

## **HOMESTEAD AT STERLING RANCH FILING 3**

### **Homestead at Sterling Ranch 2A and Sterling Ranch Filing 1A**

#### **LETTER OF INTENT**

**MARCH 2023**

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#### **OWNERS:**

SR LAND, LLC  
20 BOULDER CRESCENT ST. SUITE 102  
COLORADO SPRINGS, CO 80903

STERLING RANCH METROPOLITAN DISTRICT  
121 SOUTH TEJON STREET, SUITE 1100  
COLORADO SPRING, CO 80903

VANTAGE HOMES  
9540 FEDERAL DRIVE, SUITE 100  
COLORADO SPRINGS, CO 80921

ELITE PROPERTIES OF AMERICA INC.  
2138 FLYING HORSE CLUB DRIVE  
COLORADO SPRINGS, CO 80921

#### **APPLICANT:**

SR LAND, LLC  
20 BOULDER CRESCENT ST. SUITE 102  
COLORADO SPRINGS, CO 80903

#### **CONSULTANT:**

##### **N.E.S. INC.**

ANDREA BARLOW  
619 N. CASCADE AVE. SUITE 200  
COLORADO SPRINGS, CO 80903  
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**TSN:** 5233301001,5233103001,5233103002,5233103013,5233103003,5233103004

**ADDRESS:** TRACT D, STERLING RANCH FILING NO.1, EL PASO COUNTY, COLORADO; LOTS 24-27 & TRACT B,  
HOMESTEAD AT STERLING RANCH FILING NO. 2, EL PASO COUNTY, COLORADO.


## Homestead at Sterling Ranch 2A and Sterling Ranch Filing 1A

**ACREAGE:** 15.8728AC

**CURRENT ZONING:** RS-5000

**CURRENT USE:** VACANT, DETENTION BASIN

use this as plat name  
throughout LOI



### REQUEST

SR Land, LLC, Vantage Home Corp., Sterling Ranch Metropolitan District No. 2, and Elite Properties of America Inc., requests approval of a vacation of and replat of Tract D of Sterling Ranch Filing No. 1 from a single Tract to a single residential lot and two tracts. One tract (Tract B) will be used for access, drainage and utilities and the second tract (Tract C) will be used for drainage, utilities and pedestrian connections. Second, this application requests for the vacation of lots 24-27 and Tract B in Homestead at Sterling Ranch Filing No. 2 to be replated as a single residential lot and Tract A for permanent detention. Both areas are to be replated as part of Homestead at Sterling Ranch Fil. No. 3.

### LOCATION

Tract D of Sterling Ranch Filing 1 is located in the northeastern corner of Niarada Way and Cut Back Drive between lots 35 and 36. This area is proposed to be replated as a single residential lot (Lot 2), Tract B (0.1423AC) for open space and connection to Sand Creek and Tract C (14.4557AC) for drainage, utilities and pedestrian access.

Lot 24-27 and Tract B (as shown in Homestead at Sterling Ranch Filing No. 2) are located on the east side of Beaver Brook Drive and south side of Cut Bank Drive. Lots 24-27 and Tract B of Homestead at Sterling Ranch Filing No. 2 are proposed to be vacated. The replat of this area proposes a single residential lot (Lot 1) and Tract A (0.8916AC) to be used for detention.



## PROJECT DESCRIPTION

This application is for the vacation of Tract D in Sterling Ranch Filing 1 so that this area can be replatted with a single residential lot (shown as Lot 2), Tract B (0.1423AC) and Tract C (14.4557AC). Tract B will be used as open space, drainage, utilities and pedestrian connection to the Sand Creek Channel. Tract C will be used for drainage, utilities and pedestrian access. Initially this area was platted to encompass the Sand Creek Channel and to be used as a natural drainage way. Since this time, stormwater infrastructure improvements have been made and the drainageway is no longer needed. The single residential lot to be platted is shown as Lot 2 and is 8,400SF/0.1928AC. Tract B is 6,198AF/0.1423AC and is intended to provide a pedestrian trail connection from Cut Bank Drive to the Sand Creek Channel, drainage and utilities. Tract C (14.4557AC) is created from the remainder of Tract D for drainage, utilities and pedestrian access.

Lots 24-27 of Homestead at Sterling Ranch Filing No. 2 are proposed to be vacated and replatted to include a single residential lot and Tract for detention. The replatted single family residential lot (shown

as Lot 1) is 8,289SF/0.1903AC and is immediately adjacent to lot 23. The remaining open space will create Tract A which will be utilized for a permanent detention basin. A temporary detention basin was shown in this area with Homestead at Sterling Ranch Filing No. 2 Final Plat; it has since been determined that the detention basin will need to be made permanent. The vacation of lots 24-27 and replat of Tract A allows for a permanent detention basin in Tract A and creation of a single residential lot (Lot 1).

**COMPATIBILITY/TRANSITIONS:** The proposed vacation and replats of Tract D in Sterling Ranch Filing 1 and Lots 24-27 of Homestead at Sterling Ranch Filing No. 2 are in alignment with the character and design of both filings.

The vacation of Tract D creates a similarly sized single family residential, small open space tract (Tract B) and larger tract (Tract C) for drainage, utilities and pedestrian access. A pedestrian trail is proposed within Tract B & Tract C to connect pedestrians from Cut Bank Drive to the Sand Creek Channel. The direct connection to the Sand Creek Channel will serve as an amenity to the existing development. Tract B & C will be owned and maintained by Sterling Ranch Metropolitan District No. 1.

The vacation of Lots 24-27 in Homestead at Sterling Ranch Fil. No. 2 will provide necessary space for a permanent detention basin which will serve the development. The detention basin will be within Tract A. This will be owned and maintained by Sterling Ranch Metropolitan District No. 1.

**TRAFFIC:** A Traffic Impact Memo for the vacation and replat of Lots 24,25,26,27, Tract B of Homestead at Sterling Ranch Filing No. 2 and Tract D of Sterling Ranch Filing. No. 1 was created by LSC on February 28, 2023.

- No changes to access are proposed as part of the currently proposed Homestead at Sterling Ranch Filing 3
- Overall traffic had no negative impacts. The total number of single family homes in the area is proposed to be reduced by two dwelling units, no changes are anticipated to the recommended street classifications and improvements shown in *Homestead at Sterling Ranch Filing No. 2 Traffic Technical Memorandum* dated March 3, 2020 and the *Sterling Ranch Sketch Plan Amendment Master Traffic Impact Study* dated February 20, 2023.

**UTILITIES:** The property is located within the boundaries of the Falcon Area Water and Wastewater Authority. Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas. This area is served by the Black Forest Fire Protection District. Commitment letters from each service provider are included with the submittal.

**DRAINAGE:** An addendum to the Final Drainage Report for Homestead at Sterling Ranch Filing 2 has been included with this submittal. The updated drainage report includes the addition of Basin X1 and the modification of lot 24 (Basin W1), making it smaller.

Basin X1 consists of the existing residential backyards of lots 36-41 and proposed new lot along the eastern boundary. This basin increased in size due to the additional lot that will be treated. Previously the area for the new lot was located within a tract and was assumed to drain freely to the existing Sand Creek. In accordance with the previous design, a swale/berm and area drain will be used for the new lot

to collect the runoff and pipe it directly to a sand filter. The treated flows from the sand filter will be discharged via an outlet structure to the adjacent Sand Creek.

Basin W1 decreased in size due to the adjustment of lot 24 decreasing the lot area. Only the runoff from the lot areas are collected and treated in the sand filter and since the lot size is decreasing, the swale/berm configuration along the back of the lot is also decreasing in length.

**TRAILS AND OPEN SPACE:** The creation of Tract B with this replat creates an additional opportunity for pedestrian within the development to connect to the Sand Creek Channel. The replat of Tract A in Homestead North Filing 2 has no impacts to trails and open space provided within this filing.

**GEOLOGIC HAZARDS:** Geologic hazard reports were approved with both Sterling Ranch Filing 1 and Homestead North Filing 2. All geologic hazards were analyzed with the approval of Sterling Ranch Filing 1 and Homestead North Filing 2. The Homestead at Sterling Ranch Filing No. 3 plat does not impact areas beyond Sterling Ranch Filing 1 and Homestead North Filing 2.

**FLOOD:** Homestead at Sterling Ranch Filing No. 3 are within a regulatory floodway. Flood risk was evaluated with Sterling Ranch Filing No. 1 and Homestead at Sterling Ranch Filing No. 2. This is depicted in FEMA panel 08041Co533G effective 12/7/18.

**WETLANDS:** A wetland mitigation plan was approved with Homestead at Sterling Ranch Filing No. 2. There are no changes or additional impacts with this vacation and replat.

**WILDLIFE:** Impacts to wildlife and habitat were analyzed with the approval of the Sterling Ranch Filing No. 1 and Homestead North Filing No. 2. There are no additional impacts with this application.

**WILDFIRE:** Wildlife risk was analyzed with the approval of the Sterling Ranch Filing No. 1 and Homestead North Filing No. 2. There are no additional impacts with this application.

**DISTRICTS/ENTITIES SERVING THE PROPERTY:**

- Academy School District 20
- Mountain View Electric
- City of Colorado Springs Utilities – Gas
- Black Forest Fire Protection District
- Sterling Ranch Metropolitan District No. 2
- El Paso County Conservation District
- Pikes Peak Library District

no water finding is required because you are decreasing lots

this is admin not BoCC plat revise criteria; you are decreasing lots overall by moving lot and tract lines

7.2.3.B.1

## PROJECT JUSTIFICATION

The Final Plat addressed the Final Plat Review Criteria in Chapter 7.2.3.C.4 of the LDC as follows:

**1. THE REPLAT COMPLIES WITH THIS CODE, AND THE ORIGINAL CONDITIONS OF APPROVAL ASSOCIATED WITH THE RECORDED PLAT;**

The vacation and replat Tract D of Sterling Ranch Filing No. 1 comply with the intent and conditions of approval of Sterling Ranch Filing No. 2 and Tract D Final Plat. The replat of this area is to create an open space tract (Tract B) to provide drainage and pedestrian connectivity to Sand Creek and Tract C (14.4557AC) which will provide drainage, utilities and pedestrian access. The remaining portion of Tract D will be replated as Tract C (14.4557AC) and will provide drainage, utilities, and pedestrian access.

Similarly, the vacation and replat of lots 24,25,26,27, Tract B of Homestead at Sterling Ranch Filing No. 2 complies with the intent and conditions of approval associated with the recorded plat. Vacating lots 24,25,26,27 and Tract B allows for the creation of Tract A for a permanent detention basin and the creation of a single lot.

**2. NO NON-CONFORMING LOTS ARE CREATED, AND IN THE CASE OF EXISTING NONCONFORMING LOTS, THE NONCONFORMITY IS NOT INCREASED;**

Lots created with this replat are of similar size to their adjacent lots. No no-conforming lots are created with this application.

**3. THE REPLAT IS IN KEEPING WITH THE PURPOSE AND INTENT OF THIS CODE;**

This replat is in compliance with the intent and conditions of the approved Sterling Ranch Filing No. 1 and Homestead at Sterling Ranch Fil. No. 2 Final Plat.

**4. LEGAL AND PHYSICAL ACCESS IS PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;**

The two lots created with this vacation and replat will be legally addressed off of their fronting street. Both lots, Tract A and Tract B will be addressed off of Cut Bank Drive. Tract C is immediately adjacent to Sand Creek.

**5. THE APPROVAL WILL NOT ADVERSELY AFFECT THE PUBLIC HEALTH, SAFETY, AND WELFARE;**

Approval of this vacation and replat will allow for the creation of Tract A which will serve as a detention basin for the residential area created by Homestead at Sterling Ranch Fil. No. 2. The vacation of part of Tract D in Sterling Ranch Fil. No. 1 will allow for the creation of Tract B & Tract C which will provide drainage, utilities and a pedestrian connection for the neighborhood access the Sand Creek Channel.

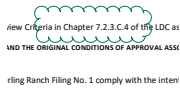
**6. WHERE THE LOTS OR PARCELS ARE SUBJECT TO ANY CC&RS OR OTHER RESTRICTIONS, THAT ANY POTENTIAL CONFLICT WITH THE CC&RS OR OTHER RESTRICTION RESULTING FROM THE REPLAT HAS BEEN RESOLVED.**

All areas within Homestead at Sterling Ranch Filing No. 2, Sterling Ranch Filing No. 1 replated Homestead at Sterling Ranch Filing No. 3 will be maintained by the Sterling Ranch Metro District No.

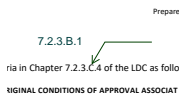
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(B)Alterations to Recorded Plats. (1)Lot Line/Building Envelope Adjustment. (a)Purpose. The purpose of this Section is to provide for a realignment of a lot line or building envelope, or replatting of several lots (e.g., 3 lots into 2 lots), in which the original subdivision is not substantially modified and additional lots are not created; however, tracts may be created provided the declared use of the tract does not include a structure.(b)Applicability. An approved lot line/building envelope adjustment plat or map and any correction deeds shall be required to realign any lot lines or adjust a building envelope on a recorded subdivision plat.(c)Approval Criteria. The PCD Director, in approving a lot line/building envelope adjustment, shall find:

- The lot line/building envelope adjustment and any resultant lots comply with this Code, and the original conditions of approval associated with the recorded plat;
- No nonconforming lots are created, and in the case of nonconforming lots, the nonconformity is not increased;
- The lot line/building envelope adjustment is in keeping with the purpose and intent of this Code;
- The lot line/building envelope adjustment will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the lot line/building envelope adjustment has been resolved.

(d)Completed Action. A lot line or building envelope adjustment shall be considered completed and in effect when an approved amended plat and correction deeds or other document approved by the PCD Director amending the plat is filed for recording with the Clerk and Recorder.

\*\*\*\*Note: This is admin not BoCC plat revise criteria; you are decreasing lots overall by moving lot and tract lines  
of the Plat Review Criteria in Chapter 7.3.6.C of the SAC as follows  
to better meet State Land Use Planning Commission of approval associated with the  
update that is of the long term filing No. 12 comply with the intent and conditions  
of the State Land Use Planning Commission. The intent of this action is to meet as

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