

EL PASO COUNTY



COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of County Commissioners
 Stan VanderWerf, Chair

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

RE: Project File #: SF-20-015
 Project Name: Sterling Ranch Filing No. 2
 Parcel Nos.: 52000-00-231, 52000-00-364, 52324-00-004, 52330-00-013, 53000-00-173, and 53000-00-222

OWNER:	REPRESENTATIVE:
SR Land, LLC Morley Bentley, LLC Trader Vics, LP 8335 Vollmer Road, LLC Challenger Communities, LLC 20 Boulder Crescent Street, Suite, 102 Colorado Springs, CO 80903	N.E.S. Inc. 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	10/7/2021
Board of County Commissioners Hearing Date	10/26/2021

EXECUTIVE SUMMARY

A request by multiple owners (see PCD File No. SF-20-015), for approval of a final plat to create 49 single-family residential lots, one (1) future development tract, and 10 tracts for landscaping, drainage, and utilities. The six parcels, totaling 49.54 acres, are zoned

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RS-5000 (Residential Suburban) and are located west of Dines Ranch Road at the northeast corner of the Vollmer Road and Tahiti Drive intersection and are within Sections 32 and 33, Township 12 South, and Section 4, Township 13 South, Range 65 West of the 6th P.M. The property is located within the boundaries of the Falcon/Peyton Small Area Master Plan (2008).

The proposed Sterling Ranch Filing No. 2 final plat is consistent with the RS-5000 zoning district, the approved Sterling Ranch Sketch Plan (PCD file no. SKP-07-007), and the approved preliminary plan (PCD file no. SP-14-015). The final plat application meets the submittal and review criteria for a final plat as well as the general development standards of Chapter 6, the final plat review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the El Paso County Land Development Code (2019).

Water and wastewater services will be provided by Sterling Ranch Metropolitan District. The Board of County Commissioners approved the Sterling Ranch Phase 1 Preliminary Plan on May 26, 2015. Approval of the preliminary plan did not include a finding of water sufficiency in terms of quality, quantity, and dependability.

Approval of an Intergovernmental Agreement (IGA) between the Sterling Ranch Metropolitan District No. 1, the City of Colorado Springs, and El Paso County is also being requested in order to enable the developer to construct the extension of Marksheffel Road to City Engineering criteria roadway standards, in lieu of County standards, which would allow for City ownership and maintenance of the roadway after the applicants complete the required improvements as depicted on the construction drawings associated with the requested final plat, and after the final plat has been recorded.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by multiple owners, for approval of a final plat to create 49 single-family residential lots, one (1) future development tract, and 10 tracts for landscaping, drainage, and utilities. Approval of an intergovernmental agreement between the City of Colorado Springs, El Paso County, and Sterling Ranch Metropolitan District Intergovernmental Agreement (IGA) is also being requested in order to allow for the extension of Marksheffel Road to be built to City standards.

Waiver(s)/Deviation(s): No waivers are requested with this final plat. Two deviations were requested and approved with the final plat submittal.

1. A deviation of Section 2.3.7 of the ECM to allow for the intersection profile grade of Alzada Drive at Vollmer Road. Alzada is proposed to have a grade exceeding ECM requirements of 4% for at least 100 feet. A maximum grade of 7.94% sloping down from Vollmer Road is proposed due to topographic constraints; however, the first 70 feet of Alzada Drive at Vollmer Road will meet the profile criteria.

Section 2.3.7.C of the ECM states:

“The roadway profile grade shall not exceed the value presented in Table 2-22 on the approach to the intersection, as measured along the centerline of the roadway for a minimum distance equal to the grade lengths presented in Table 2-23 for each of the roadway functional classifications.

The grade of the roadway with the higher functional classification shall prevail at intersections. Grading of lower functional classifications, adjacent property, private access shall adapt to the higher functional classification roadway grade.

In cases where the natural grade for which a roadway is to be constructed is steeper than 4 percent (hillside areas). A deviation from the presented standards may be requested for to accommodate these conditions up to a maximum of 8 percent.

Where crosswalks are provided at intersections, roadway grades shall be set to provide compliant crosswalk cross slopes. On approaches with stop or yield control, roadway grades shall be 2% maximum. On uncontrolled approaches or at traffic signals designed to permit arrival during the green phase, roadway grades shall be the maximum permitted for that functional classification, but in no case greater than 5%. See Section 6.3.2.”

ECM Administrator Recommendation:

Per the final plat, adequate pedestrian accessibility is provided by access ramps at all intersections and mid-block trail crossings. Additionally, the access ramps are within the cross-slope standards outlined by the Federal Americans with Disabilities Act (ADA).

2. A deviation of Section 2.2.4 of the ECM to allow for the for a modified Marksheffel Road cross-section. The Developer has agreed to construct Marksheffel Road to City of Colorado Springs criteria and requirements, with the City to accept ownership and maintenance of this road segment after construction is complete. The transfer of right-of-way and improvements from the developer to the City is addressed in the IGA discussed below.

Section 2.2.4 of the ECM states:

“The Roadway functional classification is one parameter used to determine appropriate road design. The function of a road is determined by the volume of traffic, length of vehicle trips, and whether the road provides service primarily for vehicular movement or access to abutting land uses. For example, arterial roadways generally carry significantly greater traffic volumes and variety of traffic types at higher speeds than collector roads. Similarly, collector roads will carry greater traffic volumes at higher speeds than local roads.

Roadway functional classifications for regional based facilities are established by the most recently adopted MTCP. Other roadways are classified by the BOCC based on whether the adjoining land uses are rural or urban in nature (i.e. developments with lots greater than or equal to 2.5 acres), along with the existing and projected objectives of the roadway.

The County recognizes six roadway functional classifications within the rural designation: expressways, principal arterials, minor arterials, major collectors, minor collectors, and locals. The County recognizes seven roadway functional classifications within the urban roadway designation: expressways, principal arterials, minor arterials, nonresidential collectors, residential major collectors, residential minor collectors, and locals.

These Standards have been developed in support of the County roadway functional classification system.”

ECM Administrator Recommendation:

The ECM does not consider roadways that will be owned and maintained by other jurisdictions. Additionally, no adverse safety impacts to the El Paso County’s roadway system are anticipated after Marksheffel Road is constructed and accepted by the City of Colorado Springs for ownership and maintenance.

Authorization to Sign: Final Plat, Intergovernmental Agreement (IGA) between the City of Colorado Springs, El Paso County and the Sterling Ranch Metropolitan District No. 1, and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard: As a Consent item at the October 7, 2021 hearing.

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 9 - 0

Vote Rationale: N/A

Summary of Hearing: The October 7, 2021 PC Draft Minutes are attached.

Legal Notice: N/A

C. APPROVAL CRITERIA

In approving a final plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;

- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: RS-5000 (Residential Suburban)	Single-family residential
South: RS-5000 (Residential Suburban)	Single-family residential
East: RS-5000 (Residential Suburban)	Vacant
West: RR-5 (Residential Rural)	Single-family residential

E. BACKGROUND

The Sterling Ranch Sketch Plan (PCD file no. SKP-07-007), consisting of 1,443.70 acres, was heard and approved by the Board of County Commissioners on November 18, 2008. The Sketch Plan includes 5,225 residential units, 56 acres of commercial development, 57 acres of dedicated school sites, 210 acres of parks and open space, and a 2 acre utility site. A five (5) year expiration date was imposed on the application, which was subsequently extended via approval by the Board of County Commissioners.

The service plan for Sterling Ranch Metropolitan Districts Nos. 1, 2, and 3 was heard and approved by the Board of County Commissioners on June 24, 2010. The Sterling Ranch Metropolitan District No. 1 will provide water and wastewater

services aided by Meridian Service Metropolitan District via an intergovernmental agreement.

An extension of the date of expiration of sketch plan was approved by the Board of County Commissioners on November 25, 2014, with retention of the conditions of approval and notations except Condition of Approval No. 2, which required all land within the sketch plan to be rezoned to a PUD as stated in Resolution No. 08-476. Condition No. 2 reads as follows:

“Rezoning of the property is necessary to implement the sketch plan. Staff support for the sketch plan and the finding of master plan consistency herein assumes a proposed rezoning to PUD. To the extent applicant brings forward a rezoning and preliminary plan that contemplates a zoning classification other than PUD, Development Services will consider that a material modification of the sketch plan and may require applicant to proceed forward with an amended sketch plan, which amended sketch plan process may or may not proceed simultaneously with a proposed rezoning and preliminary plan.”

Staff agreed with the action to remove Condition No. 2 to allow rezoning of the property to conventional single-family and commercial zoning with the understanding that it could still function in a manner that would preserve the open space acreage and density originally approved in the Sketch Plan. Open space tracts are shown throughout the approved preliminary plan. In addition, there is a condition on the Sketch Plan requiring the inclusion of a buffer between development within the overall Sterling Ranch and the existing residential development to the south. The Sketch Plan also depicts a 50-foot buffer adjacent to the industrial property to the west.

Map amendments (rezonings) of the property from RR-5 (Residential Rural) to RS-5000 (Residential Suburban) (PCD File No. P-15-001) and CS (Commercial Service) (PCD File No. CS-15-001) were approved by the Board of County Commissioners on March 24, 2015. A condition of approval requiring a transition buffer along the southern property line was placed on the RS-5000 zoning. The condition states:

“Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent rezoning and subdivision submittals. On the southern border no residence may be

constructed within 100 feet, and an average building setback of 150 feet shall be maintained from the adjacent property lines.”

A preliminary plan (PCD File No. SP-14-015) was approved by the Board of County Commissioners on May 26, 2015. The preliminary plan included six (6) commercial lots, 457 single-family lots, 35 tracts for open space, trail corridors, drainage, and public rights-of-way. Water sufficiency was not addressed with the preliminary plan, but instead was deferred to the final plat stage. A 20-foot buffer adjacent to the industrial zoned property to the north was depicted on the preliminary plan. Landscaping is not required under the Code within the RS-5000 zoning district; however, the applicant agreed to provide a landscape plan with the Sterling Ranch preliminary plan.

The portion of the property included within the Sterling Ranch Filing No. 2 final plat is adjacent to Vollmer Road. The developer has begun pre-development site grading and installation of wet utilities within the final plat area. The plat is in conformance with the approved sketch plan, zoning, and preliminary plan.

The subject plat area will be accessed from Vollmer Road and Sterling Ranch Road. Sterling Ranch Road intersects with Dines Road. Dines Road connects to Vollmer Road. Dines Road also connects to Wheatland Drive which intersects Briargate Parkway. Alzada Drive is anticipated to connect to Vollmer Road as a right-in/right-out access as depicted on the requested Sterling Ranch Filing No. 2 final plat. Sterling Ranch Road is anticipated to connect to Marksheffel Road, to be completed by the developers and accepted by the County. Marksheffel Road is proposed to be designed and constructed to City of Colorado Springs standards from Vollmer Road to Sterling Ranch Road with this filing. Recommended Condition of Approval No. 13 requires the developers to construct the improvements pursuant to the subdivision improvements agreement recorded with the Sterling Ranch Filing No. 1 final plat.

The applicants are anticipated to deed Marksheffel Road to the City of Colorado Springs upon completion of the roadway improvements per the proposed intergovernmental agreement (IGA) between the City, the County, and the Sterling Ranch Metropolitan District No. 1 (see the attached draft IGA). Provisions for permanent ownership and maintenance of Marksheffel Road from the intersection of Vollmer Road to Sterling Ranch Road have been agreed to by the Sterling Ranch Metropolitan District No. 1 and the applicants if Marksheffel Road does not go into

final acceptance with the City of Colorado Springs (please see Recommended Condition of Approval No. 14 below).

F. ANALYSIS

1. Land Development Code Compliance

The final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

2. Zoning Compliance

The property is zoned RS-5000. The RS-5000 zoning district is intended to accommodate single-family residential development. The density and dimensional standards of the RS-5000 zoning district are as follows:

- Minimum lot size – 5,000 square feet
- Setbacks – 25 feet from front and rear lot lines; 5 feet from side lot lines
- Maximum building height – 30 feet
- Width at front setback line – 50 feet
- Maximum lot coverage – 40 percent if two-story; 45 percent if single-story

The proposed plat is in compliance with the standards of the RS-5000 zoning district. Individual site plans will need to be submitted for review for each proposed single-family dwelling in order to ensure compliance with the applicable dimensional standards.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County master plan. A finding of consistency with the El Paso County Policy Plan (1998) was made previously by the Board of County Commissioners with approval of the following: The Sterling Ranch Sketch Plan (SKP-07-007); the map amendment (rezoning) (P-15-001) from RR-5 (Residential Rural) to RS-5000 (Residential Suburban); and with the Sterling Ranch Preliminary Plan (SP-14-15). The proposed final plat application is consistent with each of those prior approvals.

4. Small Area Plan Analysis

The proposed Sterling Ranch Filing No. 2 final plat is located within both the Black Forest Preservation Plan (1987) and the Falcon Peyton Small Area Master

Plan (2008) planning areas. Findings of consistency with the Black Forest Preservation Plan and the Falcon Peyton Small Area Master Plan were made with the Sterling Ranch Sketch Plan (SKP-07-007); the map amendment (rezone) (P-15-001) from RR-5 (Residential Rural) to RS-5000 (Residential Suburban); and with the Sterling Ranch Preliminary Plan (SP-14-15). The proposed final plat application is consistent with each of those prior approvals.

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.

Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.

Goal 1.2 – Integrate water and land use planning.

Policy 5.2.2 – Recognize the water supply challenges and limitations inherent in each of the regional planning areas, with particular emphasis placed on Regional Planning Area 3 (Falcon), as a result of current reliance on non-renewable Denver Basin wells and the renewable, but limited and over-appropriated, Upper Black Squirrel Creek alluvium.

The property is located within Planning Region 3 (Falcon Area) of the Plan and is located within a future area of development. The Region is identified as potentially having issues regarding long term sustainable draw from the Denver Basin aquifer. The Plan identifies the current demands for Region 3 to be 4,494 acre-feet per year (AFY) with a current supply of 7,164 AFY (Figure 5.1). The demand in 2040 is projected to be 6,403 AFY with a projected supply of 7,921 AFY (Figure 5.2). At build-out in 2060, the demand for Region 3 is projected to be 8,307 AFY with a projected supply of 8,284 AFY, which means by 2060 there is anticipated to be a water supply deficit of 23 AFY (Figure 5.3, Table 5-2).

The property is served by the Sterling Ranch Metropolitan District. The District has committed to provide 21.59 acre-feet of water per year to serve the subdivision. The District has indicated adequate water supplies are available to serve the proposed subdivision. The applicants' water resources information was reviewed by El Paso County Planning and Community Development staff, El Paso County Public Health, and the County Attorney's Office. A recommendation of sufficiency regarding water quantity and dependability was made by the County Attorney's Office on March 31, 2021. EPC Public Health made a finding of water quality sufficiency on March 16, 2021.

5. 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, was sent a referral and has no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits and floodplain deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Staff did not identify any inconsistencies with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) during the review of the proposed plat application.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

The applicants submitted a soil, geologic hazard study, titled, "Copper Chase and Sterling Ranch Filing No. 2" report prepared by Entech Engineering, dated March 18, 2021, in support of the final plat application. The report concludes that shallow ground water impacts all of the lots within the area. The applicants have proposed to mitigate the hazard by proposing a building restriction to disallow basements within the development area as discussed in Note No. 27 on the final plat map.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Service Department, Environmental Services Division, was sent a referral and has no outstanding comments.

3. Floodplain

No part of the proposed final plat area is located within a FEMA floodplain as depicted on FEMA Flood Insurance Rate Map panel number 08041C0533G, dated December 7, 2018. The Sand Creek main tributary flows from north to south approximately 100 feet east of the proposed Sterling Ranch Road right-of-way.

4. Drainage and Erosion

The proposed subdivision is located within the Sand Creek drainage basin (FOFO4000), which was studied in 1996. This basin requires drainage and bridge fees to be paid at the time of final plat recording, with amounts as noted below and in the Recommended Conditions of Approval. The site generally drains from northwest to southeast toward the main tributary of Sand Creek, which ultimately outfalls into Fountain Creek. Conveyance of offsite runoff from northwest of Vollmer Road and the existing industrial lots north of the plat area will be provided through the Sterling Ranch development.

A Final Drainage Report (FDR) was provided with the final plat submittal. The FDR analysis and design indicates that the proposed development will not release developed runoff in excess of historic rates. The FDR concludes that “development of this site will not adversely affect the surrounding development.”

The Sand Creek Drainage Basin Planning Study (DBPS) calls for the construction of a regional detention pond known as Pond 3 northwest of the intersection of Woodmen Road and Marksheffel Road, which has been completed by the City of Colorado Springs. The DBPS accounted for lower density development in the Sterling Ranch area than is currently proposed. New drainage detention criteria have been adopted by the City and the County, and new State permit requirements (discussed below) have been implemented requiring water quality treatment of runoff since the adoption of the DBPS and review of the Preliminary Drainage Report with the Sterling Ranch Preliminary

Plan in 2015. The Master Development Drainage Plan for Sterling Ranch (2018) (MDDP) was reviewed after the 2015 County adoption of Full Spectrum detention requirements, which addresses water quality treatment and the range of storm events from 2-year to 100-year runoff designs, and the State's adoption of water rights requirements for detention facilities (CRS §37-92-602(8)), but prior to State MS4 (municipal separate storm sewer system) permit and criteria updates. MS4 permit requirements regarding detention and water quality facilities include treatment of runoff before release to "surface waters of the state" (Sand Creek in this case), which were adopted into the ECM in 2019. The developer's consultants have designed facilities to comply with all of the current detention and water quality requirements with this final plat, including a large Full Spectrum detention basin at the south end of the Sterling Ranch development; therefore preliminary plan condition of approval #13 (requiring drainage pond design before the 1,500th lot platted with the overall Sterling Ranch Development) is irrelevant as there will be no "temporary" pond designs requiring final redesigns or pond removal. The proposed drainage plan is in general compliance with the 2018 MDDP.

Improvements for the Sand Creek channel adjacent to the final plat area will be required for the overall Sterling Ranch development at a later date in accordance with the subdivision improvements agreement for Sterling Ranch Filing No. 1. The proposed Pond W4 and Pond W5 storm drain improvements proposed to convey runoff from northwest of Vollmer Road and north of the final plat area through Sterling Ranch will be eligible to offset drainage basin fees, as recommended by the City-County Drainage Board in June 2021. The drainage basin and bridge fees calculated for this final plat are \$400,855.70 and \$163,972.79, respectively.

An erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, the associated financial assurance estimate (FAE) and stormwater management plan (SWMP) and wet utility plans were approved with a pre-development grading permit. Construction drawings for the road and drainage improvements necessary with Sterling Ranch Filing No. 2 are being reviewed concurrently with the final plat submittals.

5. Transportation

The proposed Sterling Ranch Filing No. 2 development is located immediately northeast of the intersection of Vollmer Road and the proposed extension of

Marksheffel Road, with access to the development proposed from each of road. The applicants are proposing to access Vollmer Road, classified in the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP), 2040 Roadway Plan (Map 14), as a 4-lane Urban Minor Arterial road adjacent to the site. Access is proposed to Vollmer Road via Marksheffel Road, a proposed Principal Arterial road; and Alzada Drive, a proposed Urban Local road. Construction of this development will allow for traffic flow from the existing Sterling Ranch subdivisions to the north, which currently have access to Vollmer Road via Dines Boulevard and an emergency access road. Associated improvements to existing Vollmer Road are proposed to accommodate the traffic generated by Sterling Ranch.

A traffic impact study (TIS) dated June 2021 was provided with the final plat submittal and is currently under review, anticipated to be accepted for the project file prior to public hearings. Table 4 of the TIS identifies required offsite roadway improvements and overall developer responsibilities toward those improvements.

Traffic generated from the 49 proposed dwelling units in this development is estimated to be 463 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 and the final plat are in conformance with the MTCP, and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS.

Approximately 2,900 linear feet of Urban Local public roads are proposed to be constructed with this subdivision, in addition to approximately 1,450 linear feet of Marksheffel Road and 2,400 linear feet of Sterling Ranch Road, a proposed Urban Non-Residential Collector. Sterling Ranch Road is proposed to extend from Marksheffel Road to Dines Boulevard, connecting to the road infrastructure constructed with Sterling Ranch Filing No. 1, and will eventually extend northeast to the future extension of Briargate Parkway.

Construction plans for the Marksheffel Road and Sterling Ranch Road improvements are under review with a separate construction drawing project number associated with this final plat and the improvements will need to be collateralized if not completed prior to final plat recordation.

Two deviations were requested and approved with the final plat submittal and another was previously approved with the preliminary plan as discussed in the Request/Waivers/Authorization section of this staff report, above.

The deviation approved with the preliminary plan allows the proposed Alzada Drive access to Vollmer Road with a closer intersection spacing than required by the El Paso County Engineering Criteria Manual (ECM), which is proposed at a distance of 875 feet compared to the require distance of 1,320 feet.

A deviation was approved for the intersection profile grade of Alzada Drive at Vollmer Road. Alzada Drive is proposed to have a grade exceeding the ECM requirement of 4 percent for at least 100 feet. A deviation was approved for the proposed Marksheffel Road cross-section. The developer has agreed to construct Marksheffel Road to City of Colorado Springs standards, and the City will accept ownership and maintenance of the road after construction is completed.

An Intergovernmental Agreement (IGA) between the Sterling Ranch Metropolitan District, the City of Colorado Springs, and the County is proposed to enable the District to construct Marksheffel Road to City standards and the City to take ownership of Marksheffel Road, as mentioned above. The following are notable provisions in the IGA:

- The City will accept ownership, operation, and maintenance responsibilities of the Marksheffel Road segments, provided that they are constructed to City standards.
- The District shall construct or provide for the construction of the Marksheffel Road segments.
- The County requires construction of the Marksheffel Road Segment M1 (from Vollmer Road to Sterling Ranch Road) to provide access to the proposed Sterling Ranch Filing No. 2 subdivision and other subdivisions within the Sterling Ranch development.
- For each final plat in Sterling Ranch that contains a Marksheffel Road Segment, the County shall require that such segment be placed in a separate tract and conveyed to the City within thirty (30) days of plat recording in a form acceptable to the City.
- The County shall require that the Marksheffel Road Segments be constructed in accordance with City standards, requirements, and specifications.

- The County will require the posting of construction collateral for the Marksheffel Road Segments and the associated intersection improvements *with the City* if construction has not been completed prior to the issuance of any building permits.
- The County agrees to not issue any building permit associated with the Sterling Ranch final plat(s) that contain a Marksheffel Road Segment or Intersection Improvement until all required fees have been paid and all required associated improvements have been installed as specified by the City or alternatively until acceptable financial assurances have been provided. A final plat note is required to address this.
- Until the Marksheffel Road Segments are annexed by the City, the County shall retain the authority to provide final construction drawing and plan approval, to issue notices to proceed with construction, and to apply and enforce stormwater requirements pursuant to its MS4 permit. The County shall notify the City of all plan approvals and notices issued and include the City on any communications related to stormwater requirements.
- The Intersection Improvements shall be satisfactory to the County and the City prior to opening the Marksheffel Road Segments to public traffic.
- Within 30 days of recording of each final plat in Sterling Ranch that contains a Marksheffel Road Segment, the City shall accept the conveyance, in a form acceptable to it, of the tracts within which the Marksheffel Road Segments will lie.
- The City, following notification by the County, shall initiate the annexation process for such tracts in the future, after the tracts have been accepted and are contiguous to the City.
- The City shall review and approve all required plans and construction drawings for the Marksheffel Road Segments and the Intersection Improvements.
- The City shall follow its normal process for the oversight of construction, inspection, and acceptance of public improvements with respect to the Marksheffel Road Segments and the intersection improvements.
- The District shall be responsible for constructing or causing the construction of the Marksheffel Road Segments, including all road, trail, drainage, and appurtenant improvements, and for diligently working with the City to meet all City requirements related to the design, construction, inspection, and acceptance of the Marksheffel Road Segments.

- The District shall construct the Marksheffel Road Segment M1 between Vollmer Road and Sterling Ranch Road within 9 months of recording of the final plat for Sterling Ranch Filing No. 2.
- The District shall construct the Marksheffel Road Segment M2 between Sterling Ranch Road and the City boundary within 3 years of recording of the final plat for Sterling Ranch Filing No. 2 or within 12 months of recording of a final plat for the property adjacent to that portion of the Marksheffel Road Segment, whichever occurs sooner.
- The District shall operate, maintain, and repair the Marksheffel Road Segments for each respective two-year probationary period that begins with opening each Marksheffel Road Segment for public use and ends with City assumption of such responsibilities.
- For the stormwater facilities identified in IGA Exhibit B, including the proposed full-spectrum detention basin and its outfall into the City, District shall enter into a stormwater facility maintenance agreement with the City and the County in compliance with both jurisdictions' MS4 permit requirements. If there is a conflict between City and County MS4 requirements, the City MS4 permit requirements shall govern.
- District shall promptly comply with any City requirements to address offsite drainage and erosion impacts to properties within the City.
- The District understands and agrees that it may apply for credits or reimbursement through the El Paso County Road Impact Fee Program for the Marksheffel Road Segments and the Intersection Improvements.

See associated Recommended Condition of Approval Nos. 14, 16, and 17, below.

The subdivision is subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended. The developer intends to enter the subdivision into the ten (10) mill Public Improvement District No. 2 (PID No. 2).

H. SERVICES

1. Water

The subdivision will be served by Sterling Ranch Metropolitan District.

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Water Engineer's Office has made a recommendation regarding a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office recommends a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a recommendation regarding a finding of sufficiency for water quality and has no outstanding comments.

2. Sanitation

Sterling Ranch Metropolitan District has committed to provide wastewater service to the development. A wastewater line from Sterling Ranch connects into the Meridian Service Metropolitan District's wastewater treatment system pursuant to an intergovernmental agreement between the Sterling Ranch Metropolitan District and the Meridian Service Metropolitan District. El Paso County Public Health has made a favorable recommendation regarding wastewater disposal.

3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral for the final plat and did not provide a response.

4. Utilities

Mountain View Electric Association will provide electrical service and Black Hills Energy will provide natural gas service to the development. Public utility easements have been depicted on the final plat.

5. Metropolitan Districts

The site is within the Sterling Ranch Metropolitan District. Sterling Ranch Metropolitan District No. 1 will provide water and wastewater services aided by Meridian Service Metropolitan District via an intergovernmental agreement. Installation of roads within the rights-of-way, public and private drainage, and amenities within the tracts are to be constructed by the Sterling Ranch Metropolitan District No. 2. Sterling Ranch Metropolitan District No. 1 will maintain the rights-of-way and public improvements after Sterling Ranch Metropolitan District 2 completes construction until preliminary acceptance of the Sterling Ranch Filing No. 1 improvements by the County. Sterling Ranch Metropolitan District No. 1 will also own and maintain the private drainage facilities and other amenities within the tracts. Sterling Ranch Metropolitan District No. 3 will collect ad valorem (property) tax revenue in the amount of 50

mills for future commercial development and pay Sterling Ranch Metropolitan District No. 1 to own and maintain the tracts and private improvements within the future commercial development area.

6. Parks/Trails

The El Paso County Parks Master Plan (2013) does depict a planned 25-foot regional trail corridor along the southern boundary of this requested plat adjacent to the north side of Marksheffel Road. The Parks Division of the Community Services Department has not requested the easement because Marksheffel Road is anticipated to be annexed into the City of Colorado Springs and a sidewalk is proposed adjacent to the roadway. Fees in lieu of park land dedication in the amount of \$22,883.00 for regional parks fees and \$14,455.00 for urban park fees will be due at the time of recording the replat.

7. Schools

School land dedication was completed with recordation of the Branding Iron Filing No. 2 final plat. Future school land dedication is requested for a second school site with future final plats for the benefit of Academy School District No. 20.

I. APPLICABLE RESOLUTIONS

See attached Resolution

J. STATUS OF MAJOR ISSUES

There are no major issues at this time.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019) staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in

which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. 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.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded. Construction of the Vollmer Road and Sterling Ranch Road improvements associated with this final plat and necessary to serve the plat shall be complete and preliminarily accepted by the County, or collateral acceptable to the County Attorney's Office shall be provided, prior to plat recordation.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee

obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of 22,883.00 and urban park (Area 2) fees in the amount of 14,455.00 shall be paid at the time of final plat recordation.
11. Drainage fees in the amount of \$400,855.70 and bridge fees in the amount of \$163,972.79 for the Sand Creek drainage basin (FOFO4000) shall be paid to El Paso County at the time of final plat recordation.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
13. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with Sterling Ranch Filing No. 1 final plat (SF-16-13) as recorded at Reception No. 218061175 remain valid.
14. Applicant may not record the final plat until an intergovernmental agreement (IGA) between the County, City of Colorado Springs, and Sterling Ranch Metropolitan District No. 1 regarding construction, maintenance, and ownership of Marksheffel Road (IGA) has been executed by all parties. In the alternative, the applicant must convey Tract K to the City within thirty (30) days of plat recordation in a form acceptable to the City, and a fully executed IGA must be recorded within sixty (60) days of plat recording.
15. All construction documents must be accepted and signed by the County Engineer/ECM Administrator prior to recording the final plat.
16. The Sterling Ranch Metropolitan District No. 1 shall be responsible for maintenance of the roads and drainage facilities constructed in association with this final plat until preliminary acceptance of the public improvements by the County or the City, as applicable. El Paso County will not be responsible for maintenance of Marksheffel Road.
17. Note no. 29 on the final plat shall be revised to include the language in paragraph 3.C.i of the IGA. No building permits shall be issued within the final plat area until all City of Colorado Springs requirements regarding Marksheffel Road

construction or provision of financial assurances have been met, in accordance with amended final plat note no. 29.

18. Any public right-of-way needed for Vollmer Road improvements southwest of the Marksheffel Road intersection shall be deeded to the County prior to County acceptance of the respective Vollmer Road improvements in that location.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 113 adjoining property owners on September 17, 2021, for the Board of County Commissioners meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Plat Drawing
State Engineer's Letter
County Attorney's Letter
EPC Public Health Letter
City of Colorado Springs, EPC County, and Sterling Ranch Metropolitan District
Draft Intergovernmental Agreement (IGA)
October 7, 2021 PC Draft Minutes
Planning Commission Resolution
Board of County Commissioners' Resolution

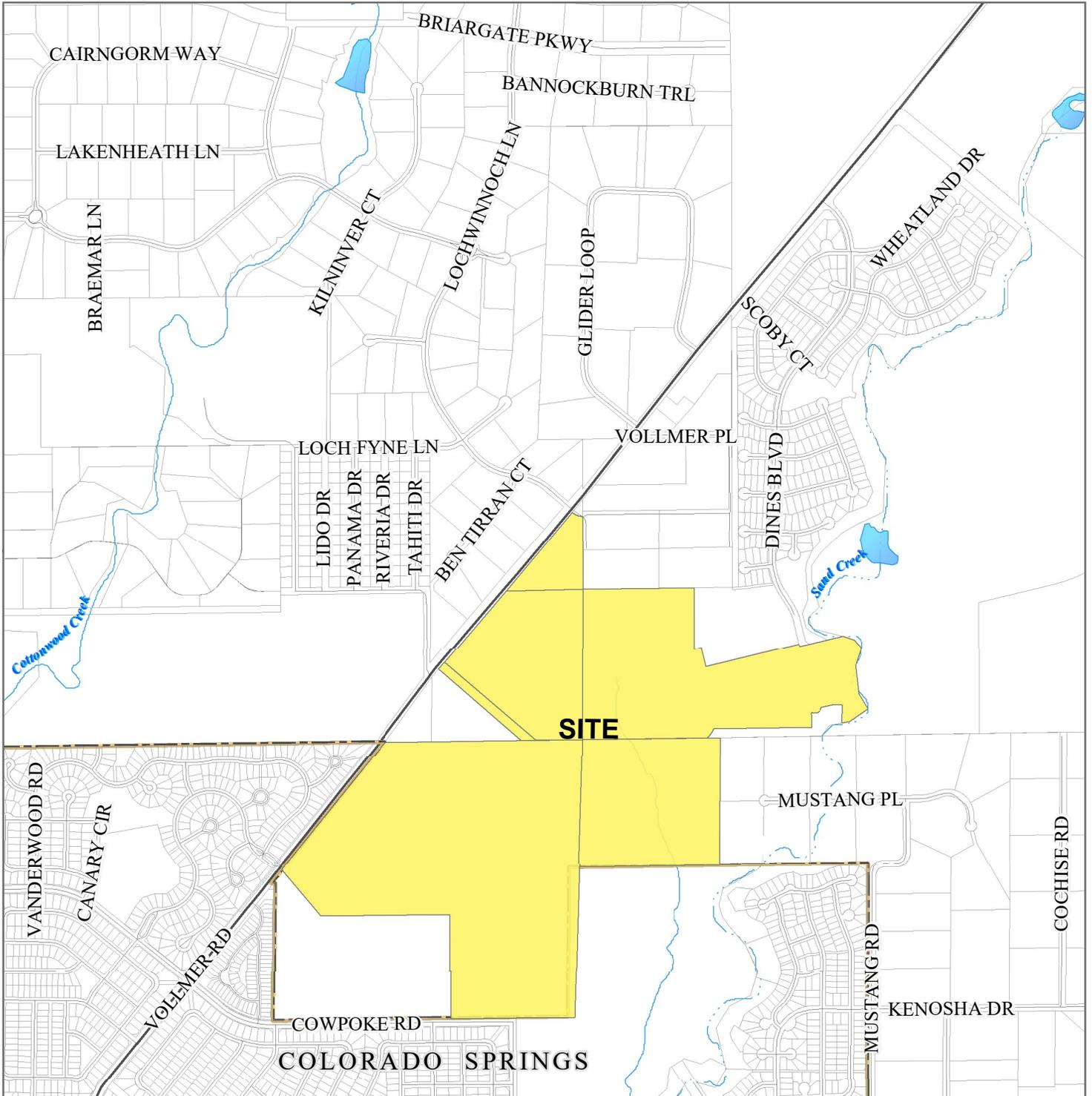
El Paso County Parcel Information

PARCEL	NAME
5200000	SR LAND LLC
5200000	SR LAND LLC
5300000	CHALLENGER COMMUNIT
5300000	8335 VOLLMER ROAD LLC
5233000	SR LAND LLC
5232400	MORLEY-BENTLEY INVEST

File Name: SF-20-015

Zone Map No. --

Date: September 16, 2021



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 23 (719) 520-6600



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STERLING RANCH FILING NO. 2: FINAL PLAT

LETTER OF INTENT

AUGUST 2021

APPLICANT/OWNER:

SR Land LLC
20 Boulder Crescent St. Suite 102
Colorado Springs, CO. 80903

CONSULTANTS:

N.E.S. Inc.
619 N. Cascade Ave. Suite 200
Colorado Springs, CO. 80903

OWNERS

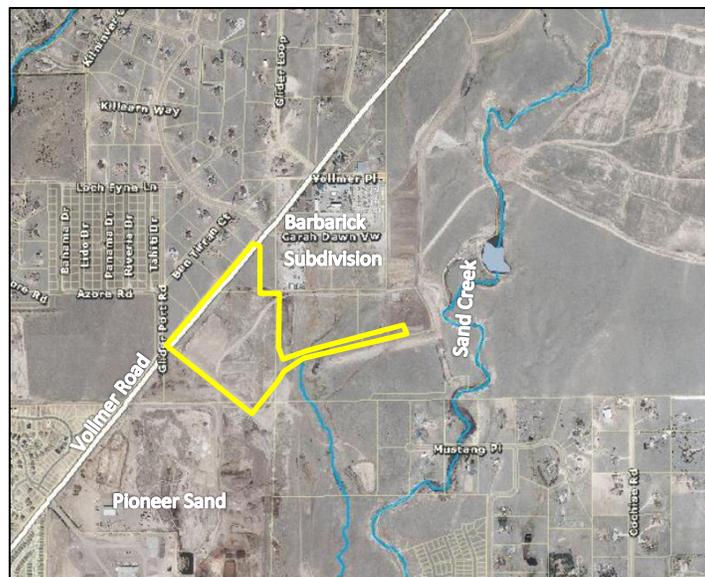
8335 Vollmer Road LLC/Pioneer Sand Co.
5000 Northpark Dr.
Colorado Springs, CO. 80918-3822

REQUEST

SR Land, LLC. requests approval of the Final Plat for Sterling Ranch Filing No. 2 on 49.54 acres. The Final Plat includes 49 single-family lots, 1 tract for future residential lots, 9 tracts for landscaping, public improvements and public utilities, the widening of Vollmer Road adjacent to the filing, and the construction of Marksheffel and Sterling Ranch Road within the filing. This plat requests a finding of water sufficiency.

LOCATION

Sterling Ranch Filing No. 2 is located generally east of the intersection of Vollmer Road and Glider Port Road, south of the Barbarick industrial subdivision, north of Pioneer Sand construction yard and west of Sand Creek.



PROJECT DESCRIPTION

The Sterling Ranch Sketch Plan for 5,225 dwelling units on 1,444 acres was approved November 13, 2008. A rezone of 243.14 acres from RR-5 and I-3 to RS-5000 was approved March 24, 2015. A Preliminary Plan for 182.26 acres of the RS-5000 zoned parcel was approved May 26, 2015. The Preliminary Plan is for 457 single-family lots, 6 commercial lots and open space/drainage tracts.

A Final Plat for Sterling Ranch Filing No. 1 for 134.38 acres was approved February 13, 2018. This includes 4 future single-family development tracts and 24 open space, drainage, trail corridor and landscape tracts. Final Plats for Homestead at Sterling Ranch Filings 1 & 2 (176 lots) and Branding Iron at Sterling Ranch Filings 1 & 2 (126 lots) on four of the future single-family development tracts have been approved.

Sterling Ranch Filing No. 2 plats the remaining area of the approved Preliminary Plan that lies south and west of Filing No. 1 and is not included in the Filing 1 future development tracts. This completes the connection of Sterling Ranch Phase 1 to Vollmer Road via the proposed construction of Marksheffel Road and Sterling Ranch Road.

Parks and Open Space

The Preliminary Plan included an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. This system of open spaces, trails and parks is intended to provide a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets. Parks have been located so that residents have a ten-minute walk or less to these facilities. Parks will be maintained by the Sterling Ranch Metropolitan District. This plat provides tracts for the interconnected system of trails and a 25' trail easement for a County Trail connecting to the Sand Creek Regional Trail system. A trail is provided between the Industrial and the residential lots in Tract H to be installed by developer and maintained by District. A Trail is provided in Tract D along Marksheffel Road in the trail easement. Meandering sidewalks are provided along Vollmer Road, and Sterling Ranch Road in Tract D.

Traffic

A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entirety of the Phase One Preliminary Plan (*Sterling Ranch Phase One, Traffic Impact Analysis, February 2015*). An updated Traffic Study has been prepared in support of Filing No. 2, which incorporates subsequent analysis related to Sterling Ranch Filing No. 1, Homestead at Sterling Ranch, Branding Iron at Sterling Ranch Filings, and Sterling Ranch Phase 2 (*Sterling Ranch Filing No. 2 and Sterling Ranch Phase 2 Traffic Impact Study, February 2021*).

Filing No. 2 includes the construction of Marksheffel Road between Vollmer Road and Sterling Ranch Road, and Sterling Ranch Road will be constructed from Marksheffel Road to Dines Boulevard, thereby connecting it to the southern point of Filing No. 1 and replacing the current emergency only access. Previous Deviations were approved for intersection spacing between Marksheffel and Sterling Ranch Boulevard, for

the Alzada site access location between the proposed Marksheffel and Lochwinnoch Lane, the inclusion of meandering sidewalks, and for the cross-section of Sterling Ranch Road.

The City of Colorado Springs intends to take ownership and maintenance of Marksheffel Road when it is constructed from Vollmer Road to the east and south to where it connects with the current north end of Marksheffel Road in the City. The section of Marksheffel Road adjacent to Sterling Ranch is planned to be constructed on 107 feet of right-of-way to the City's required cross-section(s) and criteria. A copy of the proposed cross section approved by Kathleen Krager of the City of Colorado Springs and Jeff Rice of El Paso County is included in the Traffic Impact Analysis.

A deviation request is submitted with this application for the construction of Marksheffel to the City of Colorado Springs standards. A deviation request is submitted with this application for the vertical alignment of Alzada Road as it approaches Vollmer Road. Alzada Road exceeds the 4% maximum vertical slope criteria for approximately 70 feet from its intersection with Vollmer Road.

A full-movement site access is to be provided at the intersection of Vollmer Road and Marksheffel Road. Vollmer Road will be widened to a four-lane section adjacent to the western boundary of the site. This will taper back down to the existing two-lane sections adjacent to the Barbarick subdivision and to the south. The short-term and long-term future conditions outlined in the traffic study will trigger improvements and widening of Vollmer through the Barbarick subdivision and to the northern boundary of Sterling Ranch. A phasing plan of these improvements is included in the traffic study.

Drainage

The drainage improvements associated with the Final Plat are consistent with the Master Development Drainage Plan and Preliminary Drainage Report for Sterling Ranch Phase One. The drainage improvements have been designed based upon the most current El Paso County Engineering Criteria Manual, Sand Creek Drainage Basin Planning Study, City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. Details related to the design, construction and maintenance of the required drainage improvements are set forth in the proposed Subdivision Improvements Agreement for the Final Plat.

In order to assure completion of Sand Creek Channel drainage improvements, such as drop structures, check structures and similar stabilization or protection improvements, as well as a fair apportionment of the costs of said drainage improvements amongst adjacent Sterling Ranch subdividers, the District agrees to establish a Sand Creek Channel Drainage Fee to be paid into a District Escrow Fund by adjacent subdividers at the time of final platting. The amount of the fee shall be a minimum of One Thousand Dollars (\$1,000.00) per single family lot. The funds in the Escrow Account may only be disbursed for the design and construction of regional drainage improvements pursuant to the Sand Creek Drainage Basin Planning Study and Sand Creek channel improvements after the prior written approval of the El Paso County Engineer. Pond improvements related to the channel are included with the Sand Creek Channel Improvements.

Geologic Hazards: The site was found to be suitable for development with proper mitigation techniques. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. No basements are allowed in Sterling Ranch Filing No. 2. A map of the hazard areas and proposed mitigation measures can be found in the Soil, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated September 25, 2020.

Utilities

The property is located within the boundaries of Sterling Ranch Metropolitan District No. 2. water, wastewater, stormwater, and park/recreational services will be provided by Sterling Ranch Metropolitan District No. 1 pursuant to an intergovernmental agreement with Sterling Ranch Metropolitan District No. 2.

Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas. The utility commitment letters are submitted in support of the Final Plat for Filing 2.

Roads

The following road improvements will be constructed with this subdivision, as required in the Subdivision Improvements Agreement and Construction Drawings:

- Per agreement with the County and City, construction of Marksheffel Road from its intersection with Vollmer Road to its intersection with Sterling Ranch Road will be constructed with Filing 2 by the Sterling Ranch Metro District. Marksheffel Road will be constructed per City standards to align with the future connections to the existing City roadways, and installed improvements will require City approval and acceptance. Marksheffel from the intersection of Sterling Ranch Road south to the property boundary of Sterling Ranch to connect to Aspen View will be constructed within 3 years or in conjunction with an adjacent plat.
- Improvements at the intersection of Marksheffel Road and Vollmer Road required to serve this plat.
- In the short-term future scenario Vollmer from Marksheffel to Lochwinnoch will be constructed to a standard 4-lane Urban Minor Arterial cross section.
- The full cross section of Sterling Ranch Road from its intersection with Marksheffel Road to its intersection with Dines Boulevard.
- A noise wall as depicted in the Noise Study prepared by LSC Transportation Consultants, Inc. will be built along Vollmer and at the corner of Vollmer and Marksheffel Road.
- All local roads within the subdivision.

It is understood and agreed that applicable traffic impact fees in accordance with the County Road Impact Fee Program Resolution (Resolution No. 19-471) will be paid at or prior to the time of building permit submittals. The applicant elects to include the property into the 10 mil El Paso County Public Improvement District No. 2. The recommended plat note will be added to the Final Plat and all sales documents.

Districts Serving the Property.

- Academy School District 20
- Mountain View Electric Association
- City of Colorado Springs Utilities Department - Gas
- Black Forest Fire Protection District
- Water, wastewater, stormwater services to be provided by Sterling Ranch Metropolitan District No. 1 & District No. 2 through intergovernmental agreements.
- Tracts containing open space, landscaping, trails, detention ponds, entry signs, and mail kiosks will be maintained by Sterling Ranch Metropolitan District No. 1.

PROJECT JUSTIFICATION

Consistency with County Plans

The relevant County Plans for Sterling Ranch are the County Policy Plan, the Falcon-Peyton Small Area Plan, and Black Forest Preservation Plan. A detailed analysis of the relationship of the Sterling Ranch Sketch Plan and the goals and objectives of these plans were previously provided with the Sketch Plan, Zoning and Preliminary Plan submittals with findings of consistency having been made by the respective Planning Commission and Board of County Commissioners. These include the provision of adequate buffers and transitions from lower, rural density residential development, the provision of adequate urban services by Sterling Ranch Metropolitan District, an interconnected system of trails, open spaces and neighborhood parks, and the preservation of open space.

Sterling Ranch Filing No. 2 is consistent with the approved Sketch Plan, Zoning and Preliminary Plan. As there have been no changes to the relevant County Plans since these approvals, the Final Plat continues to be in compliance with the County Master Plan.

County Policy Plan

The following County Policies are relevant to the requested Final Plat:

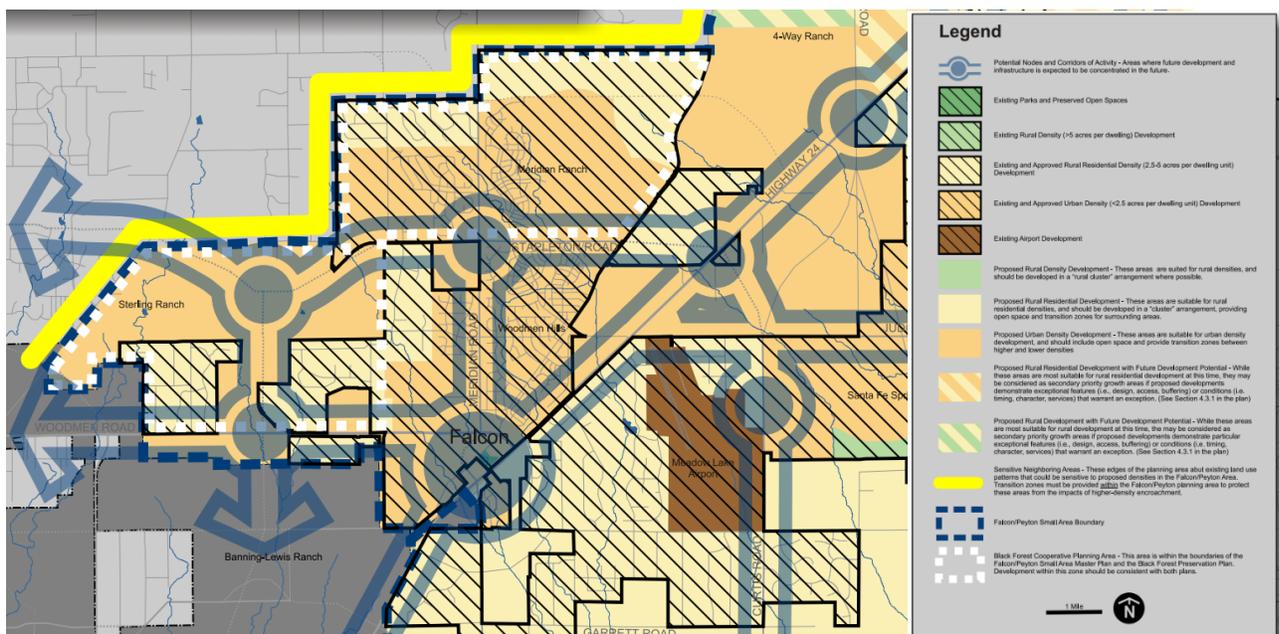
- **Policy 6.1.11:** Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.
- **Policy 6.4.4:** Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undevelopable areas.
- **Policy 13.1.1:** Encourage a sufficient supply and choice of housing at varied price and rent levels through land development regulations.
- **Policy 13.1.2:** Support the provision of land use availability to meet the housing needs of county residents.

The project is consistent with the policies of the County Plan which encourages contiguous new development that is contiguous with existing residential and is incorporated as a buffer between varying densities and housing types. The plat provides for a mix of housing densities and types. Buffers are provided in the form of tracts with landscaping and open space along the perimeter of the project. The plat provides for additional single-family lots for much needed housing in the County. Tract E will be developed in the future with single-family attached units providing an additional housing option in the area.

Falcon Peyton Small Area Plan

The site is in an area identified as “Proposed Urban Density Development” specifically defined as an area suitable for urban density development. The proposed development directly supports this identification and the following goals and policies of the small area plan.

- 3.1.1 Provide a **balance of land uses** that respects existing and historical patterns while providing opportunities for future residents and businesses.
- 3.1.4 Provide a **variety of different densities** of development options.
- 3.3.1 Encourage **diversity and variety in housing** types, sizes, locations, and prices to meet the needs of existing and new residents.
- 3.3.2 Promote **predictable growth** in the housing market that is consistent with the Small Area Master Plan.
- 3.3.4 Meet the **housing needs** of as many existing and new residents of differing ages, incomes, and desired living accommodations.



Black Forest Preservation Plan

The Filing 2 area is located within the Southern Transitional Area also identified as the Cooperative Planning Area. The area is located along two arterial roadways identified to be identified as four lane roadways in the future and will be constructed by the developer. Adequate services including water wastewater, electric, natural gas, roadways, and fire protection have been identified. The site provides an additional housing type and appropriate densities to transition from the existing rural residential and the future development of the area.

Water Master Plan

- *Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
- *Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*
- *Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.*
- *Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.*
- *Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*
- *Goal 5.4 – Promote the long-term use of renewable water.*
- *Goal 5.5 – Identify any water supply issues early on in the land development process.*
- *Goal 6.0 – Require adequate water availability for proposed development.*
- *Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*
- *Policy 6.0.11 – Continue to limit urban level development to those areas served by centralized utilities.*

Sterling Ranch Metro District has sufficient supply and infrastructure in the area to serve this development. The total current commitment of the existing Sterling Ranch water supply is 592.89 annual acre feet. The total Sterling commitments stand at 453.10 annual acre-feet.

The Sterling Ranch System includes both decrees and determinations. Local groundwater rights are 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 Water Resources report primarily focuses on the central supply and does not include the 41 rural style lots in the Retreat served by wells in the calculations.

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

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

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

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

In order to meet future demands, contractual arrangements have been made to obtain additional legal and physical supply including contracts with McCune Water SR Water LLC. And the Bar X Water. In addition to adding off-site sources, additional priority is to acquire and invest in additional renewable water supplies. Future supply has been contracted for and implementation is under way. A substantial amount of Not Non-tributary water is available on the Sterling Ranch site and is the purpose of a pending augmentation plan.

The Sterling System has opportunity to connect with both the Cherokee Metro District and Woodmen Hills Metro District storage and delivery facilities. Sterling wastewater is discharged into the Meridian System which in turn has potential to convert some reusable flows to available physical supplies

Consistency with Plat Approval Criteria

The Final Plat is in substantial compliance with the approved preliminary plan and is consistent with the County’s subdivision design standards and regulations. All areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and the proposed subdivision is compatible with such conditions. Adequate drainage improvements are proposed that comply with State Statute C.R.S. 30-28-133 (3)(c)(VIII) and the requirements of the Land Development Code and the Engineering Criteria Manual. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code. Necessary off-site improvements have been evaluated through the various reports submitted with the Final Plat, as well as

the previously approved Preliminary Plan, and will mitigate the impacts of the subdivision in accordance with the applicable requirements of Chapter 8 of the Land Development Code. All public facilities and infrastructure reasonably related to the Final Plat have either been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated. The extraction of any known commercial mining deposit will not be impeded by this subdivision.

\\nes02\projects\Morley\Sterling Ranch Filing 2\Admin\Submittals\3rd Submittal\Letter of Intent_Sterling Ranch Filing 2 Plat.docx

BE IT KNOWN BY THESE PRESENTS:

THAT SR LAND, LLC, A COLORADO LIMITED LIABILITY COMPANY AND 8335 VOLLMER ROAD, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN A PORTION OF THE E1/2 SE1/4 OF SECTION 32 AND THE S1/2 SW1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST AND THE NW1/4 OF NW1/4 OF SECTION 4 AND THE NE1/4 OF NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHWEST CORNER OF SAID BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", SAID LINE BEARS N89°14'14"E, A DISTANCE OF 2,722.69 FEET.

COMMENCING AT SAID SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 34; THENCE N77°08'00"W, A DISTANCE OF 3,334.61 FEET TO THE SOUTHWESTERLY CORNER OF SAID DINES BOULEVARD AS PLATTED IN STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218741451 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY LINE OF SAID DINES BOULEVARD, N76°19'20"E A DISTANCE OF 85.00 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, S13°40'40"E A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTHERLY LINE OF THAT 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 80.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, S76°19'20"W A DISTANCE OF 852.10 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, S76°19'20"W A DISTANCE OF 50.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, THE FOLLOWING FIVE (5) COURSES:

- 1. S76°19'20"W A DISTANCE OF 386.99 FEET, TO A POINT OF CURVE;
- 2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF NON-TANGENT;
- 3. S41°03'23"W A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;
- 4. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S41°12'17"E, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF TANGENT;
- 5. S40°21'31"W A DISTANCE OF 402.59 FEET, TO A POINT ON THE EASTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;

THENCE ON SAID EASTERLY LINE, S49°38'29"E A DISTANCE OF 16.00 FEET;

THENCE S40°21'31"W A DISTANCE OF 160.00 FEET, TO A POINT ON THE WESTERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;

THENCE ON THE WESTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NOS 214100440 & 214100441, N49°38'29"W A DISTANCE OF 1459.89 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, N40°24'51"E A DISTANCE OF 1808.03 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 217080112 AND SHOWN ON THE AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES:

- 1. S51°21'50"E A DISTANCE OF 13.67 FEET, TO A POINT OF CURVE;
- 2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 38°41'48" AND AN ARC LENGTH OF 87.80 FEET, TO A POINT OF NON-TANGENT ON THE WESTERLY LINE OF SAID AMENDED PLAT BARBARICK SUBDIVISION;

THENCE ON THE WESTERLY AND SOUTHERLY LINES OF SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING TWO (2) COURSES:

- 1. S00°06'01"E A DISTANCE OF 631.46 FEET;
- 2. N89°17'25"E A DISTANCE OF 279.65 FEET;

THENCE DEPARTING SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING COURSES:

- 1. S00°42'35"E A DISTANCE OF 241.35 FEET;
- 2. S02°02'55"W A DISTANCE OF 130.48 FEET;
- 3. S05°37'53"W A DISTANCE OF 90.96 FEET;
- 4. S01°55'19"W A DISTANCE OF 307.22 FEET;
- 5. N73°29'47"E A DISTANCE OF 11.27 FEET;

S16°30'13"E A DISTANCE OF 179.19 FEET, TO A POINT OF NON-TANGENT CURVE ON THE NORTHERLY LINE OF SAID 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S33°39'44"E, HAVING A RADIUS OF 1060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF TANGENT;
- 2. N76°19'20"E A DISTANCE OF 381.99 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 60.00 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, N76°19'20"E A DISTANCE OF 842.10 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF DINES BOULEVARD AS SHOWN ON SAID PLAT OF STERLING RANCH FILING NO. 1;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,157,908 SQUARE FEET OR 49.5387 ACRES.

STERLING RANCH FILING NO. 2

A PORTION OF THE E1/2 OF THE SE1/4 OF SECTION 32 AND THE S1/2 OF THE SW1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NW1/4 OF THE NW1/4 OF SECTION 4 AND THE NE1/4 OF THE NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO.

ACCEPTANCE CERTIFICATE FOR TRACTS:

THE DEDICATION OF TRACTS A, B, C, D, F, G, H, I, AND J ARE FOR LANDSCAPE PURPOSES, DRAINAGE, PEDESTRIAN ACCESS, OPEN SPACE, AND UTILITIES PURPOSES AND ARE HEREBY ACCEPTED FOR OWNERSHIP AND MAINTENANCE BY STERLING RANCH METROPOLITAN DISTRICT NO. 1.

BY: _____
AS: _____ OF STERLING RANCH METROPOLITAN DISTRICT NO. 1

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, A.D.

BY: _____
AS: _____ OF STERLING RANCH METROPOLITAN DISTRICT NO. 1

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

ACCEPTANCE CERTIFICATE FOR TRACTS:

THE DEDICATION OF TRACT E IS FOR FUTURE RESIDENTIAL DEVELOPMENT PURPOSES AND IS HEREBY ACCEPTED FOR OWNERSHIP AND MAINTENANCE BY SR LAND, LLC.

BY: _____
AS: _____ OF SR LAND, LLC

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, A.D.

BY: _____
AS: _____ OF SR LAND, LLC

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

OWNERS CERTIFICATE/ DEDICATION STATEMENT:

THE ABOVE OWNER HAVE CAUSED SAID TRACT OF LAND TO BE SURVEYED AND PLATTED INTO TRACTS, LOTS, STREETS, AND EASEMENTS AS SHOWN ON THE ACCOMPANYING PLAT, WHICH PLAT IS DRAWN TO A FIXED SCALES AS INDICATED THEREON AND ACCURATELY SETS FORTH THE BOUNDARIES AND DIMENSIONS OF SAID TRACT AND LOCATIONS OF SAID EASEMENTS, AND WHICH TRACT SO PLATTED SHALL BE KNOWN AS STERLING RANCH FILING NO. 2, EL PASO COUNTY, COLORADO. ALL STREETS HEREBY PLATTED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY PERSONALLY COVENANT AND AGREE THAT ALL PLATTED STREETS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS, AND THAT PROPER DRAINAGE FOR SAME WILL BE PROVIDED AT HIS OWN EXPENSE, ALL TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, AND UPON ACCEPTANCE BY RESOLUTION, ALL STREETS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO.

THE AFOREMENTIONED, SR LAND, LLC, A COLORADO LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 202____, A.D.

BY: _____
PRINTED NAME: _____

AS: _____ OF SR LAND, LLC

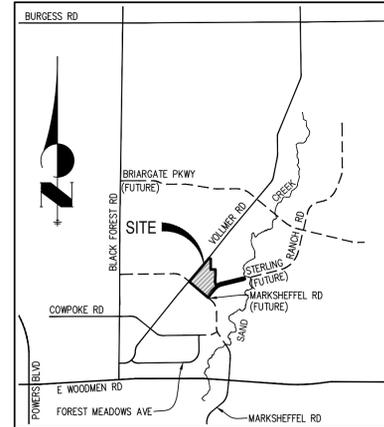
STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, A.D. BY: _____

AS: _____ OF SR LAND, LLC

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC



VICINITY MAP
N.T.S.

EASEMENTS:

ALL EASEMENTS THAT ARE DEDICATED HEREON FOR PUBLIC UTILITY PURPOSES RELATED TO GAS AND ELECTRIC SHALL BE SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED AT RECEPTION NUMBER 212112548 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND EFFECT.

OWNERS CERTIFICATE

THE AFOREMENTIONED, 8335 VOLLMER ROAD, LLC, AN ARIZONA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 202____, A.D.

BY: _____

PRINTED NAME: _____

AS: _____ OF 8335 VOLLMER ROAD, LLC

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202____, A.D. BY: _____

AS: _____ OF SR LAND, LLC

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

FEES:

DRAINAGE FEE: _____
BRIDGE FEE: _____
SCHOOL FEE: _____
PARK FEE: _____

SUMMARY:

49 LOTS	8.3192 ACRES	16.79%
10 TRACTS	7.6862 ACRES	15.52%
FUTURE DEV. TRACT RIGHTS-OF-WAY	19.6541 ACRES	39.68%
	13.8792 ACRES	28.01%
TOTAL	49.5387 ACRES	100.00%

SURVEYOR'S CERTIFICATE:

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



JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC

NOTICE:

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

PCD DIRECTOR CERTIFICATE:

THIS PLAT FOR "STERLING RANCH FILING NO. 2" WAS APPROVED FOR FILING BY THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ON THIS _____ DAY OF _____, 202____, SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON.

CHAIR, PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT _____ DATE _____

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

THIS PLAT FOR "STERLING RANCH FILING NO. 2" WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THIS _____ DAY OF _____, 202____, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS AND EASEMENTS) ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

PRESIDENT, BOARD OF COUNTY COMMISSIONERS _____ DATE _____

CLERK AND RECORDER

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE

AT _____ O'CLOCK _____M., THIS _____ DAY OF _____, 20____, A.D.

AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, RECORDER

BY: _____
DEPUTY

FINAL PLAT
STERLING RANCH FILING NO. 2
JOB NO. 25188.01
9/22/2021
SHEET 1 OF 6



Centennial 303-740-9393 • Colorado Springs 719-593-2593
Fort Collins 970-491-9888 • www.jrengineering.com

FILE NO. SF-20-015

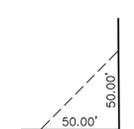
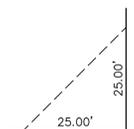
STERLING RANCH FILING NO. 2

**A PORTION OF THE E1/2 OF THE SE1/4 OF SECTION 32 AND THE S1/2 OF THE SW1/4 OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NW1/4 OF THE NW1/4 OF SECTION 4
AND THE NE1/4 OF THE NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST,
BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO.**

PLAT NOTES:

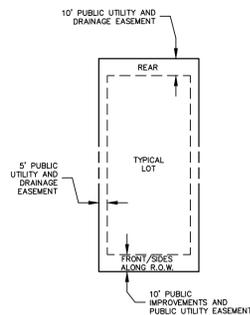
1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", SAID LINE BEARS N89°14'14"E, A DISTANCE OF 2,722.56 FEET.
2. WATER SERVICE SHALL BE SUPPLIED BY STERLING RANCH METROPOLITAN DISTRICT NO. 1.
3. SEWER SERVICE SHALL BE SUPPLIED BY STERLING RANCH METROPOLITAN DISTRICT NO. 1.
4. ELECTRIC SERVICES SHALL BE PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION.
5. NATURAL GAS SERVICES SHALL BE PROVIDED BY COLORADO SPRINGS UTILITIES.
6. FIRE PROTECTION BY THE BLACK FOREST FIRE PROTECTION DISTRICT.
7. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN THE STATE OF COLORADO.
8. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN SP 14-15 OR FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; NATURAL HAZARDS REPORT; GEOLOGY AND SOILS REPORT; WETLAND STUDY/ 404 PERMIT.
9. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
10. UNLESS OTHERWISE INDICATED, ALL SIDE LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, EXCEPT WHEN THE SIDE YARD IS ADJACENT TO A PUBLIC STREET AND THEREFORE A 10 FOOT PUBLIC IMPROVEMENT, PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL FRONT LOT LINES ARE HEREBY PLATTED WITH A 10 FOOT PUBLIC IMPROVEMENT, PUBLIC UTILITY AND DRAINAGE EASEMENT, AND ALL REAR LOT LINES ARE HEREBY PLATTED WITH A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 7 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR THE SURFACE MAINTENANCE OF EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.
11. 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 PARKS AND WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP OF ENGINEERS AND THE U.S. FISH AND WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE LISTED SPECIES.
12. THE ADDRESS EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
13. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
14. NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/ OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NUMBER _____ IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER.

THIS PLAT RESTRICTION MAY BE REMOVED OR RESCINDED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR UPON EITHER APPROVAL OF AN ALTERNATIVE FORM OF COLLATERAL OR COMPLETION AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH SAID SUBDIVISION IMPROVEMENTS AGREEMENT. THE PARTIAL RELEASE OF LOTS FOR SALE, CONVEYANCE OR TRANSFER MAY ONLY BE GRANTED IN ACCORDANCE WITH ANY PLANNED PARTIAL RELEASE OF LOTS AUTHORIZED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT.



DETAIL (A)
NOT TO SCALE

DETAIL (B)
NOT TO SCALE



TYPICAL LOT EASEMENTS
DETAIL
NOT TO SCALE

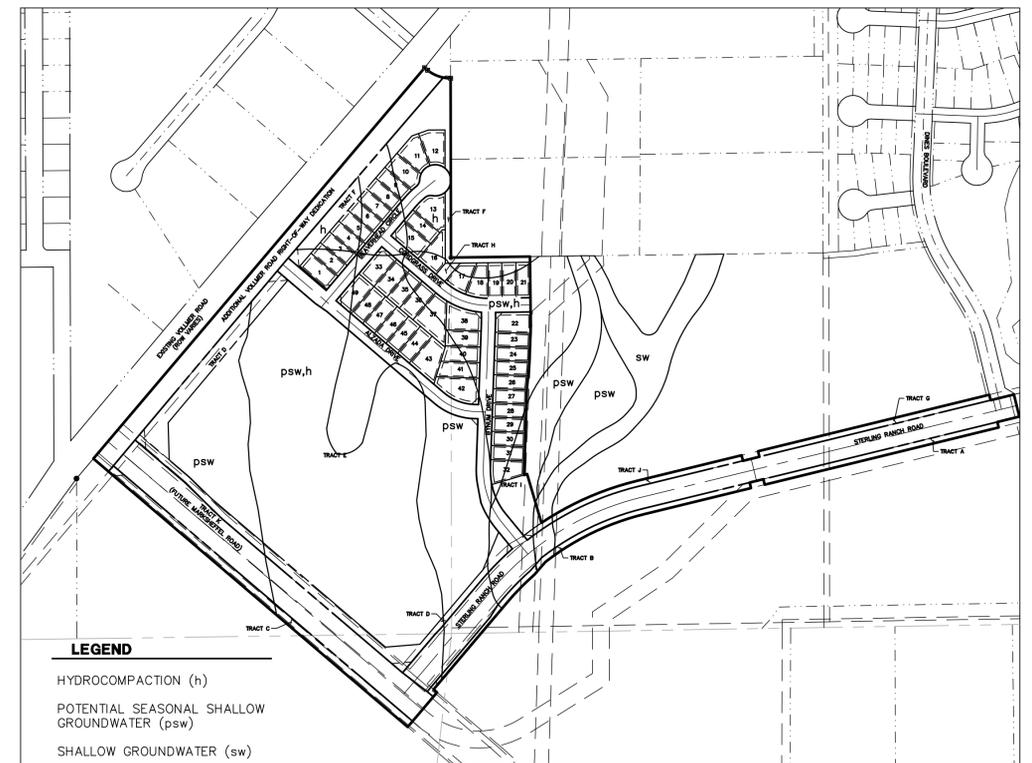
PLAT NOTES:

15. NO STRUCTURES OR FENCES ARE PERMITTED WITHIN DESIGNATED "FLOODPLAIN" AREAS. (MODIFICATION OF THIS NOTE MAY BE ALLOWED IF THE PLAN APPROVED BY THE FLOODPLAIN ADMINISTRATOR, PROVIDED THIS CREATES NO CONFLICT WITH APPROVED PLANS OR CONDITIONS.)
16. NO PORTION OF THIS SITE IS LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 08041C0529G, EFFECTIVE DATE DECEMBER 7, 2018.
17. NOTICE: THIS PROPERTY MAY BE ADVERSELY IMPACTED BY NOISE, DUST, FUMES, AND LIGHT POLLUTION CAUSED BY ADJACENT INDUSTRIAL PROPERTIES AND ACTIVITIES. THE BUYERS SHOULD RESEARCH AND BE AWARE OF THIS POTENTIALITY AND THE RAMIFICATIONS THEREOF.
18. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO CRS 18-4-508.
19. NO REPLAT OR RESUBDIVISION OF TRACT E SHALL BE RECORDED UNTIL AND UNLESS THE IMPROVEMENTS DESCRIBED IN EXHIBIT A TO THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR STERLING RANCH FILING NO. 2 HAVE BEEN COMPLETED BY THE SUBDIVIDER AND DISTRICT AND APPROVED BY THE COUNTY AND THE DISTRICT FOR PRELIMINARY ACCEPTANCE PURSUANT TO THE COUNTY'S ENGINEERING CRITERIA MANUAL.
20. ALL PROPERTY WITHIN THIS SUBDIVISION IS INCLUDED IN STERLING RANCH METROPOLITAN DISTRICT NO. 1.
21. NOISE WALL ALONG VOLLMER ROAD IS TO BE BUILT BY THE DEVELOPER AND MAINTAINED BY THE METRO DISTRICT.
22. THE STERLING RANCH METROPOLITAN DISTRICT NO. 1 WILL BE RESPONSIBLE FOR MAINTENANCE OF THE ROADS AND DRAINAGE FACILITIES UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE, THE ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT. MARKSHEFFEL ROAD WILL NOT BE ACCEPTED OR MAINTAINED BY EL PASO COUNTY.
23. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANT AS RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
24. SPECIAL DISTRICT DISCLOSURE: A TITLE 32 SPECIAL DISTRICT ANNUAL REPORT AND DISCLOSURE FORM SATISFACTORY TO THE DEVELOPMENT SERVICES DEPARTMENT SHALL BE RECORDED WITH EACH PLAT.
25. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATION.
26. THE SUBDIVIDER(S) AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION NO. 19-471), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL PLAT RECORDING, SHALL BE DOCUMENTED ON ALL SALES DOCUMENTS AND ON PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY. TRANSPORTATION IMPACT FEES ARE TO BE PAID AT BUILDING PERMIT. THE SUBDIVIDER AGREES TO THE INCLUSION OF THE STERLING RANCH FILING NO. 2 INTO THE EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT NO. 2 AS RECORDED AT RECEPTION NO. _____.
27. THE FOLLOWING LOTS AND TRACTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE GEOLOGIC HAZARD REPORT BY ENTECH DATED MARCH 18, 2021, IN SF-20-15 AVAILABLE AT THE EL PASO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. THE FOLLOWING LOTS AND TRACTS ARE IMPACTED:
SHALLOW GROUNDWATER: TRACTS B, I, J AND LOTS 1-49; NO BASEMENTS ARE PERMITTED
POTENTIAL SEASONAL SHALLOW GROUNDWATER: TRACTS B, C, D, E, F, H, I, J
HYDROCOMPACTIVE SOILS: LOTS 1-7, 9-32, 35-42 TRACTS B, C, D, E, F, H, I
NO BASEMENTS ARE PERMITTED IN STERLING RANCH FILING NO. 2.
28. THERE SHALL BE NO DIRECT RESIDENTIAL LOT ACCESS TO DINES BOULEVARD, VOLLMER ROAD, MARKSHEFFEL ROAD, OR STERLING RANCH ROAD.
29. NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITE WITHIN THIS PLAT UNTIL ALL REQUIRED FEE HAVE BEEN PAID AND ALL REQUIRED IMPROVEMENTS RELATED TO THE FOLLOWING: MARKSHEFFEL SEGMENT M1, VOLLMER INTERSECTION IMPROVEMENTS AND STERLING RANCH ROAD INTERSECTION IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO DRAINAGE, STREET, AND EROSION CONTROL, HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF COLORADO SPRINGS OR ALTERNATIVELY UNTIL ACCEPTABLE ASSURANCES, INCLUDING BUT NOT LIMITED TO LETTERS OF CREDIT, CASH, SUBDIVISION BONDS, OR COMBINATIONS THEREOF, GUARANTEEING THE COMPLETION OF ALL SUCH IMPROVEMENTS HAVE BEEN PLACED ON FILE WITH THE CITY OF COLORADO SPRINGS.

LEGEND

- ☐ RECOVERED 2" ALUMINUM CAP STAMPED "LS 34977" AT GRADE
- ⊙ RECOVERED 1" ORANGE PLASTIC CAP STAMPED "LS 38141" AT GRADE
- SET 18" #5 REBAR W/ 1-1/2" ALUMINUM CAP STAMPED "JR ENG LS 38252" AT GRADE
- S.F. SQUARE FEET
- #### ADDRESS
- (R) RB RADIAL BEARING
- * NOT A PART OF THIS SUBDIVISION
- PROPOSED SUBDIVISION BOUNDARY
- PROPOSED LOT LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED CENTERLINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTERLINE

TRACT TABLE				
TRACT	SIZE (ACRES)	USE	MAINTENANCE	OWNERSHIP
A	0.3912	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
B	0.5848	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
C	0.8453	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
D	2.1953	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
E	19.6514	FUTURE SINGLE FAMILY LOTS	SR LAND, LLC	SR LAND, LLC
F	1.4967	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
G	0.3866	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
H	0.0625	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
I	0.4998	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY/MAIL KIOSK	SRMD#1	SRMD#1
J	0.3787	LANDSCAPE/PUBLIC IMPROVEMENTS/PUBLIC TRAILS/ PUBLIC UTILITY	SRMD#1	SRMD#1
K	3.5139	FUTURE MARKSHEFFEL RIGHT-OF-WAY	SRMD#1	SR LAND, LLC
TOTAL	30.0062	NOTE: A 20' BUFFER EXISTS OVER THAT PORTION TRACT F ADJACENT TO INDUSTRIAL PARCELS PER THE PRELIMINARY PLAN AGREEMENT.		



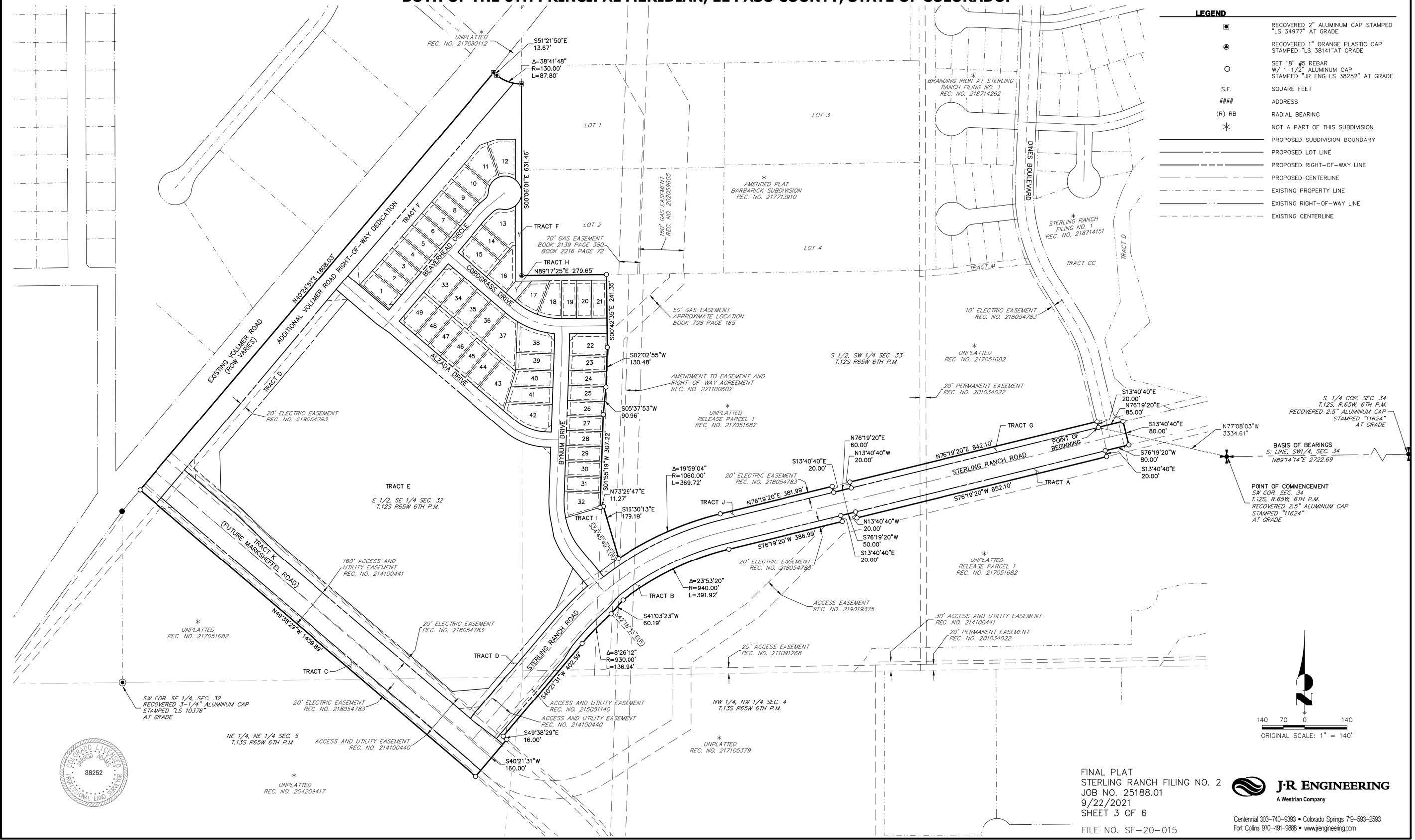
FINAL PLAT
STERLING RANCH FILING NO. 2
JOB NO. 25188.01
9/22/2021
SHEET 2 OF 6
FILE NO. SF-20-015



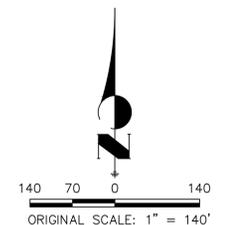
Centennial 303-740-9393 • Colorado Springs 719-593-2593
Fort Collins 970-491-9888 • www.jrengineering.com

STERLING RANCH FILING NO. 2

A PORTION OF THE E1/2 OF THE SE1/4 OF SECTION 32 AND THE S1/2 OF THE SW1/4 OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NW1/4 OF THE NW1/4 OF SECTION 4
AND THE NE1/4 OF THE NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST,
BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO.



LEGEND	
	RECOVERED 2" ALUMINUM CAP STAMPED "LS 34977" AT GRADE
	RECOVERED 1" ORANGE PLASTIC CAP STAMPED "LS 38141" AT GRADE
	SET 18" #5 REBAR W/ 1-1/2" ALUMINUM CAP STAMPED "JR ENG LS 38252" AT GRADE
S.F.	SQUARE FEET
####	ADDRESS
(R) RB	RADIAL BEARING
*	NOT A PART OF THIS SUBDIVISION
	PROPOSED SUBDIVISION BOUNDARY
	PROPOSED LOT LINE
	PROPOSED RIGHT-OF-WAY LINE
	PROPOSED CENTERLINE
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY LINE
	EXISTING CENTERLINE



FINAL PLAT
STERLING RANCH FILING NO. 2
JOB NO. 25188.01
9/22/2021
SHEET 3 OF 6
FILE NO. SF-20-015



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STERLING RANCH FILING NO. 2

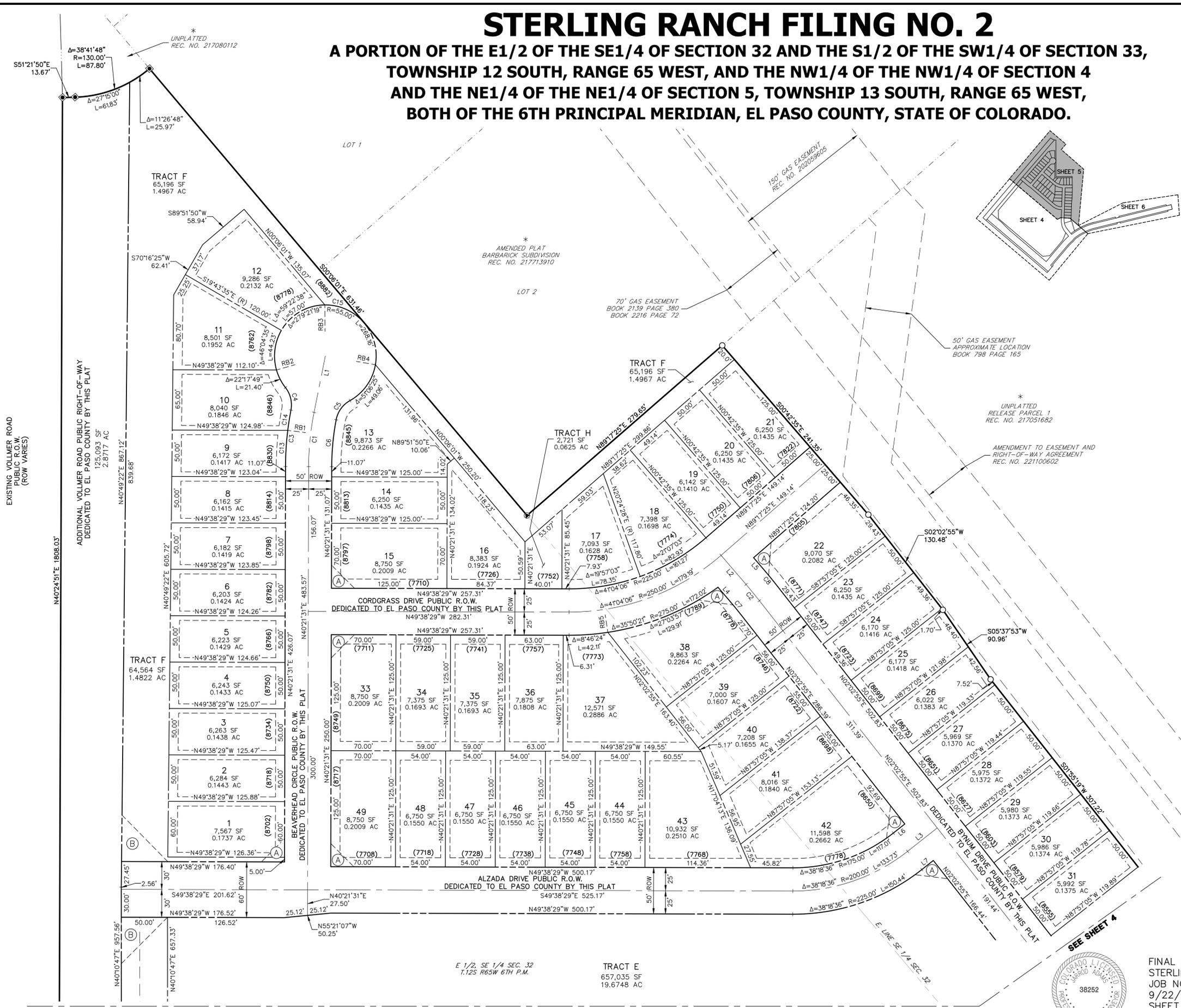
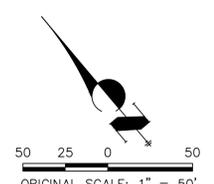
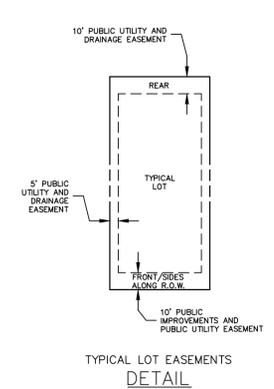
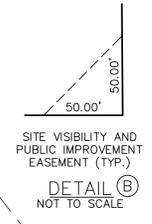
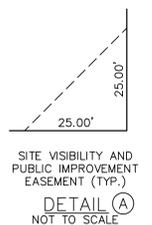
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LINE TABLE		
LINE	BEARING	DISTANCE
L1	S51°35'24"W	62.00'
L2	N00°33'26"W	41.40'
L3	S87°57'05"E	40.83'
L4	N00°33'26"W	17.48'
L5	N00°33'26"W	16.47'
L6	S87°57'05"E	15.83'
L7	N87°57'05"W	15.83'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	11°13'53"	300.00'	58.81'
C2	2°36'21"	500.00'	22.74'
C3	10°46'34"	325.00'	61.12'
C4	49°14'04"	30.00'	25.78'
C5	50°19'12"	30.00'	26.35'
C6	10°34'37"	275.00'	50.77'
C7	2°36'21"	475.00'	21.60'
C8	2°36'21"	525.00'	23.88'
C13	6°52'47"	325.00'	39.02'
C14	3°53'46"	325.00'	22.10'
C15	100°29'52"	55.00'	96.47'

RADIAL BEARING TABLE	
LINE	BEARING
RB1	S42°45'42"E
RB2	S65°48'10"E
RB3	S39°39'02"W
RB4	N39°51'05"W
RB5	N31°35'07"E

- LEGEND**
- RECOVERED 2" ALUMINUM CAP STAMPED "LS 34977" AT GRADE
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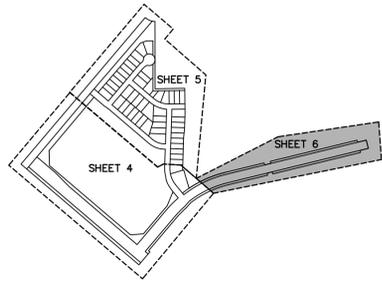
FINAL PLAT
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9/22/2021
SHEET 5 OF 6
FILE NO. SF-20-015



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STERLING RANCH FILING NO. 2

A PORTION OF THE E1/2 OF THE SE1/4 OF SECTION 32 AND THE S1/2 OF THE SW1/4 OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NW1/4 OF THE NW1/4 OF SECTION 4
AND THE NE1/4 OF THE NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST,
BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO.



S 1/2, SW 1/4 SEC. 33
T.12S R65W 6TH P.M.

* UNPLATTED
RELEASE PARCEL 1
REC. NO. 217051682

TRACT J
16,496 SF
0.3787 AC

SEE SHEET 4

SEE RIGHT

* UNPLATTED
REC. NO. 217051682

20' ELECTRIC EASEMENT
REC. NO. 218054783

20' ELECTRIC EASEMENT
REC. NO. 218054783

* UNPLATTED
RELEASE PARCEL 1
REC. NO. 217051682

LEGEND

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- PROPOSED CENTERLINE
- - - EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING CENTERLINE

10' ELECTRIC EASEMENT
REC. NO. 218054783

* UNPLATTED
REC. NO. 217051682

S 1/2, SW 1/4 SEC. 33
T.12S R65W 6TH P.M.

20' ELECTRIC EASEMENT
REC. NO. 218054783

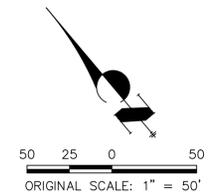
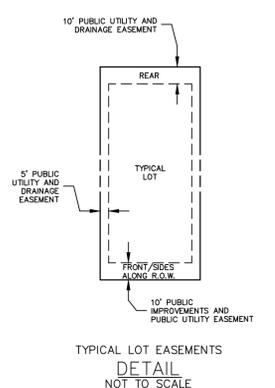
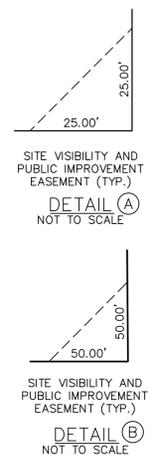
TRACT G
16,842 SF
0.3866 AC

TRACT A
17,042 SF
0.3912 AC

SEE LEFT

LINE TABLE		
LINE	BEARING	DISTANCE
L13	S13°40'40"E	40.00'
L14	S13°40'40"E	40.00'
L15	N13°40'40"W	40.00'

* UNPLATTED
RELEASE PARCEL 1
REC. NO. 217051682



FINAL PLAT
STERLING RANCH FILING NO. 2
JOB NO. 25188.01
9/22/2021
SHEET 6 OF 6



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Fort Collins 970-491-9888 • www.jrengineering.com

FILE NO. SF-20-015



March 18, 2021

Ms. Kari Parsons
 El Paso County Development Services Department
 2880 International Circle, Suite 110
 Colorado Springs, CO 80910
 Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Sterling Ranch Filing No. 2
 Final Plat
 Sec. 33, Twp. 12S, Rng. 65W, Sixth P.M.
 Water Division 2, Water District 10
 CDWR Assigned Subdivision No. 27182

To Whom It May Concern:

We have received the submittal concerning the above referenced proposal to approve a Final Plat for Sterling Ranch Filing No. 2. This would approve the proposal to divide 49 +/- acres (Tract A, Sterling Ranch Phase No. 1) into 49 single family residential lots. The proposed source of water supply and wastewater disposal is to be served by the Sterling Ranch Metropolitan District No. 1 (“District”). This office previously provided written comments, dated July 8, 2020, regarding the proposed development; the comments contained herein shall supersede those prior comments.

Water Supply Demand

According to the Water Supply Information Summary, the estimated water demand for the development is as follows:

Use	Amount	Water Use Rate	Demand (acre-feet/year)
Residential - Household	49 lots	0.18 acre-feet/year per household	17.30
Residential - Outdoor	3,000 square-feet per lot	0.06 acre-feet/year per 1,000 square-feet	
Irrigation	1.76 acres	0.06 acre-feet/year per 1,000 square-feet	4.29
Total			21.59

The total demand is 21.59 acre-feet/year, which is a portion of the total estimated water demand of 255.96 acre-feet/year for Sterling Ranch Phase I Preliminary Plan.



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

Source of Water Supply

The source of water for the proposed development is to be served by the Sterling Ranch Metropolitan District No. 1 (“District”). An updated letter of commitment dated February 10, 2021 from the District was provided with the referral materials. According to the submittal, the District will provide water from Arapahoe and Laramie-Fox Hills aquifer wells to a central system utilizing the water rights shown in Table 1, below.

Table 1 - Denver Basin Ground Water Rights

Aquifer	Decree	Tributary Status	Volume (AF)	Annual Allocation 100 Year (AF/Year)	Annual Allocation 300 Year (AF/Year)
Laramie-Fox Hills	86CW19	NT	53,900	539	179.67
Laramie-Fox Hills	08CW113	NT	40	0.4	0.13
Arapahoe	86CW18	NT	57,500	575	191.67
Total			111,440	1,114.4	371.47

According to 37-90-137(4)(b)(I), C.R.S., “Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years.” Based on this allocation approach, the annual amounts of water decreed is equal to one percent of the total amount available as determined by Rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those amounts for a maximum of 100 years.

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

“-Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an **allocation** approach based on three hundred years, the allowed average annual amount of withdrawal of 1,114.4 acre-feet/year would be reduced to one third of that amount, or 371.47 acre-feet/year, which is greater than the annual estimated demand of 255.96 acre-feet/year for Sterling Ranch Phase I. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the*

Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

State Engineer's Office Opinion

Pursuant to the provision of C.R.S. 30-28-136(1)(h)(II), it is the opinion of this office that the proposed water supply is expected to be adequate and can be provided without injury to existing water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the estimated demands of the proposed subdivision.

Our opinion is qualified by the following:

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

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for **allocation** due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

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

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

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

EL PASO COUNTY



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

Diana K. May, County Attorney

Assistant County Attorneys

Lori L. Seago
Lisa A. Kirkman
Steven A. Klafky
Peter A. Lichtman
Mary Ritchie
Bryan E. Schmid
Nathan J. Whitney
Michael J. Desmond
Christopher M. Strider
Terry A. Sample

March 31, 2021

SF-20-15 Sterling Ranch Filing No. 2 (Phase I)
Final Plat

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
Edi Anderson, Paralegal, ACP

FINDINGS AND CONCLUSIONS:

1. This is a proposal by SR Land, LLC ("Applicant"), for a final plat to subdivide approximately 49.64 +/- acres of land (the "Property") into 49 single-family residential lots, plus tracts for future development, right-of-way, and landscaping. Applicant's Property is zoned RS-5000 (Residential Suburban). This filing is included in the original Phase I preliminary plan approved in 2015.

2. The Applicant has provided for the source of water to derive from a central water system – Sterling Ranch Metropolitan District No. 1 ("District"). As described in the Water Supply Information Summary ("WSIS"), the Applicant estimates its annual water requirements to serve 49 single family lots at 17.297 acre-feet annually (0.353 acre-feet per lot), plus 4.29 acre-feet for community landscaping, for a total of 21.59 acre-feet/year for the subdivision. The Applicant will need to provide a supply of 6,477 acre-feet of water (21.59 acre-feet/year x 300 years) to meet El Paso County's 300-year water supply requirement.

3. A *Water Resources Report for Sterling Ranch Metropolitan District #1* by JDS-Hydro dated February 2021 ("Report"), details the source of water supply for the District. A Water Resources Report was originally prepared in May of 2015 and has since been updated to include several addendums, additional service area, advancement of platting activities, and construction of the physical water system. The District's water supply will originate from Arapahoe and Laramie-Fox Hills aquifer wells, provided through 3 decrees granted in District Court Water Division 2: Case No. 86CW18, providing an allocation of 575 acre-feet per year (191.67 acre-feet per year for 300 years); Case No.

200 S. CASCADE AVENUE
OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903
FAX: (719) 520-6487

86CW19, providing an allocation of 539 acre-feet per year (179.67 acre-feet per year for 300 years); and Case No. 08CW113, providing an allocation of 0.4 acre-feet per year (0.13 acre-feet per year for 300 years). Therefore, the existing water supply on a 300-year basis available for the Sterling Ranch Subdivision Phases I and II is 371.47 acre-feet. *The Report concludes that the District “has adequate supply on a 300 year basis to meet all current commitments including Sterling Ranch Filing #2.”*

4. In a letter dated February 10, 2021, the District Board President committed to serve the Sterling Ranch Filing No. 2 subdivision, stating the “Sterling Ranch Metropolitan District #1 will provide central water and sewer to the above named subdivision which includes approximately 49 single family lots and several tracts. The annual water committed is 21.59 acre-feet/year”

5. In a letter dated March 18, 2021, the State Engineer’s Office reviewed the subdivision of 49 +/- acres (Tract A, Sterling Ranch Phase No. 1) into 49 single family lots. They reviewed the WSIS and District letter and confirmed water demand for the subdivision at 21.59 acre-feet/year. They further detailed the source of the District’s water supply

Aquifer	Decree	Tributary Status	Volume (AF)	Annual Allocation 100 Year (AF Year)	Annual Allocation 300 Year (AF/Year)
Laramie-Fox Hills	86CW19	NT	53,900	539	179.67
Laramie-Fox Hills	08CW113	NT	40	0.4	0.13
Arapahoe	86CW18	NT	57,500	575	191.67
Total			111,440	1,114.4	371.47

Based on the table above, the total Denver Basin water rights available to serve the entire Sterling Ranch subdivision, through Sterling Ranch Metropolitan District No. 1 are 371.47 acre-feet/year (for 300 years). The State Engineer states that the allowed average annual amount of withdrawal for a period of 300 years is 371.47 acre-feet, “which is greater than the annual estimated demand of 255.96 acre-feet/year for Sterling Ranch Phase I” which includes the Sterling Ranch Filing No. 2 subdivision and of which “the water may be withdrawn in that annual amount for a maximum of 300 years.” Finally, the State Engineer opined that pursuant to C.R.S. § 30-28-136(1)(h)(II), the State Engineer’s Office is of the opinion that the proposed water supply “is expected to be adequate and can be provided without injury to existing water rights.”

6. Section 8.4.7(B)(10)(g), of the El Paso County Land Development Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

7. Analysis: Based on the information provided in the Water Supply Information Summary, the *Water Resources Report* dated February 2021, and the District's commitment to serve Sterling Ranch Filing No. 2 (Phase I) in the amount of 21.59 acre-feet per year, it appears the proposed water supply will be sufficient to meet the needs of the proposal. The El Paso County Public Health Department may wish to confirm that the District is in compliance with water quality regulations.

8. Based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment to serve, and pursuant to the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability.

REQUIREMENTS:

A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, any conditions, rules, regulations, limitations, and specifications set by the Sterling Ranch Metropolitan District No. 1.

cc: Kari Parsons, Planner III



Prevent • Promote • Protect

Environmental Health Division
1675 W. Garden of the Gods Road
Suite 2044
Colorado Springs, CO 80907
(719) 578-3199 *phone*
(719) 578-3188 *fax*
www.elpasocountyhealth.org

Sterling Ranch, Filing No. 2, SF-20-15

Please accept the following comments from El Paso County Public Health regarding the project referenced above:

- The proposed 49.54-acre 49 lot residential development will be provided water and wastewater by Sterling Ranch Metropolitan District No.1, (PWSID # CO0121724) through an Inter-Governmental Agreement with Sterling Ranch Metropolitan District No. 2.
- There is a finding for water quality sufficiency for water obtained from Sterling Metropolitan District No. 1.
- There are Letters of Commitment to Serve water and wastewater to the project from Sterling Ranch Metropolitan District No. 1 dated 10Feb2021.
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.
- Earthmoving activity in excess of one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for more information. Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to: <https://www.colorado.gov/pacific/cdphe/general-air-permits>
- El Paso County Public Health encourages planned walk-ability of residential communities. Please consider appropriate connections to commercial areas through the use of sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.

Mike McCarthy
El Paso County Public Health
719-575-8602
mikemccarthy@elpasoco.com
16Mar2021

INTERGOVERNMENTAL AGREEMENT REGARDING MARKSHEFFEL ROAD
THROUGH STERLING RANCH

This Intergovernmental Agreement Regarding Marksheffel Road Through Sterling Ranch (“Agreement”) is made this ____ day of _____, 2021 (“Effective Date”) by and between El Paso County, by and through the Board of County Commissioners of El Paso County, Colorado, a duly organized county and political subdivision of the State of Colorado (“County”), the City of Colorado Springs, Colorado, a home rule City and Colorado municipal corporation (“City”), and the Sterling Ranch Metropolitan District No. 1, a special district organized under Title 32, Colorado Revised Statutes (“District”). The County, City and District may be referred to herein individually as a “Party” or collectively as “Parties.”

Recitals

A. Within the jurisdictional boundaries of the County and the District lies a 1,443-acre development known as Sterling Ranch, the plan for which includes construction of two segments of Marksheffel Road. The general location of the segments of Marksheffel Road within and adjacent to Sterling Ranch that are the subject of this Agreement are depicted in Exhibit A, attached hereto and incorporated herein by reference, and is referred to herein as the “Marksheffel Road Segments.” As identified in traffic impact studies submitted for proposed subdivisions within Sterling Ranch, Segment M1 is between Vollmer Road and Sterling Ranch Road and Segment M2 is between Sterling Ranch Road and the south boundary of Sterling Ranch at the City limits.

B. The City will accept ownership, operation and maintenance responsibilities of the Marksheffel Road Segments, provided that they are constructed to City standards. The District shall construct or provide for the construction of the Marksheffel Road Segments in accordance with City requirements to further this goal.

C. The County requires construction of the Marksheffel Road Segment M1 to provide access to the proposed Sterling Ranch Filing No. 2 subdivision and other subdivisions within the Sterling Ranch development.

D. The purpose of this Agreement is to set forth the nature and timing of the Parties’ various obligations related to the design, construction, acceptance for operation and maintenance, transfer of ownership and future annexation.

E. Pursuant to Colorado Constitution, Article XIV, Section 18(2) and Section 29-1-203, Colorado Revised Statutes, governmental entities may cooperate and contract with each other to provide any function, services, or facilities lawfully authorized to each.

Agreement

1. Incorporation of Recitals. The Parties hereby incorporate by reference the above-stated Recitals into this Agreement as if fully set forth herein.
2. No Assurance of Land Use Approvals. The District understands and agrees that (i)

this Agreement does not assure it, the property owners within Sterling Ranch, or their respective successors and assigns that the County will grant future land use or construction approvals for Sterling Ranch, and (ii) no representations or promises are made or implied herein by the County or City, except for those rights that are specifically identified in this Agreement.

3. County Responsibilities.

a. For each final plat in Sterling Ranch that contains a Marksheffel Road Segment, the County shall require that such segment be placed in a separate tract and conveyed to the City within thirty (30) days of plat recording in a form acceptable to the City.

b. The County shall require that the Marksheffel Road Segments be constructed in accordance with City standards, requirements, and specifications. The County will require the posting of construction collateral for the Marksheffel Road Segments and the Intersection Improvements (defined in paragraph 3.e below) with the City in connection with each relevant final plat but will not require the posting of defect warranty collateral.

c. The County agrees to not issue any building permit associated with the Sterling Ranch final plat(s) that contain a Marksheffel Road Segment or Intersection Improvement until all required fees have been paid and all required improvements related to the Marksheffel Road Segments and Intersection Improvements, including but not limited to drainage, street, and erosion control, have been installed as specified by the City of Colorado Springs or alternatively until acceptable assurances, including but not limited to letters of credit, cash, subdivision bonds, or combinations thereof, guaranteeing the completion of such public improvements have been placed on file with the City of Colorado Springs.

i. The approved final plat(s) shall contain the following statement: “No building permits shall be issued for building sites within this plat until all required fees have been paid and all required improvements related to the following: [*insert specific Marksheffel Road Segment and Intersection Improvements to be constructed with the particular plat*], including but not limited to drainage, street, and erosion control, have been installed as specified by the City of Colorado Springs or alternatively until acceptable assurances, including but not limited to letters of credit, cash, subdivision bonds, or combinations thereof, guaranteeing the completion of all such improvements have been placed on file with the City of Colorado Springs.”

d. Until the Marksheffel Road Segments are annexed by the City, the County shall retain the authority to provide final construction drawing and plan approval, to issue notices to proceed with construction, and to apply and enforce stormwater requirements pursuant to its MS4 permit. County shall notify the City of all plan approvals and notices issued and include the City on any communications related to stormwater requirements.

e. The County shall follow its normal process for the oversight of construction, inspection, and acceptance of public improvements with respect to the Intersection Improvements at Marksheffel Road / Vollmer Road and at Marksheffel Road / Sterling Ranch Road as depicted

in the approved construction drawings in PCD File CDR 20-005. The Intersection Improvements shall be satisfactory to the County and the City prior to opening the Marksheffel Road Segments to public traffic.

f. The County shall notify the City when the Marksheffel Road Segments become contiguous to the City and annexation is possible.

4. City Responsibilities.

a. Within thirty (30) days of recording of each final plat in Sterling Ranch that contains a Marksheffel Road Segment, the City shall accept the conveyance, in a form acceptable to it, of the tracts within which the Marksheffel Road Segments will lie. The City, following notification by the County, shall initiate the annexation process for such tracts in the future, after the tracts have been accepted and are contiguous to the City.

b. The City shall review and approve all required plans and construction drawings for the Marksheffel Road Segments and the Intersection Improvements.

c. The City shall follow its normal process for the oversight of construction, inspection, and acceptance of public improvements with respect to the Marksheffel Road Segments and the intersection improvements at Marksheffel Road / Vollmer Road and at Marksheffel Road / Sterling Ranch Road. The City shall work diligently with the District to approve any plan modifications and to identify any deficiencies in construction.

d. The City shall accept the Marksheffel Road Segments for operation, maintenance and repair following expiration of its two-year probationary period, in accordance with its normal process and practices for each Segment.

e. The City requires acceptable assurances be posted by the District guaranteeing the completion of the Marksheffel Road Segments and the Intersection Improvements. The financial assurance amount shall be pursuant to City standards, shall be in and on a City approved form and issued by a City approved surety. A warranty retainage of ten percent (10.0%) of the financial assurance obligation shall be required throughout the warranty period.

5. District Responsibilities.

a. The District shall be responsible for constructing or causing the construction of the Marksheffel Road Segments, including all road, trail, drainage, and appurtenant improvements, and for diligently working with the City to meet all City requirements related to the design, construction, inspection, and acceptance of the Marksheffel Road Segments. Such requirements may include, but are not limited to, the contribution of funds toward future traffic signal improvements along the Marksheffel Road Segments.

b. The District shall construct the Marksheffel Road Segment M1 between Vollmer Road and Sterling Ranch Road within nine (9) months of recording of the final plat for Sterling Ranch Filing No. 2.

c. The District shall construct the Marksheffel Road Segment M2 between Sterling Ranch Road and the City boundary within three (3) years of recording of the final plat for Sterling Ranch Filing No. 2 or within twelve (12) months of recording of a final plat for the property adjacent to that portion of the Marksheffel Road Segment, whichever occurs sooner.

d. The District shall operate, maintain, and repair the Marksheffel Road Segments for each respective two-year probationary period that begins with opening each Marksheffel Road Segment for public use and ends with City assumption of such responsibilities.

e. The District shall post financial assurances with the City for the Marksheffel Road Segments and the Intersection Improvements pursuant to City's requirements.

f. For the stormwater facilities identified in Exhibit B, attached hereto and incorporated herein by reference, including the proposed full-spectrum detention basin and its outfall into the City, District shall enter into a stormwater facility maintenance agreement with the City and the County in compliance with both jurisdictions' MS4 permit requirements. If there is a conflict between City and County MS4 requirements, the City MS4 permit requirements shall govern. The signed agreement and completion of the necessary stormwater facilities to the satisfaction of the City and the County are required prior to opening the Marksheffel Road Segments to public traffic. District shall promptly comply with any City requirements to address offsite drainage and erosion impacts to properties within the City.

g. The District understands and agrees that it may apply for credits or reimbursement through the El Paso County Road Impact Fee Program for the Marksheffel Road Segments and the Intersection Improvements.

h. The District understands and agrees that the construction of the Marksheffel Road Segments will not be eligible for cost recovery or reimbursements through the City or Pikes Peak Rural Transit Authority (PPRTA).

i. Conveyance of Marksheffel Road Segments:

- i. Pursuant to Section 3.a. of this Agreement, the District shall order a title commitment for City as grantee on said tracts to be conveyed to City. The District shall convey the Marksheffel Road Segments to City by special warranty deed(s) satisfactory to the City in form and substance, free and clear of any liens or encumbrances whether recorded or unrecorded, but subject to easements, conditions and restrictions of record permitted by the City.
- ii. If not previously paid, District shall pay all real property taxes on the portion of Marksheffel Road Segments to be conveyed to the City that have accrued through the date of closing.
- iii. At or prior to closing, District shall take all necessary action to remove any and all liens and encumbrances if any affecting the title of the Marksheffel Road Segments, including the removal of liens securing financial

indebtedness, other than those exceptions to title specifically permitted by the City. District shall obtain and provide the title company with any and all executed releases, subordinations, and/or joinders necessary to remove such encumbrances. District shall also supply Title Company with any and all documents to close these conveyances.

- iv. If District is unable to obtain title on the Marksheffel Road Segments free and clear of all liens and encumbrances, District and City agree to work together in good faith to obtain title acceptable to the City.
- v. District shall pay all costs of closing including, the title policy, recording fees, and documentary fees, if any.

6. Contacts and Notices. The individuals identified below are the primary points of contact for any matters related to this Agreement. All notices or other communications to the Parties shall either be sent by electronic mail, personally delivered, or sent by United States mail, postage prepaid, to the persons identified below or to any other person or address which the Parties may substitute in writing.

To the County: Craig Dossey, Executive Director
Planning and Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910
craigdossey@elpasoco.com
(719) 520-7941

And

Lori Seago, Sr. Asst. County Attorney
El Paso County Attorney's Office
200 S. Cascade
Colorado Springs, CO 80903
loriseago@elpasoco.com
(719) 520-7371

To the City: Gayle Sturdivant, City Engineer
30 South Nevada, Suite 401
Colorado Springs, CO 80903
gayle.sturdivant@coloradosprings.gov
(719) 385-5628

And

Darlene Kennedy, Real Estate Services Manager
30 South Nevada, Suite 502
Colorado Springs, CO 80903
darlene.kennedy@colorado springs.gov

(719)385-5605

To the District: Charles Collins, Secretary
20 Boulder Crescent
Colorado Springs, CO 80903
candclandllc@aol.com
(719) 491-8717

7. General Provisions.

a. Entire Agreement. This Agreement represents the complete integration of all understandings between the Parties, is the entire agreement between the Parties, and no additional or different oral representations, promises, or agreements shall be binding on any of the Parties hereto with respect to the subject matter of this Agreement, unless stated in writing and signed by all the Parties.

b. Amendment. This Agreement may be amended by mutual written agreement of all Parties or their respective successors or assigns.

c. Choice of Law and Venue. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Colorado. Venue shall be exclusively in the District or County Court in and for El Paso County, Colorado.

d. Legal Authority. The undersigned hereby acknowledge and represent that they have the legal authority to bind their respective Party to this Agreement.

e. Severability. If any paragraph, section, subsection, clause or phrase of this Agreement is, for any reason, held to be invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Agreement.

f. Waiver. The waiver of a breach of any of the provisions of this Agreement by any Party shall not constitute a continuing waiver or a waiver of any subsequent breach of the same or other provision of this Agreement.

g. Third Party Beneficiary. This Agreement does not and shall not be deemed to confer on any third party the right to the performance of or proceeds under this Agreement, to claim any damages or to bring any legal action or other proceeding against any Party for any breach or other failure to perform this Agreement.

h. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages shall all be attached to a single instrument.

i. The Parties hereby agree that if any dispute cannot be resolved by mutual agreement of the Parties, such dispute may be resolved in law or in equity. The Parties further

agree and acknowledge that this Agreement may be enforced at law or in equity. In addition to any other available remedies, in the event of a breach of this Agreement, any Party may request a court of competent jurisdiction to enter a writ of mandamus to compel the breaching Party to perform under this Agreement, and any Party may seek from a court of competent jurisdiction temporary and/or permanent restraining orders, or orders for specific performance, to compel the other to perform in accordance with the obligations set forth in this Agreement.

j. A fully executed copy of this Agreement shall be recorded in the records of the El Paso County Clerk and Recorder.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

Chuck Broerman
County Clerk & Recorder

By: _____
Stan VanderWerf, Chair

Approved as to form:

County Attorney's Office

ATTEST:

CITY OF COLORADO SPRINGS,
COLORADO

Sarah Johnson
City Clerk

By: _____
John W. Suthers, Mayor

Approved as to form:

Office of the City Attorney

STERLING RANCH METROPOLITAN DISTRICT NO. 1

By: _____
[name], [title]

Sarah Johnson
City Clerk

John W. Suthers, Mayor

Approved as to form:

Office of the City Attorney

STERLING RANCH METROPOLITAN DISTRICT NO. 1

By: James H. Moley Resident
[name], [title]

Exhibit A
Marksheffel Road Segments

Exhibit A

Marksheffel Road Segments

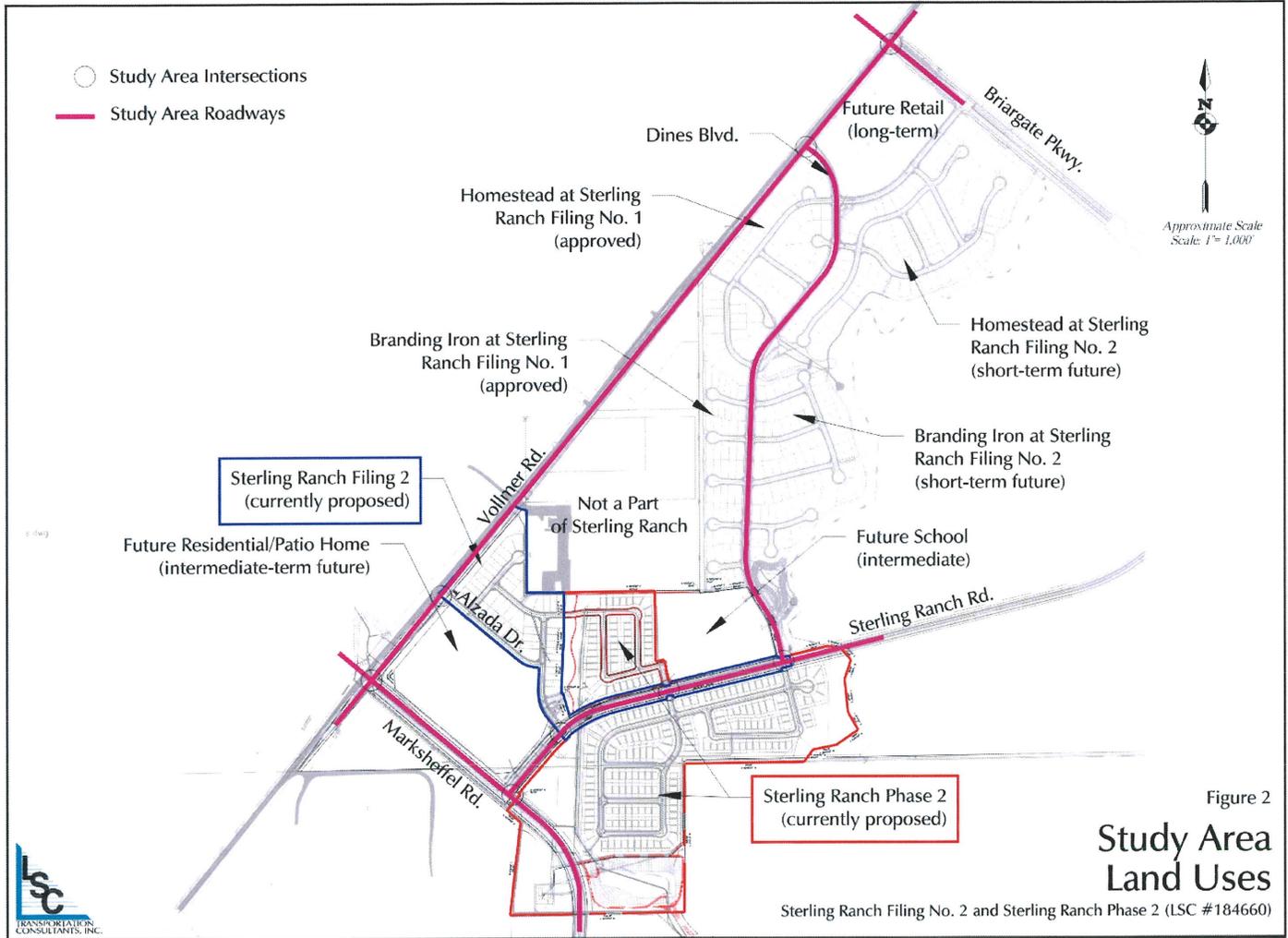
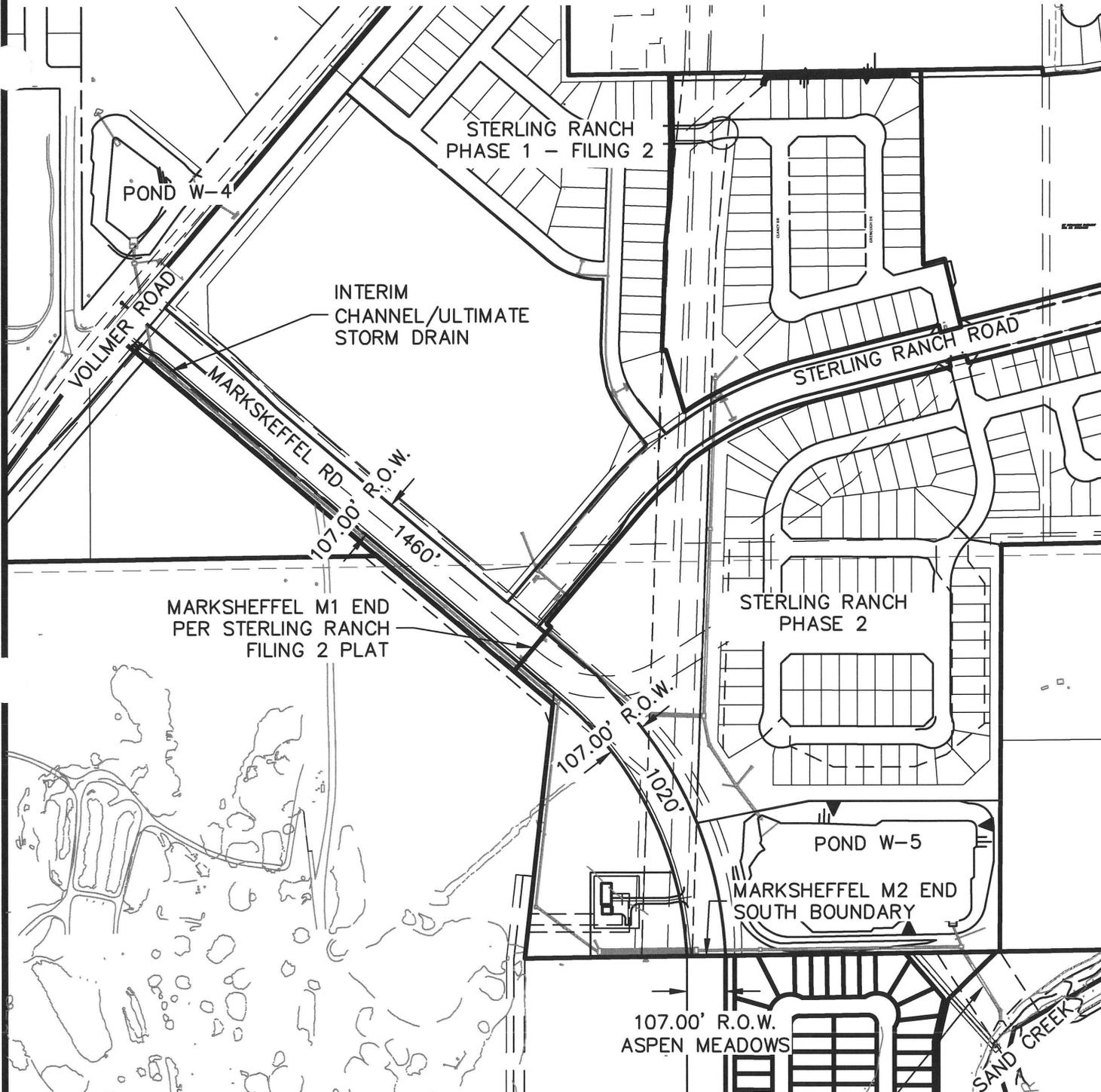


EXHIBIT B



107.00' R.O.W.
 ASPEN MEADOWS
 1020'
 107.00' R.O.W.
 OUTFALL FOR POND AND STORM DRAIN

NOTE:
 STERLING RANCH METRO DISTRICT IS RESPONSIBLE FOR MAINTENANCE OF POND W-4, INTERIM CHANNEL / ULTIMATE STORM DRAIN, POND W-5 AND OUTFALL FOR POND AND STORM DRAIN.



400 200 0 400

ORIGINAL SCALE: 1" = 400'



COMMISSIONERS:
STAN VANDERWERF (CHAIR)
CAMI BREMER (VICE-CHAIR)

LONGINOS GONZALEZ, JR.
HOLLY WILLIAMS
CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Thursday, October 7, 2021
El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado 80910

REGULAR HEARING
9:00 a.m.

PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, BECKY FULLER, JOAN LUCIA-TREESE, JAY CARLSON, ERIC MORAES, BRANDY MERRIAM, TIM TROWBRIDGE, AND SARAH BRITAIN JACK

PRESENT VIA ELECTRONIC MEANS AND VOTING: NONE

PRESENT AND NOT VOTING: BRYCE SCHUETTPELZ

ABSENT: GRACE BLEA-NUNEZ

STAFF PRESENT: NINA RUIZ, DANIEL TORRES, CARLOS HERNANDEZ (VIA REMOTE ACCESS), LUPE PACKMAN, GILBERT LAFORCE, JOHN GREEN, RYAN HOWSER, KARI PARSONS, ELENA KREBS, EL PASO COUNTY ENGINEER JENNIFER IRVINE, AND EL PASO COUNTY ATTORNEYS LORI SEAGO AND MARY RITCHIE

OTHERS SPEAKING AT THE HEARING: DANNY MIENKA, DAVID WHITEHEAD, JIM HOULK, HEATHER DILLARD, VICTORIA CHAVEZ (CDOT), AND DAVID SPRAGUE (CDOT)

Report Items

1. A. Report Items -- Planning and Community Development Department -- Ms. Ruiz -- The following information was discussed:

- a) The next scheduled Planning Commission meeting is for **Tuesday, November 2, 2021 at 9:00 a.m.****

- b) **Ms. Ruiz** gave an update on the year-to-date building permits and also provided an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting. Mr. Dossey will be presenting the end of the year report at the next scheduled hearing.
- c) **Mr. Trowbridge** provided an update on the revisions to the Planning Commission Bylaws. He will be sitting down with **Ms. Seago** to finalize changes.

B. Public Input on Items Not Listed on the Agenda – NONE

2. CONSENT ITEMS

A. Approval of the Minutes – September 2, 2021

The minutes were unanimously approved as presented. (9-0)

B. SF-21-013

HOWSER

**VACATION AND REPLAT
BRIDLE BIT RANCH FILING NO. 1A**

A request by Nicole Telle for approval of a vacation and replat of one (1) single-family residential lot into two (2) single-family residential lots. The 10.12-acre property is zoned RR-5 (Residential Rural) and is located on the west side of Bridle Bit Road, approximately one mile east of the Shoup Road and Highway 83 intersection and within Section 10, Township 12 South, Range 66 West of the 6th P.M. (Parcel No. 62100-01-011) (Commissioner District No. 1)

Ms. Fuller – Is the second well permit approved?

Ms. Seago – I defer to the applicant as we don't typically deal with wells. They are required to get the well permit, but we do not monitor what they have or do.

Mr. Whitehead – The well permit cannot be applied for until the property is divided because we are only allowed one well permit per property. We are prepared to do that, and at the same time the findings did tell us we need to reapply for a well permit on the existing well because of the adjudication from the court.

PC ACTION: FULLER MOVED/LUCIA-TREESE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2B, SF-21-013, FOR A VACATION AND REPLAT FOR BRIDLE BIT RANCH FILING NO. 1A, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-056, WITH NINE (9) CONDITIONS AND FOUR (4) NOTATIONS, WITH A FINDING OF

WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

C. SF-20-025

HOWSER

**FINAL PLAT
SPACE VILLAGE APARTMENTS FILING NO. 1**

A request by Bridle Dale, LLC, for approval of a final plat to create one (1) 0.63-acre commercial lot. The property is zoned CC (Commercial Community) and is located on the south side of Space Village Avenue, approximately 785 feet east of the intersection of Space Village Avenue and Peterson Boulevard and is within Section 17, Township 14 South, Range 65 West of the 6th P.M. (Parcel No. 54170-00-019) (Commissioner District No. 4)

PC ACTION: FULLER MOVED/ LUCIA-TREESE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2C, SF-20-025, FOR A FINAL PLAT FOR SPACE VILLAGE APARTMENTS FILING NO. 1, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-057, WITH TWELVE (12) CONDITIONS AND TWO (2) NOTATIONS, WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

D. SF-20-015

PARSONS

**FINAL PLAT
STERLING RANCH FILING NO. 2**

A request by SR Land, LLC, Morley Bentley, LLC, Trader Vics, LP, 8335 Vollmer Road, LLC, and Challenger Communities, LLC for approval of a final plat to create 49 single-family residential lots and eleven (11) tracts. The 49.54-acre property is zoned RS-5000 (Residential Suburban) and is located west of Dines Ranch Road, at the northeast corner of the Vollmer Road and Tahiti Drive intersection and is within Sections 32 and 33, Township 12 South, and Section 4, Township 13 South, Range 65 West of the 6th P.M. (Parcel Nos. 52000-00-231, 52000-00-364, 52330-00-013, 52324-00-004, 53000-00-173, and 53000-00-222) (Commissioner District No. 2)

PC ACTION: BAILEY MOVED/BRITAIN JACK SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2D, SF-20-015, FOR A FINAL PLAT FOR STERLING RANCH FILING NO. 2, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-055, WITH EIGHTEEN (18) CONDITIONS AND ONE (1) NOTATION, WITH A FINDING OF WATER

SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

E. MS-21-003

GREEN

**MINOR SUBDIVISION
RAPSON SUBDIVISION**

A request by Andrea and William Rapson for approval of a minor subdivision to create two (2) single-family residential lots. The 19.6-acre property is zoned RR-5 (Residential Rural) and is located southeast of the intersection of Hardy Road and Black Squirrel Road, approximately one mile north of Hodgen Road and is within Section 14, Township 11, Range 65 West of the 6th P.M. (Parcel No. 51140-00-007) (Commissioner District No. 1)

PC ACTION: TROWBRIDGE MOVED/MORAES SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2E, MS-21-003, FOR A MINOR SUBDIVISION FOR RAPSON SUBDIVISION, UTILIZING RESOLUTION PAGE NO. 19, CITING, 21-053, WITH NINE (9) CONDITIONS AND TWO (2) NOTATIONS, WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

F. VA-21-003

GREEN

**VARIANCE OF USE
3475 MULBERRY VARIANCE OF USE**

A request by Mulberry Ridge, LLC, for approval of a variance of use for an observatory and related facilities. The 35.48 acre property is zoned A-35 (Agricultural) and is located one mile west of North Yoder Road, and immediately northeast of the intersection of Mulberry Road and Big Springs Road, and is within Section 26, Township 13, Range 61 West of the 6th P.M. (Parcel No. 13000-00-469) (Commissioner District No. 4)

Mr. Bailey – Could you clarify why there is a deadline on this and not an indefinite approval?

Mr. Green – In the 2011 approval of the variance of use that condition was placed then, it wouldn't be a standard practice today, so that is why there are

renewals for the 2000 variance and the 2011 variance. Our standard practice now would not have those time clauses unless it is a very unique situation.

Mr. Bailey – What we're asked to approve today would be an indefinite approval for this variance of use?

Mr. Green – Correct.

Ms. Fuller – I appreciate the change has been made in the county to make these indefinite approvals. It is good public policy.

PC ACTION: CARLSON MOVED/TROWBRIDGE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2F, VA-21-003, FOR A VARIANCE OF USE FOR 3475 MULBERRY VARIANCE OF USE, UTILIZING RESOLUTION PAGE NO. 51, CITING, 21-058, WITH SEVEN (7) CONDITIONS AND THREE (3) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

Regular Items

3. SP-20-011

PARSONS

PRELIMINARY PLAN CROSSROADS AT MEADOWBROOK MIXED USE

A request by Colorado Springs Equities, LLC, for approval of a preliminary plan to create one (1) multi-dwelling lot, and ten (10) commercial lots. The 29.04-acre parcel is zoned RM-30 (Residential Multi-Dwelling) and CR (Commercial Regional) and is located at the northwest corner of the Meadowbrook Parkway and Highway 24 intersection and is within Section 8, Township, 14 South, Range 65 West of the 6th P.M. (Parcel No. 54080-07-005) (Commissioner District No. 2).

Ms. Parsons gave a brief overview of the project and then asked **Ms. Seago** to go over the review criteria for a Preliminary Plan, **Ms. Parsons** then introduced the applicant, **Danny Mientka** to present the overall concept for the area, to be followed by the applicant's representative **Jim Houlk**, with **Kimley-Horn** for the site specific presentation. **Mr. Mientka and Mr. Houlk's** presentations are part of the permanent file.

Ms. Merriam – I know the traffic can be dangerous, especially during the winter. You're adding the additional families, and you're putting a place where children will want to go across the highway, but I don't see any consideration for a pedestrian bridge on either direction. What is the consideration on that?

Mr. Mientka – We had a very exhaustive traffic analysis for all these developments, and it looked at each one of these and how they interfaced with one another. We agreed with that study and our discussions with the city, the county and cdot on a

number of improvements that will be made incrementally as these developments come online. There is actually a lot of public improvements that come about these developments as they start to develop. Traffic signals, sidewalks, ADA accessibility, extended turn lanes, off ramps, it is quite extensive.

Ms. Merriam – An area that is similar is the MLK bypass on Chelton, and they had to create a pedestrian bridge for the boys and girls club across the street. That isn't nearly as large as this development. The other question was that it will be quite a mall complex, and in the report, it had sit down restaurants at 8000 square feet and the fast food was at 11 square feet. I'm assuming that is a total, not that the fast food is bigger than the sit down, am I correct?

Mr. Mientka – That may very well be a typo.

Mr. Moraes – You've talked about the housing shortage that is in the area, have you thought about using some of that retail space and going vertical by putting apartments or lofts on top of the development. Has that been thought here?

Mr. Mientka – We are restricted within the Crossroads North of course due to the accident protection zone with the airport. We can't do any residential within that Crossroads North. We're looking at extraordinary densities within Reagan, I see this as infill and we're going to get more mileage off the road and utility network that exists, and then we're upgrading the utilities. This land is finally in front of you because it took all of the time to aggregate the scale large enough to meet that lift on the utilities. Density is the name of the game.

Mr. Moraes – I would think that you would maximize density when you start going into the third dimension. I think that is something for people to think about as we continue to develop the county. I would encourage if it is feasible to underground all that detention because I have been in communities where the detention areas are used as open space and park space and eventually it becomes somebody's problem to clean it up as water from wherever starts to fill that area and it becomes a swampy mess.

Mr. Mientka then introduced Jim Houlk with Kimley-Horn to provide the site specific presentation.

Mr. Carlson – It looked like the airport is requiring the multifamily folks to sign an acknowledgement that they are in a noisy airport zone, did they require of that of development no. 4? **Mr. Houlk** – Yes they did.

Ms. Parsons gave a brief presentation to the Planning Commission. Her report is on the permanent file.

Ms. Merriam – If appropriate for the area, at what stage would a pedestrian bridge be developed?

Ms. Irvine – Typically when you look at a pedestrian bridge, you're looking at more of a generation thing, pedestrian generation. We would look at the kind of pedestrian traffic. What I would say about this area is that it is likely to continue development. There is a long range planning document for US HWY 24 that the county developed with CDOT and the City of Colorado Springs, at this time it has not identified a pedestrian bridge in this area. There are other locations where that pedestrian access is more appropriate.

Ms. Merriam – You're doing something completely different. The historic reference doesn't seem to be relevant to this particular case, because I want the success of the development and I can see this as one of the shortfalls.

Ms. Irvine – Those pedestrian bridges are typically done with CDOT because it is a state highway, so it isn't something that is done with this type of development that you see in front of you. **Ms. Merriam** – Is it a public partnership that can be utilized with some of the big box stores? **Ms. Irvine** – It could be down the road. I think what we will see here is those connectivity's at the larger intersections down the road.

Mr. Moraes – How old is that US 24 plan?

Ms. Irvine – I want to say it was adopted in 2019. **Mr. Moraes** – So before multifamily housing was even a thought in this area. **Ms. Irvine** – No, we knew this type of redevelopment was coming in this area. Those are the type of things from a long range planning standpoint, we look at the highest and best use, so those kinds of developments were already planned for this area. **Mr. Moraes** – I see this plan as developing multifamily and not having access to the sports complex across the highway, without using a car.

Ms. Ruiz – I just want to remind the planning commission that the rezoning has already gone through and is in place today. With that rezoning they did prepare a traffic study. **Mr. Moraes** – Did the traffic study include pedestrians? **Ms. Ruiz** – I haven't viewed the traffic study myself, but what is for discussion today is the specific layout and not the land uses. So, if the traffic study doesn't call for improvements and our county engineer has identified at this time there are also no improvements for a pedestrian bridge, it would be inappropriate for us to have that discussion.

Mr. Moraes – The rezoning was the use of the area. When we get to the preliminary plan, that's solving all the other issues that come with it. **Ms. Ruiz** – Those improvements that have been identified in the reports prepared by the appropriate professional that says roadway improvements might be necessary and so on, that is correct. **Mr. Moraes** – For vehicular traffic.

Ms. Parsons – I mentioned that Meadowbrook Parkway would be extended when the development to the west occurs, Meadowbrook Parkway will then be further developed to the interchange with sidewalks. People will have the ability to walk that area by utilizing the pedestrian bridge or at grade pedestrian crossing, and when

Reagan Ranch develops in the city there are requirements to have those sidewalks meeting the ADA standards throughout the development. You're talking about a multiyear project to achieve the goal, but you will have that pedestrian connectivity to the sports complex when all the developments are on the ground.

Ms. Fuller – I think we are a little bit off topic as far as the pedestrian bridge. This part of the county is car dependent. My suggestion would be to accept the traffic study as it is and move on.

Mr. Carlson – I agree.

Note for the record: The Chair called a short recess at 10:20. The hearing reconvened at 10:30. Quorum is still place.

IN FAVOR: NONE

IN OPPOSITION:

Ms. Dillard – The parking issue is a concerning. I would like to know how the noise and parking issues will be resolved on Boreal Drive.

Ms. Parsons – The Boreal Street is in the residential development across from this proposed preliminary plan, and yes I can assure the Planning Commission that the LDC does require the development to house its parking on its own lot, so there isn't going to be any street parking

DISCUSSION: NONE

PC ACTION: BAILEY MOVED/CARLSON SECONDED FOR RECOMMENDED APPROVAL OF REGULAR ITEM NUMBER 3, SP-20-011, FOR A PRELIMINARY PLAN FOR CROSSROADS AT MEADOWBROOK MIXED USE, UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-054, WITH SIX (6) CONDITIONS, THREE (3) NOTATIONS AND ONE (1) WAIVER, WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

4. AMP-21-001

CHAVEZ/IRVINE

**CO 83 ACCESS CONTROL PLAN
INFORMATIONAL PURPOSES ONLY – NO ACTION NEEDED**

The Colorado Department of Transportation (CDOT), City of Colorado Springs (COS), and El Paso County collaborated to develop an Access Control Plan (ACP) for CO 83 between Powers Boulevard (CO21) and County Line Road (Palmer Divide Road) or 9.85 miles. An ACP is a long-range plan for ultimate access conditions that address

existing spacing deficiencies, improves mobility and enhances safety. The CDOT presentation is part of the permanent record.

Mr. Carlson – You mentioned that there were 75 private entrances notified. How were those people notified?

Mr. Sprague – We mailed a postcard to all the properties and advertise in four of the local newspapers in the area, and reached out to the homeowners associations in the area and provide them with the information to share with their residents.

Mr. Carlson – There are a lot of properties that will lose access to the highway. Were those people notified they were going to lose access? **Mr. Sprague** – They were invited to the meetings. **Mr. Carlson** - What would trigger closing off those access points to the individual properties and who would determine that? **Mr. Sprague** –First of all we had over a hundred individuals that visited the website and only 44 that left comments, meaning a lot of individuals did visit the meeting. In terms of closing access nothing happens to their property. 95% of these driveways will never change they will remain full movement access to the highway. If they are redeveloped at the time of the design, it would be addressed. Properties can never have their driveways closed.

PC ACTION: NO ACTION NEEDED; ITEM IS FOR INFORMATIONAL PURPOSES ONLY.

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at www.elpasoco.com to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/ Planner processing the request.)

FINAL PLAT (RECOMMEND APPROVAL)

Commissioner Bailey moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

**RESOLUTION NO. SF-20-015
STERLING RANCH FILING NO. 2**

WHEREAS, SR Land, LLC, Morley Bentley, LLC, Trader Vics, LP, 8335 Vollmer Road, LLC and Challenger Communities, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Sterling Ranch Filing No. 2 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on October 7, 2021; 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 subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with any applicable approved preliminary plan.

7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.
16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.]
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.

19. For the above-stated and other reasons, the proposed subdivision 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 that the Planning Commission recommends approval of the application for the final plat of the Sterling Ranch Filing No. 2 Subdivision with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.
5. 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.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.

Construction of the Vollmer Road and Sterling Ranch Road improvements associated with this final plat and necessary to serve the plat shall be complete and preliminarily accepted by the County, or collateral acceptable to the County Attorney's Office shall be provided, prior to plat recordation.

9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of 22,883.00 and urban park (Area 2) fees in the amount of 14,455.00 shall be paid at the time of final plat recordation.
11. Drainage fees in the amount of \$400,855.70 and bridge fees in the amount of \$163,972.79 for the Sand Creek drainage basin (FOFO4000) shall be paid to El Paso County at the time of final plat recordation.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
13. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with Sterling Ranch Filing No. 1 final plat (SF-16-13) as recorded at Reception No. 218061175 remain valid.
14. Applicant may not record the final plat until an intergovernmental agreement (IGA) between the County, City of Colorado Springs, and Sterling Ranch Metropolitan District No. 1 regarding construction, maintenance, and ownership of Marksheffel Road (IGA) has been executed by all parties. In the alternative, the applicant must convey Tract K to the City within thirty (30) days of plat recordation in a form acceptable to the City, and a fully executed IGA must be recorded within sixty (60) days of plat recording.
15. All construction documents must be accepted and signed by the County Engineer/ECM Administrator prior to recording the final plat.
16. The Sterling Ranch Metropolitan District No. 1 shall be responsible for maintenance of the roads and drainage facilities constructed in association with this final plat until preliminary acceptance of the public improvements by the County or the City, as applicable. El Paso County will not be responsible for maintenance of Marksheffel Road.

17. Note no. 29 on the final plat shall be revised to include the language in paragraph 3.C.i of the IGA. No building permits shall be issued within the final plat area until all City of Colorado Springs requirements regarding Marksheffel Road construction or provision of financial assurances have been met, in accordance with amended final plat note no. 29.

18. Any public right-of-way needed for Vollmer Road improvements southwest of the Marksheffel Road intersection shall be deeded to the County prior to County acceptance of the respective Vollmer Road improvements in that location.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

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.

Commissioner Carlson seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Trowbridge	aye
Commissioner Moraes	aye
Commissioner Fuller	aye
Commissioner Carlson	aye
Commissioner Lucia-Treese	aye
Commissioner Merriam	aye
Commissioner Brittain Jack	aye

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DATED: October 7, 2021

Brian Risley, Chair

EXHIBIT A

STERLING RANCH FILING NO. 2

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF THE E1/2 SE1/4 OF SECTION 32 AND THE S1/2 SW1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST AND THE NW1/4 OF NW1/4 OF SECTION 4 AND THE NE1/4 OF NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHWEST CORNER OF SAID BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", SAID LINE BEARS N89°14'14"E, A DISTANCE OF 2,722.69 FEET.

COMMENCING AT SAID SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 34; THENCE N77°08'03"W, A DISTANCE OF 3,334.61 FEET TO THE SOUTHWESTERLY CORNER OF DINES BOULEVARD AS PLATTED IN STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714151 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY LINE OF SAID DINES BOULEVARD, N76°19'20"E A DISTANCE OF 85.00 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, S13°40'40"E A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTHERLY LINE OF THAT 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 80.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, S76°19'20"W A DISTANCE OF 852.10 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, S76°19'20"W A DISTANCE OF 50.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. S76°19'20"W A DISTANCE OF 386.99 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF NON-TANGENT;
3. S41°03'23"W A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S41°12'17"E, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF TANGENT;
5. S40°21'31"W A DISTANCE OF 402.59 FEET, TO A POINT ON THE EASTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;

THENCE ON SAID EASTERLY LINE, S49°38'29"E A DISTANCE OF 16.00 FEET;

THENCE S40°21'31"W A DISTANCE OF 160.00 FEET, TO A POINT ON THE WESTERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;

THENCE ON THE WESTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NOS 214100440 & 214100441, N49°38'29"W A DISTANCE OF 1459.89 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, N40°24'51"E A DISTANCE OF 1808.03 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 217080112 AND SHOWN ON THE AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES:

1. S51°21'50"E A DISTANCE OF 13.67 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 38°41'48" AND AN ARC LENGTH OF 87.80 FEET, TO A POINT OF NON-TANGENT ON THE WESTERLY LINE OF SAID AMENDED PLAT BARBARICK SUBDIVISION;

THENCE ON THE WESTERLY AND SOUTHERLY LINES OF SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING TWO (2) COURSES:

1. S00°06'01"E A DISTANCE OF 631.46 FEET;
2. N89°17'25"E A DISTANCE OF 279.65 FEET;

THENCE DEPARTING SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING COURSES:

1. S00°42'35"E A DISTANCE OF 241.35 FEET;
2. S02°02'55"W A DISTANCE OF 130.48 FEET;
3. S05°37'53"W A DISTANCE OF 90.96 FEET;

4. S01°55'19"W A DISTANCE OF 307.22 FEET;

5. N73°29'47"E A DISTANCE OF 11.27 FEET;

S16°30'13"E A DISTANCE OF 179.19 FEET, TO A POINT OF NON-TANGENT CURVE ON THE NORTHERLY LINE OF SAID 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S33°39'44"E, HAVING A RADIUS OF 1060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF TANGENT;

2. N76°19'20"E A DISTANCE OF 381.99 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 60.00 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, N76°19'20"E A DISTANCE OF 842.10 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF DINES BOULEVARD AS SHOWN ON SAID PLAT OF STERLING RANCH FILING NO. 1;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,157,908 SQUARE FEET OR 49.5387 ACRES.

RESOLUTION NO. 21-

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

APPROVE FINAL PLAT FOR STERLING RANCH FILING NO. 2
(SF-20-015)

WHEREAS, SR Land, LLC, Morley Bentley, LLC, Trader Vics, LP, 8335 Vollmer Road, LLC, and Challenger Communities, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Sterling Ranch Filing No. 2 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on October 7, 2021, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on October 26, 2021; 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. 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 hearings before the Planning Commission and the Board of County Commissioners.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. All exhibits were received into evidence.

5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or

are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. For the above-stated and other reasons, the proposed subdivision 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 final plat application for the Sterling Ranch Filing No. 2 Subdivision;

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

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.

5. 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.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded. Construction of the Vollmer Road and Sterling Ranch Road improvements associated with this final plat and necessary to serve the plat shall be complete and preliminarily accepted by the County, or collateral acceptable to the County Attorney's Office shall be provided, prior to plat recordation.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of 22,883.00 and urban park (Area 2) fees in the amount of 14,455.00 shall be paid at the time of final plat recordation.

11. Drainage fees in the amount of \$400,855.70 and bridge fees in the amount of \$163,972.79 for the Sand Creek drainage basin (FOFO4000) shall be paid to El Paso County at the time of final plat recordation.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
13. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with Sterling Ranch Filing No. 1 final plat (SF-16-13) as recorded at Reception No. 218061175 remain valid.
14. Applicant may not record the final plat until an intergovernmental agreement (IGA) between the County, City of Colorado Springs, and Sterling Ranch Metropolitan District No. 1 regarding construction, maintenance, and ownership of Marksheffel Road (IGA) has been executed by all parties. In the alternative, the applicant must convey Tract K to the City within thirty (30) days of plat recordation in a form acceptable to the City, and a fully executed IGA must be recorded within sixty (60) days of plat recording.
15. All construction documents must be accepted and signed by the County Engineer/ECM Administrator prior to recording the final plat.
16. The Sterling Ranch Metropolitan District No. 1 shall be responsible for maintenance of the roads and drainage facilities constructed in association with this final plat until preliminary acceptance of the public improvements by the County or the City, as applicable. El Paso County will not be responsible for maintenance of Marksheffel Road.
17. Note no. 29 on the final plat shall be revised to include the language in paragraph 3.C.i of the IGA. No building permits shall be issued within the final plat area until all City of Colorado Springs requirements regarding Marksheffel Road construction or provision of financial assurances have been met, in accordance with amended final plat note no. 29.
18. Any public right-of-way needed for Vollmer Road improvements southwest of the Marksheffel Road intersection shall be deeded to the County prior to County acceptance of the respective Vollmer Road improvements in that location.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 26th day of October, 2021 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

STERLING RANCH FILING NO. 2

PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF THE E1/2 SE1/4 OF SECTION 32 AND THE S1/2 SW1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST AND THE NW1/4 OF NW1/4 OF SECTION 4 AND THE NE1/4 OF NE1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS MONUMENTED AT THE SOUTHWEST CORNER OF SAID BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AND AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624", SAID LINE BEARS N89°14'14"E, A DISTANCE OF 2,722.69 FEET.

COMMENCING AT SAID SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 34; THENCE N77°08'03"W, A DISTANCE OF 3,334.61 FEET TO THE SOUTHWESTERLY CORNER OF DINES BOULEVARD AS PLATTED IN STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714151 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY LINE OF SAID DINES BOULEVARD, N76°19'20"E A DISTANCE OF 85.00 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, S13°40'40"E A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTHERLY LINE OF THAT 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 80.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, S76°19'20"W A DISTANCE OF 852.10 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, S76°19'20"W A DISTANCE OF 50.00 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. S76°19'20"W A DISTANCE OF 386.99 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF NON-TANGENT;
3. S41°03'23"W A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S41°12'17"E, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF TANGENT;
5. S40°21'31"W A DISTANCE OF 402.59 FEET, TO A POINT ON THE EASTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;

THENCE ON SAID EASTERLY LINE, S49°38'29"E A DISTANCE OF 16.00 FEET;

THENCE S40°21'31"W A DISTANCE OF 160.00 FEET, TO A POINT ON THE WESTERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;

THENCE ON THE WESTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NOS 214100440 & 214100441, N49°38'29"W A DISTANCE OF 1459.89 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, N40°24'51"E A DISTANCE OF 1808.03 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 217080112 AND SHOWN ON THE AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES:

1. S51°21'50"E A DISTANCE OF 13.67 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 38°41'48" AND AN ARC LENGTH OF 87.80 FEET, TO A POINT OF NON-TANGENT ON THE WESTERLY LINE OF SAID AMENDED PLAT BARBARICK SUBDIVISION;

THENCE ON THE WESTERLY AND SOUTHERLY LINES OF SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING TWO (2) COURSES:

1. S00°06'01"E A DISTANCE OF 631.46 FEET;

2. N89°17'25"E A DISTANCE OF 279.65 FEET;

THENCE DEPARTING SAID AMENDED PLAT BARBARICK SUBDIVISION, THE FOLLOWING COURSES:

1. S00°42'35"E A DISTANCE OF 241.35 FEET;
2. S02°02'55"W A DISTANCE OF 130.48 FEET;
3. S05°37'53"W A DISTANCE OF 90.96 FEET;
4. S01°55'19"W A DISTANCE OF 307.22 FEET;
5. N73°29'47"E A DISTANCE OF 11.27 FEET;

S16°30'13"E A DISTANCE OF 179.19 FEET, TO A POINT OF NON-TANGENT CURVE ON THE NORTHERLY LINE OF SAID 20' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID NORTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S33°39'44"E, HAVING A RADIUS OF 1060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF TANGENT;
2. N76°19'20"E A DISTANCE OF 381.99 FEET;

THENCE S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 60.00 FEET;

THENCE N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY LINE, N76°19'20"E A DISTANCE OF 842.10 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF DINES BOULEVARD AS SHOWN ON SAID PLAT OF STERLING RANCH FILING NO. 1;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,157,908 SQUARE FEET OR 49.5387 ACRES.