## FOURSQUARE AT STERLING RANCH PUDSP

#### **LETTER OF INTENT**

#### **REVISED MARCH 2023**

## 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.
Andrea Barlow
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Colorado Springs, CO 80903
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### SITE DETAILS:

TSN: 5200000552, 5200000553, AND 5233000016

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

**ACREAGE: 36.647 AC** 

CURRENT USE: VACANT

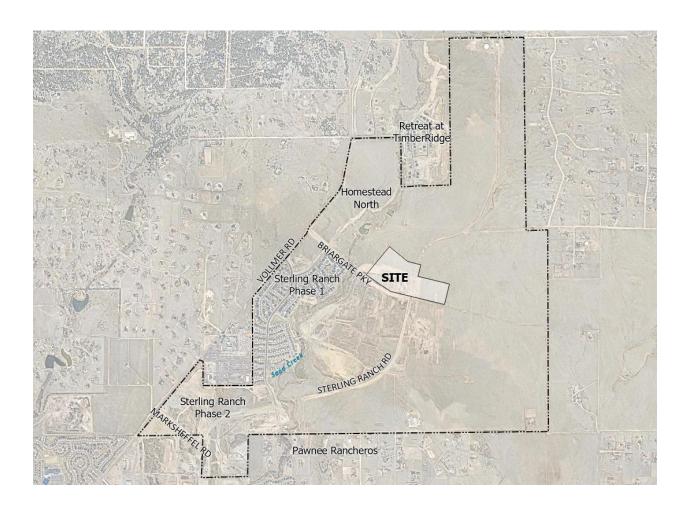
## **REQUEST**

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

- FourSquare at Sterling Ranch PUD Development Plan/Preliminary Plan; a 158 detached singlefamily development, with tracts for parks, open space, trails, utilities, landscaping and detention.
- 2. A rezone from RR-5 (Residential Rural) to PUD (Planned Unit Development).
- 3. Finding of water sufficiency and administrative approval of Final Plat.
- 4. PUD Modification Request to LDC 8.4.3(B)(2)(e) to allow for private shared driveways and lots utilizing shared driveways will not have direct frontage on or across from a public road

### **LOCATION**

FourSquare at Sterling Ranch PUDSP includes 36.647 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 north of the proposed extension of Briargate Parkway and north, west 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 Phase 1 Preliminary Plan 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.



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#### PROJECT DESCRIPTION AND CONTEXT

The project proposes 158 small lot detached single-family lots on 36.647 acres, with a proposed density of 5.16 dwelling units per acre, which is within the 5-8 du/ac range designated in the Sterling Ranch Sketch Plan Amendment currently under review. FourSquare is a higher density single family detached product, with a minimum lot area of 3,272 square feet. The units are arranged in packs of four (referred to as "FourSquare"), with two units adjacent to the public street and two units behind. Lot access is either off the public street or via a shared private driveway. These private driveways shall be maintained by the District. The units each have 2 car garages and twenty-foot driveways. The project proposes a 5-foot side, a 20-foot front, and 5-foot rear setbacks on all lots. A PUD Modification is requested relating to the need for all lots to have access to a public street and a minimum 30-foot frontage to a public street, to accommodate the unique FourSquare configuration and shared driveway access.

The 11.2-acre Tract H for Regional Detention Pond FSD-16 is included in this PUD. This facility will release into a large diameter downstream storm system within Briargate Pkwy, just east of the Sterling Ranch Road intersection. Please reference the "Drainage Letter for Sterling Ranch Road and Briargate Pkwy. Interim Plan," prepared by JR Engineering, LLC, dated January 2023 and the "Sterling Ranch Road and Briargate Pkwy. Storm Plans," prepared by JR Engineering, LLC, dated January 2023. The detention pond will also be designed to incorporate a perimeter trail and associated amenities so that it can serve a dual purpose as a recreational amenity for the Sterling Ranch East community.

A 6' concrete panel noise wall is proposed along the rear of the lots backing to Briargate Parkway and Sterling Ranch Road for noise mitigation and privacy. A detail of the 6' concrete panel wall is provided in the PUDSP plan set. A 25-foot landscape setback is provided along Briargate Parkway and Sterling Ranch Road.

The FourSquare at Sterling Ranch includes the extension of Sterling Ranch from its intersection with Briargate Parkway to Idaho Falls Drive, which will be the primary access into the FourSquare community.

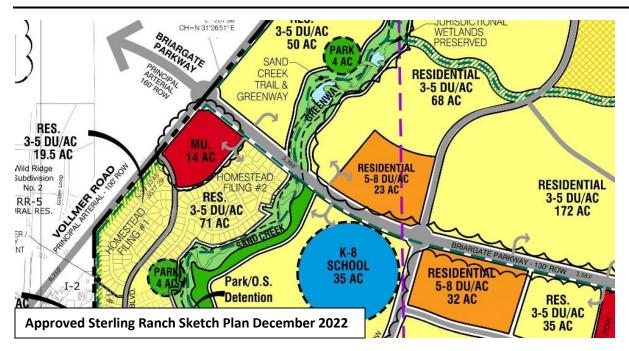
A finding of water sufficiency is requested with this PUDSP.

## **SKETCH PLAN CONSISTENCY:**

The Sterling Ranch Sketch Plan for 4,800 dwelling units on 1,444 acres was approved December 19, 2022. The approved Sketch Plan identifies the area as residential with a density of 5-8 du/acre.

The proposed FourSquare PUDSP will result in a gross residential density of 4.03 du/ac, which is consistent with the densities on the approved Sterling Ranch Sketch Plan.

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## **COMPATIBILITY/TRANSITIONS:**

Sterling Ranch has been intentionally designed to concentrate the higher density residential and more intense uses along the major arterials and intersections. In this part of Sterling Ranch East the primary intersection is Briargate Parkway and Sterling Ranch Road. The location of the higher density Foursquare at the northwest quadrant of this intersection provides a buffer and transition from the lower density detached single family proposed in Sterling Ranch East Phase 1 to the north and east to the major arterial street of Briargate Parkway. The higher density Foursquare product will be compatible with proposed 35-acre K-8 school site immediately south of Briargate Parkway. East of FourSquare lies an 11.2AC regional detention pond, which will transition to future lower density single-family residential proposed within Sterling Ranch to the east. The proposed Villages at Sterling Ranch East is located in the southeast quadrant of Briargate Parkway and Sterling Ranch Road intersection, which is a similar density to the Foursquare product.

TRAFFIC: A full-movement access is provided at the intersection of Sterling Ranch Road and Briargate Parkway. A second full-movement access is proposed at Sterling Ranch Road and Idaho Falls (an easterly extension from Sterling Ranch East Phase I). A ¾ movement access is proposed at the intersection of Briargate Parkway and Boulder City Place. This access point is shared with the adjacent development of Sterling Ranch East Phase I.

A deviation request for a ¾ movement access to Briargate Parkway has been included with Sterling Ranch East Phase 1 Preliminary Plan. A copy of the deviation request from ECM 2.3.2 for a ¾ access point at Boulder City Drive and a ¾ access point, located 160FT east of the proposed Boulder City Drive, for the future K-8 school site has been submitted with this Traffic Impact Study. Each ¾ access is a right in-out /left in design and has been analyzed with the traffic study presented for the Sterling Ranch East Preliminary Plan reviews.

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The ¾ access at Boulder City Drive provides an opportunity for east bound traffic on Briargate Parkway to turn left (north) into future Sterling Ranch East Filing No. 2 and the westernmost units at the future FourSquare at Sterling Ranch East without having to continue onto Briargate Parkway to the Sterling Ranch Road intersection and then continue north to the eastern access points for these two developments. The right in, right out component of this intersection provides a similar opportunity for westbound Briargate travelers.

The ¾ access at the K-8 school site provides an opportunity for west bound traffic on Briargate Parkway to turn left (south) into the future school site as an alternative to turning south at the at Sterling Ranch Road intersection and then continue south to the main school site entrance. The right in-right out component of this intersection provides a similar opportunity for east bound Briargate Parkway travelers.

A Traffic Generation Analysis was prepared by LSC in February of 2023. This analysis assessed traffic generation for FourSquare at Sterling Ranch compared to the land use assumptions for the Sketch Plan Amendment area, Rezone areas, Preliminary Plan, and Briargate Stapleton Corridor study to considered the potential impacts to the adjacent roadways. The proposed traffic generated is not expected to create negative impacts to the roadways.

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

No site-specific noise study was undertaken for FourSquare at Sterling Ranch as a Noise Impact Study was undertaken for Homestead North, which is located immediately adjacent to Briargate Parkway. Because of the short proximity between Homestead North at Sterling Ranch and FourSquare at Sterling Ranch, the same study was utilized and noise mitigation recommendations are proposed to be implemented.

The Homestead North Noise Impact Study recommended a minimum 6-foot-high noise barrier along Briargate Parkway arterial road to reduce noise levels in the adjacent proposed development below 67 decibels. Based on this previous recommendation, a 6' concrete panel noise wall is proposed along the rear of the lots backing to Briargate Parkway. Sterling Ranch Road does not require noise mitigation as it is classified as a collector, but the 6' concrete panel noise wall is continued along Sterling Ranch Road screening for privacy and to provide a consistent development identify. A detail of the 6' concrete panel wall is provided in the PUDSP plan set.

<u>WATER</u>: Water, wastewater, storm water will be provided by Falcon Area Water and Wastewater Authority (FAWWA). All Sterling Ranch Metro District assets will be allocated to FAWWA. FourSquare at

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Sterling Ranch PUD and Preliminary Plan includes 158 lots which fall into high density development ratios for small lots, and roughly 1.424 acres of irrigated landscaping. The resulting demand is 50.73 acre-feet. FAWWA has sufficient supply and infrastructure in the area to serve this development. The total Sterling commitments stand at 877.21 acre-feet including all subdivisions committed through October 20, 2022. With the recent acquisition of McCune, Bar-X, and Shamrock West, the current available water supply for FAWWA is now 1901.83 acre feet for 300 years. This leaves a net excess of currently available water of 1024.62 AF for 300 years and therefore is more than sufficient water supply to meet the needs of FourSquare at Sterling Ranch PUD and Preliminary Plan on the 300 year basis.

The FAWWA water system has only been in operation for three years, so little-to-no usable historic Information would be reliable for unique, long-term planning. However, substantial nearby data from the Falcon area is available for use. As of the end of 2021, the system had approximately only 300 active users. Therefore, initial projections have been based on area-wide water user characteristics and a linear buildout rate. This rate is considered to be an average annual rate that might be reasonably maintainable over a 10-year period. The average growth rate is projected as 180 units added per year.

- 2040 Scenario: Based on the above factors, the FAWWA system might conservatively anticipate serving 3,710 SFEs in the year 2040. This number is a service area projection and includes the Retreat and The Ranch, as well as the main Sterling Ranch residents. This would require no additional water.
- 2060 Scenario: Based on the same factors, the Sterling system might be expected to serve 7,310 SFEs within its expanded service area, which includes the Retreat and The Ranch. This would be substantially greater than the actual Sterling Ranch. The annual acre-foot requirement might be 679 annual AF, but supply would include water from The Ranch which has not yet been added to inventory.

FAWWA currently has no system interconnections. However, in the Water Resources Report completed by JDS Hydro in October of 2022, 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.

<u>WASTEWATER</u>: The wastewater commitment is for 27,176 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The loading projected from this preliminary plan represents roughly 2.7% of the contractual capacity available to FAWWA. FAWWA therefore has more than adequate wastewater treatment capacity to provide service to this preliminary plan area. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro in October 2022.

**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.

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<u>DRAINAGE</u>: The drainage improvements associated with the FourSquare PUDSP are consistent with the Master Development Drainage Plan for Sterling Ranch. A Preliminary Drainage Report was prepared for this site and is included in this submittal. A full spectrum regional detention pond is provided in Tract H.

The development of the proposed site does not significantly impact any downstream facility or property to an extent greater than that which currently exists in the pre-development conditions. All drainage facilities within this report were sized according to the Drainage Criteria Manuals and the full-spectrum storm water quality requirements.

**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.

<u>WILDLIFE:</u> 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.

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

<u>GEOLOGIC HAZARDS:</u> The Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal found that the site is generally suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions, which will impose some constraints to development. Hazards observed include artificial fill, collapsible soils, expansive soils, areas of erosion, groundwater, potential unstable slopes, and radon. Suggestions for mitigation are included in the Soils, Geology, and Geologic Hazard Study.

In areas of high groundwater, foundations must have a minimum 30-inch depth for frost protection. Subsurface perimeter drains are recommended to help prevent the intrusion of water into the areas below grade, where high subsurface moisture conditions are anticipated periodically. Any grading in these areas should be done to direct surface flow around construction to avoid areas of ponded water. A minimum separation of 3 feet between foundation components and groundwater is recommended. All proposed structures will have crawlspaces, there are no proposed basements in this development.

**SCHOOLS:** The eastern portion of the FourSquare PUDSP area is within School District 49. The western portion is within School District 20. Land for schools within both school districts is to be dedicated with the various phases of the Sterling Ranch development to meet the needs of this growing part of the community. This includes a School District 20 K-8 school directly south of the FourSquare development, a School District 20 elementary school to the southwest and a School District 49 elementary school to the southeast.

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#### TRAILS AND OPEN SPACE:

FourSquare PUD provides 5.166 acres of usable open space, including a 2.57-acre park (Tract G) centralized within the development and connected by pedestrian sidewalks that weave throughout the development. A 5' concrete trail loops through the park providing connections from Pagosa Springs Place, Idaho Falls Drive, Maricopa Court, and Rio Ranch Trail and open space tracts leading out of the development. A series of smaller tracts are located at the ends of blocks to provide small open spaces between the residential roadways and the proposed lots. All roadways include pedestrian sidewalks and connections to the Sterling Ranch parks and trails system, including Sand Creek Regional Trail. Parks and trails will be owned and maintained by the Sterling Ranch Metro District.

Tract H is approximately 11.2 acres and provides regional detention and is also designed to accommodate functional park space, perimeter walking trails and amenities.

## **DISTRICTS/ENTITIES SERVING THE PROPERTY:**

The following districts will serve the property:

- Academy School District 20
- 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).

LDC Section	Category	Standard	Modification	Justification
8.4.3(B)(2)(e)	Minimum Lot Frontage	Lots shall have a minimum of 30 feet of frontage on and have access from a public road	Lots utilizing private shared driveways will not have direct frontage or access onto a public road	The proposed unique lot configuration and community design reflect the need for shared private driveways that directly connect to public streets with only 3 individual lots accessing each private shared driveway.

Section 8.4.3(B)(2)(e) of the LDC states that lots shall have a minimum of 30 feet of frontage and have access from a public road. The proposed unique lot configuration and community design reflect the need for shared private driveways that directly connect to public streets. The PUDSP proposes 4 lots on each shared private driveway with only 3 units loading onto the central shared driveway. The fourth lot will have its own private driveway loading onto the public street. Each driveway will be owned and maintained by the Sterling Ranch Metro District and are a standard 20' wide and 89.5' deep. All

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driveways are surfaced with concrete. No trash or delivery trucks will use the shared driveway, all trash will be picked up from curb. The proposed roadways are public local streets with a 50' ROW. Adequate space is provided for trash pick up, delivery vehicles and parking on both sides of the street.

There is no ROW associated with the proposed driveway but there is an access easement that overlays the entire driveway area. Because of the limited depth, dead end design and private use, no design speed will be posted.

Shared driveways in this urban condition are a common tool to increase density and allows attainability to be focused on by keeping the lots smaller than typical single family detached homes. Pedestrian walkways are not provided along the length of the driveways; but will be provided from the edge of the driveway to each house. Additional walkways are provided across the driveway. This community design has been used successfully in the region, and most recently in the "Pathways" community west of Tutt Boulevard and north of Dublin within the City of Colorado Springs.

The modification supports the identified benefits in Chapter 4.2.6.F.2.h by allowing a more efficient layout that promotes the construction of an attainable housing product and the creation of a more compact and livable environment with centralized community open space that benefits the overall community.

## 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 up to a density of 5 du/ac, with supporting uses including attached single-family, multi-family, neighborhood commercial, and parks. The FourSquare PUDSP proposes higher density single-family detached residential units, which are similar in size and function to attached-single family residential and is therefore consistent with the intent of 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 largely undeveloped land adjacent to built out areas. These higher density FourSquare product is designed to integrate with and compliment adjacent development.

The PUD Preliminary Plan is consistent with Core Principle 1, Land Use and Development, which seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county," 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**

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

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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.

Water, wastewater, storm water will be provided by Falcon Area Water and Wastewater Authority (FAWWA). All Sterling Ranch Metro District assets will be allocated to FAWWA. FourSquare at Sterling Ranch PUD and Preliminary Plan includes 158 lots which fall into high density development ratios for small lots, and roughly 1.424 acres of irrigated landscaping. The resulting demand is 50.73 acre-feet. FAWWA has sufficient supply and infrastructure in the area to serve this development. The total Sterling commitments stand at 877.21 acre-feet including all subdivisions committed through October 20, 2022. With the recent acquisition of McCune, Bar-X, and Shamrock West, the current available water supply for FAWWA is now 1901.83 acre feet for 300 years. This leaves a net excess of currently available water of 1024.62 AF for 300 years and therefore is more than sufficient water supply to meet the needs of FourSquare at Sterling Ranch PUD and Preliminary Plan on the 300 year basis.

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 water system has only been in operation for three years, so little-to-no usable historic information would be reliable for unique, long-term planning. However, substantial nearby data from the Falcon area is available for use. As of the end of 2021, the system had approximately only 300 active users. Therefore, initial projections have been based on area-wide water user characteristics and a linear buildout rate. This rate is considered to be an average annual rate that might be reasonably maintainable over a 10-year period. The average growth rate is projected as 180 units added per year.

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- 2040 Scenario: Based on the above factors, the FAWWA system might conservatively anticipate serving 3,710 SFEs in the year 2040. This number is a service area projection and includes the Retreat and The Ranch, as well as the main Sterling Ranch residents. This would require no additional water.
- 2060 Scenario: Based on the same factors, the Sterling system might be expected to serve 7,310
   SFEs within its expanded service area, which includes the Retreat and The Ranch. This would be substantially greater than the actual Sterling Ranch. The annual acre-foot requirement might be 679 annual AF, but supply would include water from The Ranch which has not yet been added to inventory.

FAWWA currently has no system interconnections. However, in the Water Resources Report completed by JDS Hydro in October of 2022, 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 the extension of Briargate Parkway/Stapleton Drive as a new 4-lane principal arterial roadway connection through Sterling Ranch. Plans for the construction of Briargate Parkway are being reviewed separately by the County (CDR-22-001).

#### **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. A 27.72-acre community park is included as part of Sterling Ranch East Phase 1. The Trails Master Plan map identifies a proposed Regional Trail adjacent to Sand Creek through Sterling Ranch. This has been accommodated in the Sterling Ranch filings already approved or in progress on the west side of the creek. There are no proposed regional trails in this portion of Sterling Ranch.

FourSquare PUDSP includes a total of 5.166 acres of open space, including a 2.57-acre central park space. Pedestrian walking trails around its centralized park connect to adjacent sidewalks and connectivity to the Sterling Ranch Parks and Trails including the proposed regional trails and community park adjacent to Sand Creek.

## **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.

#### **PUD Zoning Criteria**

FourSquare PUDSP is consistent with the PUD zoning approval criteria set forth in Chapter 4.2.6.D of the LDC as follows:

1. THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATE PURPOSES SET FORTH IN THIS SECTION.

The FourSquare PUDSP will advance the following purposes of the PUD District designation:

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- 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;
- 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;
- 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;
- 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;
- To achieve development economies to minimize impacts on existing infrastructure and to
  encourage the most efficient use of public infrastructure while limiting the costs of providing
  services and to reduce the burden on existing streets and utilities by more efficient development;
- To ensure that provision is made for beneficial open space, to provide for active, usable open spaces, and to preserve open areas;

A PUD zone allows more flexible development standards then afforded by straight zoning districts. This greater design flexibility enables the FourSquare PUD to provide a smaller lot residential development that meets a growing need and demand for higher density detached single-family housing with increased open space and access to maintained amenities such as trails and open space. Additionally, the smaller lots and homes within the FourSquare PUD expands the housing options and price points within the Sterling Ranch Community, which satisfies a need for existing and future El Paso County home buyers looking for more attainable housing.

The compact lot layout of FourSquare allows for additional open space including a 2.57-acre centralized park, and multiple sidewalks & trails promoting pedestrian connectivity throughout the community and to the Sterling Ranch Parks and Trail system.

The smaller single-family residential lots and the unique cluster layout of the FourSquare product provides a more livable environment as each lot is provided with a private patio and small yard with a 6' fence.

The compact layout, design and density and the use of shared driveways to access lots ensures the most efficient use of public infrastructure and utilities as more homes will be served off fewer streets and with shorter main line utility extensions.

The activity centers proposed within Sterling Ranch are focused along Briargate Parkway and the location of the higher density FourSquare product at the intersection of Briargate Parkway and Serling Ranch Road is convenient for access to these future services. The proposed community park is located south on Sterling Ranch Road and will be accessible to the FourSquare community via the Sterling Ranch trail network.

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

The relevant County master plan documents for the FourSquare PUD Preliminary Plan are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan. As addressed above, FourSquare PUD Preliminary is in general conformity with these plans

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 residents of El Paso County. The higher density FourSquare development is appropriately located the intersection of Briargate Parkway and Sterling Ranch Road. It provides a transition between the lower density single-family lots to the north and west and Briargate Parkway, and the school site to the south. FourSquare PUD Preliminary Plan is designed with smaller lots to provide more housing options and greater housing attainability to benefit of El Paso County residents.

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;

Sterling Ranch has been intentionally designed to concentrate the higher density residential and more intense uses along the major arterials and intersections. In this part of Sterling Ranch East the primary intersection is Briargate Parkway and Sterling Ranch Road. The location of the higher density Foursquare at the northwest quadrant of this intersection provides a buffer and transition from the lower density detached single family proposed in Sterling Ranch East Phase 1 to the north and east to the major arterial street of Briargate Parkway. The higher density Foursquare product will be compatible with proposed 35-acre K-8 school site immediately south of Briargate Parkway. East of FourSquare lies an 11.19 ac regional detention pond, which will transition to future lower density single-family residential proposed within Sterling Ranch to the east. The proposed Villages at Sterling Ranch East is located in the southeast quadrant of Briargate Parkway and Sterling Ranch Road intersection, which is a similar density to the Foursquare product.

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;

Foursquare provides a buffer and transition from the lower density detached single family proposed in Sterling Ranch East Phase 1 to the north and east to the major arterial street of Briargate Parkway. The higher density Foursquare product will be compatible with proposed 35-acre K-8 school site immediately south of Briargate Parkway. East of FourSquare lies an 11.19 ac regional

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detention pond, which will transition to future lower density single-family residential proposed within Sterling Ranch to the east. The proposed Villages at Sterling Ranch East is located in the southeast quadrant of Briargate Parkway and Sterling Ranch Road intersection, which is a similar density to the Foursquare product.

While the density is slightly higher, Foursquare is a characteristically similar use to the traditional single family lots to the north and west. The units are limited to 35-feet building height, which is compatible with the surrounding single-family proposed development under the RS-5000 zoning, where building heights are limited to 30-feet. A 6' concrete panel wall is proposed along Briargate and Sterling Ranch Road to buffer traffic noise and provide privacy.

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-feet building height, which is compatible with the adjacent proposed developments within Sterling Ranch under the RS-5000 zoning, where building heights are limited to 30-feet. As a high density detached single family development, the proposed development provides a transition within Sterling Ranch from lower density suburban single family to the north and west detached density to higher density residential to the southeast, school to the south and commercial along Briargate Parkway, which is a principal arterial. A 25' building and landscape setback is included along Briargate Parkway and Sterling Ranch Road to provide an appropriate setback from the street and to create an attractive streetscape and entrance to the residential development. The setback is included in Tract A, which borders Sterling Ranch Road and Briargate Parkway and provides open space separation between units and the roadways. The overall width of Tract A varies between 26' and 49'. Within this tract is prosed streetscape landscaping, a retaining wall with a max height of 10' and proposed 6' meandering sidewalk. A proposed 6' concrete panel sound wall dually functions as a screen wall for all units along Sterling Ranch Road and Briargate Parkway.

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

The Natural Features report completed by Bristlecone Ecology in September of 2022 found no unique or significant historical, cultural, aesthetic or natural features to be preserved. The report found no existing wetland habitat or expected impact to any jurisdictional aquatic species. There is no suitable habitat for endangered species and the site is within the Colorado Springs Block Clearance Zone for Preble's Meadow Jumping Mouse.

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;

The FourSquare PUDSP includes 5.166 acres of usable open space within Tracts B, C, D, E, G and part of Tract H. Tract H is approximately 11.2 acres and provides regional detention and is also designed to accommodate functional park space, perimeter walking trails and amenities. Accordingly, 50% of Tract H acreage is included within the usable open space figure to account for its dual use. Together

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these tracts represent 29% of the overall PUDSP area, which exceeds the minimum 10% open space requirements for a PUD per Code. Code also requires that 25% of the available open space is usable and contiguous. Tract G is approximately 2.5 acres and is centralized within the development as a recreational park. Continuous pedestrian trails are provided within Tracts B, C, D, E & G to connect to the centralized park. Together these provide 3.31 acres of contiguous usable open space, which is 64% of the 5.166 acres of open space available in the PUDSP. The pedestrian trails provide connectivity throughout the development and to the overall Sterling Ranch parks and trails system, including the Sand Creek Regional Trail.

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 proposed land use and access is in compliance with the Sterling Ranch Master TIS and Sterling Ranch East Phase 1 Preliminary Plan TIS. 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 community that connect the park and open spaces to the sidewalks along Briargate Parkway. The interconnected sidewalk and trail system within FourSquare connects to the overall Sterling Ranch Parks and Trails and the Regional Trail along the west side of the Sand Creek Channel. The Natural Features & Wetland report created by Bristlecone Ecology in September of 2022 found no unique environmental features on 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 LDC Chapter 8.4.3(B)(2)(e). The justification for these is set out above. The modification supports the identified benefits in Chapter 4.2.6.F.2.h by allowing a more efficient lot layout the allows the construction of a more attainable housing product and the creation of a more compact and livable environment with centralized community open space that benefits the overall community.

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#### 13. THE OWNER HAS AUTHORIZED THE APPLICATION.

Yes.

## **Preliminary Plan Review Criteria**

FourSquare PUDSP 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 and more attainable housing choice in a growing part of the El Paso Community. The site provides a transition from the proposed school site and intersection of Briargate Parkway and Sterling Ranch Road to the proposed lower density residential to the north and west.

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

The Sterling Ranch Sketch Plan Amendment approved in December of 2022 identifies this parcel as medium density 5-8 du/ac. The proposed density of the FourSquare development is consistent with the Sketch Plan Amendment. 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 directly north of the future school site. The high density detached single family development will provide a transition from the school site to the south to the proposed lower density single family to the north and west with Sterling Ranch East Phase 1.

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 FAWWA and the Water resources report provided by RESPEC and JDS Hydro. A finding of water sufficiency is requested with this PUDSP and administrative approval of the final plat.

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 27,176 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter.

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Public sewage disposal is further addressed in the Wastewater Report prepared by RESPEC and JDS Hydro. All water and wastewater services will be provided by FAWWA.

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 Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal found that the site is generally suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions, which will impose some constraints to development. Hazards observed include artificial fill, collapsible soils, expansive soils, areas of erosion, groundwater, potential unstable slopes, and radon. Suggestions for mitigation are included in the Soils, Geology, and Geologic Hazard Study.

In areas of high groundwater, foundations must have a minimum 30-inch depth for frost protection. Subsurface perimeter drains are recommended to help prevent the intrusion of water into the areas below grade, where high subsurface moisture conditions are anticipated periodically. Any grading in these areas should be done to direct surface flow around construction to avoid areas of ponded water. A minimum separation of 3 feet between foundation components and groundwater is recommended. All proposed structures will have crawlspaces, there are no proposed basements in this development.

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

These matters are addressed in the Drainage Report prepared by Classic Consulting. The drainage improvements associated with the FourSquare PUDSP are consistent with the Master Development Drainage Plan for Sterling Ranch. A full spectrum regional detention pond is provided in Tract H. All drainage facilities within this report were sized according to the Drainage Criteria Manual and the full-spectrum storm water quality requirements.

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

The public improvements proposed with this subdivision are all adequate to serve the needs of the proposed development. The PUDSP proposes to extend Sterling Ranch Road north from Briargate Parkway to provide access to the development at Idaho Falls Drive. Public local streets (with 50' ROW) are proposed that will provide access to the lots either directly or via private shared driveways. The regional detention pond include in this PUDSP is required to serve a broader area but its construction will be triggered by and will be installed with the Foursquare development. The required water and wastewater infrastructure and other utilities will be extend to serve the development by the Sterling Ranch master developers. The design of all public improvements meets the County's or relevant service providers design standards.

The traffic memo completed by LSC demonstrates a need to construct an eastbound left-turn lane on Briargate Parkway approaching Boulder City Place. This may be constructed with either the

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Sterling Ranch East Filing 2 Final Plat or FourSquare at Sterling Ranch East. A copy of the deviation for this has been included with the traffic memo.

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;

One unit from each cluster of four will have direct access onto the public street. Three lots from each cluster of four will be accessible from a private shared driveway. The PUD modification and justification for lots not having access to a public street is included 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;

The Natural Features report completed by Bristlecone Ecology in September of 2022 found no unique or significant historical, cultural, aesthetic or natural features to be preserved. The report found no existing wetland habitat or expected impact to any jurisdictional aquatic species. There is no suitable habitat for endangered species and the site is within the Colorado Springs Block Clearance Zone for Preble's Meadow Jumping Mouse.

FourSquare PUD provides 5.166 acres of usable open space, including a 2.57-acre park (Tract G) centralized within the development and connected by pedestrian sidewalks that weave throughout the development. Tract H is approximately 11.2 acres and provides regional detention and is also designed to accommodate functional park space, perimeter walking trails and amenities. A 5' concrete trail loops through the park providing connections from Pagosa Springs Place, Idaho Falls Drive, Maricopa Court and open space tracts leading out of the development. A series of smaller tracts are located at the ends of blocks to provide small open spaces between the residential roadways and the proposed lots. All roadways include pedestrian sidewalks and connections to the Sterling Ranch parks and trails system, including Sand Creek Regional Trail. Parks and trails will be owned and maintained by the Sterling Ranch Metro District.

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. The compact layout of FourSquare allows for additional open space including a 2.57-acre centralized park, and ease of connectivity to Sterling Ranch Parks and Trail. This development is an integral part of the overall Sterling Ranch development and provides a needed higher-density single-family housing in the area to provide a variety of housing options and price points in the community to meet the needs of present and future El Paso County residents.

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

Sterling Ranch has been intentionally designed to concentrate the higher density residential and more intense uses along the major arterials and intersections. In this part of Sterling Ranch East, the primary intersection is Briargate Parkway and Sterling Ranch Road. The location of the higher density Foursquare at the northwest quadrant of this intersection provides a buffer and transition from the lower density detached single family proposed in Sterling Ranch East Phase 1 to the north and east to the major arterial street of Briargate Parkway. The higher density Foursquare product will be compatible with proposed 35-acre K-8 school site immediately south of Briargate Parkway. East of FourSquare lies an 11.19 ac regional detention pond, which will transition to future lower density single-family residential proposed within Sterling Ranch to the east. The proposed Villages at Sterling Ranch East is located in the southeast quadrant of Briargate Parkway and Sterling Ranch Road intersection, which is a similar density to the Foursquare product. A 25' building and landscape setback is included along Briargate Parkway and Sterling Ranch Road to provide an appropriate setback from the street and to create an attractive streetscape and entrance to the residential development.

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

There are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved. No significant wetlands or endangered species habitat was found at this location. Connections to the Sand Creek Channel and Sterling Ranch Parks and Trails systems are provided by internal trails and sidewalk connections.

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 completed by LSC demonstrates a need to construct an eastbound left-turn lane on Briangate Parkway approaching Boulder City Place. This may be constructed with either the Sterling Ranch East Filing 2 Final Plat or FourSquare at Sterling Ranch East.

A deviation for a ¾ movement at Boulder City Place and Briargate Parkway and a ¾ movement at the K-8 was submitted with the Sterling Ranch East Phase 1 Preliminary Plan. A copy of this deviation has been included with the FourSquare at Sterling Ranch Traffic Impact Study.

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.

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

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

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

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

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

## **PUD Modifications**

Per Chapter Section 4.2.6.F.2.h of the LDC, 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 quide.

The proposed PUD modification allows for an efficient lot layout for higher density detached single family that will create more open space, allow for a more efficient pedestrian system through open space tracts and create an overall more livable environment. Sidewalks and trails are proposed throughout the development providing connection to all tracts, and Sterling Ranch Parks. FourSquare PUD provides 5.166 acres of usable open space, including a 2.57-acre park (Tract G) centralized within the development and connected by pedestrian sidewalks that weave throughout the development. All roadways include pedestrian sidewalks and connections to the Sterling Ranch parks and trails system, including Sand Creek Regional Trail. Parks and trails will be owned and maintained by the Sterling Ranch Metro District.

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