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## **STERLING RANCH EAST PUD DEVELOPMENT PLAN/PRELIMINARY PLAN No.3**

### **LETTER OF INTENT**

**JUNE 2022**

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#### **OWNER:**

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

#### **APPLICANT:**

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

#### **CONSULTANT:**

N.E.S. INC.  
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#### **SITE DETAILS:**

**TSN:** 5200000552 AND 5200000553

**LOCATION:** SE CORNER OF THE INTERSECTION OF STERLING RANCH ROAD & BRIARGATE PARKWAY

**ACREAGE:** 39.206 AC

**CURRENT ZONING:** RR-5

**CURRENT USE:** VACANT

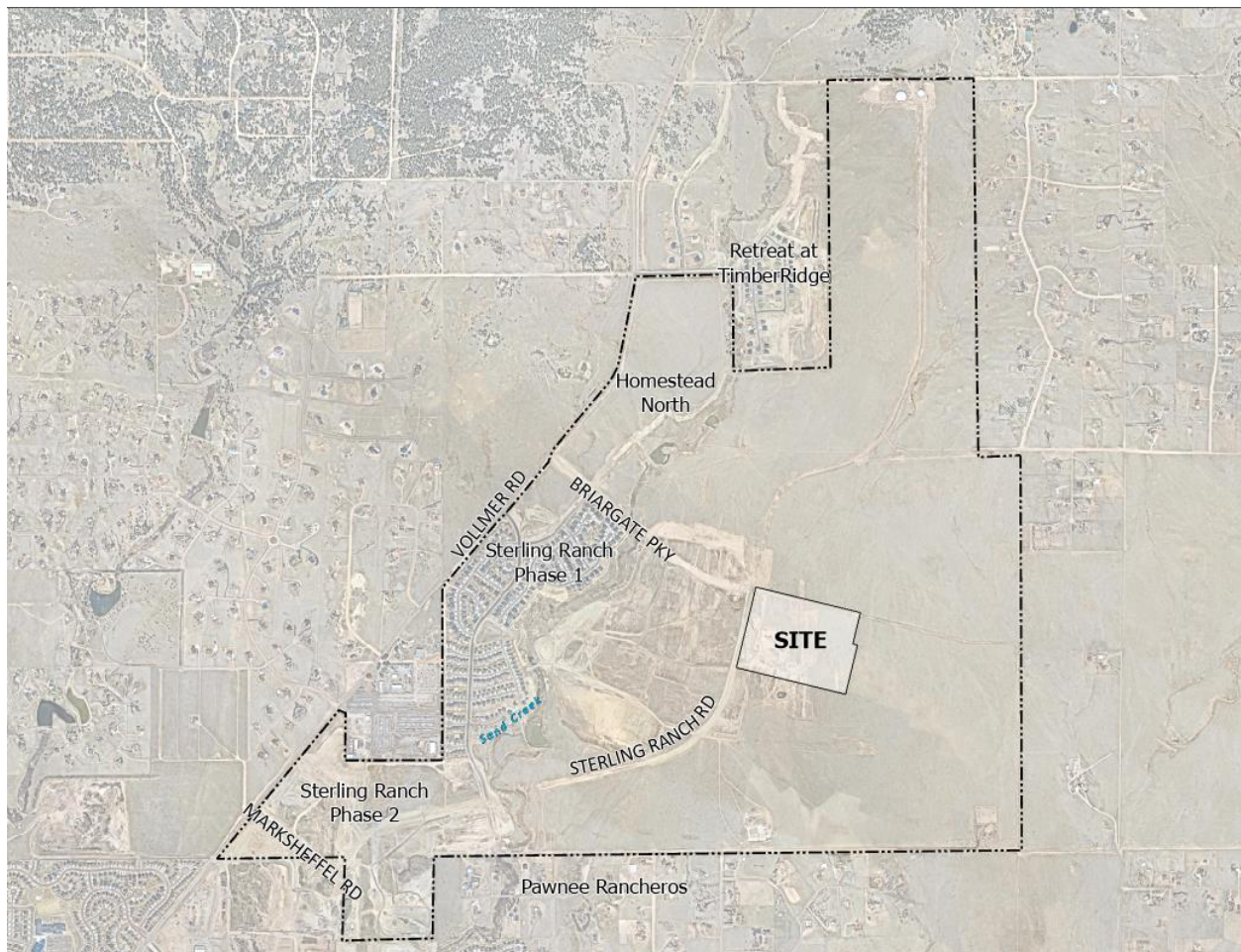
#### **REQUEST**

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

1. Sterling Ranch East PUD Development Plan/Preliminary Plan No.3; a 246 single family lot development.
2. A rezone from RR-5 (Residential Rural) to PUD (Planned Unit Development)

## LOCATION

Sterling Ranch East Preliminary Plan No. 2 includes 39.206 acres and is part of the overall Sterling Ranch master planned community, located east of Vollmer Road and east of the Sand Creek channel. The property lies south of the proposed extension of Briargate Parkway and east of the proposed extension of Sterling Ranch Road. Between Vollmer Road and Sand Creek to the west is the existing and recently approved residential development within Sterling Ranch Phases 1 and 2. The Sterling Ranch East Preliminary No. 1 area surrounds this site to the north, west, and south. The Retreat at TimberRidge development lies immediately to the north of the Preliminary Plan No. 1 area. The remainder of the Sterling Ranch property is situated to the east. The Pawnee Rancheros 5-acre rural residential subdivision is also located to the south of Sterling Ranch.



## **PROJECT DESCRIPTION AND CONTEXT**

The project proposes 246 single family residential lots on 39.206 acres, for a proposed density of 6.27 dwelling units per acre. In this development, four types of residences are proposed. This includes 70 townhomes, 76 duplexes, 50 ADUs, and 50 of the Midtown Collection. This totals 176 single family lots and 70 townhome lots.

Setbacks vary depending on the building type. The minimum lot area is 1,695 square feet.

## **SKETCH PLAN CONSISTENCY**

The Sterling Ranch Sketch Plan for 5,225 dwelling units on 1,444 acres was approved November 13, 2008. The Sketch Plan identifies the area included within this proposed preliminary plan as Residential 8-12 du/ac. This area is being reduced to residential 5-8 du/acre with the Sketch Plan Amendment. The former active adult community to the north is modified to residential 3-5 du/acre, with a small portion of residential 5-8 du/acre in the Sketch Plan Amendment. This amendment also relocates a 12-acre school site from the west side of Sand Creek to the east side of Sand Creek within the proposed RS-5000 rezone. The school relocation was at the request of and following discussion with School District 20.

The proposed Sterling Ranch East Preliminary Plan No. 3 will result in a gross residential density of 6.27 du/ac, which is less than the density of the Amended Sketch Plan approved in 2018.

**COMPATIBILITY/TRANSITIONS:** Sterling Ranch Phases 1 and 2, to the west of Sand Creek and south of Briargate Parkway are zoned RS-5000. This area is partially built-out and occupied, with the remainder either platted or preliminary planned for residential development. A 19 Acre parcel (Copper Chase) at the east corner of Marksheffel Road and Vollmer Road, is currently under review for a rezone to PUD for residential to match the 5-8 du/ac proposed in the approved Sketch Plan. To the west of Sand Creek and north of Briargate Parkway is Homestead North at Sterling Ranch Filings Nos. 1 and 2 which are zoned RS-6000. The proposed rezoning of the remaining Homestead North Filing No. 3 to RS-6000 is also under review with the County.

To the east is vacant land within Sterling Ranch designated on the approved Sketch Plan as similar and higher residential densities, including commercial areas, a school site, and neighborhood parks.

Sterling Ranch East Preliminary Plan No. 1 surrounds this site. This area is proposed to be rezoned to RS-5000. This is compatible with the RS-5000 to the west. This PUD zoning provides a transition between the RS-5000, RS-6000, commercial areas, and the school site. This PUD continues the suburban density approved in Copper Chase, Sterling Ranch Phases 1 and 2, Homestead North, the Retreat at TimberRidge, and the remainder of the Sterling Ranch Sketch Plan area.

The Pawnee Rancheros 5-acre rural residential subdivision is located to the south of Sterling Ranch. The 2 du/ac density and buffer on the approved Sketch Plan was intended to provide a transition between the proposed suburban development in Sterling Ranch and the existing rural residential lots to the south.

**TRAFFIC:** A full movement intersection is proposed at Sterling Ranch Road and Oak Park. Two additional full movement intersections will access the site at the intersections of Oak Park and St. Louis as well as Oak Park and Indianapolis. No direct access to Briargate Parkway is proposed.

A Traffic Generation Analysis was prepared SM Rocha. This analysis assessed traffic generation for Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 compared to the land use assumptions for the Sketch Plan Amendment area, and considered the potential impacts to the adjacent roadways. The proposed traffic generated is not expected to create negative impacts to the roadways.

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

**NOISE:** The Land Development Code requires the impacts of noise pollution to residents be mitigated. Noise studies have been undertaken for Phases 1 and 2 of the Sterling Ranch development, which found that a minimum 6-foot-high noise barrier along the main arterials of Vollmer Road, Briargate Parkway, and Marksheffel Road would reduce all noise levels in the development below 67 decibels. A 6-foot concrete wall is identified on the PUD adjacent to Briargate Parkway to address this recommendation.

**WATER:** Water, wastewater, storm water will be provided by Falcon Area Water and Wastewater Authority (FAWWA). While there is currently a net deficit, FAWWA has an additional contracted supply at Bar-X and at McCune that will be enough to meet demands. By closing on these purchases (which are under contract), there will be sufficient supply and infrastructure in the area to serve this development.

The total commitment is 67.58 acre-feet. A Water Resources Report, provided by RESPEC and JDS Hydro, is included in this submittal.

**WASTEWATER:** The wastewater commitment is for 42,312 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The loading projected from the Villages represents roughly 4.21% of the contractual capacity available to the Falcon Area Water and Wastewater Authority (FAWWA). FAWWA therefore has more than adequate wastewater treatment capacity to provide service to the Villages. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

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

**DRAINAGE:** The drainage improvements associated with the Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 are consistent with the Master Development Drainage Plan and Preliminary Drainage Report for Sterling Ranch. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Sand Creek Drainage Basin Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. The Preliminary Drainage Report, prepared by Classic Consulting is included in this submittal.

**FLOODPLAIN:** This site is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041CO533G, effective December 7, 2018.

**WILDLIFE:** In general, the site provides moderate to poor quality habitat for wildlife. No State-listed or State sensitive species were observed on the site. The site is not suitable habitat for any Federally-listed threatened and endangered species. The site provides moderate quality habitat for some grassland and

woodland wildlife, including birds, mammals, reptiles, and possibly amphibians. The expected impact from site development to grassland species is classified as relatively low and to woodland species as moderately low.

**WILDFIRE:** The primary wildland fuel type is dry climate grassland. The Colorado State Forest Service has determined a moderate-high wildfire hazard potential for the site. The fire intensity scale is moderate. Development of the site will reduce available wildfire fuels in this area.

**GEOLOGIC HAZARDS:** The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. The most significant problems affecting development will be those associated with the potentially unstable slopes on site that will primarily be mitigated by the site grading. The minor drainage swales will also be mitigated by site grading. Other hazards on site can be satisfactorily mitigated through proper engineering design and construction practices. More information can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

**SCHOOLS:** One elementary school site is identified on the Sketch Plan within the District 49 boundary and is anticipated to serve this development in the future. This school site is southeast of the Sterling Ranch East PUD Development Plan/Preliminary Plan No.3. Falcon Middle School is in close proximity to the site, as are Vista Ridge and Falcon High Schools.

**TRAILS AND OPEN SPACE:** The Sterling Ranch East PUD Preliminary Plan No. 3 includes 8.69 acres of parks and open space which are served by an interconnected system of trails to create a recreation-oriented community. This system of parks, open spaces and trails 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. These parks and trails will be owned and maintained by the Sterling Ranch Metropolitan District.

**DISTRICTS SERVING THE PROPERTY:**

The following districts will serve the property:

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

**PUD MODIFICATIONS:**

Chapter 4.2.6.F.2.g of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM). The proposed PUD modifications allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community. The development implications and decisions guiding the request for the modification support the identified benefits in Chapter 4.2.6.F.2.h - providing more efficient

roadway network and unique home configuration within the development.

**PUD MODIFICATION TABLE (AS ALLOWED BY LDC SECTION 4.2.6.(F)(2)(g))**

|   | LDC/ECM SECTION                                     | CATEGORY                                       | STANDARD   | MODIFICATION   | JUSTIFICATION  |
|---|---|--|--|--|--|
| 1 | LDC CHAPTER 8.4.4(E)(2)                             | PRIVATE ROADS REQUIRE WAIVER                   | USE OF PRIVATE ROADS SHALL BE LIMITED.                             | PRIVATE ROADS PROPOSED TO SERVE ONLY PORTIONS OF THIS COMMUNITY  | PRIVATE ROADS PROVIDE MORE FLEXIBILITY FOR THE DEVELOPMENT TO ACCOMMODATE THE UNIQUE COMMUNITY HOMES PROPOSED ON THE SITE. THE PRIVATE ROADS WILL BE OWNED AND MAINTAINED BY THE METROPOLITAN DISTRICT.  |
| 2 | LDC CHAPTER 8.4.4(E)(3)                             | PRIVATE ROADS TO MEET COUNTY STANDARDS         | PRIVATE ROADS SHALL BE CONSTRUCTED AND MAINTAINED TO ECM STANDARDS | ROAD WIDTH AND ROADWAY TERMINATIONS (SEE 3 AND 4 BELOW)  |  |
| 3 | ECM SECTION 2.2.4.B.7 FIGURE 2-17 AND ECM TABLE 2-7 | TYPICAL URBAN LOCAL (LOW VOLUME) CROSS SECTION | 24' PAVED WIDTH, 12' LANE WIDTH                                    | 22' PAVED WIDTH 11' LANE WIDTH   | A SMALLER PRIVATE ROAD CROSS SECTION, COMPACT ROAD DESIGN, AND THE USE OF A HAMMERHEAD TURNAROUND WILL ACHIEVE THE GOAL OF PROVIDING BOTH RESIDENTS AND EMERGENCY RESPONDERS ACCESS. ECM STANDARD DOES NOT TAKE INTO ACCOUNT REDUCTION IN SPEED DUE TO THE T-INTERSECTIONS ASSOCIATED WITH THESE VERY SMALL TURN AROUND AREAS. |
| 3 | ECM SECTION 2.3.8                                   | ROADWAY TERMINATIONS                           | URBAN CUL-DE-SAC PERMANENT TURNAROUNDS NOT PERMITTED               | PERMANENT HAMMERHEAD TURNAROUND PROPOSED ON AMES HEIGHTS, JANESVILLE HEIGHTS, MILWAUKEE HEIGHTS, NAPERVILLE HEIGHTS, ROCKFORD HEIGHTS, FORT WAYNE HEIGHTS, AND SOUTH BEND HEIGHTS. |  |

Section 8.4.4.E.2 of the LDC states that the use of private roads shall be limited. In this area of development, private roads allow more flexibility to accommodate a unique housing model. These roads will be owned and maintained by the metro district.

Section 8.4.4.E.3 of the LDC states that private roads shall be constructed to ECM standards. In this development, road width and terminations are modified. The unique urban residential community being proposed combines townhomes, small lot single family residential and small lot accessory dwelling unit homes. While the main community access is from standard public local roadways, the use of the private roadways is limited to closed looped areas that will be signed as being private. The use of county standard curb and gutter, asphalt paving, signage will take place.

ECM Section 2.2.4.B.7 figure 2-17 and 2-7 table of the ECM states that the cross section for an urban local street should be 24' paved width and 12' lane width. This development proposes 22' paved width and 11' lane width. This allows an efficient design that still provides adequate access for residents and emergency responders. As all residential homes include a two-car garage and two car driveways, the lack of on street parking is not a concern.

ECM Section 2.3.6 of the ECM states that urban cul-de-sac turnarounds are not permitted. They are proposed in this development to provide efficient access for residents and emergency responders. The ECM does not take into account the reduction in speed due to the T-intersections in this area. The proposed two and three narrow lot dead end stubs allow the continuation of the garage rear loaded community design concept to continue with no adverse impacts to resident maneuverability.

**RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS**

**YOUR EL PASO MASTER PLAN**

The new County Master Plan denotes the site as a suburban residential placetype, which consists of predominantly single-family homes while supporting multi-family, neighborhood commercial, and parks. The Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 proposes 246 single family residential units, which aligns with this placetype.

This area is located within a priority development area, and is denoted as a “new development area” on the Areas of Change map. New development areas take place on land largely undeveloped, adjacent to built out areas. These areas are to be designed to integrate with and compliment adjacent development.

The PUD Preliminary Plan is also consistent with Core Principle 1, Land Use and Development, which seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” in addition to goal 1.1, “ensure compatibility with established character and infrastructure capacity.”

It is also consistent with Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “Promote development of a mix of housing types in identified areas.”

#### **WATER MASTER PLAN**

FAWWA has sufficient supply and infrastructure in the area to serve this development. The total Sterling commitments stand at 852.62 acre-feet and available supply is now 697.39 acre-feet. This net deficit of available water is 155.23 AF, however, FAWWA has additionally contracted supply of 576.95 AF at Bar-X and 391.33 AF at McCune which is more than enough to meet the demands.

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

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

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

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

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

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

#### **2040 MAJOR TRANSPORTATION CORRIDOR PLAN**

The 2040 Functional Classification map shows adjacent roads Vollmer and Black Forest Roads as minor arterials. Woodmen Road is an expressway. The extension of Briargate Parkway will add a new roadway connection just north of the site. The 2060 corridor preservation plan depicts that Briargate Pkwy will become a principal arterial. Vollmer Road is expected a minor collector by 2040. There will be rural county road upgrades to Vollmer Rd west of the site.

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

The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. The site is 5 miles from the Pinerias Open Space and 7 miles from Black Forest Regional Park. It is in close proximity to various trailheads as well. There is a proposed county trail going through the site on the El Paso County Master Plan. The trail will extend north south through Sterling Ranch along the Sand Creek open space. There are additional proposed bicycle routes along Vollmer Road. Community trails throughout the development will connect residents to these trails.

#### **PROJECT JUSTIFICATION**

Chapter 4.2.6.E of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met. Sterling Ranch East PUD Development Plan/Preliminary Plan No.2 is consistent with the PUD zoning and preliminary plan approval criteria set forth in Chapter 4.2.6.E & 7.2.1.D.2 of the LDC as follows:

##### **1. THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATED PURPOSES SET FORTH IN THIS SECTION;**

The Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 will advance the following purposes of the PUD District designation:

- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*

The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.

- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*



The Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 includes smaller lots that require more design flexibility than afforded by standard zoning districts.

- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. The Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 provides the flexibility to provide a housing product that meets this demand.

- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*

There are several employment and shopping centers in close proximity to the site, as well as churches and schools that provide community facilities, and recreational trails. This project also encourages connectivity, with the continuation of Briargate Parkway.

**2. THE APPLICATION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;**

The relevant County master plan documents for the Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan. Sterling Ranch East PUD Development Plan/Preliminary Plan No.3 is in general conformity with these plans as described below.

**3. THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE AND ALL APPLICABLE STATUTORY PROVISIONS AND WILL NOT OTHERWISE BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE PRESENT OR FUTURE INHABITANTS OF EL PASO COUNTY;**

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The proposed subdivision of residential lots is consistent with the County Master Plan and provides a compatible land use to the lower density single-family lots, mixed use, and school site surrounding the property. The sketch plan designates another area for 5-8 du/acre density residential at the northwest corner of Sterling Ranch Road and Briargate Parkway.

**4. THE SUBJECT PROPERTY IS SUITABLE FOR THE INTENDED USES AND THE USE IS COMPATIBLE WITH BOTH THE EXISTING AND ALLOWED LAND USES ON THE NEIGHBORING PROPERTIES, WILL BE IN HARMONY AND RESPONSIVE WITH THE CHARACTER OF THE SURROUNDING AREA AND NATURAL ENVIRONMENT; AND WILL NOT HAVE A NEGATIVE IMPACT UPON THE EXISTING AND FUTURE DEVELOPMENT OF THE SURROUNDING AREA;**

The medium density residential at the corner of Sterling Ranch Road and Briargate is appropriate for a location adjacent to an interchange of principal arterial streets and opposite future a school site. It will provide a transition from this intersection and the school site to the single-family within Sterling Ranch. The proposed density is consistent with the Amended Sketch Plan approved in 2018.

- 5. THE PROPOSED DEVELOPMENT PROVIDES ADEQUATE CONSIDERATION FOR ANY POTENTIALLY DETRIMENTAL USE TO USE RELATIONSHIPS (E.G. COMMERCIAL USE ADJACENT TO SINGLE FAMILY USE) AND PROVIDES AN APPROPRIATE TRANSITION OR BUFFERING BETWEEN USES OF DIFFERING INTENSITIES BOTH ON-SITE AND OFF-SITE WHICH MAY INCLUDE INNOVATIVE TREATMENTS OF USE TO USE RELATIONSHIPS;**

The medium density residential proposed is adjacent to two major roads, providing a buffer from these corridors to lower density residential surrounding the area.

- 6. THE ALLOWED USES, BULK REQUIREMENTS AND REQUIRED LANDSCAPING AND BUFFERING ARE APPROPRIATE TO AND COMPATIBLE WITH THE TYPE OF DEVELOPMENT, THE SURROUNDING NEIGHBORHOOD OR AREA AND THE COMMUNITY;**

The units are limited to 35-foot building height, which is compatible with the surrounding existing and proposed development. The proposed development provides a transition within Sterling Ranch from suburban single family detached density to higher density residential and commercial along Briargate Parkway, which is a principal arterial.

- 7. AREAS WITH UNIQUE OR SIGNIFICANT HISTORICAL, CULTURAL, RECREATIONAL, AESTHETIC OR NATURAL FEATURES ARE PRESERVED AND INCORPORATED INTO THE DESIGN OF THE PROJECT;**

There are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved.

- 8. OPEN SPACES AND TRAILS ARE INTEGRATED INTO THE DEVELOPMENT PLAN TO SERVE AS AMENITIES TO RESIDENTS AND PROVIDE A REASONABLE WALKING AND BIKING OPPORTUNITIES;**

Open space and trails are identified on the PUD Preliminary Plan and provide residents with walking and access to biking opportunities. There is 8.69 acres of open space provided in this PUD.

- 9. THE PROPOSED DEVELOPMENT WILL NOT OVERBURDEN THE CAPACITIES OF EXISTING OR PLANNED ROADS, UTILITIES AND OTHER PUBLIC FACILITIES (E.G. FIRE PROTECTION, POLICE PROTECTION, EMERGENCY SERVICES, AND WATER AND SANITATION), AND THE REQUIRED PUBLIC SERVICES AND FACILITIES WILL BE PROVIDED TO SUPPORT THE DEVELOPMENT WHEN NEEDED;**

The Traffic Generation Analysis demonstrates that the development will not materially change the levels of service expected from the Sterling Ranch Sketch Plan. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

- 10. THE PROPOSED DEVELOPMENT WOULD BE A BENEFIT THROUGH THE PROVISION OF INTERCONNECTED OPEN SPACE, CONSERVATION OF ENVIRONMENTAL FEATURES, AESTHETIC FEATURES AND HARMONIOUS DESIGN, AND ENERGY EFFICIENT SITE DESIGN;**

The project proposes interconnected sidewalks throughout the project that connect the open space tracts and the open space tracts along Marksheffel and Briargate Parkway. There are no environmental features within the site.

- 11. THE PROPOSED LAND USE DOES NOT PERMIT THE USE OF ANY AREA CONTAINING A COMMERCIAL MINERAL DEPOSIT IN A MANNER WHICH WOULD UNREASONABLY INTERFERE WITH THE PRESENT OR FUTURE EXTRACTION OF SUCH DEPOSIT UNLESS ACKNOWLEDGED BY THE MINERAL RIGHTS OWNER;**

There are no mineral rights owners on this property.

**12. ANY PROPOSED EXCEPTION OR DEVIATION FROM THE REQUIREMENTS OF THE ZONING RESOLUTION OR THE SUBDIVISION REGULATIONS IS WARRANTED BY VIRTUE OF THE DESIGN AND AMENITIES INCORPORATED IN THE DEVELOPMENT PLAN AND DEVELOPMENT GUIDE; AND**

PUD modifications are requested of the Engineering Criteria manual section 2.2.4.B.7 figure 2-17 and table 2-7. The justification for these is set out above. The proposed PUD modifications allow for a more efficient layout, thereby achieving the identified benefits in Chapter 4.2.6.F.2.h by providing a more livable environment, more accessible open space and a more efficient pedestrian system within the development.

**13. THE OWNER HAS AUTHORIZED THE APPLICATION.**

Yes.

**PUD Preliminary Plan**

The Preliminary Plan is consistent with the approval criteria in Section 7.2.1.D.2.e of the LDC as follows:

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

See above analysis.

**2. THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;**

See above analysis. The proposed development complies with the requirements of the LDC and will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. The project offers additional housing choice in a developing area. The site provides a transition from the proposed school site and intersection to the proposed lower density residential to the north, east, and west, and south.

**3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;**

The medium density residential at the corner of Briargate Parkway and Sterling Ranch Road is appropriate for a location adjacent to an interchange of principal arterial streets and opposite the future school site. It will provide a transition from this intersection and the school site to the lower density single family within Sterling Ranch. The proposed density is less than the Amended Sketch Plan approved in 2018.

**4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S. §30-28-133(6)(A)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE;**

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by the Sterling Ranch Metropolitan District and the Water resources report provided by RESPEC and JDS Hydro.

**5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code.**

The wastewater commitment is for 42,312 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

**6. ALL AREAS OF THE PROPOSED SUBDIVISION, WHICH MAY INVOLVE SOIL OR TOPOGRAPHICAL CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS, HAVE BEEN IDENTIFIED AND THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS. [C.R.S. §30-28-133(6)(c)];**

The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. The most significant problems affecting development will be those associated with the potentially unstable slopes on site that will primarily be mitigated by the site grading. The minor drainage swales will also be mitigated by site grading. Other hazards on site can be satisfactorily mitigated through proper engineering design and construction practices. More information can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

**7. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;**

The public improvements proposed with this subdivision are all adequate to serve the needs of the proposed development.

**8. ADEQUATE DRAINAGE IMPROVEMENTS COMPLYING WITH STATE LAW [C.R.S. §30-28- 133(3)(c)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM ARE PROVIDED BY THE DESIGN;**

These matters are addressed in the Drainage Report prepared by Classic Consulting.

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

All lots will be accessible by new private streets subject to the deviations listed above.

**10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY**

**a. INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;**

There are no natural physical features on the site. Sufficient open space is provided in Tracts A-M.

**b. INCORPORATING SITE PLANNING TECHNIQUES TO FOSTER THE IMPLEMENTATION OF THE COUNTY'S PLANS, AND ENCOURAGE A LAND USE PATTERN TO SUPPORT A BALANCED TRANSPORTATION SYSTEM, INCLUDING AUTO, BIKE AND PEDESTRIAN TRAFFIC, PUBLIC OR MASS TRANSIT IF APPROPRIATE, AND THE COST-EFFECTIVE DELIVERY OF OTHER SERVICES CONSISTENT WITH ADOPTED PLANS, POLICIES AND REGULATIONS OF THE COUNTY;**

5-foot sidewalks are included throughout the project and connect to the proposed Sterling Ranch community trails and the Sand Creek Regional Trail, which provide opportunities for pedestrian and bicycle transportation.

**c. INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;**

Sterling Ranch East Preliminary Plan No. 3 is compatible with the adjacent land proposed as RS-5000 zoning to the west and provides a transition this development to the commercial and school sites internalized within Sterling Ranch on Briargate Parkway. This Preliminary Plan allows a higher density while still maintaining the suburban integrity of Sterling Ranch.

**d. INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND**

Sand Creek is west of the site, and is retained as a natural feature and a primary recreational focus for Sterling Ranch. The east side of the channel is incorporated within Sterling Ranch East

as part of the open space and trail system for Sterling Ranch. The Sand Creek drainageway includes jurisdictional wetlands and a Section 404 permit is already in process for impacts to this area with the US Army Corps of Engineers. This phase of development will not impact the main Sand Creek Channel or existing wetlands.

**e. INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;**

The Traffic Report prepared by SM Rocha demonstrates that the development will not materially impact levels of service on surrounding County Roads as identified through the Sketch Plan process. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

**11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEMS, ARE OR WILL BE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;**

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

**12. THE SUBDIVISION PROVIDES EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE; AND**

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

**13. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.**

The proposed subdivision meets the applicable sections of these parts of the Code, subject to the requested PUD modification and deviation requests.

**PUD Modifications**

The Preliminary Plan is consistent with the approval criteria in Section 4.2.6.F.2.h of the LDC as follows:

For approval of a modification of a general development standard in the LDC or criteria or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least 1 of the following benefits:

- *Preservation of natural features;*
- *Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;*
- *Provision of a more efficient pedestrian system;*
- *Provision of additional open space;*
- *Provision of other public amenities not otherwise required by the Code; or*
- *The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.*

The proposed PUD modification allow for a more efficient layout creates a more livable environment and more efficient pedestrian system. The development implications and decisions guiding the request

for the modification support the identified benefits above. This also allows for more open space within the development.

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