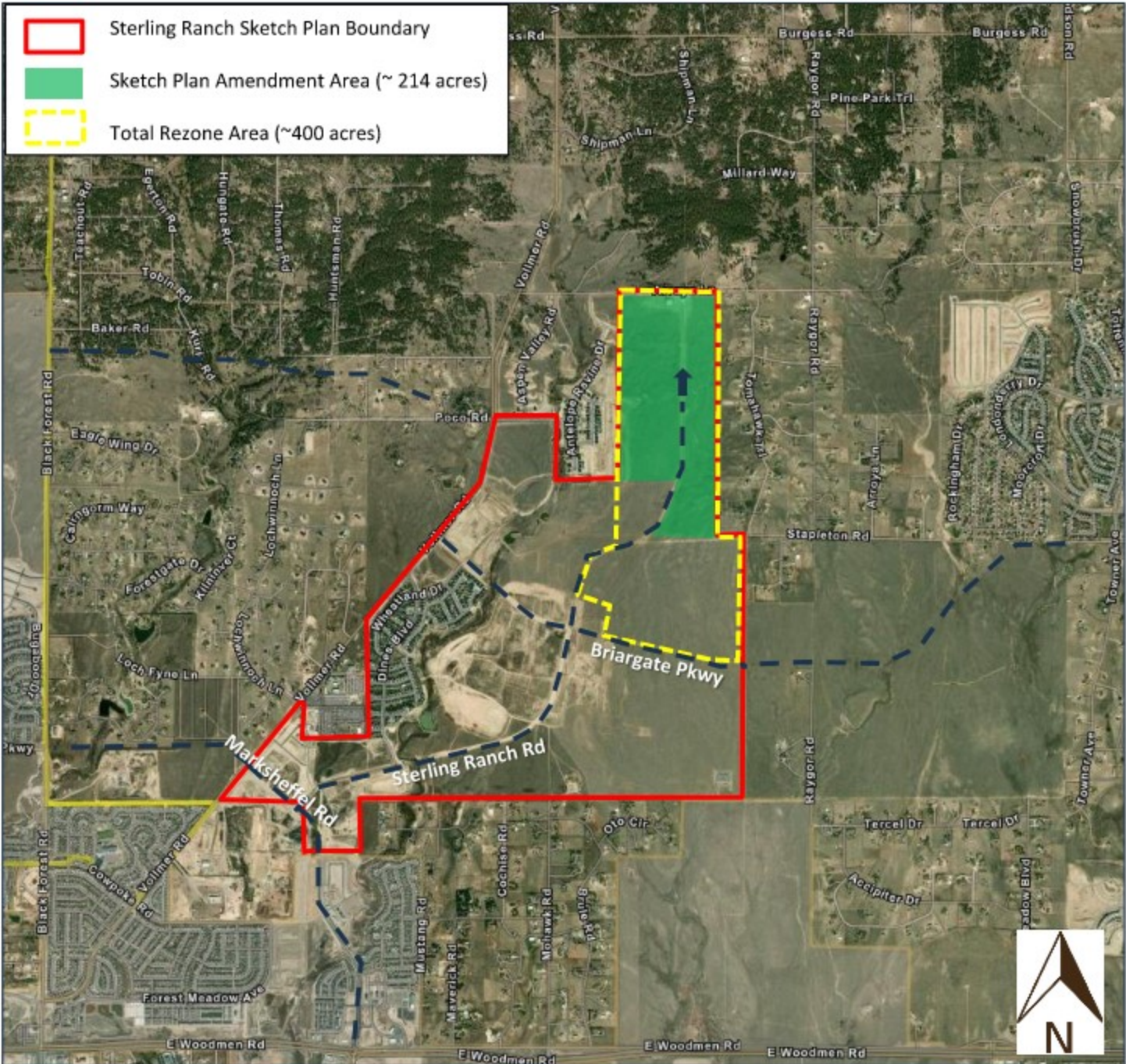
L. ATTACHMENTS

- Vicinity Map
- Combined Letter of Intent
- Sketch Plan Map
- RR-2.5 Rezone Drawing
- RR-0.5 Rezone Drawing
- RS-5000 Rezone Drawing
- Draft Sketch Plan Rezone Resolution
- Draft RR-2.5 Rezone Resolution
- Draft RR-0.5 Rezone Resolution
- Draft RS-5000 Rezone Resolution

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STERLING RANCH NORTH SKETCH PLAN AMENDMENT & REZONES

LETTER OF INTENT

OCTOBER 2023

OWNERS:

CLASSIC SRJ LAND, LLC

2138 FLYING HORSE CLUB DR
COLORADO SPRINGS, CO 80921

ARTESIA LOT HOLDINGS LLC

4400 STATE HWY 121, STE 410
THE COLONY, TX 75056

VANTAGE HOMES CORP

9540 FEDERAL DR, STE 100
COLORADO SPRINGS, CO, 80921

APPLICANT:

CLASSIC SRJ LAND, LLC

2138 FLYING HORSE CLUB DRIVE
COLORADO SPRINGS, CO 80921

CONSULTANT:

N.E.S. INC.

ANDREA BARLOW

619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073

ABARLOW@NESCOLORADO.COM

ACREAGE: 1,444 ACRES

MAX DENSITY: 4,800 DWELLING UNITS

CURRENT USE: VACANT LAND

REQUEST

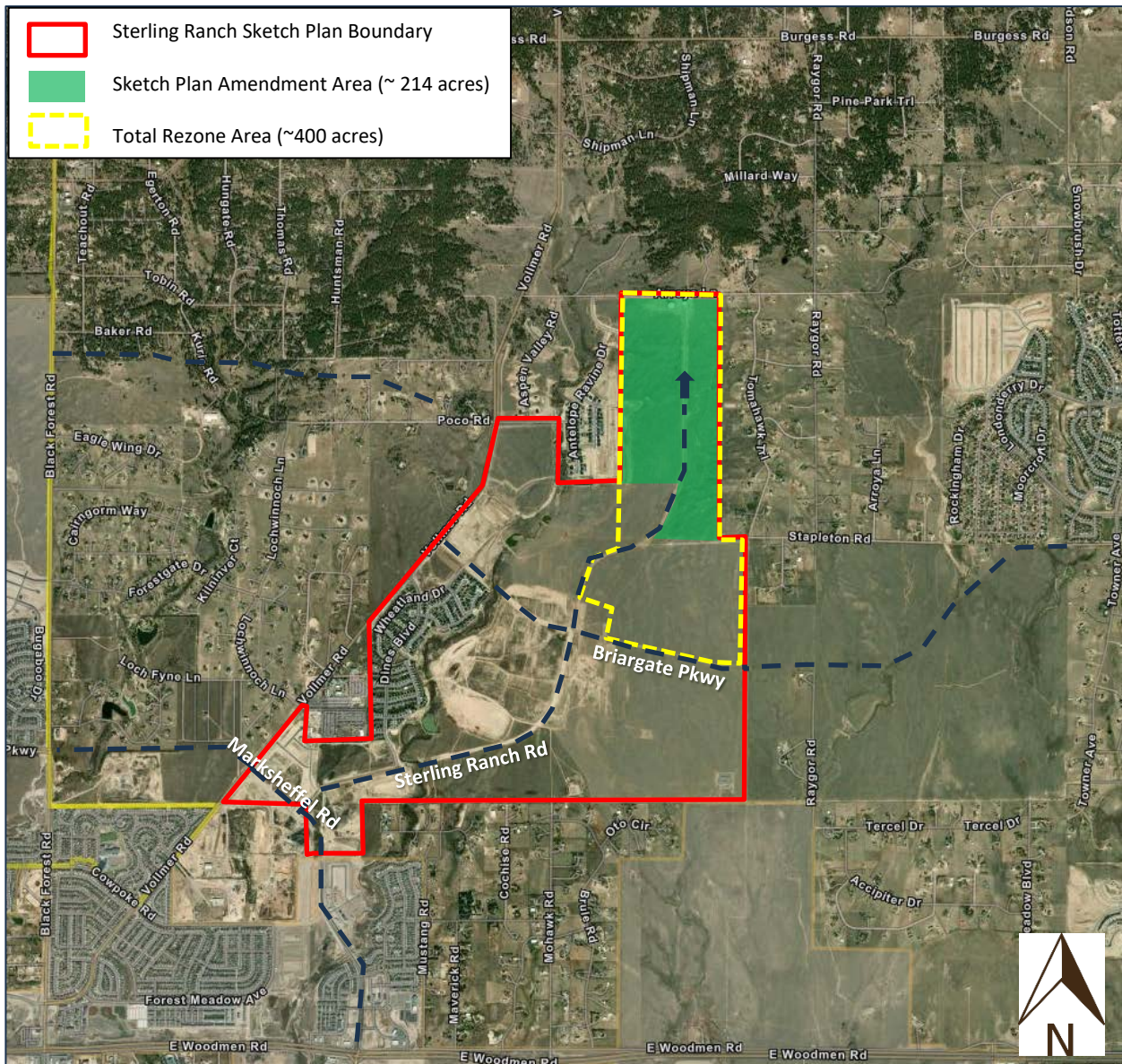
N.E.S. Inc. on behalf of Classic SRJ Land LLC requests approval of the following applications:

1. An amendment to Sketch Plan (SKP 235) for Sterling Ranch 3rd Amendment, to revise densities in the northern portion of the Sketch Plan area and minor corrections to reflect more accurate acreages.
2. Three rezones of the northern portion of the approved Sketch Plan for Sterling Ranch to reflect the requested Sketch Plan amendments, as follows:
 - Rezone Smokestack at Sterling Ranch-P239 (33.97 AC) from RR-5 to RR-2.5.
 - Rezone Smokestack at Sterling Ranch-P2310 (37.87) AC from RR-5 to RR-0.5.
 - Rezone Smokestack at Sterling Ranch-P2311 (328.72) AC from RR-5 to RS-5000

PROJECT LOCATION

The Sterling Ranch Sketch Plan consists of approximately 1,444 acres located east of Vollmer Road, south of Arroya Lane and west of Raygor Road. A new extension of Marksheffel Road from the City to Vollmer Road will cut across the southwestern corner of the Sketch Plan area. Briargate Parkway will bisect the property east to west and connect Vollmer Road to Stapleton Road to the east. Sterling Ranch Road will provide a southwest to northeast collector road connection from Marksheffel Road to Briargate Parkway, extending into the northern portion of the Sketch Plan area.

The proposed Sketch Plan amendment and rezone areas are in the portion of the Sketch Plan that lies north and east of the intersection of Briargate Parkway and Sterling Ranch Road. The Sketch Plan amendment area comprises approximately 214 acres and the three rezone areas comprises a total of approximately 400 acres.



PROJECT CONTEXT

Sterling Ranch Sketch Plan was originally approved in 2008 for 5,225 dwelling units on 1,444 acres, and average density of 3.6 units per acre. Sterling Ranch is located north of developing urban areas under the jurisdiction of the City of Colorado Springs, and south of the Black Forest. The area around Sterling Ranch has experienced significant residential development in the past decade and is planned for continued development in the future.

Sketch Plan History

File #	Resolution #	Date	Description
SKP-07-007	08-476	11/13/2008	Original Sketch Plan Approval of 5,225 dwelling units and 56 acres of commercial uses. Establishment of the PUD Zoning requirement.
SKP-07-007	14-441	11/05/2014	Approval of a 2-year extension to the Sketch Plan and removal of Condition #2 of the original approval required PUD zoning.
SKP-183	Administratively Approved	12/5/2018	Amendment to modify densities, appropriately locate the water tank site, add proposed MVEA substation site, general modifications to reflect existing conditions and recent approvals.
SKP-22-004	Administratively Approved	12/19/2022	Amendment to modify/reduce densities, relocate school site and parks, change commercial to mixed use, remove buffer to Retreat at TimberRidge. Overall density cap reduced to 4,800 dwelling units.

The approved Sterling Ranch Sketch Plan is a guide to the future development of the property and provides a framework for creating quality neighborhoods with commercial services that are conveniently linked through transportation corridors and trails to schools, parks, and open spaces. Sterling Ranch includes a variety of suburban residential densities interspersed throughout the property, so that each phase of the plan can provide a diverse range of product types to serve the changing needs of the growing El Paso County community. The Sketch Plan also includes 47 acres of commercial/mixed-use development located along the major arterial roads to provide supporting services for residents in and around the Sterling Ranch community.

An interconnected system of trails, open spaces and neighborhood parks will be provided within the project to foster a recreation-oriented community. This system of open spaces, trails and parks is intended to provide a comprehensive off-street pedestrian circulation system that would supplement the standard sidewalks along streets. Parks have been located so that residents have a short walk to these facilities. Adjacent developed rural residential to the east and north is buffered with open space and trail corridors.

PROJECT DESCRIPTION

Sketch Plan Amendment

The purpose of this Sketch Plan Amendment is to modify residential densities within the northeastern portion of the Sketch Plan. There are no changes to the overall approved Sketch Plan density cap of 4800 units proposed with this amendment.

At the time the original Sketch Plan was approved, the property immediately adjacent to the northwest was in single ownership and zoned RR-5 for rural density 5-acre lots. In 2017, the adjacent property, now known as the Retreat at TimberRidge, was rezoned to PUD and is partially developed with suburban residential densities. Given this significant change in the character of the adjacent property, it is considered appropriate to revisit the densities in the northeastern section of Sterling Ranch to more closely mirror the change in development intensity within the Retreat at TimberRidge.

The approved Sterling Ranch Sketch Plan designates the northern portion of the Sketch Plan as low density residential. The density transitions from 0.2 du/ac along Arroya Lane (5-acre lots), to 0.4 du/ac (2.5-acre lots), 1 du/ac and 2 du/ac adjacent to the southern extent of the Retreat at TimberRidge. The intent at the time was to provide a density transition to the Black Forest as required by the Black Forest Preservation Plan and to the 5-acre properties to the north and east. In addition, the approved Sketch Plan includes a 50-250 feet wide open space and trail corridor along the northeastern boundary to provide a buffer to the 5-acre lots to the northeast of the Sketch Plan area. It should be noted that the previous amendment to the Sketch Plan (SKP-22-004) removed the 50-foot buffer between Sterling Ranch and the Retreat at TimberRidge, as the increased densities to the west would no longer require buffering or transition to the lower densities identified in this part of the Sterling Ranch Sketch Plan.

The currently proposed Sketch Plan amendment proposes to change the densities in this northeastern section of the Sketch Plan to more accurately mirror the approved densities in the Retreat at TimberRidge, which include 80-foot wide lots with lot sizes around 17,000 sq.ft. in the southeast portion of the property, increasing to 0.5 and 1 acre lots further north and 2.5 acre lots adjacent to Arroya Lane. The Retreat at TimberRidge PUD also extends north and east across Arroya Lane with 2.5 acre and 5 acre lots north of Sterling Ranch.

With these changed conditions in mind, the proposed changes to the Sterling Ranch Sketch Plan 3rd Amendment densities are as follows:

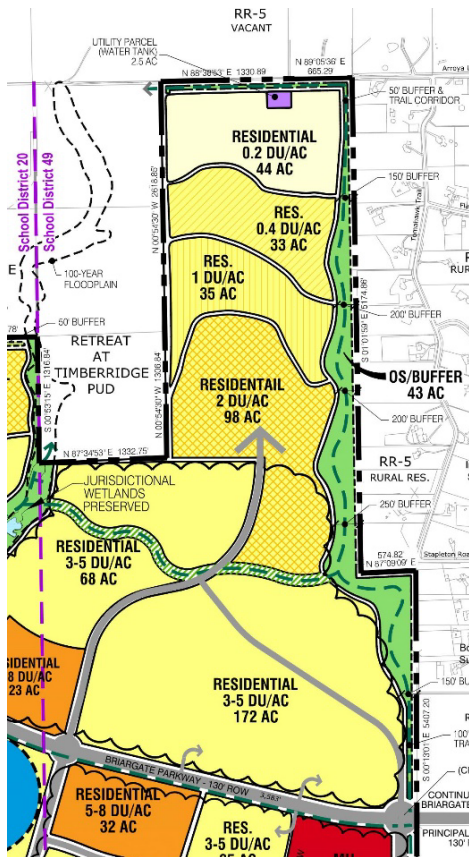
- 44 acres of 0.2 du/ac (5-acre lots) to 31 acres of 2.5 acre lots on the northern boundary adjacent to Arroya Lane
- 33 acres of 0.4 du/ac to 33 acres of 2 du/ac
- 35 acres of 1 du/ac and 98 acres of 2 du/ac to 125 acres of 3-5 DU/AC

(Note: The acreages do not match as the currently submitted Sketch Plan has corrected all acreages).

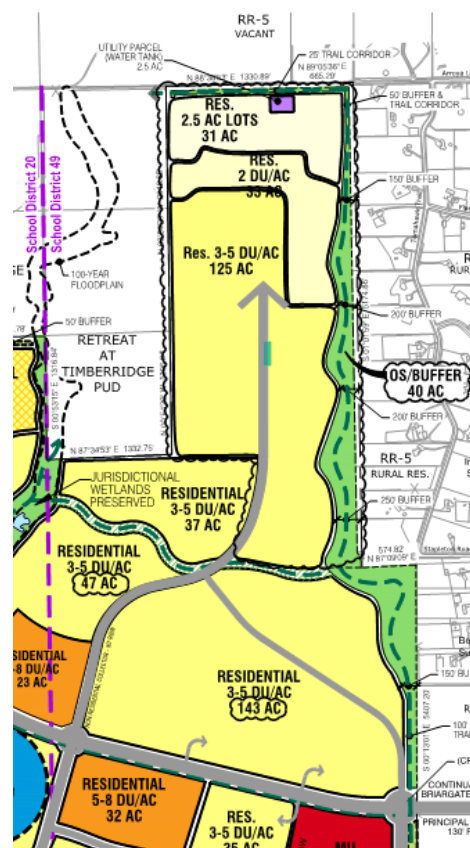
The originally proposed 50-250 feet wide open space and trail corridor will remain in place to provide a buffer to the rural 5-acre lot density to the east. The buffer widens from north to south, with the wider buffer adjacent to the higher proposed densities within Sterling Ranch. There are no changes to the

width or overall acreage of this buffer. Please note, the acreage has been adjusted from 43 acres to 40 acres, as that change was not accurately recorded when the buffer adjacent to the Retreat at TimberRidge was removed with amendment SKP-22-004.

A secondary regional county trail is now proposed along the eastern boundary. This will connect the proposed regional trail along Arroya Lane to the secondary regional trail proposed adjacent to Briargate Parkway connecting to The Ranch to the east.



Approved Sterling Ranch Sketch Plan

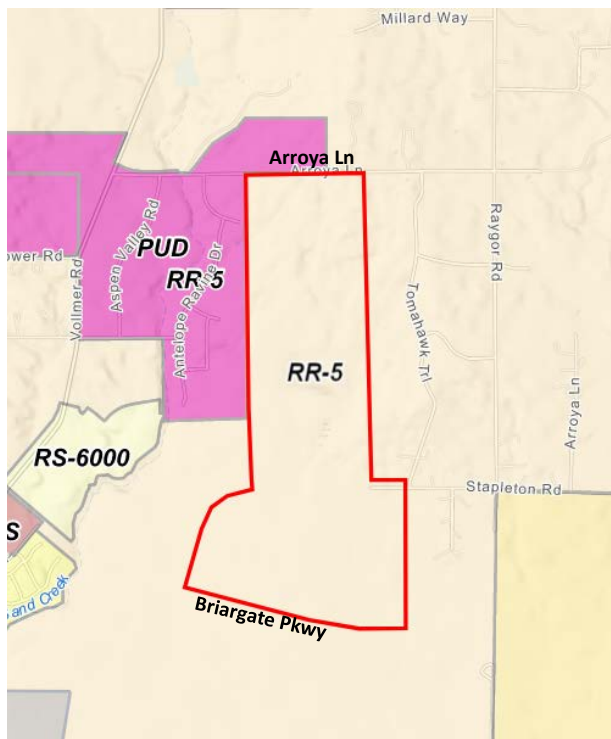


Proposed Sterling Ranch Sketch Plan

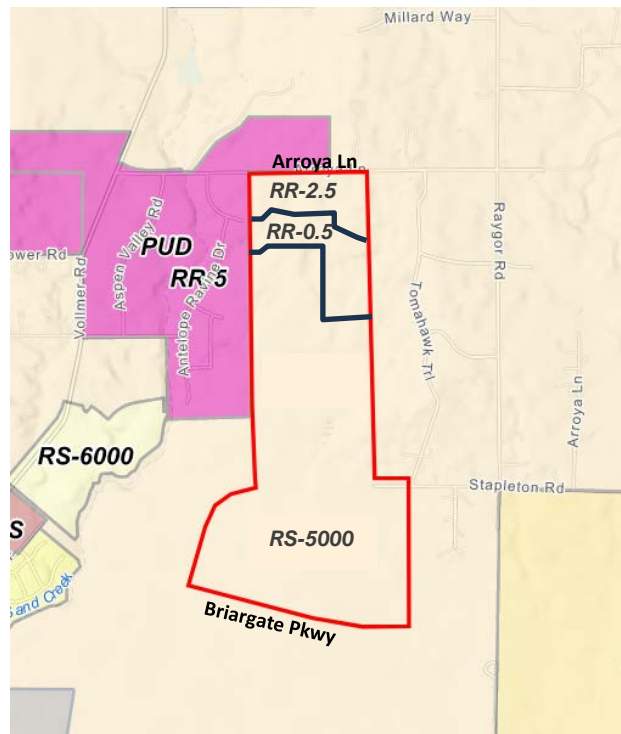
The proposed amendments to the Sketch Plan continue the original intent of the Sketch Plan as described above. The amendment revises the proposed density in the northwestern portion of the Sketch Plan to reflect the changed character of the property to the northwest with the approval and implementation of the Retreat at TimberRidge PUD. Appropriate density transitions continue to be incorporated and the open space corridor on the eastern boundary remains intact to provide a buffer to the rural 5-acre lots to the northeast.

Map Amendments (Rezones)

The area to be rezoned begins at Arroya Ln and extends south to Briargate Parkway. The proposed rezones reflect the revised density areas in the northeastern portion of the Sketch Plan. The rezone areas are larger than the concurrent Sketch Plan density area as the zoning boundary also includes the adjacent portion of the open space buffer. The 33.97-acre area immediately south of Arroya Ln is to be rezoned from RR-5 to RR-2.5 to require a minimum of 2.5 acre lots. The 37.87 acres south of the RR-2.5 zone will be rezoned from RR-5 to RR-0.5 to require a minimum of 0.5 acre lots. The remaining 328.72 acres will be rezoned from RR-5 to RS-5000 to allow a minimum of 5,000 sq.ft. suburban density lots. This area includes the area proposed for 3-5 du/ac density in this Sketch Plan amendment, together with the remaining area north of Briargate Parkway already designated as 3-5 du/ac density on the Sketch Plan.



Current Zoning



Proposed Rezoning

COMPATIBILITY/TRANSITIONS:

The Sketch Plan amendment and associated rezones continue the suburban density in the approved Sterling Ranch to date and anticipated in the remainder of the Sterling Ranch Plan area. There are no changes to the overall approved Sketch Plan density cap of 4800 units proposed with this amendment.

As noted above, the adjacent property, now known as the Retreat at TimberRidge, was rezoned in 2017 from RR-5, rural density 5-acre lots to PUD and is partially developed with suburban residential densities. Given this notable change in the character of the adjacent property since the Sketch Plan was originally approved, it is considered appropriate to revisit the densities in the northeastern section of Sterling Ranch to more closely mirror the change in development intensity within the Retreat at TimberRidge. The approved densities in the Retreat at TimberRidge include 80-foot wide lots with lot sizes around 17,000 sq.ft. in the southeast portion of the property, increasing to 0.5 and 1 acre lots further north and 2.5 acre lots adjacent to Arroya Lane. The Retreat at TimberRidge PUD also extends north and east across Arroya Lane with 2.5 acre and 5 acre lots north of Sterling Ranch.

The Sterling Ranch Sketch Plan amendment proposes to revise the density along the northern boundary adjacent to Arroya Lane from 5-acre lots to 2.5 acre lots. This is consistent with the 2.5 acre lots in the Retreat at TimberRidge adjacent to and north of Arroya Lane. The amendment then proposes to amend the previously designated 2.5-acre lot area to 0.5-acre lot minimums, which again is consistent with the adjacent Retreat at TimberRidge density; and provides a transition from the 5-acres lots to the east to the proposed RS-5000 lots internal to the Sketch Plan area. There is also a buffer along the east boundary of the SKP area, which is approximately 150' wide to provide additional transition from the 5-ac lots. The remainder of the Sketch Plan amendment area is to be revised to 3-5 du/ac density with RS-5000 zoning to accommodate suburban density similar in scale to the lots in the southern portion (Phase D) of the Retreat at TimberRidge, which includes 80' wide lots of approximately 17,000 sf. It is considered that these density transitions are wholly consistent with the densities within the Retreat at TimberRidge to the west.

It should be noted that the previous amendment to the Sketch Plan (SKP-22-004) removed the 50-foot buffer between Sterling Ranch and the Retreat at TimberRidge, as the increased densities to the west would no longer require buffering or transition to the lower densities identified in this part of the Sterling Ranch Sketch Plan.

With regard to RR-5 zoned 5-acre lot Indian Wells and Bow Valley Subdivisions directly east, the originally proposed 50-250 feet wide open space and trail corridor will remain in place to provide a buffer to the rural 5-acre lot density to the east. This buffer varies in width based on the adjacent density within Sterling Ranch. The buffer is proposed to be between 200-250 feet wide immediately adjacent to the 3-5 du/ac density (RS-5000 zoning) and approximately 150 feet wide adjacent to the 0.5-acre lot density (RR-0.5 zoning). The 0.5-acre lot density also extends south along the eastern edge of the Sketch Plan to aide in the density transition. The buffer reduces to 50 feet wide adjacent to the larger 2.5-acre lots (RR-2.5 zoning) on the north end of the Sketch Plan. There are no changes to the width or overall acreage of this buffer from the originally approved Sketch Plan. Please note, the acreage has been adjusted from 43 acres to 40 acres, as that change was not accurately recorded when the

buffer adjacent to the Retreat at TimberRidge on the west boundary was removed with amendment SKP-22-004.

Access and Traffic: The primary access change with this Sketch Plan amendment is a continuation of the non-residential collector classification of Sterling Ranch Road north of Briargate Parkway to serve the higher density development now proposed in this area. A Traffic Technical Memorandum was created by LSC in September 2023 and concluded that, as the residential dwelling unit cap for Sterling Ranch Sketch Plan is not proposed to be increased and the number of dwelling units assumed in the MTIS for the parcels within the amendment area are within the range allowed by the proposed updated residential densities, the conclusions and recommendations in the approved Sterling Ranch Sketch Plan Amendment Master Traffic Impact Study, by LSC Transportation Consultants, Inc. dated March 17, 2023, are still valid.

Utilities: Water and wastewater will be provided by FAWWA. The site is within the service area of Mountain View Electric Association, Inc. for electric supply, and within the service area of both Black Hills Energy and Colorado Springs Utilities for natural gas supply. It is understood that Black Hills Energy will provide gas service to areas north of Briargate Parkway.

Floodplain: The Sketch Plan and rezone areas are located in zone X outside of the floodplain. This is depicted by FEMA flood panel 08041C0535G effective 12/07/2018.

Wetlands: The Natural Features and Wetlands Report prepared by Bristlecone Ecology in July of 2023 found aquatic resources to exist on site, but these are presumed to be non-jurisdictional due to the lack of surface connection to Sand Creek or any downstream WOTUS. A formal wetland delineation is recommended to accurately determine the boundaries of wetlands and would be required for an approved jurisdictional determination request.

Wildfire: The primary wildland fuel type is grassland. The Colorado State Forest Service has determined a moderate-high wildfire hazard potential for Sterling Ranch, with the northern portion of the Sketch Plan listed as a moderate risk for as this area is currently undisturbed grassland. Development of the site will reduce available wildfire fuels in this area.

Drainage: A Master Development Drainage Plan Amendment, prepared by Classic Consulting and Engineering, is included in this submittal. The report concludes that the proposed Sketch Plan Amendment remains consistent with the pre-development drainage conditions accounting for the increased density and revised developed flows contained within and the future construction of the required upsized FSD pond facilities. The development of the proposed site does not significantly impact any downstream facility or property to an extent greater than that which currently exists in the pre-development conditions. All drainage facilities within this report were sized according to the latest El Paso County Drainage Criteria requirements.

DISTRICTS/ENTITIES SERVING THE PROPERTY:

The following districts will serve the property:

- Falcon School District 49
- FAWWA – water and wastewater

- Black Forest Fire Protection District
- Mountain View Electric Association
- Black Hills Energy - Gas

PROJECT JUSTIFICATION

SKETCH PLAN REVIEW CRITERIA

The Sterling Ranch Sketch Plan amendment request addresses the Sketch Plan Amendment Review Criteria in Chapter 7.2.1.D.1.c of the LDC as follows:

1. THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;

The relevant County master plan documents for the Sketch Plan Amendment 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. The Sketch Plan Amendment is in general conformity with these plans as described below.

YOUR EPC MASTER PLAN

The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. This placetype consists of predominantly single family detached residential areas with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre. Supporting uses include single-family attached, multifamily residential, commercial retail, parks, and open space. The range of residential densities from 2.5-acre lots in the north to 3-5 du/ac in the south portion of the Sketch Plan amendment area is consistent with the Suburban Residential placetype characteristics. The overall composition of Sterling Ranch also conforms to the intent of the Suburban Residential placetype, as it is predominantly suburban single-family detached residential but also includes supporting and complementary, commercial, mixed-use, open space and connecting trail corridors.

In the Key Area Influences chapter, this site is designated as a Potential Area for Annexation. While the Developer does not propose to annex Sterling Ranch into the City, the sites status as a Potential Area for Annexation is indicative of its urbanizing character and the need for urban level of services, which will be provided by Sterling Ranch Metropolitan District and FAWWA.

In the Areas of Change chapter of the County Master Plan, the area is identified as a “New Development Area,” which will experience significant transformation as new development takes place. These areas are often on undeveloped or agricultural areas and are expected to be complimentary to adjacent development. The proposed new development within Sterling Ranch will bring about the transformation of this area as anticipated by the Master Plan.

The change in proposed residential densities within the northeastern portion of the Sketch Plan is consistent with Core Principle 1, Land Use and Development, which seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county.” Goal 1.1 seeks to “ensure compatibility with established character and infrastructure capacity.” The Sketch Plan Amendment is in line with the changed characteristics of the Retreat at TimberRidge to the

west but continues to buffer the adjacent developed rural residential areas to the east with open space and trail corridors. The infrastructure improvements and extensions proposed by the Sketch Plan will provide the required capacity to support the planned level of development.

The Sketch Plan amendment is also consistent with Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types” as well as Goal 2.3 to “locate attainable housing that provides convenient access to goods, services, and employment”. The Sketch Plan encourages a variety of housing types, supports neighborhood focal points, and expands the off-street trail system, all of which are recommendations for emerging and future neighborhoods.

WATER MASTER PLAN

Relevant polices in the Water Master Plan include:

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 Sterling Ranch System includes both decrees and determinations. Local groundwater rights associated with three service area portions; Sterling Ranch, The Retreat, and The Ranch. The system includes a central system and some well and septic systems.

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.

This is a large Sketch Plan, so a buildout period of 20 years has been assumed as reasonable. FAWWA has purchased water from three major well fields; being McCune, Bar-X and Shamrock West Ranch. FAWWA is in the process of constructing a northern supply system known as the Bar-X system in order to access this water and additional supplies in northern El Paso County. The total of all supplies available to FAWWA is 1903.03-acre-foot for 300 years, which would allow for over 5467 SFE. Since many of the maximum residences will be high density, the SFE requirement will be substantially lower than the water available. FAWWA is currently working on adding additional supplies to its inventory. FAWWA is in a very feasible position to be able to easily provide for the water supply needs of the full buildout of the Sterling Ranch Sketch Plan as proposed to be amended by this submittal.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

Sterling Ranch Road runs north/south through the Sketch Plan area, and connects to Briargate Parkway. 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. 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 Parks Master Plan shows a proposed secondary regional trail along the east side of the Sketch Plan which will connect from Briargate Parkway to Arroya Lane. A regional trail runs east-west along Arroya Lane and connects to the Sand Creek Regional Trail, which runs north-south along Sand Creek located west of the proposed SKP area within the Retreat at TimberRidge. These three trails support the El Paso County Parks and Trails Master Plan and provide connectivity to, from and throughout the Sterling Ranch Community.

While there are no parks within the Sketch Plan amendment area, there is a community park and several neighborhood parks are planned to serve the all residents within Sterling Ranch. These parks will be owned and maintained by the Sterling Ranch Metropolitan District.

2. THE PROPOSED SUBDIVISION IS IN CONFORMANCE WITH THE REQUIREMENTS OF THIS CODE;

The amended Sketch Plan meets all applicable submittal requirements for El Paso County.

3. THE PROPOSED SUBDIVISION IS COMPATIBLE WITH EXISTING AND PROPOSED LAND USES WITHIN AND ADJACENT TO THE SKETCH PLAN AREA;

The Sketch Plan amendment and associated rezones continue the suburban density in the approved Sterling Ranch to date and anticipated in the remainder of the Sterling Ranch Plan area. The adjacent property, now known as the Retreat at TimberRidge, was rezoned in 2017 from RR-5, rural density 5-acre lots to PUD and is partially developed with suburban residential densities. The current amendment to the Sterling Ranch is intended to reflect the change in development intensity within the Retreat at TimberRidge to the west and north, while maintaining the compatibility with rural residential development to the east.

The Sterling Ranch Sketch Plan amendment proposes to revise the density along the northern boundary adjacent to Arroya Lane from 5-acre lots to 2.5 acre lots. This is consistent with the 2.5 acre lots in the Retreat at TimberRidge adjacent to and north of Arroya Lane. The amendment then proposes to amend the previously designated 2.5-acre lot area to 0.5-acre lot minimums, which again is consistent with the adjacent Retreat at TimberRidge density; and provides a transition from the 5-acres lots to the east to the proposed RS-5000 lots internal to the Sketch Plan area. There is also a buffer along the east boundary of the SKP area, which is approximately 150' wide to provide additional transition from the 5-ac lots. The remainder of the Sketch Plan amendment area is to be revised to 3-5 du/ac density with RS-5000 zoning to accommodate suburban density similar in scale to the lots in the southern portion (Phase D) of the Retreat at TimberRidge, which includes 80' wide lots of approximately 17,000 sf. It is considered that these density transitions are wholly consistent with the densities within the Retreat at TimberRidge to the west.

With regard to the rural residential development to the east, the originally proposed open space and trail corridor will remain in place to provide a buffer to the rural 5-acre lot density to the east. This buffer varies in width based on the adjacent density within Sterling Ranch. The buffer is proposed to be between 200-250 feet wide immediately adjacent to the 3-5 du/ac density (RS-5000 zoning) and approximately 150 feet wide adjacent to the 0.5-acre lot density (RR-0.5 zoning). The 0.5-acre lot density also extends south along the eastern edge of the Sketch Plan to aide in the density transition. The buffer reduces to 50 feet wide adjacent to the larger 2.5-acre lots (RR-2.5 zoning) on the north end of the Sketch Plan. There are no changes to the width or overall acreage of this buffer from the originally approved Sketch Plan. All proposed uses are single-family residential which is the same use as on adjacent properties.

4. THE WATER SUPPLY REPORT PROVIDES SUFFICIENT INFORMATION TO IDENTIFY PROBABLE COMPLIANCE WITH THE WATER SUPPLY STANDARDS AND IDENTIFIES ANY NEED FOR ADDITIONAL WATER SUPPLIES;

FAWWA will be the water service providers to Sterling Ranch. Please see the District Boundary Descriptions and the Water Resources Report submitted with this application, along with the Letter of Commitment. Water, wastewater, storm water and park/recreational services will be provided by FAWWA. A finding of water sufficiency is not required at the Sketch Plan level but will be requested with subsequent entitlement submittals.

5. SERVICES ARE OR WILL BE AVAILABLE TO MEET THE NEEDS OF THE SUBDIVISION INCLUDING, ROADS, POLICE AND FIRE PROTECTION, SCHOOLS, RECREATION FACILITIES, AND UTILITY SERVICE FACILITIES;

As the proposed amendment does not increase the maximum dwelling unit cap, there is no change to the impact on services already assessed with the approved Sketch Plan. The proposed Sterling Ranch Sketch Plan lies within service area boundaries for the Black Forest Fire Protection District, School District 49, Black Hills Energy for gas service, and Mountain View Electric Association. There are no school sites in the Sketch Plan Amendment area. School needs will continue to be reviewed with future developments.

6. THE SOIL IS SUITABLE FOR THE SUBDIVISION;

The site contains two types of soils; Columbine gravelly sandy loam and Pring coarse sandy loam. The report prepared by Entech Engineering for the approved Sketch Plan concluded that these soils present typical constraints on development and construction, which may be overcome by proper engineering design and construction. The amendment to the Sketch Plan does not impact previous assessment of soils.

7. THE GEOLOGIC HAZARDS DO NOT PROHIBIT THE SUBDIVISION, OR CAN BE MITIGATED;

The report prepared by Entech Engineering for the Sketch Plan Amendment found this site was suitable for the proposed development. Areas were encountered where the geologic conditions will impose some constraints on development and land use. These include areas of artificial fill, expansive soils, shallow bedrock, and seasonally shallow groundwater, potential seasonally shallow groundwater, and areas flowing water. Groundwater monitoring is occurring per the Geologic Hazard Report recommendations to assess basement viability and mitigation. Seasonal shallow Groundwater will be mitigated with site grading and the installation of sewer underdrains in areas below grade. Specific recommendations should be made after additional investigation and site grading has been completed.

8. THE SUBDIVISION WILL NOT INTERFERE WITH THE EXTRACTION OF ANY KNOWN COMMERCIAL MINING DEPOSIT [C.R.S. §§ 34-1-302(1), ET SEQ.];

On the “Master Plan for Extraction of Mineral Resources” known commercial mining deposits are shown in the Sketch Plan Area. The property was formerly used for mineral extraction by Pioneer Sand & Gravel but these operations have now ceased. Notice to mineral estate owners will be completed by the applicant prior to public hearing.

9. THE DESIGN OF THE SUBDIVISION PROTECTS THE NATURAL RESOURCES OR UNIQUE LANDFORMS;

The Natural Features and Wetlands Report prepared by Bristlecone Ecology in July 2023 indicates that no sensitive vegetation communities were found, and no state-sensitive vegetation communities are present. The project site is on the fringe of the Ponderosa Pine Woodlands, a globally and state stable vegetation community, but the site contains no pine trees and impacts are not expected. Development of the site will likely increase and improve arboreal habitat through the planting of trees in yards and in open spaces.

There are aquatic resources present on the site that are presumed non-jurisdictional due to their lack of surface water connection to Sand Creek or other downstream WOTUS. If these wetlands are determined to be jurisdictional, a Section 404 permit from the USACE would be required. It is intended that the wetlands will be impacted by the development. Surveys around the ponded areas following CPW's guidance for identifying leopard frogs and their habitats are recommended during the appropriate season.

Noxious weeds are present on the project site in several areas but in generally limited quantities. A noxious weed impact management plan has been included with this submittal. A few sensitive species were present onsite and only in small numbers.

State sensitive black-tailed prairie dogs were present in an 11.17-acre colony and would be removed through development of the site. State threatened burrowing owls may also be present at this colony; a burrowing owl survey would be necessary to confirm their presence/absence. Federally listed T&E species are not expected to occur on the site. Preble's Meadow Jumping Mouse habitat is not present on the site because the entire site is within the Colorado Springs Block Clearance Zone. It is recommended that vegetation clearing/grubbing on the site occur outside the nesting season to avoid disturbing nesting migratory birds. If timing is not possible, the report recommends conducting a migratory bird nesting survey during the nesting season to ensure impacts to nesting birds do not occur.

10. THE PROPOSED METHODS FOR FIRE PROTECTION ARE ADEQUATE TO SERVE THE SUBDIVISION; AND

The proposed Sterling Ranch Sketch Plan area lies within the Black Forest Fire Protection District. An updated will serve letter from the Fire Department is provided.

11. THE SUBDIVISION IS APPROPRIATE AND THE DESIGN IS BASED ON MITIGATING THE CONSTRAINTS OF TOPOGRAPHY, SOIL TYPES, GEOLOGIC HAZARDS, AGGREGATE RESOURCES, ENVIRONMENTAL RESOURCES, FLOODPLAIN, AIRPLANE FLIGHT OVERLAYS, OR OTHER CONSTRAINTS.

The report prepared by Entech Engineering for the approved Sketch Plan concluded that the geotechnical conditions present typical constraints on development and construction, which may be mitigated by avoidance, regrading, or by proper engineering design and construction. Specific Geohazard and Engineering reports will be required with future Preliminary Plan and/or Final Plans and will identify specific constraints and will either mitigate or avoid them. The property is not in an airport overlay area, and is not within a floodplain. As discussed in #9 above, there are aquatic resources present on the site, however, they are presumed non-jurisdictional due to their lack of surface water connection to Sand Creek or other downstream WOTUS. These resources are intended to be impacted by the development, and all necessary permits will be sought.

REZONE REVIEW CRITERIA

The three rezoning requests are consistent with the criteria in Section 5.2.5.B for a Map Amendment (Rezoning) as follows:

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;

See above analysis for conformance with the 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.

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 zoning map amendments fulfil the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between 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;

The proposed rezones continue the suburban density in the approved Sterling Ranch to date and anticipated in the remainder of the Sterling Ranch Plan area. The rezones reflect the concurrent Sketch Plan amendment which is intended to reflect the change in development intensity within the Retreat at TimberRidge to the west and north, while maintaining the compatibility with rural residential development to the east.

The proposed rezone from RR-5 to RR-2.5 proposes to revise the density of the 33.97 acres along the northern boundary adjacent to Arroya Lane to allow a minimum of 2.5 acre lots, which is consistent with the 2.5 acre lots in the Retreat at TimberRidge adjacent to and north of Arroya Lane. The 37.87 acres immediately south is proposed to rezone from RR-5 to RR-0.5, which again is consistent with the adjacent Retreat at TimberRidge density; and provides a transition from the 5-acres lots to the east to the proposed RS-5000 lots internal to the Sketch Plan area. There is also a buffer along the east boundary of the SKP area, which is approximately 150' wide to provide additional transition from the 5-ac lots. The 328.72-acre RS-5000 zoning then extends to the south to Briargate Parkway. This includes the approximately the area proposed to be amended to 3-5 du/ac density with the concurrent Sketch Plan amendment, as well as approximately 186 acres already designated as 3-5 du/ac density on the approved Sketch Plan. The RS-5000 zoning will accommodate suburban density similar in scale to the lots in the southern portion (Phase D) of the Retreat at TimberRidge to the west and the recently approved RS-5000 zoning of the adjacent Sterling Ranch Phase One Preliminary Plan. The RS-5000 zoning will also provide a transition between Briargate Parkway, and the more intense land uses proposed along it, to the lower density residential to the north.

With regard to the rural residential development to the east, the originally proposed open space and trail corridor, which was reduced from 43-acres to 40-acres as explained above, will remain in place to provide a buffer to the rural 5-acre lot density to the east and this is incorporated in each of

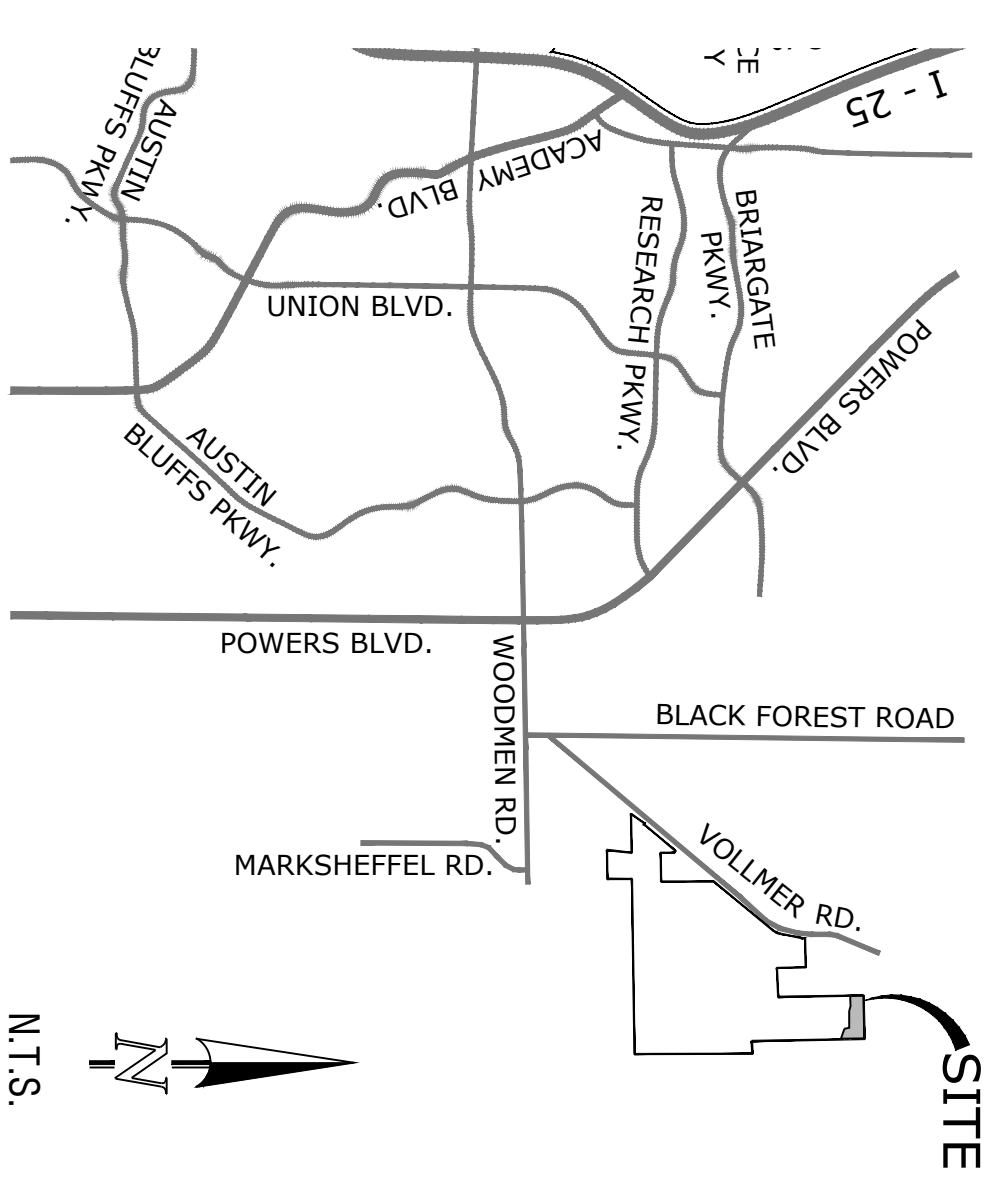
the adjacent zoning boundaries. This buffer varies in width based on the adjacent proposed density/zoning within Sterling Ranch. The buffer is proposed to be between 200-250 feet wide immediately adjacent to the RS-5000 zoning, approximately 150 feet wide adjacent to the RR-0.5 zoning, and 50 feet wide adjacent to the RR-2.5 zoning. The RR-0.5 zone extends south along the eastern edge of the Sketch Plan to aid in the density transition.

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 RR-2.5, RR-0.5 and RS-5000 zones as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed residential density and it provides appropriate transitions between residential use types. The project has adequate access to Briargate Parkway via Sterling Ranch Road and has access to adequate utilities. The proposed use in the areas of the map amendments is single-family residential, which is a permitted use in the RR-5 zone district as well as the RR-2.5, RR-0.5, and RS-5000 zone districts.

Land Use	RR-5 Zone	RR-2.5	RR-0.5	RS-5000
Dwelling, Attached (SF)	Allowed	Allowed	Allowed	Allowed
Dwelling, Detached (SF)	Allowed	Allowed	Allowed	Allowed
Dwelling, Multi-family	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Dwelling, Two-family	Not Permitted	Not Permitted	Not Permitted	Allowed

P:\Classic2\Sterling Ranch North\Admin\Submittals\SR_North SKP Amendment 2023 & Rezones_LOI_1st Submittal.docx



SMOKE STACK AT STERLING RANCH

SECTION 27, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
RR-2.5 REZONE

SITE DATA

OWNER:
Vinterra Homes Corp.
6649 Federal Dr., Suite 100
Colorado Springs, CO 80921

PREPARED BY:
NES INC.
619 N. CASCADE AVE STE 200
COLORADO SPRINGS CO 80903

TAX ID Numbers: 5227000005

Approved Sketch Plan: SKP 22-004 (Approved 2022)

Current Zoning: RR-5

Proposed Zoning: RR-2.5

Total Area: 33.97097 AC

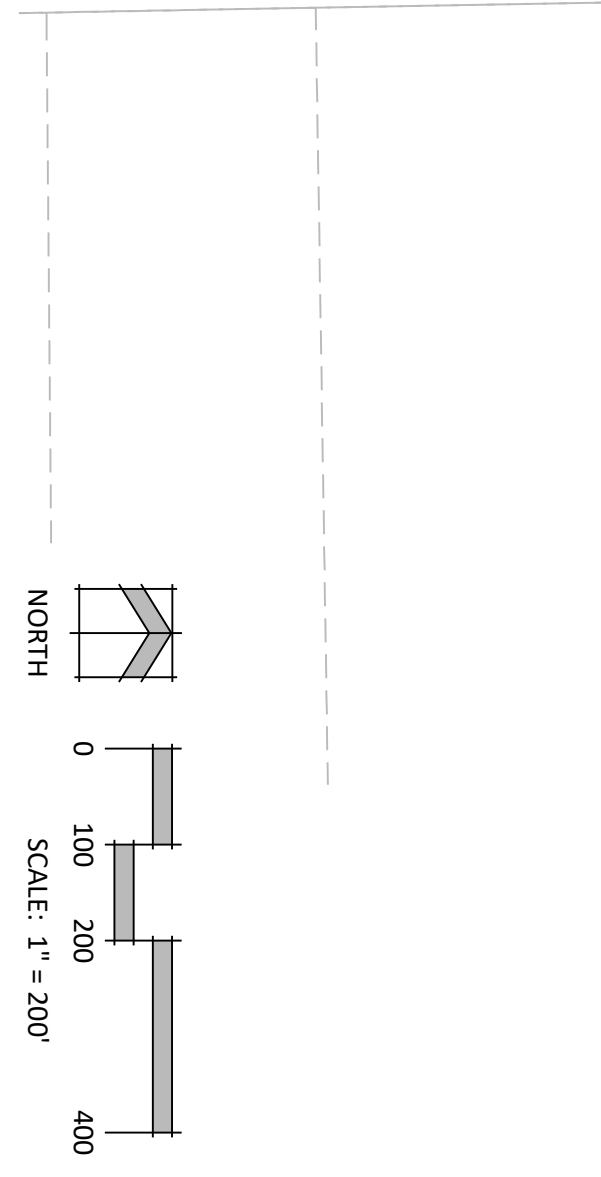
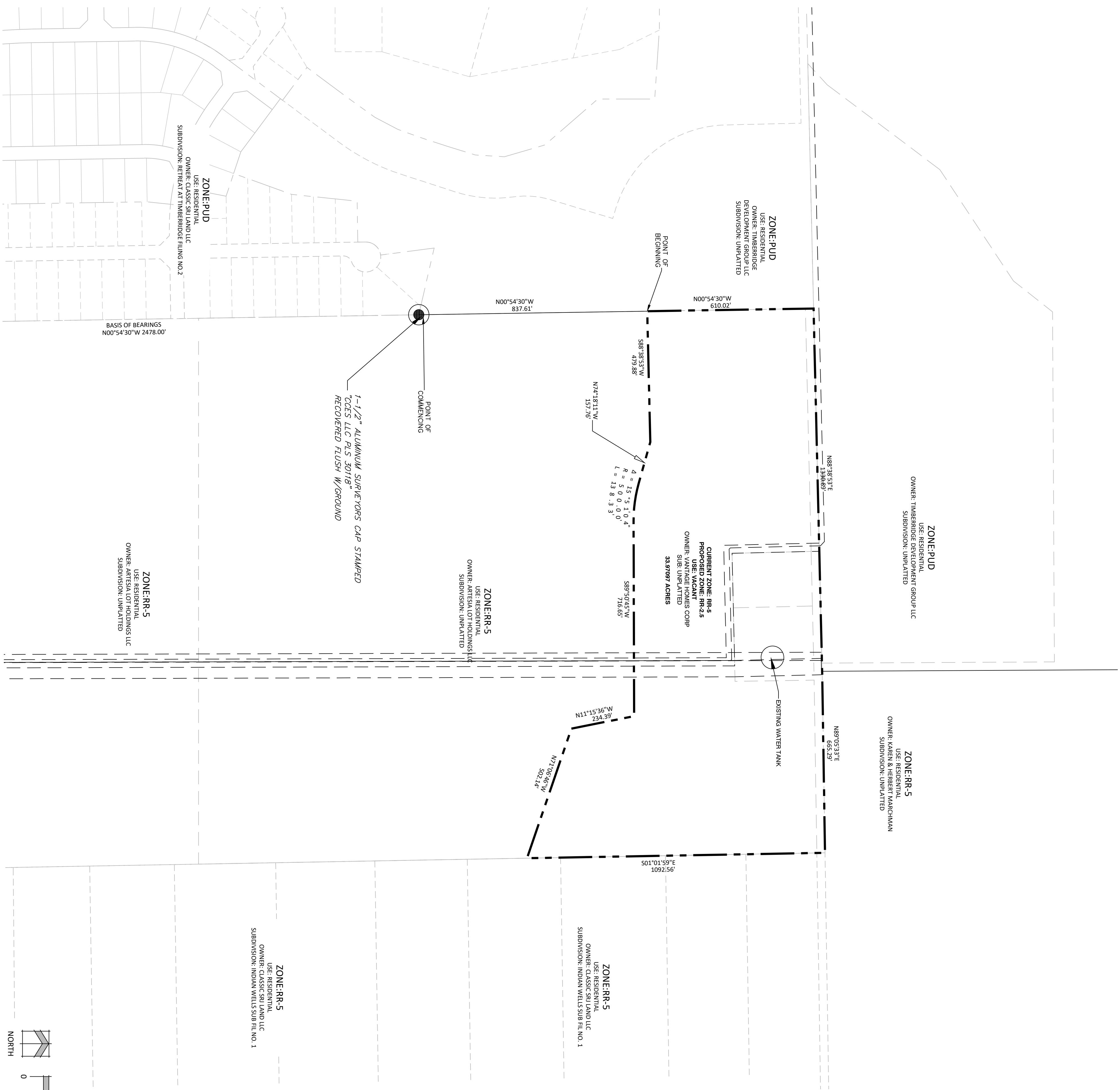
LEGAL DESCRIPTION

SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST-Y BOUNDARY OF RETREAT AT TIMBERRIDGE PLANO 2 REGRIDDEN LINES RESECTION NO. 22778181, RESECTION OF EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE SOUTH END WHEREAS THE SOUTHWEST 1/4 CORNER OF SAID SECTION 27 OF SAID TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTH END WHEREAS THE SOUTHWEST 1/4 CORNER OF SAID SECTION 27 OF SAID TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTH END WHEREAS THE SOUTHWEST 1/4 CORNER OF SAID SECTION 27 OF SAID TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTH END WHEREAS THE SOUTHWEST 1/4 CORNER OF SAID SECTION 27 OF SAID TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTH END WHEREAS THE SOUTHWEST 1/4 CORNER OF SAID SECTION 27 OF SAID TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 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SOUTH, RANGE 65 WEST OF THE 88°38'53"W

LINE TYPE LEGEND

- — — — — PROPERTY BOUNDARY
- — — — — ADJACENT PROPERTY LINE
- - - - - EXISTING EASEMENT



<p>PLAN FILE #</p> <p>SHEET NUMBER</p> <p style="text-align: center; font-size: 2em;">1</p> <p style="text-align: center;">OF</p> <p style="text-align: center;">1</p> <p>P239</p>	<p>SHEET TITLE</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">REZONE EXHIBIT</p>	<p>ISSUE / REVISION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>12/19/2023</td> <td>BP</td> <td>REVIEW COMMENTS</td> </tr> </table>	DATE	BY	DESCRIPTION	12/19/2023	BP	REVIEW COMMENTS	<p>ISSUE INFO</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">ENTITLEMENT</p>	<p>STAMP</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>SMOKE STACK AT STERLING RANCH</p> <p>REZONE</p> </div>	<p>PROJECT INFO</p> <p>DATE: 10/09/2023</p> <p>PROJECT MGR: A. BARLOW</p> <p>PREPARED BY: B. PERKINS</p>	<p>IN ASSOCIATION WITH</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <p>SMOKE STACK AT STERLING RANCH</p> <p>REZONE</p> </div>	<p>PLANNER / LANDSCAPE ARCHITECT</p> <div style="text-align: center;"> <p>NES</p> </div> <p>N.E.S., Inc. 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO 80903 Tel. 719.471.0073 Fax. 719.471.0267 www.nescolorado.com © 2012. All Rights Reserved.</p>
DATE	BY	DESCRIPTION											
12/19/2023	BP	REVIEW COMMENTS											

RESOLUTION NO. 24-

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

APPROVAL OF A SKETCH PLAN
STERLING RANCH SKETCH PLAN AMENDMENT (SKP235)

WHEREAS, Classic SRJ Land, LLC, did file an application with the El Paso County Planning and Community Development Department, for the approval of a 212-acre Sketch Plan Amendment to the approved 1,444-acre Sterling Ranch Sketch Plan for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject Sketch Plan; and

WHEREAS, a public hearing was held by this Board on March 14, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the County, recommendations of the El Paso County Planning Commission, comments of the El Paso County Planning and Community Development Department, comments of public officials and agencies, and comments from all interested persons, this Board finds as follows:

1. The application was properly submitted for consideration by the Board of County Commissioners.
2. Proper posting, publication, and public notice was provided as required by law for the hearings before the Planning Commission and Board of County Commissioners.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons were heard at that hearing.

4. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
5. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The proposed subdivision is in conformance with the requirements of the Land Development Code.
7. The proposed subdivision is compatible with existing and proposed land uses within and adjacent to the Sketch Plan area.
8. The water supply report provides sufficient information to identify probable compliance with the water supply standards and identifies any need for additional water supplies.
9. Services are or will be available to meet the needs of the subdivision including roads, police and fire protection, schools, recreation facilities, and utility service facilities.
10. The soil is suitable for the subdivision.
11. Geologic hazards do not prohibit the subdivision, or can be mitigated.
12. The subdivision will not interfere with the extraction of any known commercial mining deposit [C.R.S. § 34-1-302(1), et seq.].
13. The design of the subdivision protects the natural resources or unique landforms.
14. The proposed methods for fire protection are adequate to serve the subdivision.
15. The subdivision is appropriate and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.
16. For the above-stated and other reasons, the proposed Sketch Plan is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the 212-acre Sketch Plan Amendment to the approved 1,444-acre Sterling Ranch Sketch Plan as submitted by Classic SRJ Land, LLC, for property in the unincorporated area of El Paso County as described in Exhibit A.

BE IT FURTHER RESOLVED the following conditions shall be placed upon this approval:

CONDITIONS

1. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of 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.

2. The Subdivider(s) agrees 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 19-471), 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.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as otherwise modified herein.

DONE THIS 14th day of March at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

Exhibit A

The West Half Of The West Half Of The East Half And East Half Of The West Half And The Southwest Quarter Of The Southwest Quarter Of Section 27; The East Half Of The Southeast Quarter And That Portion Of The Southwest Quarter Of The Southeast Quarter Lying South And East Of The County Road Known As Vollmer Road, Of Section 28; The West Half Of The East Half And The West Half Of Section 34; The East Half And The East Half Of The Southwest Quarter And The Southwest Quarter Of The Southwest Quarter Of Section 33, And All That Part Of The Northwest Quarter Of Section 33 Lying South And East Of The County Road Known As Vollmer Road, Except That Portion Of The Southwest Quarter Of The Northwest Quarter Of Said Section 33 Lying South And East Of Said County Road As Deeded To Colorado Interstate Gas Company By Warranty Deed Recorded In Book 1173 At Page 359; And That Portion Of The Northeast Quarter Of The Southeast Quarter And The Southeast Quarter Of The Southeast Quarter Lying Southeast Of The County Road Known As Vollmer Road, Of Section 32, Except That Portion Of The Northeast Quarter Of The Southeast Quarter Of Said Section 32 Deeded To J. Marcus Brown By Trustees' Deed Recorded In Book 3292 At Page 168; All In Township 12 South, Range 65 West Of The 6th P.M., El Paso County, Colorado. All That Portion Of The Northwest Quarter Of The Southeast Quarter Of Section 28, Township 12 South, Range 65 West Of The 6th P.M., El Paso County, Colorado Lying South And East Of The County Road (Vollmer Road), Also: The Northwest Quarter Of The Northwest Quarter Of Section 4, Township 13 South, Range 65 West Of The Sixth Principal Meridian, Lying Southerly Of An Existing East- West Fence As Described In Special Warranty Deed Recorded December 23, 2004 At Reception No. 204209417, County Of El Paso, State Of Colorado, Also: The Southeast Quarter Of The Southwest Quarter Of The Southeast Quarter Of Section 32, Township 12 South, Range 65 West Of The 6th P.M., Lying Southeasterly Of The Public Road Known As Vollmer Road, El Paso County, Colorado, And

Containing 1443.695 Acres More Or Less.

RESOLUTION NO. 24-

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

APPROVAL OF A MAP AMENDMENT (REZONING)
STERLING RANCH NORTH RR-2.5 REZONE (P239)

WHEREAS Classic SRJ Land, LLC, did file an application with the El Paso County Planning and Community Development Department for a Map Amendment (Rezoning) of the El Paso County Zoning Map for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 14, 2024; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

6. That the proposed land use will be compatible with existing and permitted land uses in the area.
7. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this Map Amendment (Rezoning) of the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

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

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Classic SRJ Land, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RR-2.5 (Residential Rural) zoning district;

BE IT FURTHER RESOLVED the following conditions and notation shall be placed upon this approval:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.

- 2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

- 1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
- 2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 14th day of March 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTION 27, 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 EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING

NO. 2; THENCE N00°54'30"W, A DISTANCE OF 837.61 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°54'30"W, A DISTANCE OF 610.02 FEET TO THE NORTH LINE OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF SAID SECTION 27 THE FOLLOWING TWO (2) COURSES:

1. N88°38'53"E, A DISTANCE OF 1,330.89 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 27;
2. N89°05'33"E, A DISTANCE OF 665.29 FEET TO THE NORTHWESTERLY CORNER OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE S01°01'59"E, ON THE WESTERLY BOUNDARY OF SAID INDIAN WELLS SUBDIVISION FILING NO. 1, A DISTANCE OF 1,092.56 FEET;

THENCE N71°06'46"W, A DISTANCE OF 502.14 FEET; THENCE N11°15'36"W, A DISTANCE OF 234.39 FEET; THENCE S89°50'45"W, A DISTANCE OF 716.65 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 15°51'04", A RADIUS OF 500.00 FEET, AND A DISTANCE OF 138.33 FEET;

THENCE N74°18'11"W, A DISTANCE OF 157.76 FEET;

THENCE S88°38'53"W, A DISTANCE OF 479.88 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 33.97097 ACRES (1,479,775 SQUARE FEET).

RESOLUTION NO. 24-

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

APPROVAL OF A MAP AMENDMENT (REZONING)
STERLING RANCH NORTH RR-0.5 REZONE (P2310)

WHEREAS Classic SRJ Land, LLC, did file an application with the El Paso County Planning and Community Development Department for a Map Amendment (Rezoning) of the El Paso County Zoning Map for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the RR-5 (Residential Rural) zoning district to the RR-0.5 (Residential Rural) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 14, 2024; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

6. That the proposed land use will be compatible with existing and permitted land uses in the area.
7. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this Map Amendment (Rezoning) of the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

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

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Classic SRJ Land, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RR-0.5 (Residential Rural) zoning district;

BE IT FURTHER RESOLVED the following conditions and notation shall be placed upon this approval:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.

- 2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

- 1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
- 2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 14th day of March 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTION 27, 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 EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING

NO. 2; THENCE N00°54'30"W, A DISTANCE OF 274.03 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°54'30"W, A DISTANCE OF 563.57 FEET;

THENCE N88°38'53"E, A DISTANCE OF 479.88 FEET;

THENCE S74°18'11"E, A DISTANCE OF 157.76 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 15°51'04", A RADIUS OF 500.00 FEET, AND A DISTANCE OF 138.33 FEET;

THENCE N89°50'45"E, A DISTANCE OF 716.65 FEET;

THENCE S11°15'36"E, A DISTANCE OF 234.39 FEET;

THENCE S71°06'46"E, A DISTANCE OF 502.14 FEET TO THE WESTERLY BOUNDARY OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE S01°01'59"E, ON SAID WESTERLY BOUNDARY, A DISTANCE OF 1,249.69 FEET;

THENCE S89°05'30"W, A DISTANCE OF 756.72 FEET;

THENCE N00°09'15"W, A DISTANCE OF 1,248.33 FEET;

THENCE S89°50'45"W, A DISTANCE OF 860.00 FEET;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 61°09'02", A RADIUS OF 200.00 FEET, AND A DISTANCE OF 213.46 FEET;

THENCE S89°05'30"W, A DISTANCE OF 224.51 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 37.86798 ACRES (1,649,529 SQUARE FEET).

RESOLUTION NO. 24-

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

APPROVAL OF A MAP AMENDMENT (REZONING)
STERLING RANCH NORTH RS-5000 REZONE (P2311)

WHEREAS Classic SRJ Land, LLC, did file an application with the El Paso County Planning and Community Development Department for a Map Amendment (Rezoning) of the El Paso County Zoning Map for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 14, 2024; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

6. That the proposed land use will be compatible with existing and permitted land uses in the area.
7. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this Map Amendment (Rezoning) of the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

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

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Classic SRJ Land, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RS-5000 (Residential Suburban) zoning district;

BE IT FURTHER RESOLVED the following conditions and notation shall be placed upon this approval:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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 threatened species.

- 2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district, RR-0.5 (Residential Rural) zoning district, and RS-5000 (Residential Suburban) zoning district as described in the legal descriptions for each Map Amendment, and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

NOTATIONS

- 1. If a Map Amendment (Rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
- 2. Map Amendment (Rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 14th day of March 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND BEING LOCATED IN A PORTION OF SECTIONS 27 AND 34, 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 EASTERLY BOUNDARY OF RETREAT AT TIMBERRIDGE FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715015, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH END WHICH IS THE SOUTHWEST 1/16 CORNER OF SAID SECTION 27, BY A 3" ALUMINUM SURVEYORS CAP STAMPED "PLS 10376" AND AT THE NORTHERLY END BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N00°54'30"W, A DISTANCE OF 2478.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2 SAID POINT BEING THE POINT OF BEGINNING;

THENCE N00°54'30"W, A DISTANCE OF 274.03 FEET; THENCE N89°05'30"E, A DISTANCE OF 224.51 FEET; THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S61°18'17"E, HAVING A DELTA OF 61°09'02", A RADIUS OF 200.00 FEET, AND A DISTANCE OF 213.46 FEET; THENCE N89°50'45"E, A DISTANCE OF 860.00 FEET;

THENCE S00°09'15"E, A DISTANCE OF 1,248.33 FEET;

THENCE N89°05'30"E, A DISTANCE OF 756.72 FEET TO THE WESTERLY BOUNDARY OF INDIAN WELLS SUBDIVISION, FILING NO. 1, RECORDED IN PLAT BOOK J-3 AT PAGE 83;

THENCE ON SAID WESTERLY AND SOUTHERLY BOUNDARY THE FOLLOWING TWO (2) COURSES:

1. S01°01'59"E, A DISTANCE OF 2,832.59 FEET;

2. N87°09'09"E, A DISTANCE OF 574.82 FEET TO THE NORTHWESTERLY CORNER OF BOW VALLEY SUBDIVISION, RECORDED IN PLAT BOOK N-3 AT PAGE 8;

THENCE S00°13'01"E, ON SAID WESTERLY BOUNDARY, A DISTANCE OF 1,362.74 FEET; THENCE CONTINUING S00°13'01"E, A DISTANCE OF 1,281.65 FEET;

THENCE S89°33'47"W, A DISTANCE OF 260.78 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 13°54'42", A RADIUS OF 1,500.00 FEET, AND A DISTANCE OF 364.20 FEET;

THENCE N76°31'31"W, A DISTANCE OF 2,234.78 FEET; THENCE N13°28'29"E, A DISTANCE OF 629.50 FEET;

THENCE N76°31'31"W, A DISTANCE OF 864.69 FEET; THENCE N13°28'29"E, A DISTANCE OF 438.21 FEET;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 63°41'16", A RADIUS OF 770.00 FEET, AND A DISTANCE OF 855.90 FEET;

THENCE N77°09'45"E, A DISTANCE OF 226.32 FEET;

THENCE N00°54'30"W, A DISTANCE OF 1,401.50 FEET TO THE SOUTHEASTERLY CORNER OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2;

THENCE CONTINUE N00°54'30"W, ON THE EASTERLY BOUNDARY OF SAID RETREAT AT TIMBERRIDGE FILING NO. 2, A DISTANCE OF 2,478.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 328.71906 ACRES (14,319,002 SQUARE FEET).