



EL PASO COUNTY

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PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Board of County Commissioners
Cami Bremer, Chair

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

RE: Project File Nos.: P-22-015 and SP-22-007
Project Names: Homestead North at Sterling Ranch Filing No. 3 Map
Amendment (Rezone) and Preliminary Plan
Parcel Nos.: 52280-00-030 and 52280-00-038

OWNER:	REPRESENTATIVE:
SR Land LLC 20 Boulder Crescent St., Suite 102 Colorado Springs, CO. 80903	N.E.S. Inc. 619 N Cascade Ave., Suite 200 Colorado Springs, CO. 80903

Commissioner District: 2

Planning Commission Hearing Date:	1/5/2023
Board of County Commissioners Hearing Date:	1/17/2023

EXECUTIVE SUMMARY

A request by SR Land LLC., for approval of a map amendment (rezoning) of 41.63 acres (includes a portion of Vollmer Road, public right-of-way) from RR 5 (Residential Rural) to RS-6000 (Residential Suburban), and for approval of a preliminary plan to create 77 single-family detached residential lots with a proposed density of 1.7 dwelling units per acre. The 40.83-acre property is located north of the future extension of Briargate Boulevard, south of Poco Road, east of Vollmer Road, and is within Section 28, Township 12 South, Range

2880 INTERNATIONAL CIRCLE
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COLORADO SPRINGS, CO 80910
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65 West of the 6th P.M. The subject property is within the approved Sterling Ranch Sketch Plan area which depicts a density of two (2) dwelling units per acre. Approval by the Board of County Commissioners of the Preliminary Plan with a finding of sufficiency for water quality, quantity, and dependability, authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s).

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by SR Land, LLC, for approval of a map amendment (rezoning) of 41.63 acres from RR-5 (Residential Rural) to RS-6000 (Residential Suburban Rural), and for approval of a preliminary plan (40.83 acres) to create 77 single-family detached residential lots (21.95-acres), seven (7) tracts for drainage, utility, trails, landscape, and open space (11.77-acres) purposes, and public rights-of-way (7.1-acres). A finding of water sufficiency for water quality, quantity and dependability is also requested. Additionally, the applicants are requesting approval to perform pre-subdivision site grading to include installation of wet utilities and construction of roadways.

Waiver(s)/Deviation(s): There are no waivers or deviations associated with this request.

Authorization to Sign: Approval by the Board of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability, authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s) consistent with the preliminary plan as well as the associated Subdivision Improvements Agreements, License and Detention Pond Maintenance Agreements, and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. Planning Commission Summary

Request Heard: P-22-015 was heard as a Consent Item at the January 5, 2023, Planning Commission. SP-22-007 was heard as a Called-Up Consent Item at the January 5, 2023, Planning Commission.

Recommendation: Both were recommended for approval.

Waiver Recommendation: N/A

Vote: Both motions resulted in 8 – 0 votes.

Vote Rationale: N/A

Summary of Hearing: The PC Draft Minutes are attached.

Legal Notice: P-22-015 was advertised in the *Colorado Springs Gazette* on December 29, 2022.



C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners (BoCC) shall find that the request meets the following criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2022):

- The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111, §30-28-113, and §30-28-116;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

In approving a minor subdivision, the BoCC shall find that the request meets the following preliminary plan criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022):

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of the Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- 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 the Code (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);
- 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 the Code;
- 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)];

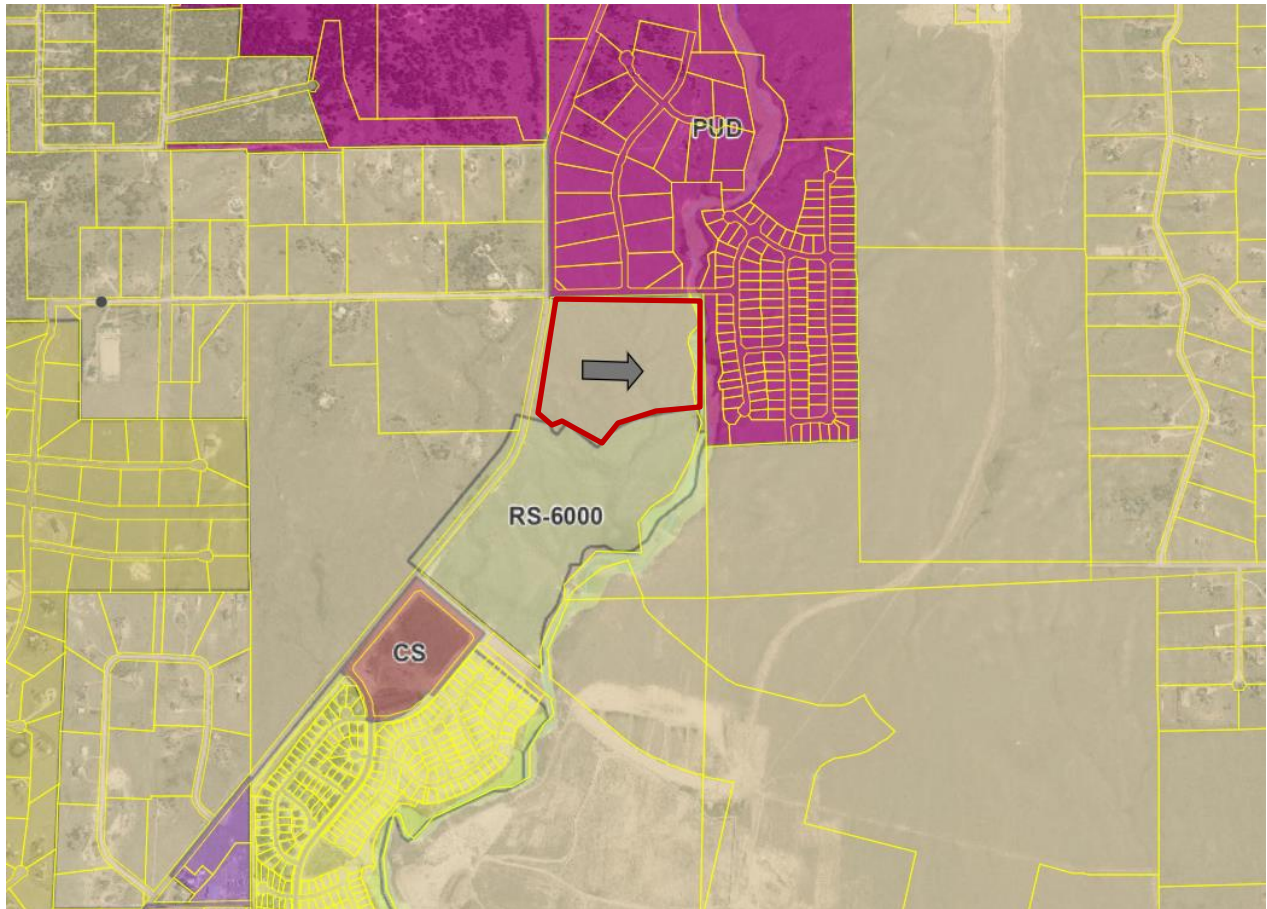


- Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- 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 the Code and the ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) 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; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) 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;
- Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

D. LOCATION

North:	PUD (Planned Unit Development)	Single-family detached residential
South:	RS-5000 (Residential Suburban)	Single-family detached residential
East:	PUD (Planned Unit Development)	Single-family detached residential
West:	RR-5 (Residential Rural)	Single-family detached residential





Zoning Map

E. BACKGROUND

The Sterling Ranch Sketch Plan (PCD File No. SKP-07-007), consisting of 1,443.70 acres, was heard and approved by the Board of County Commissioners on November 18, 2008. The Sketch Plan includes 5,225 residential units, 56 acres of commercial development, 57 acres of dedicated school sites, 210 acres of parks and open space, and a two (2) acre utility site. This area of the sketch plan depicts a density of two (2) dwelling units per acre.

The service plan for the Sterling Ranch Metropolitan Districts Nos. 1, 2, and 3 was heard and approved by the Board of County Commissioners on June 24, 2010. The Sterling Ranch Metropolitan District No. 1 will provide water and wastewater services with assistance from the Meridian Service Metropolitan District via an intergovernmental agreement. Installation of roads within the rights-of-way, public and private drainage, and amenities within the tracts are to be constructed by the Sterling Ranch Metropolitan District No. 2. Sterling Ranch Metropolitan District No. 1 will maintain the rights-of-way

and public improvements after Sterling Ranch Metropolitan District 2 constructions those improvements and the County has entered into preliminary acceptance. Sterling Ranch Metropolitan District No. 1 will also own and maintain the private drainage facilities and other amenities within the proposed tracts. Sterling Ranch Metropolitan District No. 3 will collect ad valorem (property) tax revenue for future commercial development and pay Sterling Ranch Metropolitan District No. 1 to own and maintain the tracts and private improvements within the future commercial development area.

F. ZONING ANALYSIS

1. Land Development Code Analysis

The applicants are proposing a map amendment (rezoning) of 41.63 acres which includes a portion of Vollmer Road adjacent to the subject property, from RR-5 (Residential Rural) to RS-6000 (Residential Suburban). Section 5.3.5, Map Amendment of the Land Development Code (2022) states:

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

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

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

The applicant is proposing a map amendment (rezoning) of 41.63 acres from RR-5 to RS-6000. The area included within the map amendment (rezoning) and preliminary plan request is included in the approved Sterling Ranch Sketch Plan. The Sterling Ranch Sketch Plan depicts a density range in this portion of the



approved sketch plan of 2 dwelling units per acre. The applicant is depicting an average density of 1.7 dwelling units per acre on the requested preliminary plan, which is lower than the allowed density depicted on the approved sketch plan.

This portion of El Paso County has experienced, and continues to experience, significant growth and development along the Briargate Parkway and Vollmer Road, corridors. Adjacent to the north, and east of the subject property, and not included within the Sterling Ranch Sketch Plan, is the Retreat at Timber Ridge Subdivision, which is under construction and is zoned PUD (Planned Unit Development). The Timber Ridge Subdivision has an average density of 0.81 dwelling units per acre.

The Homestead North Filing Nos. 1 and 2 subdivisions, located south of the subject parcel, are zoned RS-6000 (Residential Suburban) and are currently being developed. The land adjacent to Vollmer and west of the proposed development area is zoned RR-5 (Residential Rural), is currently proposed to be included in the Jaynes Sketch Plan which is in review.

The land uses allowed within the proposed RS-6000 zoning district are compatible with the existing and approved urban level residential development surrounding the subject property.

The proposed map amendment and preliminary plan are consistent with the Your El Paso County Master Plan (2021). The map amendment application meets the purpose of zoning and criteria of approval, in Chapter 5, and of the El Paso County Land Development Code (2022). The preliminary plan application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2022).

2. Zoning Compliance

The applicant is requesting approval of a map amendment (rezoning) of 41.63 acres from the RR-5 (Residential Rural) to the RS-6000 (Residential Suburban) zoning district. The RS-6000 (Residential Suburban) zoning district is intended to accommodate single-family residential development. The density and dimensional standards for the RS-6000 (Residential Suburban) zoning district are as follows:

- Minimum lot size: 6,000 square feet
- Minimum width at the front setback line: 50 feet
- Setbacks - 25 feet in the front and rear, 5 feet on the sides



- Maximum lot coverage - 40 percent / 45 percent*
- Maximum height: 30 feet

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

G. MASTER PLAN ANALYSIS

1. Your El Paso Master Plan

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

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

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

Recommended Land Uses:

Primary

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

Supporting

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



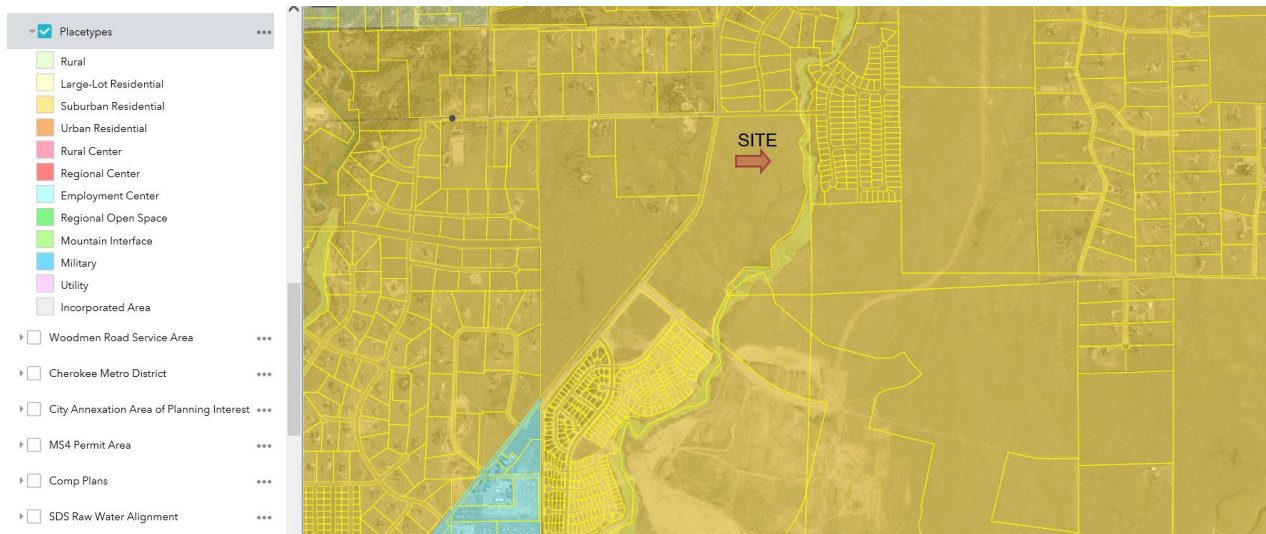


Figure: Placetype Map

Analysis:

The property is located within the Suburban Residential placetype. The Suburban Residential placetype comprises the County’s traditional residential neighborhoods with supporting commercial uses at key intersections. Relevant goals and objectives are as follows:

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

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

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

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

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



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

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

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

The preliminary plan is consistent with the Suburban Residential Placetype. The riparian corridor containing the Sand Creek Channel has been proposed to be preserved and is depicted in a tract to be maintained by the Sterling Ranch Metropolitan District until the County accepts the channel post the completion of the channel improvements by the developer. The applicant's provided pedestrian connectivity throughout the development with sidewalks which will connect to the Sand Creek Regional Trail Corridor within the development. The preliminary plan also depicts a transition from the two 2.5-acre lots to the north located in the Retreat at TimberRidge Development by providing an average lot size of approximately 21,000 square feet tapering down to just over 10,000 square feet on average. The lots sizes within the proposed development exceed the 6,000 square feet minimum lot size of the request map amendment (rezone) which is anticipated to provide a variety of housing types within the development area.

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



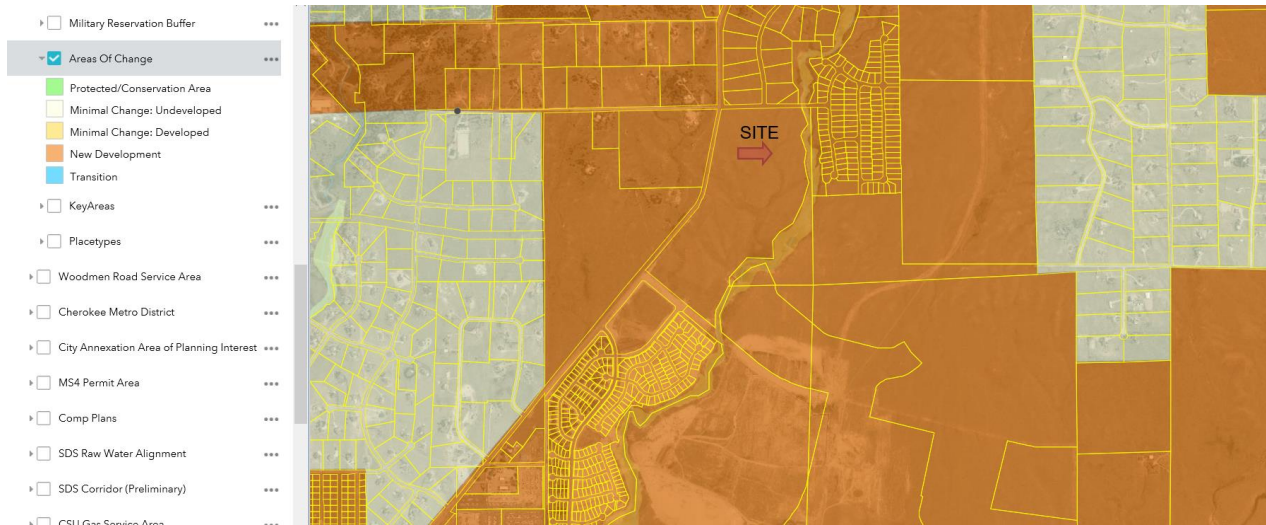


Figure: Area of Change Map

Analysis:

The proposed rezone is located in an area which is expected to completely or significantly change in character. A relevant priority is as follows:

Goal LU3 Specific Strategy Priority - “The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.”

i. Other Implications (Priority Development, Housing, etc.):

The subject property is located within a Priority Development Area.

ii. Key Area Influences:

The subject property is located within the Potential or Annexation Key Area. The applicants do not wish to annex into the City of Colorado Springs at this time.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes: better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management

through the comprehensive planning and development review processes. Relevant policies are as follows:

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

Goal 1.2 – Integrate water and land use planning.

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

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

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

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

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

The subject property is located in a growth area within Region 3, Falcon Area, which is expected to experience significant growth by 2040. Specifically, the Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road.”

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



A finding of water sufficiency regarding quantity, dependability, and quality is being requested with the proposed preliminary plan request.

3. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies not identify valued deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

The Parks Advisory Board has provided a response which includes an analysis regarding conformance with The El Paso County Parks Master Plan (2013). Please see the attached Parks Advisory Board response for more information. Fees in lieu of regional park land dedication will be due at the time of plat recordation.

Please see below for more information regarding the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

H. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified in the development area that would preclude development in the Soil, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated May 26, 2022, that would preclude development if mitigation were to occur. Colorado Geological Survey has provided the following comment:

“The Colorado Geological Survey (CGS) generally concurs with the geologic interpretation and geologic constraints and hazards identified at the site (38.975, -104.666) in the Soil, Geology, and Geologic Hazard Study by Entech (5.26.22). The Preliminary Plan (NES, 7.7.22) includes a statement about the identified geologic conditions within the site, including lot numbers for areas potentially impacted by seasonally shallow groundwater. Verification of lots impacted by shallow groundwater is beyond the scope of this review and should be provided in the design-level geotechnical reports. Entech states p. 11, *“It is anticipated groundwater will not affect shallow foundations on the majority of the site.”* If basement or other habitable below-



grade areas are desired, CGS recommends that the additional investigations recommended by Entech (p.16) evaluate the seasonal fluctuations in shallow groundwater and the extent of mitigation expected with the planned underground drainage system. Additionally, we recommend that final design plans depict Entech's recommendations on building setbacks of 20 feet from potentially unstable slopes not stabilized by grading and erosion protection in areas without retaining walls adjacent to the creek. Site-specific geotechnical investigations should be conducted to determine the extent of shallow and potentially very hard bedrock, swell-consolidation properties, and other constraints posed by the geologic conditions identified at the site."

The applicants have depicted the following note on the preliminary plan:

"The following lots have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the Geohazard Evaluation Report by Entech Engineering Inc., dated May 26, 2022, in file SP-22-007, available at the El Paso County Planning and Community Development Department:

- Artificial Fill: Earthen Dams east of site
- Potentially Unstable Slopes: Drainage along east portion of site
- Potentially Expansive Soil: Sporadic
- Flooding: Drainage along east portion of site
- Potentially Seasonal Shallow Groundwater: Lots 1, 14, 17-18, 20-24, 39-41, 49-50, 60-64 and 73-74

Potentially unstable slopes will be mitigated by regrading or avoidance. These areas minor and there are sufficient setbacks from slopes. In Areas of Expansive Soils: Incorporate special foundation design. In Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate an underground drainage system. Under drains to be maintained by the Sterling Ranch Metro District No. 3."

2. Floodplain

As shown on FEMA Flood Insurance Rate Map (FIRM) panel numbers 08041C0533G and 08041C0535G, effective December 7, 2018, the majority of the development is located within Zone X, or areas outside the Special Flood Hazard Area (SFHA). The eastern property boundary will be platted to the center of the Sand Creek channel, with a portion of the site within Zone AE, 100-year floodplain where studied base flood elevations are provided on the FIRM panel. The area of disturbance for proposed site grading is located within the Zone X area.



3. Drainage and Erosion

The proposed area included in the rezoning is located within the Sand Creek Drainage Basin (FOFO4000), studied in 1996. This basin requires drainage and bridge fees to be paid at the time of final plat recording.

The property generally drains to the southeast into the Sand Creek main stem channel, which ultimately outfalls into Fountain Creek. As stated in the preliminary drainage report, full-spectrum detention (FSD) facilities are proposed to provide detention and water quality for developed areas of the site in accordance with County criteria. The proposed drainage plan is in general compliance with the "Master Development Drainage Plan for Sterling Ranch", dated October 24, 2018.

Channel improvements for the Sand Creek channel adjacent to and within the project site will be required for the overall Sterling Ranch development in accordance with the Development Agreement recorded at reception number 222098865 (PCD project number DA221) and the Sand Creek Channel Improvements (PCD project number CDR204).

Approvals of an erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, a financial assurance estimate (FAE) and a stormwater management plan (SWMP), all reviewed with the subdivision submittals, are required prior to grading the site in accordance with the requirements of the El Paso County Engineering Criteria Manual (2020). Approval for pre-subdivision site grading and wet utility installation has been requested with the preliminary plan.

4. Transportation

The proposed Homestead North at Sterling Ranch Filing No. 3 development, part of the overall Sterling Ranch master planned community, is located east of Vollmer Road, west of the Sand Creek channel, south of Retreat at Timber Ridge and north of the existing Homestead North development (Filings No. 1 and 2).

Traffic generated from the 77 proposed single-family homes in this development is estimated to be 727 average daily trips. The proposed interior roads will be public urban local roads which will be dedicated to the County for ownership and maintenance. The proposed roads in the Homestead North Filing No. 3 Traffic Impact Study (TIS) are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS. In the vicinity of the subject property, Vollmer Road is shown as a 2-lane minor



arterial on the MTCP 2040 plan and as a 4-lane minor arterial on the 2060 Corridor Preservation Plan.

In accordance with Recommended Conditions of Approval Nos. 4 and 5 below, the developer will be required to participate in construction of the offsite road improvements necessary for safe access and adequate levels of service for the traffic generated by this development, including widening Vollmer Road to an arterial cross-section, turn lanes where necessary, and intersection improvements at surrounding intersections. Table 3 of the TIS summarizes the anticipated necessary improvements, timing of construction, and potential responsible parties.

Approximately 4,500 linear feet of Urban Local public roads are proposed to be constructed with this subdivision. These roads will connect to the road infrastructure constructed with Homestead North Filing No. 2 to the south and Retreat at Timber Ridge to the north.

The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

I. SERVICES

1. Water

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

Water Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a favorable recommendation of a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

2. Sanitation

Wastewater service is provided by Sterling Ranch Metropolitan District. The District has provided a wastewater commitment letter demonstrating the District has adequate capacity to serve the development.



3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral and has no outstanding comments. The applicants have provided a commitment to serve from the District.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Natural gas service is provided by Colorado Springs Utilities. Both agencies were sent a referral and have no outstanding comments.

5. Metropolitan Districts

The property is located within the boundaries of the Sterling Ranch Metropolitan District.

6. Schools

School dedication for the benefit of Academy School District No. 20 south of Briargate Boulevard is required with the subsequent final plat application.

J. APPLICABLE RESOLUTIONS:

The map amendment (rezoning) request must be approved prior to the preliminary plan approval. See attached resolutions.

K. STATUS OF MAJOR ISSUES

There are no major issues at this time.

L. RECOMMENDED CONDITIONS AND NOTATIONS

- a. Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5, Map Amendment (Rezoning), of the El Paso County Land Development Code (2022), staff recommends the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered



Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-6000 (Residential Suburban) zoning district and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.
3. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
4. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Filing No. 3 Traffic Impact Study, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final plat for Homestead North at Sterling Ranch Filing No. 3.
5. Sand Creek, adjacent to and within the Homestead North preliminary plan area, shall be stabilized to meet the minimum standards of the Drainage Criteria Manual and the Engineering Criteria Manual.

NOTATIONS

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



- b. Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022) staff recommends the following conditions and notations:

CONDITIONS

1. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
2. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
3. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
5. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
6. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.



7. Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent preliminary plan(s) and final plat(s) submittals.
8. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Phase 1 Updated Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Homestead North at Sterling Ranch rezoning area.

NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
2. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
3. Approval of the preliminary plan will expire after three (3) years unless a final plat has been approved and recorded or a time extension has been granted.
4. Improvements to Vollmer Road and Briargate Parkway adjacent to the preliminary plan area are to be provided in accordance with the Development Agreement recorded at reception number 222098865 (PCD project number DA221). These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

M. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified seven (7) adjoining property owners on December 16, 2022, for the Planning Commission and the Board of County Commissioner's meeting. Responses will be provided at the hearing.

N. ATTACHMENTS

Vicinity Map
Letter of Intent Rezone
Letter of Intent Preliminary Plan
Rezone Map

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

Preliminary Plan
State Engineer Office Comments
Health Department Comments
CAO Comments
Parks Board Comments
Signed PC Resolution for Rezone
Signed PC Resolution for Preliminary Plan
Draft PC Minutes
Draft BOCC Resolution for Rezone
Draft BOCC Resolution for Preliminary Plan

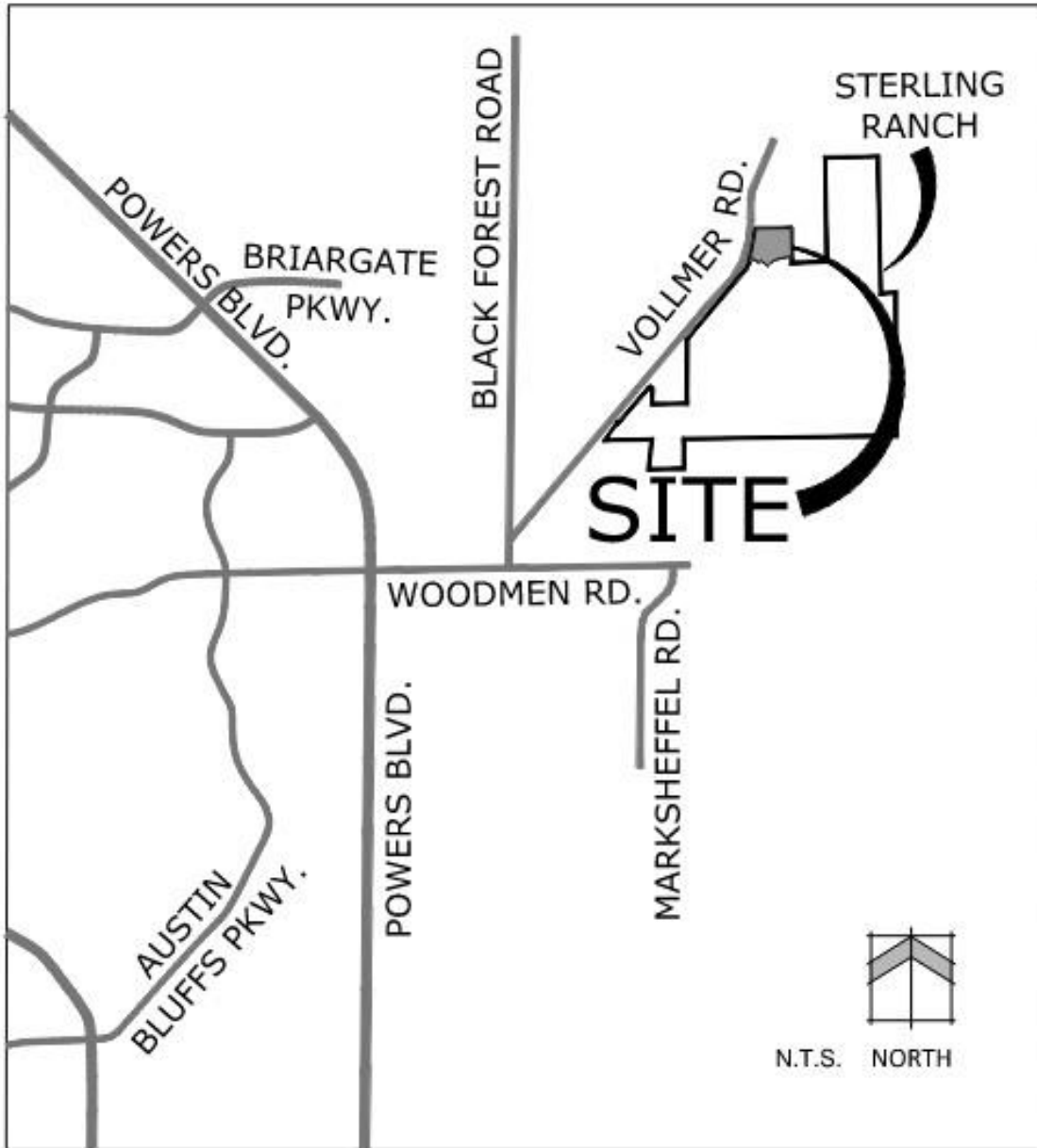
2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

WWW.ELPASOCO.COM

VICINITY MAP



HOMESTEAD NORTH FILING No. 3 RS-6000 MAP AMENDMENT (REZONING)

LETTER OF INTENT

AUGUST 2022, REVISED OCTOBER 2022

OWNER:

SR LAND LLC
20 BOULDER CRESCENT, STE 103
COLORADO SPRINGS, CO 80921

APPLICANT:

SR LAND LLC
20 BOULDER CRESCENT, STE 103
COLORADO SPRINGS, CO 80921

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
ABARLOW@NECOLORADO.COM

SITE DETAILS:

TSN: 5228000030 & 5228000038

ACREAGE: 41.6346 ACRES

CURRENT ZONING: RR-5

CURRENT USE: VACANT LAND

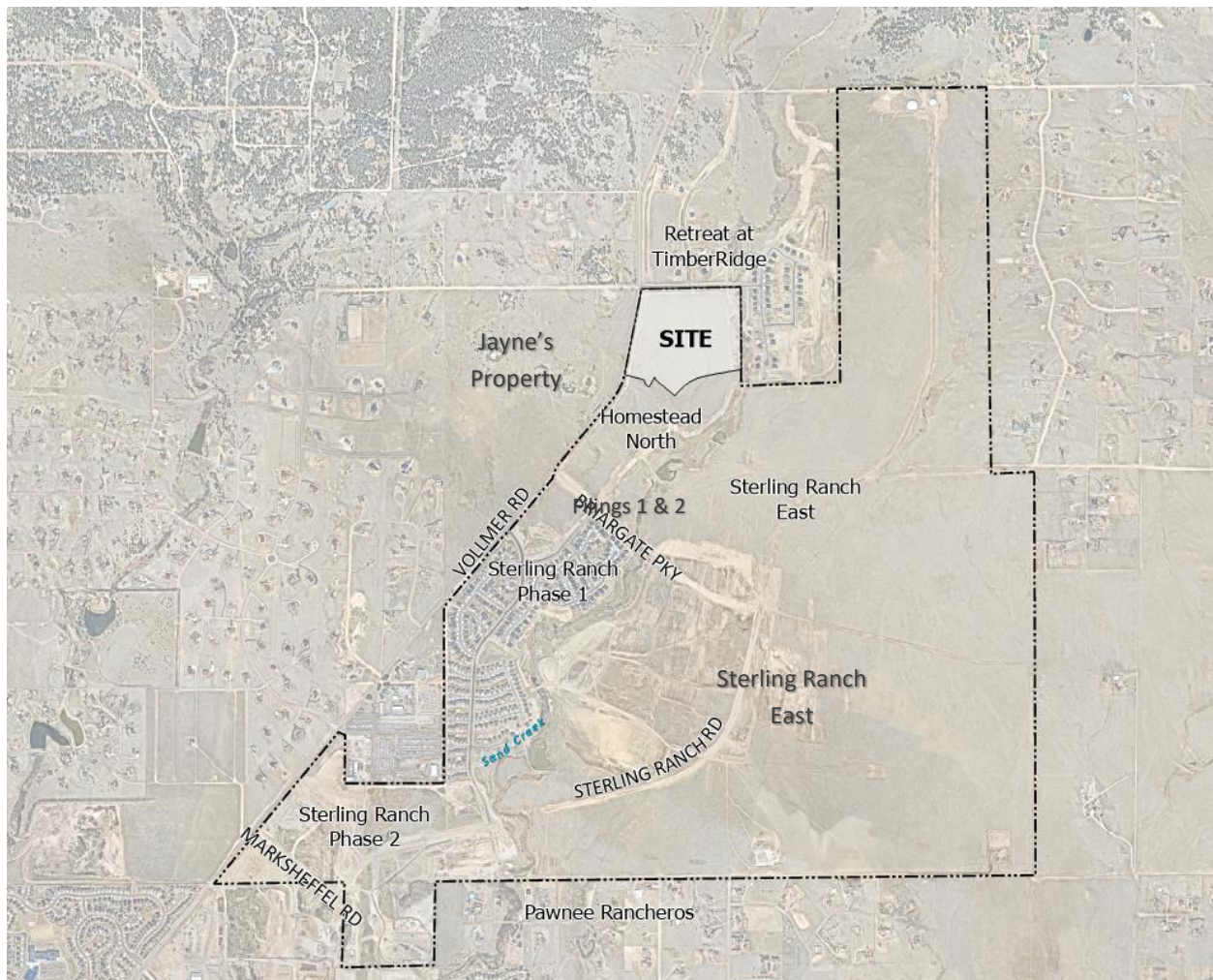
PCD FILE #: P2215

REQUEST

N.E.S. Inc. on behalf of SR Land LLC requests approval of approval of a Map Amendment (Rezoning) from RR-5 to RS-6000.

LOCATION

Homestead North Filing No. 3 RS-6000 rezone area includes 41.6346 acres and is part of the overall Sterling Ranch master planned community. The property lies east of Vollmer Road, west of the Sand Creek channel, and north of the proposed extension of Briargate Parkway. The Retreat at TimberRidge development lies immediately to the north of the site and to the east of Sand Creek. The lots immediately to the north have been platted as 2.5 acre lots to provide a transition to the 5-acre lots in the Black Forest further north. The lots on the east side of Sand Creek are planned at a minimum lot size of 12,000 sf. To the west of Vollmer Road is the Jayne's property. This property is currently zoned RR-5 but a Sketch Plan is presently under review to change the land use to suburban density development. To the south is the recently approved Homestead North Preliminary Plan area for which two separate Final Plats are under review (Homestead North Filings No. 1 and No. 2). This area is zoned RS-6000, providing a 6,000 sf minimum lot size. The remainder of the Sterling Ranch property is situated to the east and south.

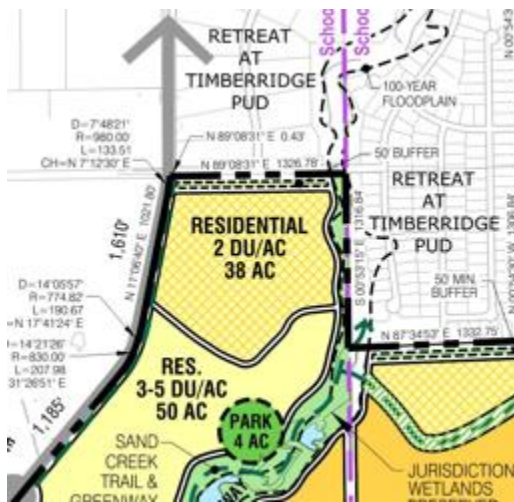


PROJECT DESCRIPTION & CONTEXT

The Homestead North Filing 3 map amendment request is for a zone change from RR-5 to RS-6000 for approximately 41.6346 acres.

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 proposed for the RS-6000 rezone as Residential at a density of 2 dwelling units per acre. The Sketch Plan shows a 50-foot buffer between this development and the Retreat at TimberRidge PUD to the north. This buffer and the 2 dwelling units per acre density is intended as a transition between the suburban density Sterling Ranch development and the lower density 2.5 acre lots within the Retreat at TimberRidge to the north.



The proposed RS-6000 zoning is submitted concurrently with a Preliminary Plan for 77 single-family lots of varying size with associated open space and trails. This represents a density of 1.8 dwelling units per acre, which is consistent with the 2 dwelling units per acre identified on the approved Sketch Plan. The proposed RS-6000 zoning is therefore consistent with the approved Sketch Plan.

An amendment to the Sterling Ranch Sketch Plan is currently under review. The proposed RS-6000 rezone area is not impacted by any of the changes included in the Sketch Plan Amendment.

COMPATIBILITY/TRANSITIONS

This proposed RS-6000 zoning continues the suburban density approved with the RS-6000 zoning of Homestead North Filings 1 and 2 to the south and the remainder of the Sterling Ranch Sketch Plan area on the west side of Sand Creek, which is zoned RS-5000. The Retreat at TimberRidge PUD includes 2.5-acre lots immediately to the north of the proposed rezone area and 12,000 sf minimum lot sizes on the east side of Sand Creek.

The intent of the RS-6000 zoning is to meet the minimum 2 dwelling units per acre density required by the Sketch Plan, while at the same time provide the ability to create an internal transition between the larger lots to the north and the smaller lots to the south. The concurrently submitted Preliminary Plan includes a range of lot size, with larger half-acre lots and a 50-foot buffer along the northern boundary, which then transitions to lots ranging from 8,939 sf to 18,041 sf, with an average lot size for the subdivision of 12,200 sf or 0.28 acres. This buffer and the gradual decrease in lot size from north to south provides an appropriate transition from the 2.5-acre lots in Phase B of the Retreat at TimberRidge and the smaller lots (average 8,000 sf) in Homestead North Filings 1 and 2 to the south.

While the Jayne's property to the west of Vollmer Road is currently zoned RR-5 for rural residential lots, a Sketch Plan is currently under review to change the land use to suburban density development of a similar density and lot size to that being proposed with this RS-6000 zoning.

TRAFFIC

A Traffic Impact Analysis, prepared by LSC Transportation Consultants, is included in this submittal. Access to the Filing 3 rezone area will be via extensions of Aspen Valley Road and Perry Owens Dr. from Filing 2 and via an extension of Aspen Valley Road in the Retreat at TimberRidge to the north. These roads will then provide access to the primary road network of Vollmer Road and Briargate Parkway via the access points approved as part of adjacent subdivisions. The proposed access points to Vollmer Road and Briargate Parkway are projected to operate at a satisfactory level of service as stop-sign-controlled intersections, based on the short-term and 2040 total traffic volumes and lane geometry.

UTILITIES

Water and wastewater service will be provided to the future development in the RS-6000 zone area by Falcon Area Water and Wastewater Authority (FAWWA). The site is within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Black Hills Energy for natural gas supply. Will serve letters are included with the submittal.

DISTRICTS SERVING THE PROPERTY

The following districts will serve the property:

- Academy School District 20
- Mountain View Electric Association
- Black Hills Energy - Gas
- Sterling Ranch Metro District
- FAWWA
- Black Forest Fire Protection District

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

YOUR EPC MASTER PLAN

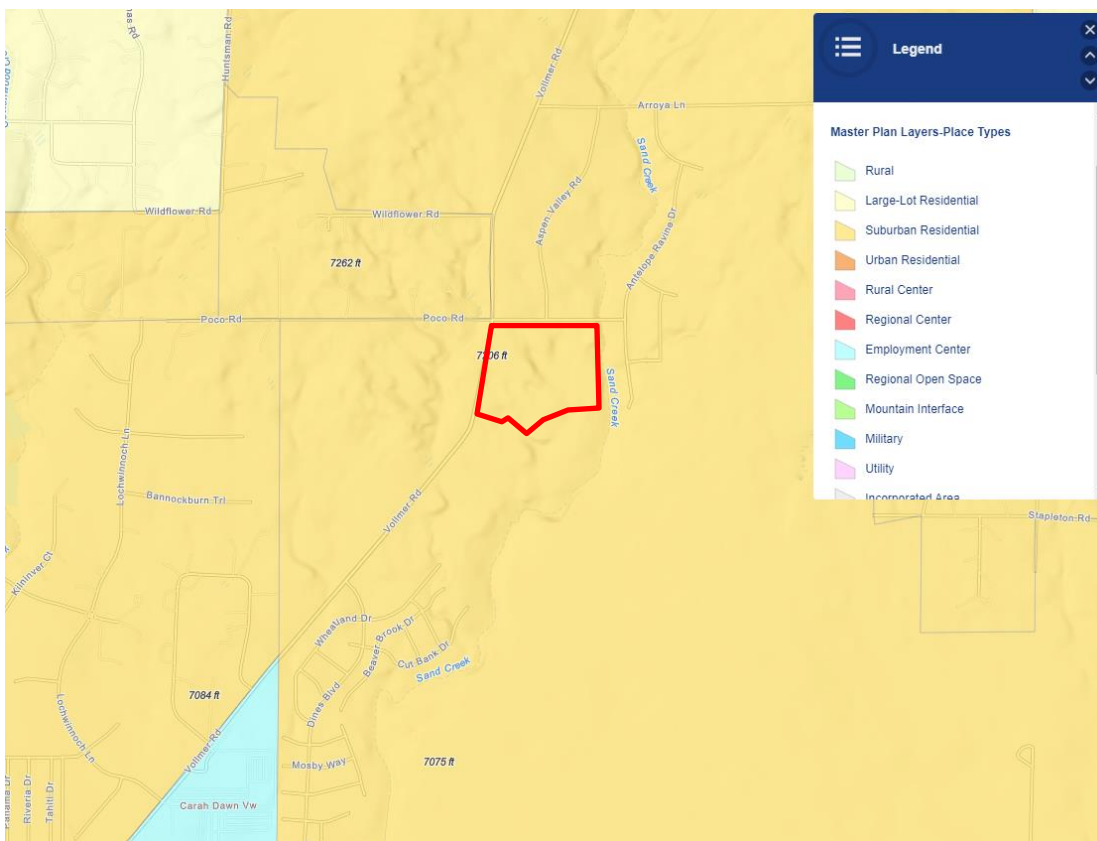
The project site is denoted as a Suburban Residential placetype in the County Master Plan and is surrounded by this same placetype on all four sides (see Master Plan extract below). The primary land use in this placetype is single family detached residential with lot sizes smaller than 2.5 acres and up to a 5 du/ac density. Supporting land uses include single-family attached, multifamily residential, commercial retail, commercial service, institutional, parks, and open space. The proposed RS-6000 rezone is a suburban residential zoning that is consistent with the Suburban Residential placetype land uses and characteristics.

In the Key Area Influences chapter, this site is also designated as a Potential Area for Annexation. This is indicative of the sites' suburban character and need for centralized services. The owner/developer has

chosen not to annex into the City as the Sterling Ranch Metropolitan District/FAWWA is already created and bonded and will supply water and wastewater services.

In the Areas of Change chapter of the County Master Plan, the parcel is identified as a “New Development” area, which will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas and are expected to be complimentary to adjacent development. The proposed RS-6000 rezoning will implement this transformation through new development that is consistent with the densities and uses for the Suburban Residential placetype and in the already approved Sketch Plan.

Core Principle 1, Land Use and Development, seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” and Goal 1.1 seeks to, “ensure compatibility with established character and infrastructure capacity.” The proposed RS-6000 rezoning is compatible with adjacent residentially zoned areas and continues the suburban density approved with the Sterling Ranch Phases 1 and 2, Homestead North Filings 1 and 2, the Retreat at Timber Ridge, and the remainder of the Sterling Ranch Sketch Plan area.



WATER MASTER PLAN

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

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

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

The proposed RS-6000 rezoning will meet the following Goals of the Water Plan:

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

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

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

Sterling Ranch is an urban level development that will be served by centralized services provided by the Falcon Area Water and Wastewater Authority (FAWWA). The total Sterling Ranch commitments stand at 852.62 acre-feet and available supply is now 697.39 acre-feet. FAWWA has additional contracted supply of 576.95 AF at Bar-X and 391.33 AF at McCune Ranch, which is more than enough to meet the currently committed demands.

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 from McCune Water SR Water LLC and the Bar X Water. In addition to adding these 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 for system interconnections.

EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The MTCP identifies Vollmer Road adjacent to this property being improved from a 2-lane rural road to a 2-lane urban minor arterial with a 100-foot right-of way by 2040. The current Vollmer Road right-of-way is 60-foot. The proposed RS-6000 rezoning will facilitate the additional right-of-way dedication required along Vollmer Road for this future road widening

EL PASO COUNTY PARKS MASTER PLAN

The Trails Master Plan map identifies a proposed Regional Trail along the west side of Sand Creek through Sterling Ranch. This has been accommodated in the Sterling Ranch filings already approved and the proposed RS-6000 rezoning will facilitate the extension of the regional trail through this property.

PROJECT JUSTIFICATION

The proposed RS-6000 rezoning for Homestead North Filing No. 3 is consistent with the approval criteria for a Map Amendment (Rezoning) set forth in Chapter 5.2.5.B of the LDC as follows:

1. THE APPLICATION IS IN GENERAL CONFORMANCE WITH THE EL PASO COUNTY MASTER PLAN INCLUDING APPLICABLE SMALL AREA PLANS OR THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD SINCE THE LAND WAS LAST ZONED;

As demonstrated above, the proposed RS-6000 rezoning for Homestead North Filing No. 3 is in general conformance with the goals, objectives, and policies of Your El Paso County Master Plan, the County Water Master Plan, the 2040 Major Transportation Corridor Plan, and the County Parks Master Plan.

2. THE REZONING IS IN COMPLIANCE WITH ALL APPLICABLE STATUTORY PROVISIONS, INCLUDING BUT NOT LIMITED TO C.R.S. §30-28-111 §30-28-113, AND §30-28-116;

As the proposed rezoning fulfils the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, it therefore complies with the statutory provisions that allow County's to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

3. THE PROPOSED LAND USE OR ZONE DISTRICT IS COMPATIBLE WITH THE EXISTING AND PERMITTED LAND USES AND ZONE DISTRICTS IN ALL DIRECTIONS;

This proposed RS-6000 zoning continues the suburban density approved with the RS-6000 zoning of Homestead North Filings 1 and 2 to the south and the remainder of the Sterling Ranch Sketch Plan area on the west side of Sand Creek, which is zoned RS-5000. The Retreat at TimberRidge PUD includes 2.5-acre lots immediately to the north of the proposed rezone area and 12,000 sf minimum lot sizes on the east side of Sand Creek. The intent of the RS-6000 zoning is to meet the minimum 2 dwelling units per acre density required by the Sketch Plan, while at the same time provide the ability to create an internal transition between the larger lots to the north and the smaller lots to the south.

While the Jayne's property to the west of Vollmer Road is currently zoned RR-5 for rural residential lots, a Sketch Plan is currently under review to change the land use to suburban density development of a similar density and lot size to that being proposed with this RS-6000 zoning.

4. THE SITE IS SUITABLE FOR THE INTENDED USE, INCLUDING THE ABILITY TO MEET THE STANDARDS AS DESCRIBED IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE, FOR THE INTENDED ZONE DISTRICT.

The site is suitable for the proposed suburban residential density as it provides the ability to create an internal transition between adjacent residential lots of different size. The project has access to the primary road network through adjacent subdivisions and will serve letters have been issued for the rezone by all utility providers.

Future development of this property will meet the use and dimensional standards for the RS-6000 zone as set out in Chapter 5 of the Land Development Code (LDC), as demonstrated by the concurrently submitted Preliminary Plan.

HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN

LETTER OF INTENT

AUGUST 2022, REVISED NOVEMBER 2022

OWNER:

SR LAND LLC
20 BOULDER CRESCENT, STE 103
COLORADO SPRINGS, CO 80921

APPLICANT:

SR LAND LLC
20 BOULDER CRESCENT, STE 103
COLORADO SPRINGS, CO 80921

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
ABARLOW@NECOLORADO.COM

SITE DETAILS:

TSN: 5228000030 & 5228000038

ACREAGE: 40.8271 ACRES

CURRENT ZONING: RR-5

CURRENT USE: VACANT LAND

PCD FILE #: SP 22-007

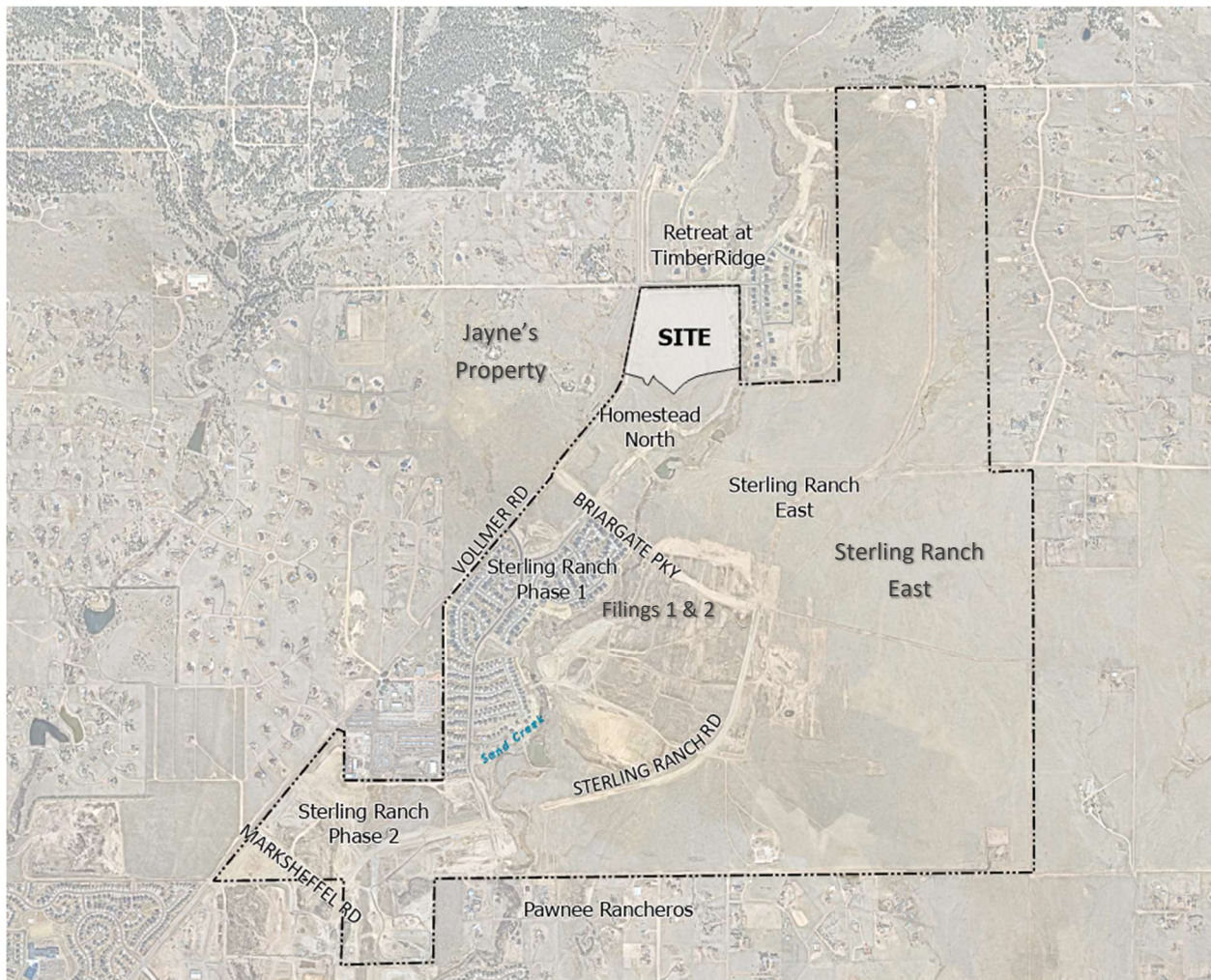
REQUEST

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

1. Homestead North Filing 3 Preliminary Plan for 77 single-family lots on 40.8271 acres, 7.1071 acres ROW, 11.77 acres in tracts and a gross density of 1.8 DU/AC.
2. A Finding of water sufficiency with the Preliminary Plan and subsequent Final Plat to be approved administratively.
3. Pre-development site grading and utilities

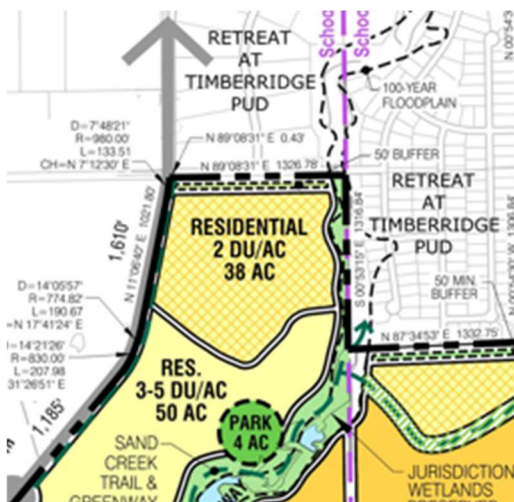
LOCATION

Homestead North Filing No. 3 Preliminary Plan includes 40.8271 acres and is part of the overall Sterling Ranch master planned community. The property lies east of Vollmer Road, west of the Sand Creek channel, and north of the proposed extension of Briargate Parkway. The Retreat at TimberRidge development lies immediately to the north of the site and to the east of Sand Creek. The lots immediately to the north have been platted as 2.5 acre lots to provide a transition to the 5-acre lots in the Black Forest further north. The lots on the east side of Sand Creek are planned at a minimum lot size of 12,000 sf. To the west of Vollmer Road is the Jayne's property. This property is currently zoned RR-5; a Sketch Plan is presently under review to change the land use to suburban density development. To the south is the recently approved Homestead North Preliminary Plan area for which two separate Final Plats are under review (Homestead North Filings No. 1 and No. 2). This area is zoned RS-6000, providing a 6,000 sf minimum lot size. The remainder of the Sterling Ranch property is situated to the east and south.



PROJECT DESCRIPTION & CONTEXT

The property is currently zoned RR-5. A rezone of the property to RS-6000 has been submitted concurrently for review. Homestead North Filing No. 3 Preliminary Plan includes 77 single-family lots, 7.1071 acres of road right-of-way, and 11.77 acres of tracts and open space. This represents a density of 1.8 dwelling units per acre, which is consistent with the 2 dwelling units per acre identified on the approved Sketch Plan. The open space areas include a Regional Trail adjacent to Sand Creek through this development and other local trails will be included for circulation and recreational use. Neighborhoods parks are proposed in tracts B and C. The Preliminary Plan includes a 50-foot landscape tract along Vollmer Road and a 40' right-of-way dedication along Vollmer Road for future road widening. Lot building setbacks, heights and lot coverage will meet the RS-6000 standards. A 50-foot buffer is provided along the northern boundary adjacent to Poco Road. The lots adjacent to Poco Road are all a minimum of 0.5 acres and are not eligible for future subdivision as they serve to transition between land uses.



The Preliminary Plan has a total acreage of 40.8271 acres and proposes 77 single-family residential lots. The Sketch Plan shows a 50-foot buffer between this development and the Retreat at TimberRidge PUD to the north. This buffer and the 2 dwelling units per acre density is intended as a transition between the suburban density Sterling Ranch development and the lower density 2.5 acre lots within the Retreat at TimberRidge to the north. The Preliminary Plan is therefore consistent with the approved Sketch Plan.

An amendment to the Sterling Ranch Sketch Plan is currently under review. The proposed Preliminary Plan rezone area is not impacted by any of the changes included in the Sketch Plan Amendment.

COMPATIBILITY/TRANSITIONS:

This Preliminary Plan continues the suburban density approved in Homestead North Filings 1 and 2, the eastern portion of the Retreat at TimberRidge, and the remainder of the Sterling Ranch Sketch Plan area. The Preliminary Plan includes a range of lot size, with larger half-acre lots and a 50-foot buffer along the northern boundary, which then transitions to lots ranging from 8,939 sf to 18,041 sf, with an average lot size for the subdivision of 12,200 sf or 0.28 acres. This buffer and the gradual decrease in lot size from north to south provides an appropriate transition from the 2.5-acre lots in Phase B of the Retreat at TimberRidge and the smaller lots (average 8,000 sf) in Homestead North Filings 1 and 2 to the south. The average lot size is also compatible with the 12,000 sf minimum lot size in the Retreat at TimberRidge on the east side of Sand Creek.

While the Jayne's property to the west of Vollmer Road is currently zoned RR-5 for rural residential lots, a Sketch Plan, proposed by Classic Homes, is currently under review to change the land use to suburban density development of a similar density and lot size to that being proposed with the Sterling Ranch Preliminary Plan. Sterling Ranch and Homestead North Filing No. 3. Are to be developed by the same builder.

TRAFFIC: A Traffic Impact Analysis, prepared by LSC Transportation Consultants, is included in this submittal. Access to Filing 3 is via extensions of Aspen Valley Road and William Downing Drive . from Filing 2 and via an extension of Aspen Valley Road from the Retreat at TimberRidge to the north. All roads within the subdivision are urban local residential roads with a 50-foot public right-of-way. The lots will not have direct access onto Vollmer Road.

The Traffic Report concludes:

- Filing 3 will have access to Vollmer Road and Briargate Parkway via the access points approved as part of Homestead North Filings No.1 and No.2. These access points include a full-movement site access (Sam Bass Drive) to Vollmer Road about 1,410 feet north of Briargate Parkway and 1,370 feet south of Poco Road and an additional right-in-only access (Jane Kirkham Drive) to Vollmer Road 704 feet north of Briargate Parkway and about 704 feet south of Sam Bass Drive.
- An access is also planned to Briargate Parkway 750 feet east of Vollmer Road aligning with Wheatland Drive. In the short term, full-movement access will be allowed at this intersection, as only a half section of Briargate Parkway is planned to be constructed between Vollmer Road and Wheatland Drive. Once Briargate Parkway is widened to the full Principal Arterial cross-section and the roadway is extended east of Wheatland, the north leg serving Homestead North will be restricted to right-in/right-out only and the south leg will be restricted to three-quarter movements (left-in/right-in/right-out only).
- The plan shows an "internal" full-movement access to Poco Road about 675 east of Vollmer Road as part of the currently proposed Homestead North Filing 3.
- The proposed site-access points to Vollmer Road and Briargate Parkway are projected to operate at a satisfactory level of service as stop-sign-controlled intersections, based on the short-term and 2040 total traffic volumes and lane geometry.

WATER: Water will be provided by Falcon Area Water and Wastewater Authority (FAWWA), which is the overall service entity for Sterling Ranch and other adjacent properties. Homestead North Filing 3 preliminary plan proposes 77 lots which fall into the high density lots and roughly 5.65 acres of irrigated landscaping. The resulting water demand is 41.31 acre-feet. A Water Resources Report, provided by RESPEC/JDS Hydro, is included with this submittal. A finding of water sufficiency is requested with the Preliminary Plan and it is requested that the subsequent Final Plat be approved administratively.

Water rights adjudications have been decreed by the State of Colorado, Water Division 2 District Court, Water Division 1 District Court, and the Colorado Groundwater Commission. The comprehensive rights

for the FAWWA service include both decrees and determinations. The most recent water rights added to the Sterling Ranch Inventory are three acquisitions: McCune Ranch 391.33 AC for 300 YRs, Bar-X Ranch 592.78 AF for 300 YRs, and Shamrock West 220.10 AF for 300 YRs.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1901.83 AF for 300 YRs which would be adequate supply to meet the needs of 5,387 SFE. This leaves a net excess of currently available water of 1024.62 AF for 300 years and therefore there is more than sufficient water supply to meet the needs of Homestead North at Sterling Ranch Filing #3 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. In addition to adding off-site sources, potential, additional supplies include renewable resources and/or regional projects bringing new water to the area 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. There are currently no arrangements in place to make connections, but in the future, SRMD may seek to have interconnections and possibly share supply. Other actions include conducting cooperative actions with CSU and SRMD to potentially share centralized facilities.

Municipal water demand for Sterling Ranch would be met using primarily Arapahoe and Laramie-Fox Hills formation wells in the SRMD area. The first well site will be drilled with an Arapahoe Well (A-1) and Laramie-Fox Hills Well (LFH-1); well site #1 includes both an Arapahoe and a Laramie-Fox Hills well. Additional permits will be obtained as needed to ultimately continue to add to the system as needed. Existing well permits are included in the Water Resources Report completed by JDS Hydro in October, 2022.

WASTEWATER: Wastewater will be provided by Falcon Area Water and Wastewater Authority (FAWWA). A Wastewater, provided by RESPEC/JDS Hydro, is included with the Preliminary Plan submittal. The anticipated wastewater demand for Homestead North Filing No. 3 is 13,244 gal/day on an average daily-

maximum monthly basis. This projected loading is 1.316 % of the contractual capacity available to FAWWA and therefore there is more than adequate wastewater treatment capacity to serve this subdivision. A wastewater commitment letter from FAWWA is included with this submittal.

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

DRAINAGE: The drainage improvements associated with Homestead North Filing No. 3 are consistent with the Master Development Drainage Plan for Homestead North at 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.

FLOODPLAIN: Areas along Sand Creek on the eastern boundary of the site are in a Zone A flood hazard zone (FEMA Floodplain Map No. 08041C0535G, dated December 7, 2018), indicating an approximate one percent (1%) annual risk of flooding. The floodplain areas will be contained wholly within the open space/park areas proposed along Sand Creek. The remainder of the site where development is planned is not located in a flood hazard zone, indicating that flood risk for much of the site is deemed by FEMA to be 'minimal'.

WETLANDS: The adjacent Sand Creek drainageway includes jurisdictional wetlands and a Section 404 permit is already in process with the US Army Corps of Engineers for impacts to this area. This proposed Preliminary Plan area includes a small portion of the Sand Creek Channel, which is incorporated as part of the open space and trail system for Sterling Ranch.

WILDFIRE: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a moderate-high wildfire hazard potential and listed as a moderate risk. Development of the site will reduce available wildfire fuels in this area.

GEOLOGIC HAZARDS: Some areas of the proposed subdivision have been found to be impacted by geologic conditions such as potentially unstable slopes, low lying floodplain areas, seasonal shallow groundwater, expansive soils, and artificial fill. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., included in this submittal.

SCHOOLS: Homestead North Filing No. 3 is within Academy School District 20. Two school sites are identified on the Sterling Ranch Sketch Plan within the District 20 boundary. An elementary school site is proposed south of Sterling Ranch Road on the east side of Sand Creek. A 35-acre K-8 school site is located southwest of the intersection of Sterling Ranch Road and Briargate Parkway. The School District has indicated that these school sites satisfy the land dedication requirements for Sterling Ranch within District 20.

TRAILS AND OPEN SPACE: The Sterling Ranch master planned community includes a community park, neighborhood parks, and open spaces, which are served by an interconnected system of trails to create a recreation-oriented community. The Homestead North Filing No. 3 Preliminary Plan provides 11.77-acres of neighborhood parks, open spaces and trails is intended to provide a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets. Homestead North Filings 1, 2, and 3 are being planned as one community, with various park experiences provided throughout the area. Parks have been located so that residents have a short walk to these facilities. These parks and trails will be owned and maintained by the Sterling Ranch Metropolitan District. This Preliminary Plan proposes an easement for the construction of a County Regional Trail on the west side of Sand Creek through this development, which will provide trail connectivity through the Sterling Ranch community and beyond.

DISTRICTS/ENTITIES SERVING THE PROPERTY:

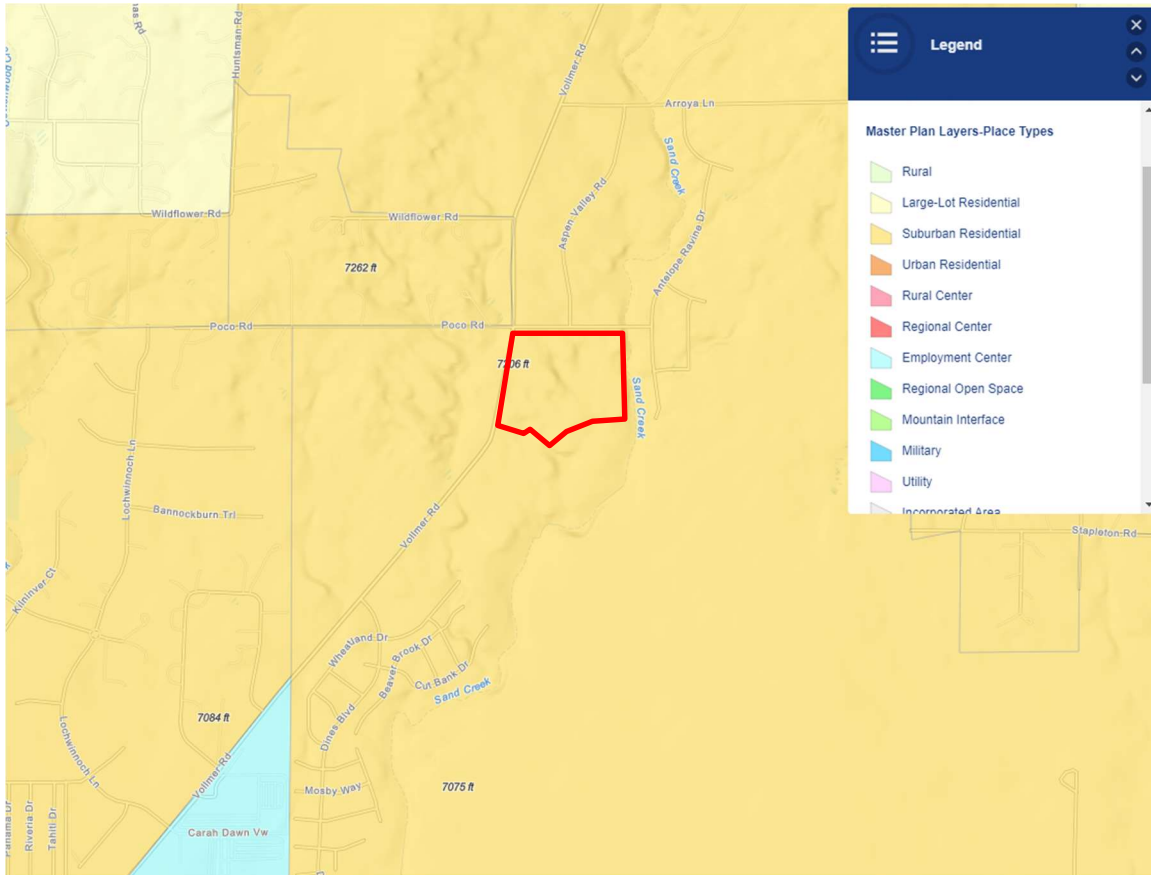
The following districts will serve the property:

- Academy School District 20
- Sterling Ranch Metro District
- FAWWA
- Black Forest Fire Protection District
- Mountain View Electric Association
- Black Hills Energy – Gas

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

YOUR EPC MASTER PLAN

The project site is denoted as a Suburban Residential placetype in the County Master Plan and is surrounded by this same placetype on all four sides (see Master Plan extract below). The primary land use in this placetype is single family detached residential with lot sizes smaller than 2.5 acres and up to a



5 du/ac density. Supporting land uses include single-family attached, multifamily residential, commercial retail, commercial service, institutional, parks, and open space. The Homestead North Filing No. 3 Preliminary Plan, which has a density of 1.88 du/ac, is consistent with the Suburban Residential placetype land uses and characteristics. The proposed parks and open space areas are consistent with the supporting land uses for this placetype.

In the Key Area Influences chapter, this site is also designated as a Potential Area for Annexation. This is indicative of the sites' suburban character and need for centralized services. The owner/developer has chosen not to annex into the City as the Sterling Ranch Metropolitan District/FAWWA is already created and bonded and will supply water and wastewater services.

In the Areas of Change chapter of the County Master Plan, the parcel is identified as a "New Development" area, which will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas and are expected to be complimentary to adjacent development. The Homestead North Filing No. 3 Preliminary Plan will implement this transformation through new development that is consistent with the densities and uses for the Suburban Residential placetype and in the already approved Sketch Plan.

Core Principle 1, Land Use and Development, seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county," and Goal 1.1 seeks to, "ensure compatibility with established character and infrastructure capacity." The Homestead North Filing No. 3 Preliminary Plan is compatible with adjacent residentially zoned areas and continues the suburban

density approved with the Sterling Ranch Phases 1 and 2, Homestead North Filings 1 and 2, the Retreat at Timber Ridge, and the remainder of the Sterling Ranch Sketch Plan area.

WATER MASTER PLAN

The Homestead North at Sterling Ranch Filing 3 Preliminary Plan will meet the following Goals of the Water Master Plan:

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

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

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

This development will be served by Falcon Area Water and Waste Water Authority (FAWWA) with all Sterling Ranch Assets allocated to FAWWA. The Preliminary Plan includes 77 high density lots and roughly 5.65 acres of irrigated landscaping. It is expected that an urban residential home in Sterling Ranch will require an average of 0.353 annual acre-feet. This is consistent with the historic needs of nearby developments. The resulting water demand is 41.31 acre-feet. FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1901.83 AF for 300 YRs which would be adequate supply to meet the needs of 5,387 SFE. This leaves a net excess of currently available water of 1024.62 AF for 300 years and therefore there is more than sufficient water supply to meet the needs of Homestead North at Sterling Ranch Filing #3 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. In addition to adding off-site sources, potential, additional supplies include renewable

resources and/or regional projects bringing new water to the area 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. There are currently no arrangements in place to make connections, but in the future, SRMD may seek to have interconnections and possibly share supply. Other actions include conducting cooperative actions with CSU and SRMD to potentially share centralized facilities.

Municipal water demand for Sterling Ranch would be met using primarily Arapahoe and Laramie-Fox Hills formation wells in the SRMD area with wells in the Arapahoe Well (A-1) and Laramie-Fox Hills Well (LFH-1). Additional permits will be obtained as needed to ultimately continue to add to the system as needed. Existing well permits are included in the Water Resources Report completed by JDS Hydro in October, 2022.

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

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

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

The comprehensive rights for the FAWWA service include both decrees and determinations. Water rights adjudications have been decreed by the State of Colorado, Water Division 2 District Court, Water Division 1 District Court, and the Colorado Groundwater Commission. The most recent water rights added to the Sterling Ranch Inventory are three acquisitions: McCune Ranch 391.33 AC for 300 YRs, Bar-X Ranch 592.78 AF for 300 YRs, and Shamrock West 220.10 AF for 300 YRs. FAWWA currently has a total supply of 1901.83 acre-feet. This leaves a net excess of currently available water of 1024.62AF over 300years; thereby creating a more than sufficient water supply to meet the needs of Homestead North at Sterling Ranch Filing #3 Preliminary Plan on the 300-year basis.

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. There are

currently no arrangements in place to make connections, but in the future, SRMD may seek to have interconnections and possibly share supply. Other actions include conducting cooperative actions with CSU and SRMD to potentially share centralized facilities.

Municipal water demand for Sterling Ranch would be met using primarily Arapahoe and Laramie-Fox Hills formation wells in the SRMD area. The first well site will be drilled with an Arapahoe Well (A-1) and Laramie-Fox Hills Well (LFH-1); well site #1 includes both an Arapahoe and a Laramie-Fox Hills well. Additional permits will be obtained as needed to ultimately continue to add to the system as needed. Existing well permits are included in the Water Resources Report completed by JDS Hydro in October, 2022.

EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The MTCP identifies Vollmer Road adjacent to this Preliminary Plan being improved from a 2-lane rural road to a 2-lane urban minor arterial with a 100-foot right-of way by 2040. The current Vollmer Road right-of-way is 60-foot. The Preliminary Plan proposes a 40' right-of-way dedication along Vollmer Road for this future road widening.

EL PASO COUNTY PARKS MASTER PLAN

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 and a trail easement is identified on the Homestead North Filing No. 3 Preliminary Plan for the regional trail on the west side of the creek. The regional trail will be connected to local trails that will provide circulation, recreational opportunity throughout the subdivision, and will access to the neighborhood parks. The parks and trails will be owned and maintained by the Sterling Ranch Metropolitan District.

PROJECT JUSTIFICATION

The Homestead North Filing No. 3 Preliminary Plan is consistent with the Preliminary Plan approval criteria set forth in Chapter 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;

As demonstrated above, Homestead North Filing No. 3 Preliminary Plan is in general conformance with the goals, objectives, and policies of Your El Paso County Master Plan, the County Water Master Plan, the 2040 Major Transportation Corridor Plan, and the County Parks Master Plan.

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

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 77 residential lots, parks and open space provides a compatible and transitional land use from north to south between the 2.5-acre lots in Phase B of the Retreat at TimberRidge and the smaller lots (average 8,000 sf) in Homestead North Filings 1 and 2 to the south. The northernmost lots 1-6 are designated as ½ minimum and are not eligible for future subdivision as they serve as a transition between land uses.

The development will provide needed new housing opportunities for existing and future County residents that is supported by an appropriate level of services, utilities, and recreational opportunities. The accompanying traffic report indicates that the proposed site-generated traffic resulting from this development is not expected to create a negative impact to traffic operations for the existing or proposed surrounding roadway network.

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

The proposed subdivision is consistent with the subdivision design standards. There is no request for a waiver of any Land Development Code standard or deviation from an Engineering Criteria Manual standard.

The approved Sterling Ranch Sketch Plan identifies this site as Residential with a maximum gross density of 1.8 du/ac. The Preliminary Plan has a total acreage of 40.8271 acres and proposes 77 single-family residential lots, which equates to a gross density of 1.8 du/ac. The Preliminary Plan is therefore consistent with the approved Sketch Plan.

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 (THIS FINDING MAY NOT BE DEFERRED TO FINAL PLAT IF THE APPLICANT INTENDS TO SEEK ADMINISTRATIVE FINAL PLAT APPROVAL);

Water will be provided by FAWWA. A Water Resources Report, provided by RESPEC/JDS Hydro, was included in the Preliminary Plan submittal. A request for a finding of water sufficiency is included with this Preliminary Plan and it is requested that the subsequent Final Plat be approved administratively. FAWWA has sufficient supply and infrastructure in the area to serve this development. A water commitment letter from FAWWA is included with this submittal.

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;

Wastewater will be provided by FAWWA. A Wastewater, provided by RESPEC/JDS Hydro, was included in the Preliminary Plan submittal. The anticipated wastewater demand for Homestead North Filing No. 3 is 1.32 % of the contractual capacity available to FAWWA and therefore there is more than adequate wastewater treatment capacity to serve this subdivision. A wastewater commitment letter from FAWWA is included with this submittal.

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)©];

Some areas of the proposed subdivision have been found to be impacted by geologic conditions such as artificial fill, potentially unstable slopes, expansive soils, subsidence, floodplain, and seasonal

shallow groundwater. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

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;

These matters are addressed in the Drainage Report prepared by JR Engineering. Drainage improvements associated with the Homestead North Filing 3 are consistent with the Master Development Drainage Plan for Homestead North at 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.

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. There are no off-site improvements associated with this Preliminary Plan as required off-site improvements have been addressed as part of Homestead North Filings No.1 and No.2. There are no deviations to ECM standards proposed with this Preliminary Plan.

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

All lots in the proposed subdivision have direct legal and physical access to a public right-of-way.

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

(1) INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;

The primary natural physical feature on the site is the Sand Creek channel, which is preserved and incorporated into the overall design for Sterling Ranch and this Preliminary Plan. This area will include a 15' regional trail, landscaped open space areas and trail connections that will enhance the creek corridor. The subdivision includes two neighborhood parks in Tracts B and C that are accessible to all residents in the subdivision.

(2) 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.

(3) INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;

Homestead North Filing No. 3 Preliminary Plan includes a range of lot size, with larger half-acre lots and a 50-foot buffer along the northern which then transitions to lots ranging from 8,939 sf to 18,041 sf, with an average lot size for the subdivision of 12,200 sf or 0.28 acres. This buffer and the gradual decrease in lot size from north to south provides an appropriate transition from the 2.5-acre lots in Phase B of the Retreat at TimberRidge and the smaller lots (average 8,000 sf) in Homestead North Filings 1 and 2 to the south. The average lot size is also compatible with the 12,000 sf minimum lot size in the Retreat at TimberRidge on the east side of Sand Creek.

(4) INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND

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.

(5) 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 LSC Consultants demonstrates that the proposed site-generated traffic resulting from the proposed development is not expected to negatively impact the level of service of the existing surrounding roadway network, nor cause change to previously approved roadway classifications or current roadway design plans.

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

A fire protection report, traffic study and commitments letters for fire, electricity, natural gas, water and wastewater have been provided. Adequate access is provided to Homestead North Filing No. 3 via extensions of Aspen Valley Road and William Downing Dr. from Filing 2 and via an extension of Aspen Valley Road from the Retreat at TimberRidge to the north. The Preliminary Plan provides 11.77-acres of parks, open spaces and trails and an easement for the Sand Creek Regional Trail. This provides future residents with easy access to recreational facilities in the Sterling Ranch community. The parks and trails will be owned and maintained by the Sterling Ranch Metropolitan District.

12. THE FINAL PLANS PROVIDE EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE.

A fire protection report has been included with this submittal. Homestead North Filing No. 3 is within the Black Forest Fire Rescue Protection District. The proposed subdivision lies approximately 3.5 miles from Station No. 1 at 114455 Teachout Road. Current district locations provide a 99% five-

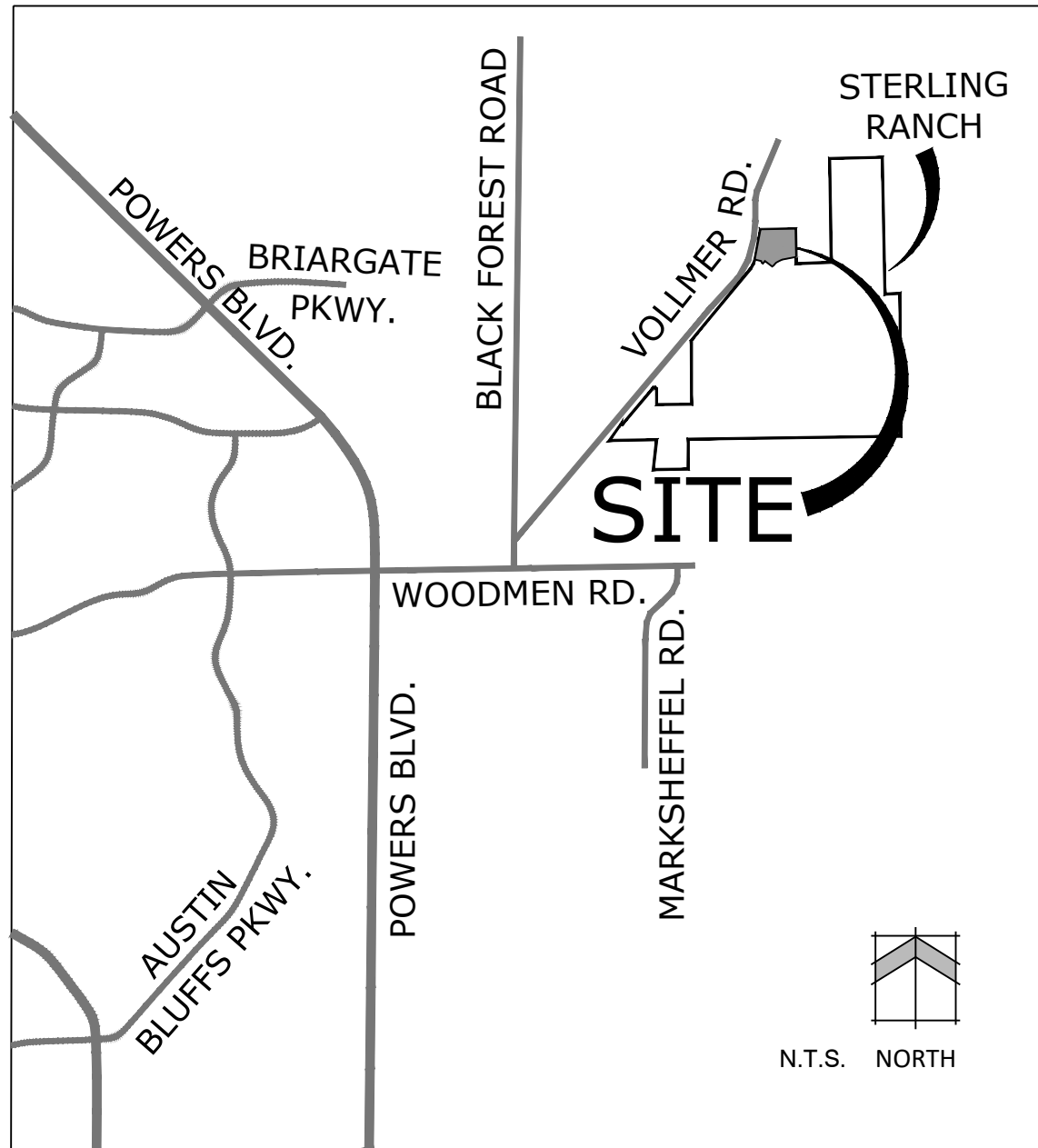
mile response coverage, with significant overlap in the central portion of the district. All alarm responses are made within an eight-mile average for the district. As shown the in report, at full build-out, two district stations will adequately cover and serve all areas within the district. A Fire Commitment letter from the Black Forest Fire Rescue Protection District has been included with this submittal.

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

All applicable sections of Chapter 6 and 8 are met. No waivers to any LDC standards are required.

P:\Morley\Homestead North Filing 3\Preliminary Plan\1st Submittal\HN Fil 3 PP_Letter of Intent_Final.docx

VICINITY MAP



HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
REZONE

SITE DATA

OWNER:
Classic SRJ Land, LLC
2138 Flying Horse Club Dr.
Colorado Springs, CO 80921
719.592.9333

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

Tax ID Numbers: 5228000030, 5228000038

Sketch Plan: SKP 18-003 (Approved 2018)
Current Zoning: RR-5
Proposed Zoning: RS-6000
Total Area: 41.6346 ac

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376 2006" AT THE NORTHEAST CORNER AND BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHEAST CORNER, SAID LINE BEING ASSUMED TO BEAR S01°30'51"W.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN:

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, N00°53'15"W A DISTANCE OF 1,537.68 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'28"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 305.25 FEET, TO THE APPROXIMATE CENTERLINE OF VOLLMER ROAD AND A POINT OF NON-TANGENT CURVE;

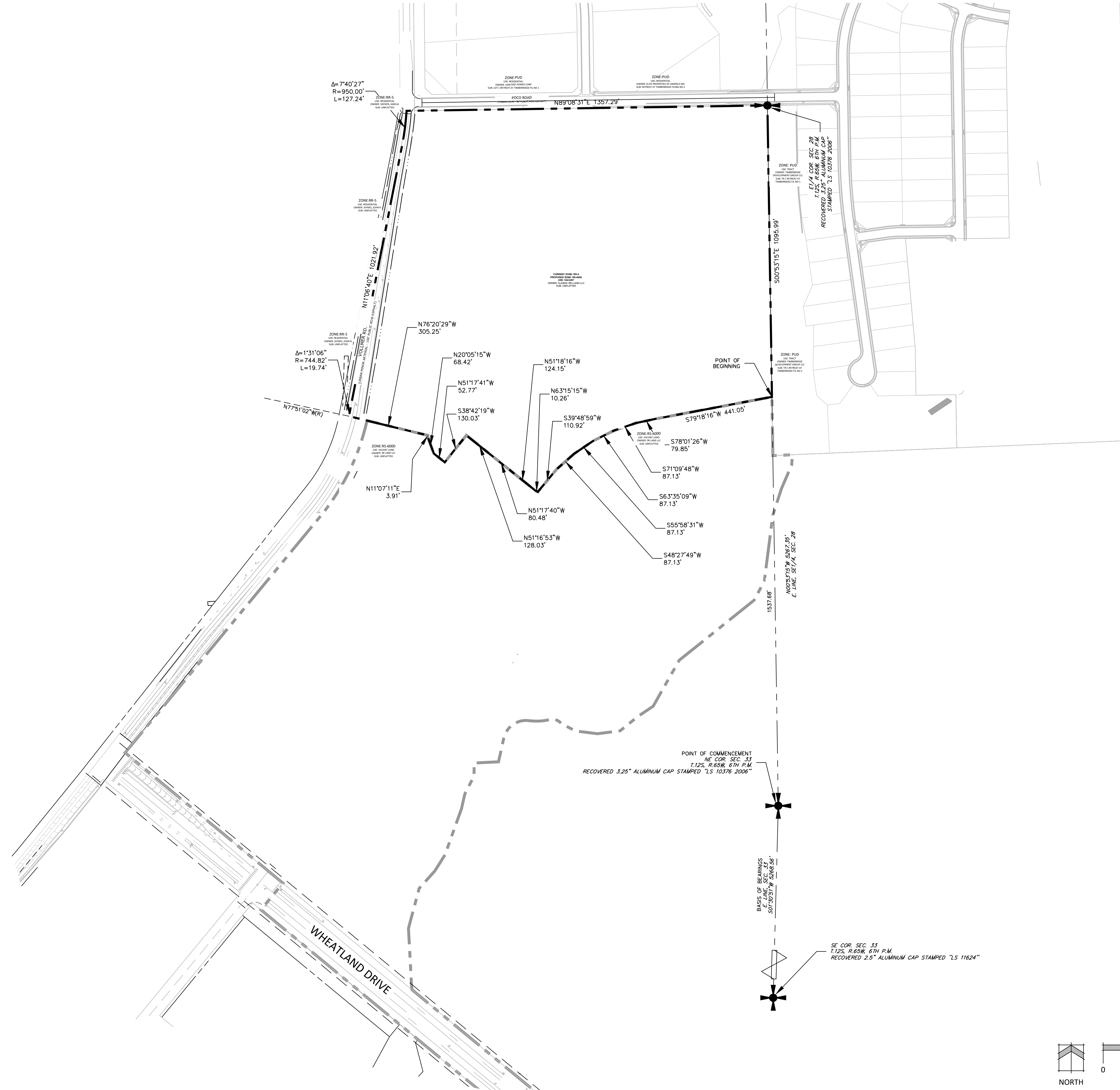
THENCE ON THE APPROXIMATE CENTERLINE OF SAID VOLLMER ROAD, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°51'02"W, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF 01°31'06" AND AN ARC LENGTH OF 19.74 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1,021.92 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 07°40'27" AND AN ARC LENGTH OF 127.24 FEET, TO A POINT ON THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD, AS SHOWN ON THE PLAT OF RETREAT AT TIMBERIDGE FILING NO. 1 RECORDED UNDER RECEPTION NO. 22074653 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING A POINT OF NON-TANGENT;

THENCE ON THE SAID SOUTHERLY RIGHT-OF-WAY LINE AND ITS EXTENSION, N89°08'31"E A DISTANCE OF 1,357.29 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 28;

THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1,095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,813.605 SQUARE FEET OR 41.6346 ACRES.



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
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Fax 719.471.0267
www.nescolorado.com
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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 06.23.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. ITEN

ENTITLEMENT

DATE:	BY:	DESCRIPTION:
10/13/22	AR	COUNTY COMMENTS
12/6/22	JS	COUNTY COMMENTS

REZONE EXHIBIT

1

P2215

HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF

THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

NOTES

- All trails to be non-motorized trails.
- Trails labeled as "County Regional Trail" will be maintained by El Paso County Parks Department.
- Landscaping in public-rights-of-way will be maintained by the Sterling Ranch Metropolitan District No. 3.
- Developer shall analyze the need to provide all necessary offsite road improvements, which may include improvements in the City of Colorado Springs, to provide an appropriate level of service to this development. If offsite road improvements are necessary, they will be specifically outlined per a Subdivision Improvements Agreement or Development Agreement between Developer and El Paso County.
- All streets shall be named and constructed to El Paso County Standards and any approved deviations. Upon acceptance by El Paso County, public streets shall be maintained by the County.
- Notwithstanding anything depicted in this plan in words or graphic representation, all design and construction related to roads, storm drainage and erosion control shall conform to the standards and requirements of the most recent version of the adopted El Paso County standards, including the Land Development Code (LDC), the ECM, the Drainage Criteria Manual (DCM), and the DCM Volume 2. Any deviations from these standards must be specifically requested and approved in writing to be acceptable. The approval of this Preliminary Plan does not implicitly allow any deviations or waivers that have not been otherwise approved through the deviation approval process.
- Residential lots shall not have direct access to Vollmer Road (Minor Arterial) or Poco Road (Urban Local).
- "The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property."
- The following utility providers will serve the Sterling Ranch Homestead North Filing 3 Preliminary Plan area:
Water: Sterling Ranch Metropolitan District
Wastewater: Sterling Ranch Metropolitan District
Gas: Black Hills Energy
Electric: Mountain View Electric Association, Inc.
- The following reports have been submitted in association with the Preliminary Plan for this subdivision and are on file at the County Planning and Community Development Department: Traffic Impact Study; Drainage Report; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Fire Protection Report; Natural Features & Wetlands Report; Noxious Weed Management Plan; Wildfire hazard report (within Bristlecone Ecology Natural Features & Wetlands Report).
- Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Preble's Meadow Jumping Mouse).
- The Sterling Ranch Metro District No. 3 will build and maintain a noise wall along lots adjacent to Vollmer Road.
- Individual lot side yard swales to be constructed during individual lot construction/landscaping to provide adequate drainage and shall be maintained by individual lot owners.
- Lots 1 through 6 are not eligible for future subdivision as they serve as a transition between land uses.

FEMA FLOODPLAIN NOTE

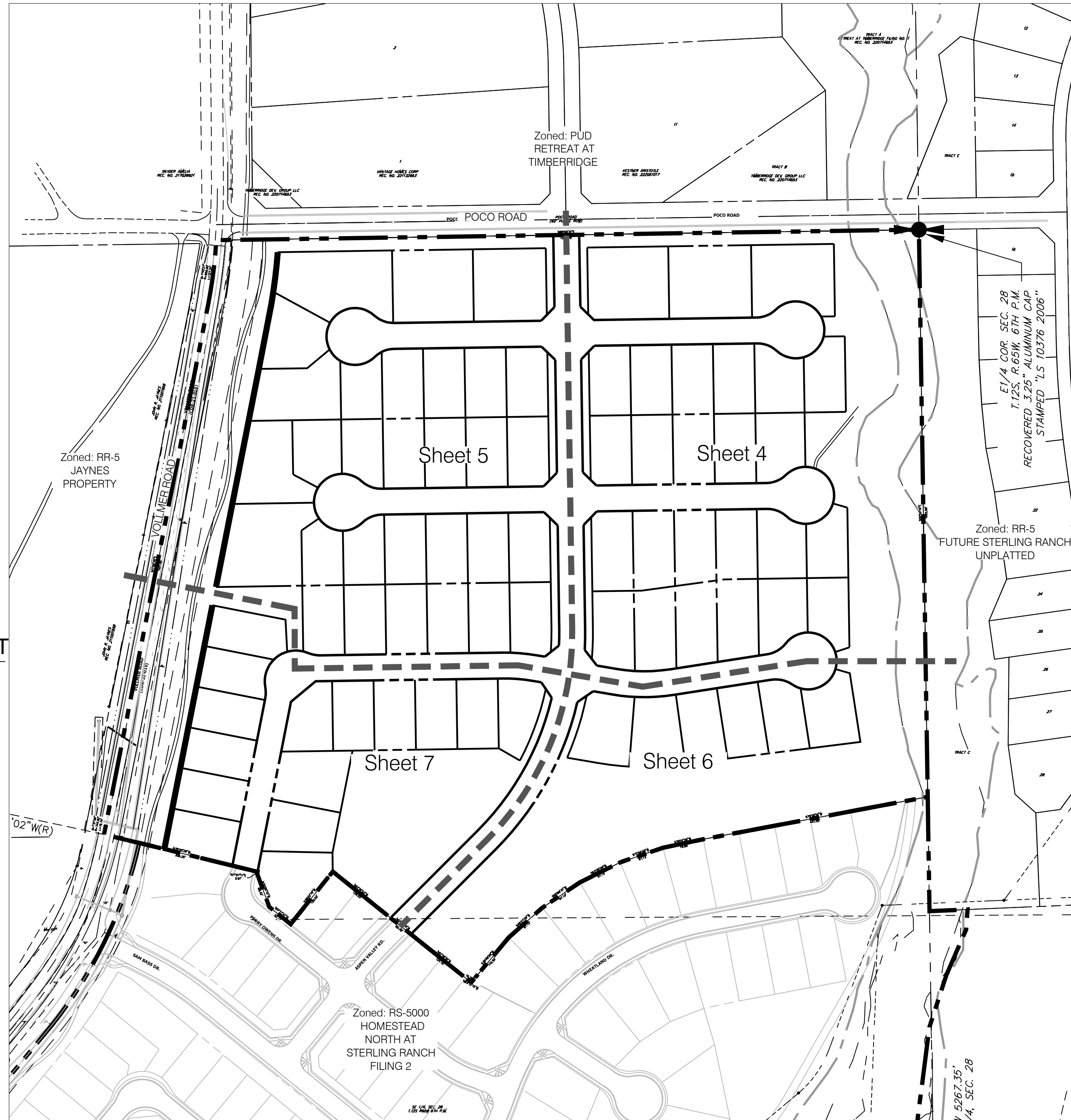
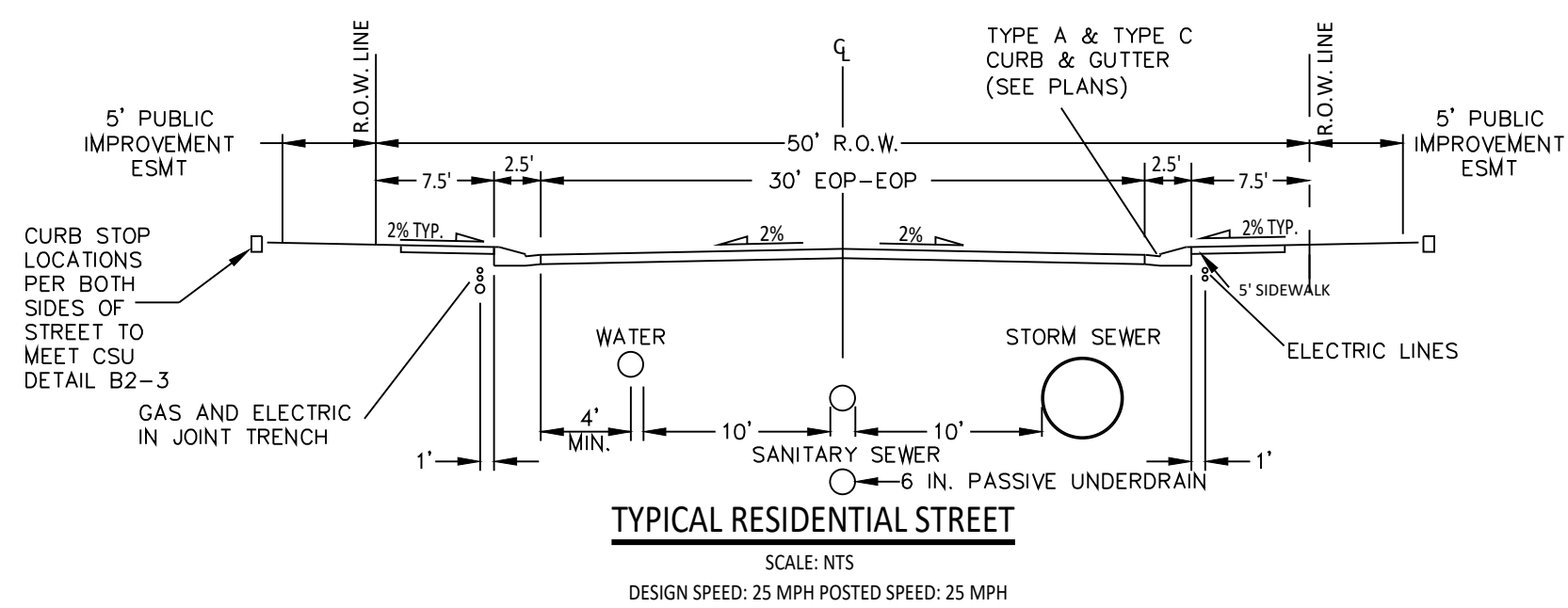
1. Floodplain Statement: The eastern portion of this Preliminary Plan area, adjacent to Sand Creek, is mapped within Zone AE of the FEMA Floodplain Map No. 08041C0535G, dated December 7, 2018. The remainder of the Preliminary Plan area is within Zone X, which is determined to be outside the 500-year floodplain. There are no lots shown within the floodplain.

GEOLOGIC CONSTRAINTS &/OR HAZARD DISCLOSURE STATEMENT

Geologic Hazard Note: The following lots have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the Geohazard Evaluation Report by Entech Engineering Inc., dated May 26, 2022 in file SP 22-007 available at the El Paso County Planning and Community Development Department:

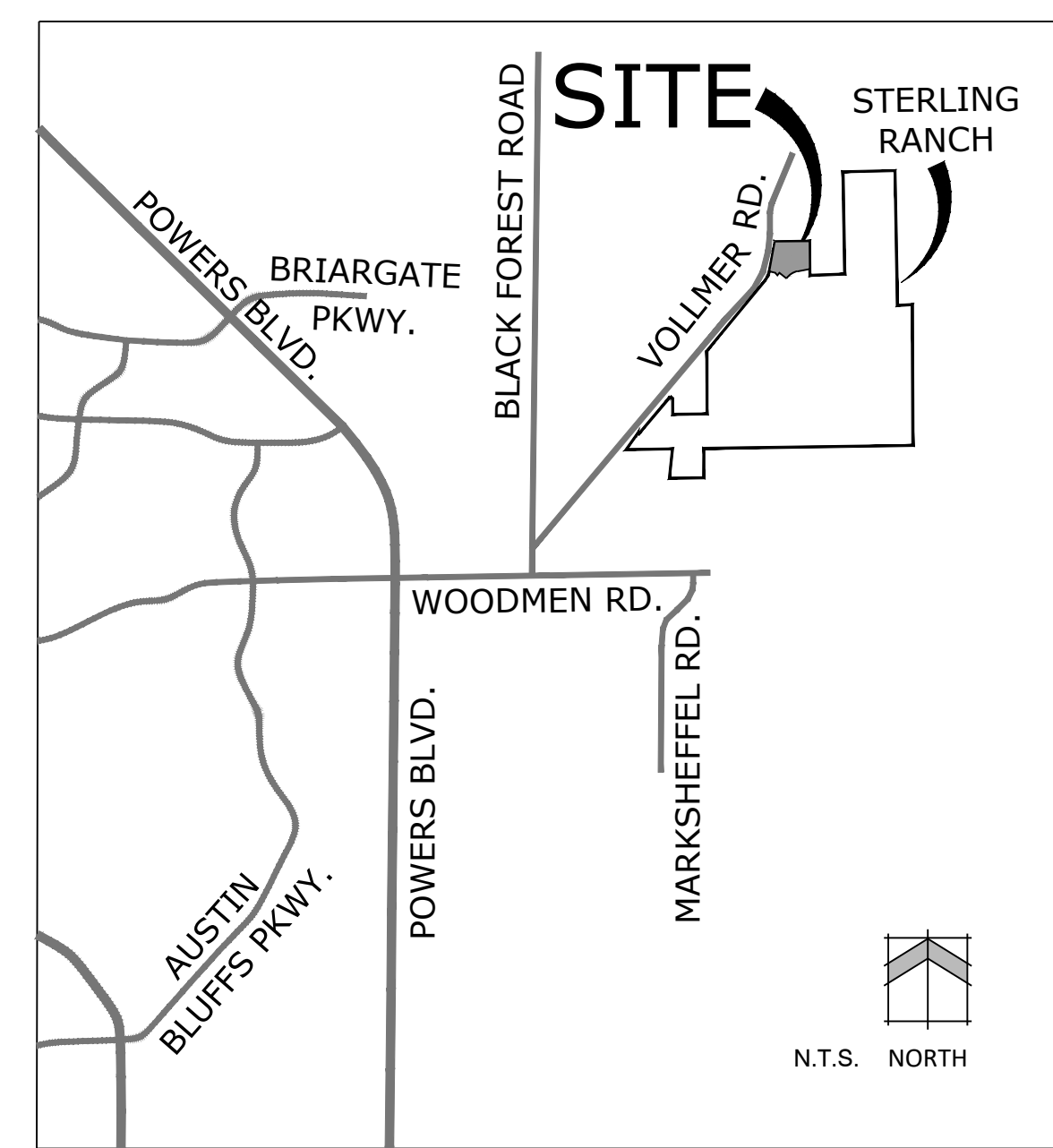
- Artificial Fill: Earthen Dams east of site
- Potentially Unstable Slopes: Drainage along east portion of site
- Potentially Expansive Soil: Sporadic
- Flooding: Drainage along east portion of site
- Potentially Seasonal Shallow Groundwater: Lots 1, 14, 17-18, 20-24, 39-41, 49-50, 60-64 and 73-74

Potentially unstable slopes will be mitigated by grading or avoidance. These areas minor and there are sufficient setbacks from slopes. In Areas of Expansive Soils: Incorporate special foundation design in Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate an underground drainage system. Under drains to be maintained by the Sterling Ranch Metro District No. 3.



1
S1 OVERALL SITE

VICINITY MAP



SITE DATA

Owner:	SR Land, LLC 20 Boulder Crescent St., Suite 102 Colorado Springs, CO 80903 719.592.9333
APPLICANT:	N.E.S. Inc. 619 N. Cascade Ave., Suite 200 Colorado Springs, CO 80903 719.471.0073
Tax ID Number:	522800030, 522800038
Sketch Plan:	SKP 18-003 (Approved 2018 Gross Density: 2 DU/AC)
Current Zoning:	RR-5
Proposed Zoning:	RS-6000
Development Schedule:	Fall 2023
Proposed Land Use:	Single Family Residential
Land Use	
Lots:	21.95 ac - 77 Lots (83%)
Tracts:	11.77 ac (29%)
R.O.W.:	7.1071 ac (18%)
Total Area:	40.8271 ac
Gross Density:	1.8 du/ac
Net Density:	3.5 du/ac
Landscape Setbacks:	
-Vollmer Road:	20'

Zoning Density & Dimensional Standards

Zone	Min. Lot Size	Max. Building Height	Max Lot Coverage	Minimum Lot Width at front setback line	Front Building Setback	Side Building Setback	Rear Building Setback
RS-6000	6,000 SF	30'	40% / 45%	50'	25'	5'	25'

SHEET INDEX

- SHEET 1 of 21: COVER SHEET
- SHEET 2 of 21: LEGAL BOUNDARY & ADJACENT OWNERS EXHIBIT
- SHEET 3 of 21: TRACT PLAN
- SHEET 4 of 21: PRELIMINARY SITE PLAN
- SHEET 5 of 21: PRELIMINARY SITE PLAN
- SHEET 6 of 21: PRELIMINARY SITE PLAN
- SHEET 7 of 21: PRELIMINARY SITE PLAN
- SHEET 8 of 21: PRELIMINARY GRADING PLAN
- SHEET 9 of 21: PRELIMINARY GRADING PLAN
- SHEET 10 of 21: PRELIMINARY GRADING PLAN
- SHEET 11 of 21: PRELIMINARY GRADING PLAN
- SHEET 12 of 21: PRELIMINARY UTILITIES PLAN
- SHEET 13 of 21: PRELIMINARY UTILITIES PLAN
- SHEET 14 of 21: PRELIMINARY UTILITIES PLAN
- SHEET 15 of 21: PRELIMINARY UTILITIES PLAN
- SHEET 16 of 21: LANDSCAPE DETAILS & NOTES
- SHEET 17 of 21: LANDSCAPE PLAN
- SHEET 18 of 21: LANDSCAPE PLAN
- SHEET 19 of 21: LANDSCAPE PLAN
- SHEET 20 of 21: LANDSCAPE PLAN
- SHEET 21 of 21: SITE CONSTRAINTS EXHIBIT



N.E.S. Inc.
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Fax 719.471.0267

www.nescolorado.com

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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

ENTITLEMENT

DATE: BY: DESCRIPTION:
11/04/2022 JS COUNTY COMMENTS
12/12/2022 JS COUNTY COMMENTS

COVER SHEET

1

1 OF 21

SP 22-007

HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,

THENCE ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, N00°53'15"W A DISTANCE OF 220.84 FEET, TO THE NORTHEASTERLY CORNER OF TRACT H, AS SHOWN ON THE PLAT OF HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2 RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY LINES OF SAID HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'26"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 275.24 FEET, TO A POINT OF NON-TANGENT CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°47'32"W, HAVING A RADIUS OF 774.82 FEET, A CENTRAL ANGLE OF 01°34'03" AND AN ARC LENGTH OF 21.20 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1021.80 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 980.00 FEET, A CENTRAL ANGLE OF 07°48'21" AND AN ARC LENGTH OF 133.51 FEET, TO A POINT OF NON-TANGENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD;

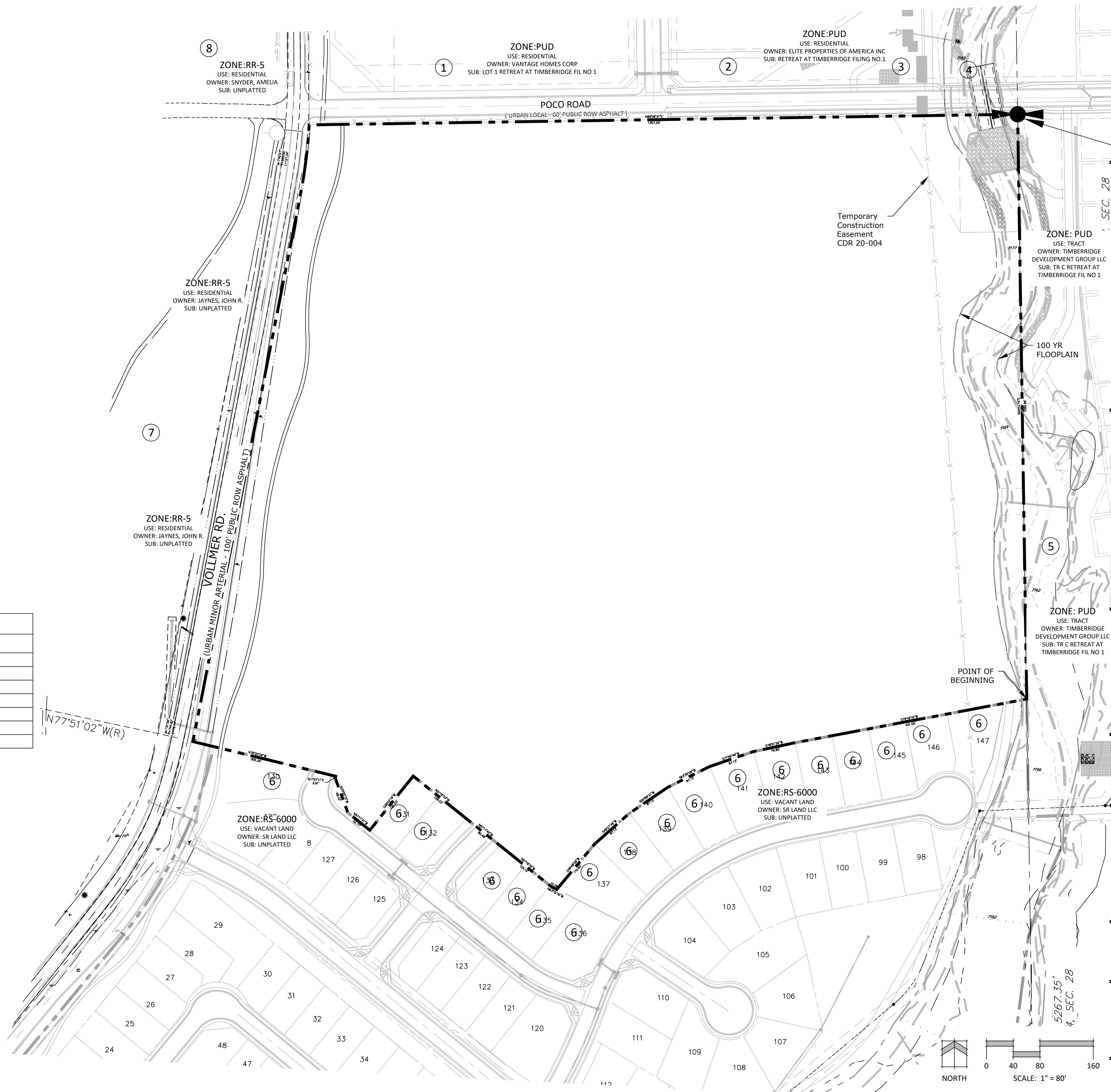
THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, N89°08'31"E A DISTANCE OF 1327.21 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,778,429 SQUARE FEET OR 40.8271 ACRES.

ADJACENT PROPERTY OWNERS

NO.	OWNER	ADDRESS
1	Hughes Jason R, Hughes Jennifer A	10004 Aspen Valley Rd. Colorado Springs, CO 80908
2	Kestner, Aristotle; Olsen, Denise	10003 Aspen Valley Rd. Colorado Springs, CO 80908
3	Timberidge Development Group LLC	2138 Flying Horse Club Dr. Colorado Springs, CO 80921
4	Timberidge Development Group LLC	2138 Flying Horse Club Dr. Colorado Springs, CO 80921
5	Classic SRJ Land LLC	2138 Flying Horse Club Dr. Colorado Springs 80921
6	SR Land LLC	20 Boulder Crescent St. STE 102 Colorado Springs, CO 80903
7	Jaynes, John R	8455 Poco Rd. Colorado Springs, CO 80908
8	Snyder, Amelia	8450 Poco Rd. Colorado Springs, CO 80908



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619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

PROJECT INFO

STAMP

ISSUE INFO

ISSUE / REVISION

SHEET TITLE

SHEET NUMBER

PLAN FILE #

DATE: 11.04.2022
PROJECT MGR: A. BARLOW
PREPARED BY: J. SHAGIN

HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

ENTITLEMENT

DATE: 12.12.22 BY: JS DESCRIPTION: COUNTY COMMENTS

LEGAL BOUNDARY EXHIBIT & ADJACENT OWNERS EXHIBIT

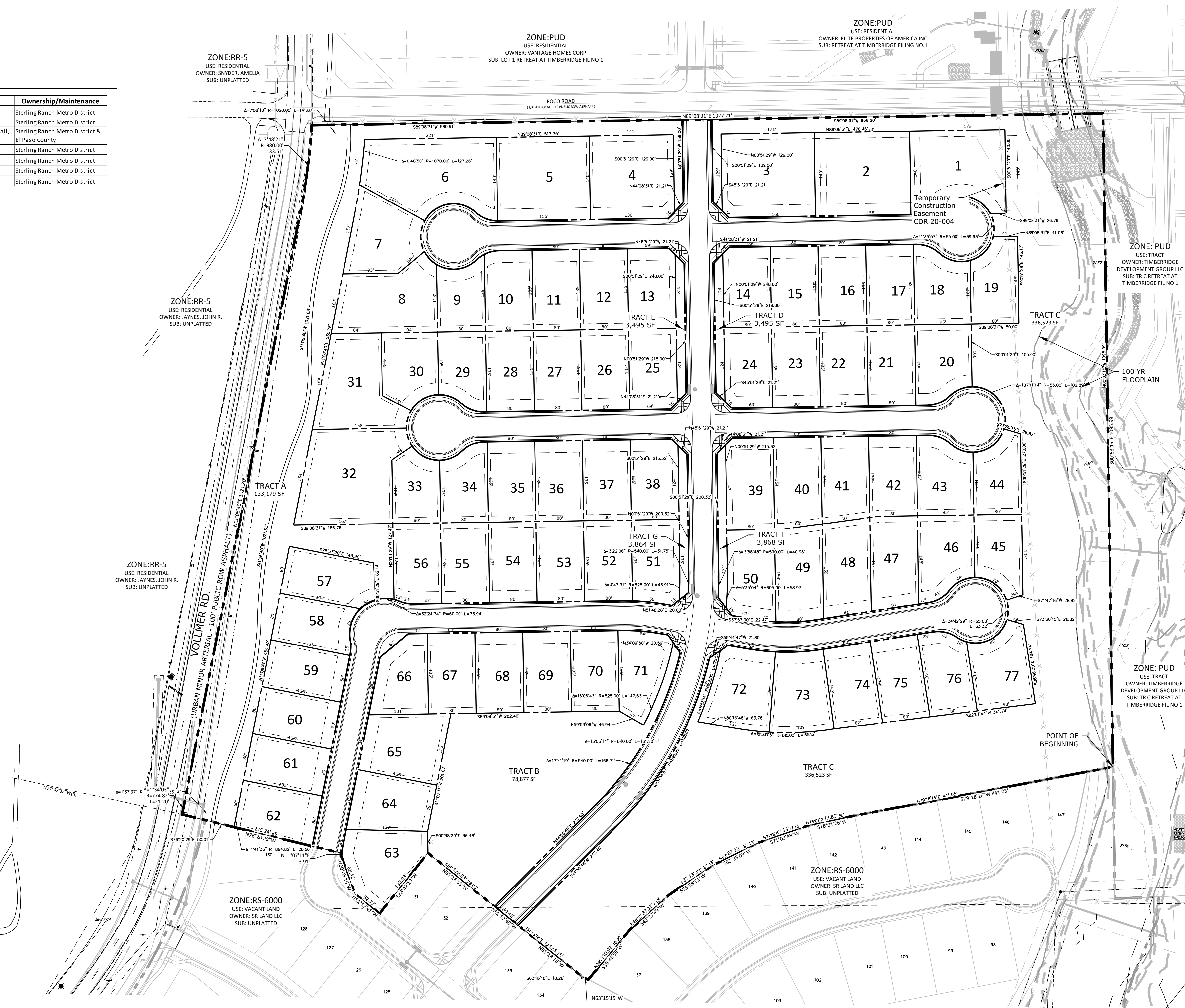
2

2 OF 21

SP 22-007

TRACT TABLE

Tract	Area (SF)	Area (AC)	Use	Ownership/Maintenance
A	133,179	3.06	Landscape, Drainage, Trails, Utilities, Buffer	Sterling Ranch Metro District
B	78,877	1.81	Park	Sterling Ranch Metro District
C	336,523	7.73	Landscape, Park, 15 FT County/Maintenance Trail, Utilities, Stormwater	Sterling Ranch Metro District & El Paso County
D	3,495	0.08	Landscape	Sterling Ranch Metro District
E	3,495	0.08	Landscape	Sterling Ranch Metro District
F	3,868	0.09	Landscape	Sterling Ranch Metro District
G	3,684	0.08	Landscape	Sterling Ranch Metro District
Total Tract Area:		12.93		



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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLIMER ROAD

DATE: 11.04.2022
PROJECT MGR: A. BARLOW
PREPARED BY: J. SHAGIN

ZONE: PUD
USE: TRACT
OWNER: TIMBERIDGE DEVELOPMENT GROUP LLC
SUB: TR C RETREAT AT TIMBERIDGE FIL NO 1

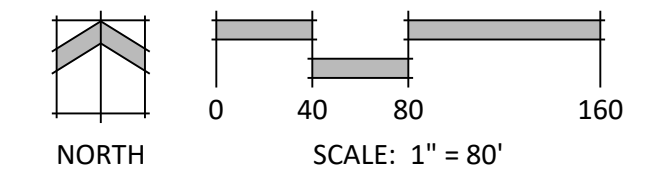
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DATE: 12.12.22 BY: JS DESCRIPTION: County Comments

TRACT EXHIBIT

3
3 OF 21
SP 22-007

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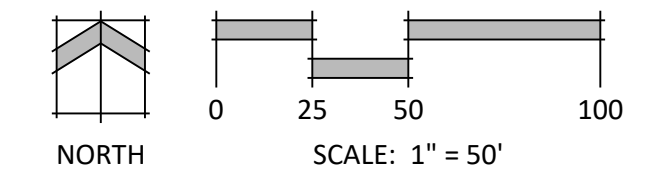
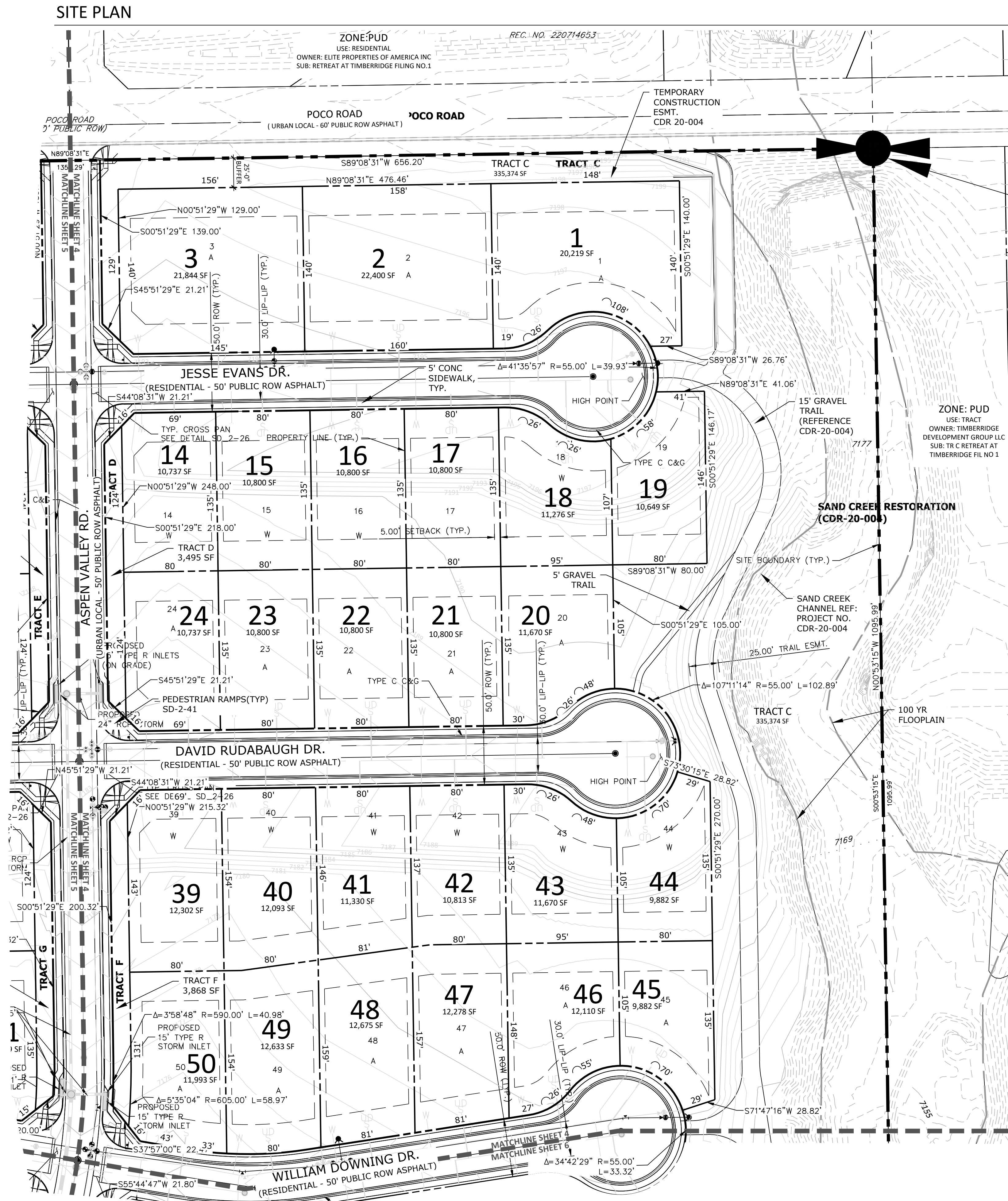
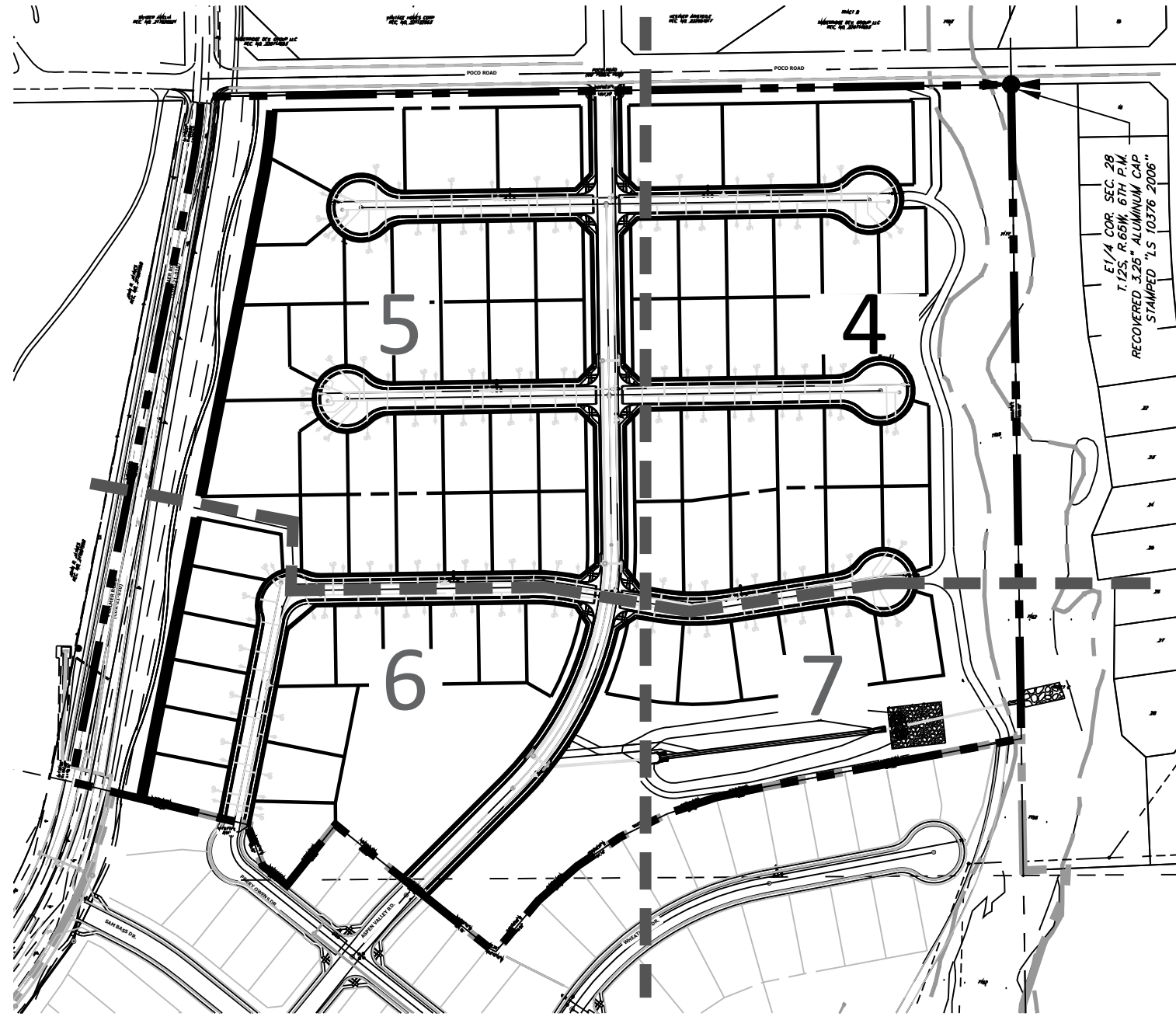
HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF

THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SHEET KEY MAP



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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

ENTITLEMENT

DATE:	BY:	DESCRIPTION:
11/04/2022	JS	COUNTY COMMENTS
12/12/2022	JS	COUNTY COMMENTS

PRELIMINARY SITE PLAN

4

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SP 22-007

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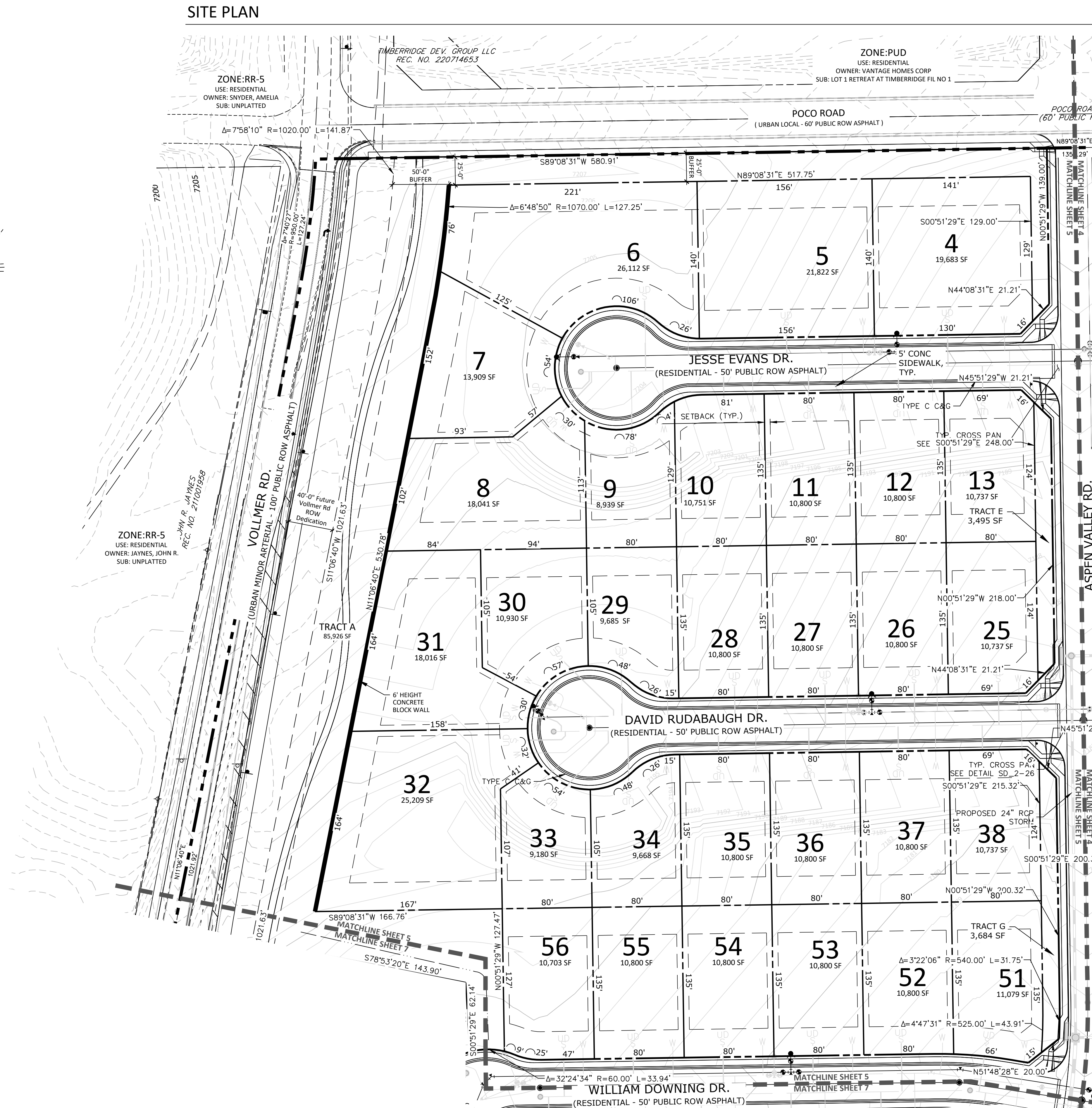
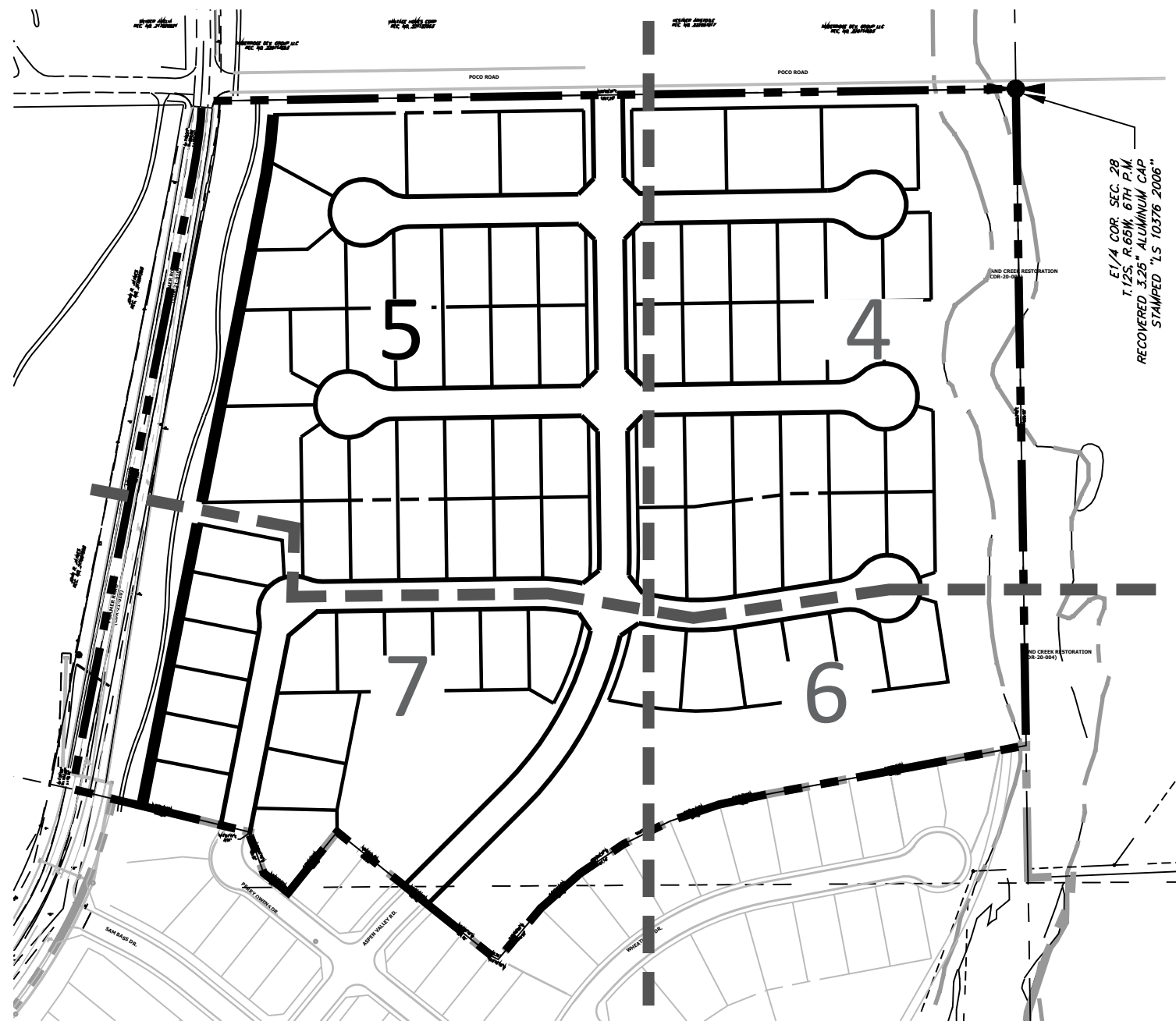
HOMESTEAD NORTH AT STERLING RANCH FILING 3

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HOMESTEAD NORTH AT STERLING RANCH FILING 3

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ENTITLEMENT

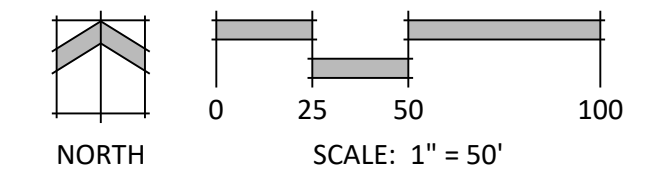
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PRELIMINARY SITE PLAN

5

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SP 22-007

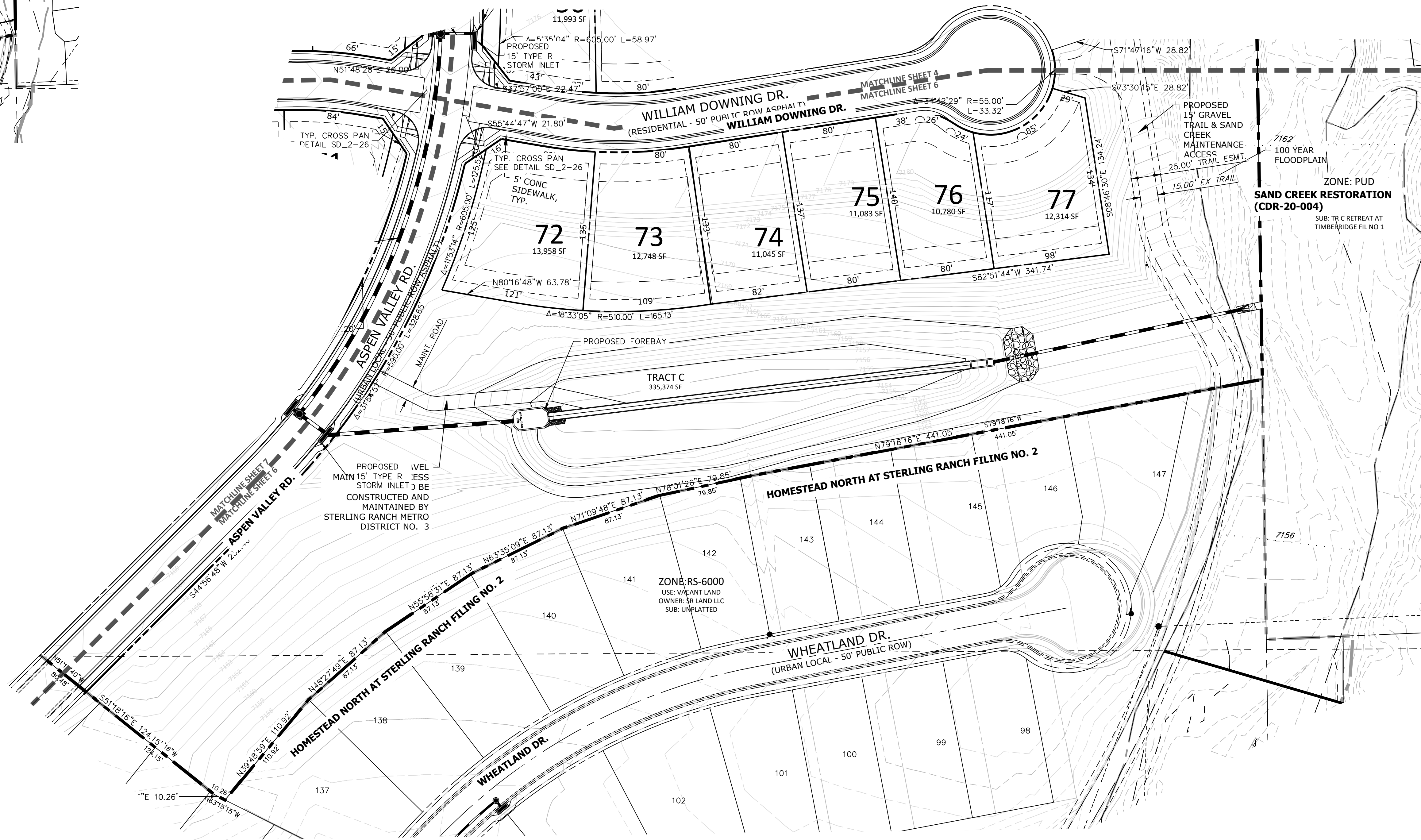


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HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
 THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN

SHEET KEY MAP



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PLANNER / LANDSCAPE ARCHITECT
 IN ASSOCIATION WITH

HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
 PROJECT MGR: A. BARLOW
 PREPARED BY: B. HALSTEN & J. SMITH

ENTITLEMENT

DATE:	BY:	DESCRIPTION:
11/04/2022	JS	COUNTY COMMENTS
12/12/2022	JS	COUNTY COMMENTS

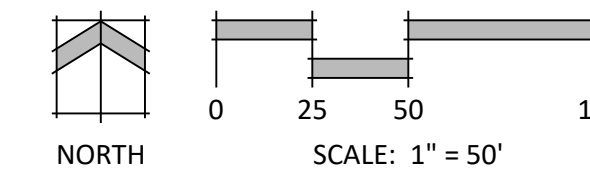
PRELIMINARY SITE PLAN

6

6 OF 21

SP 22-007

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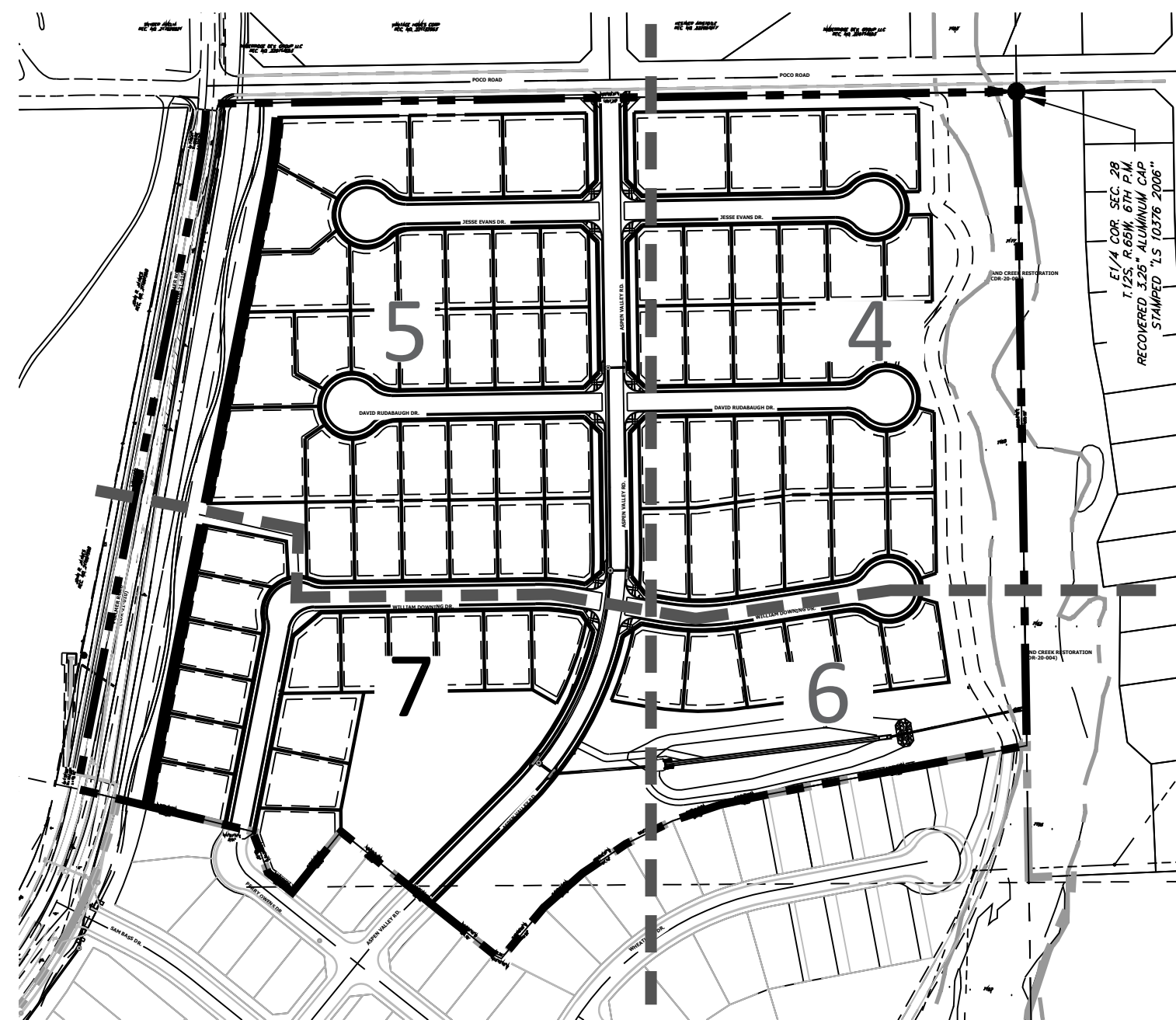
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SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF

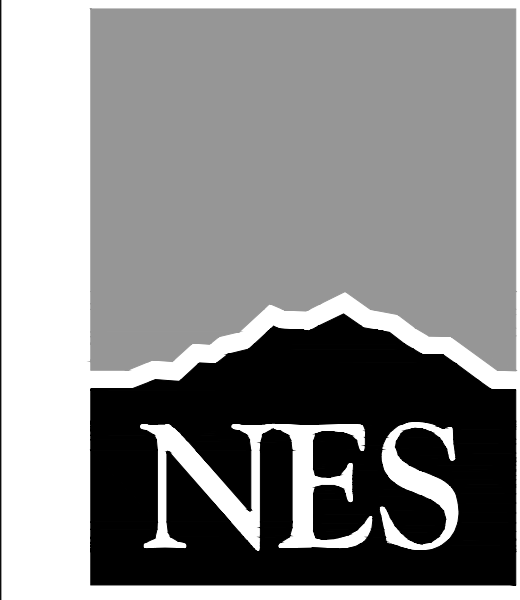
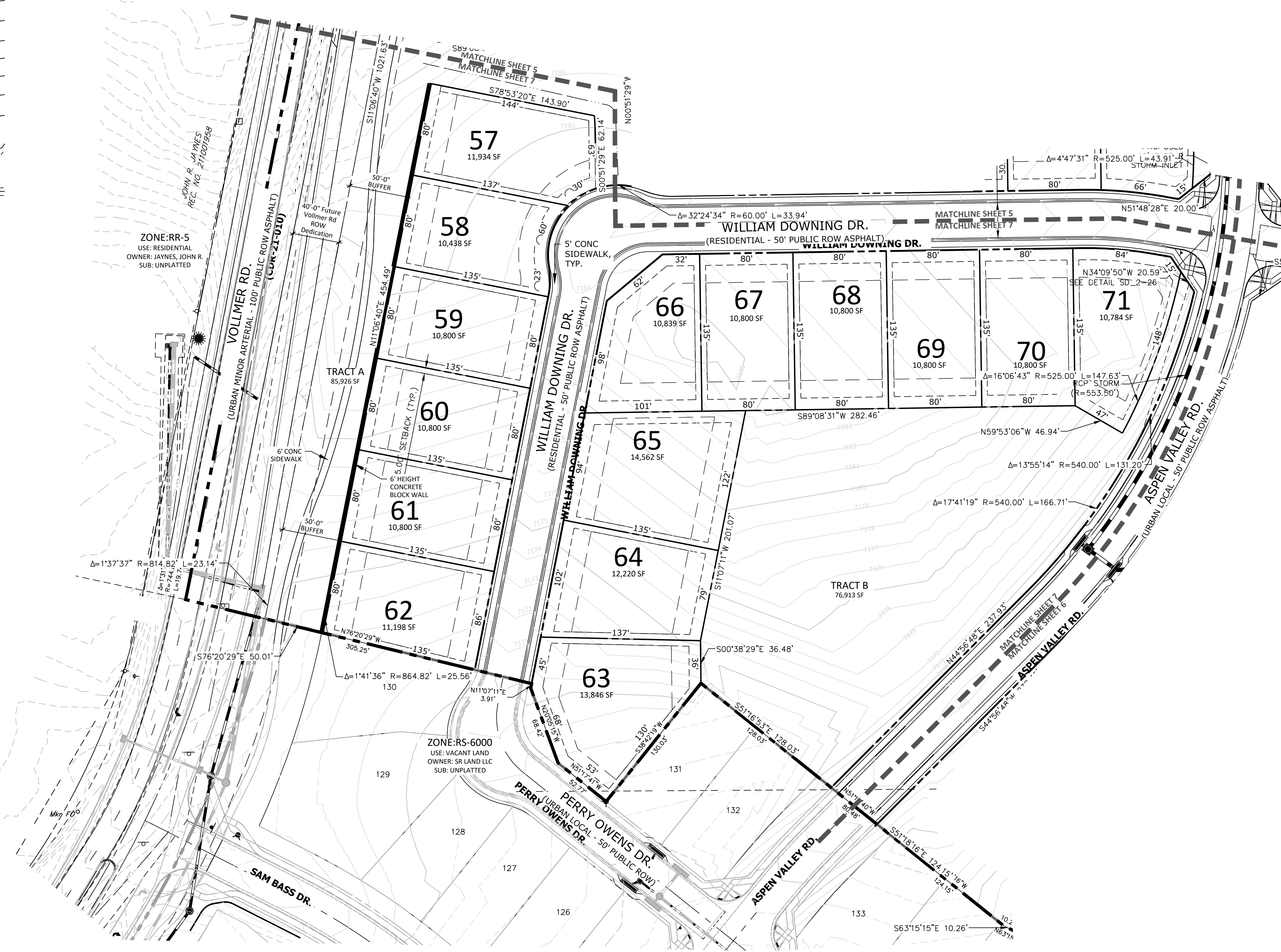
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SHEET KEY MAP



SITE PLAN



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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
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ENTITLEMENT

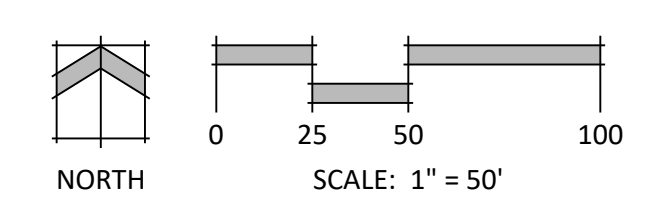
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11/04/2022	JS	COUNTY COMMENTS
12/12/2022	JS	COUNTY COMMENTS

PRELIMINARY SITE PLAN

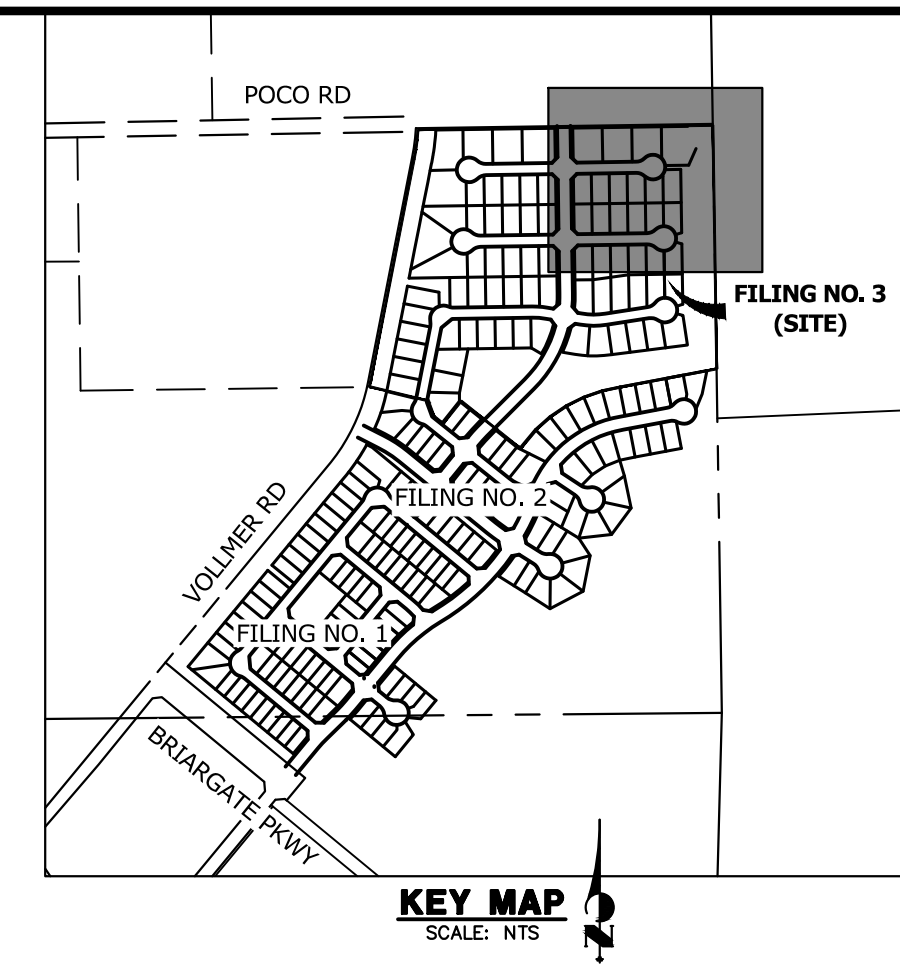
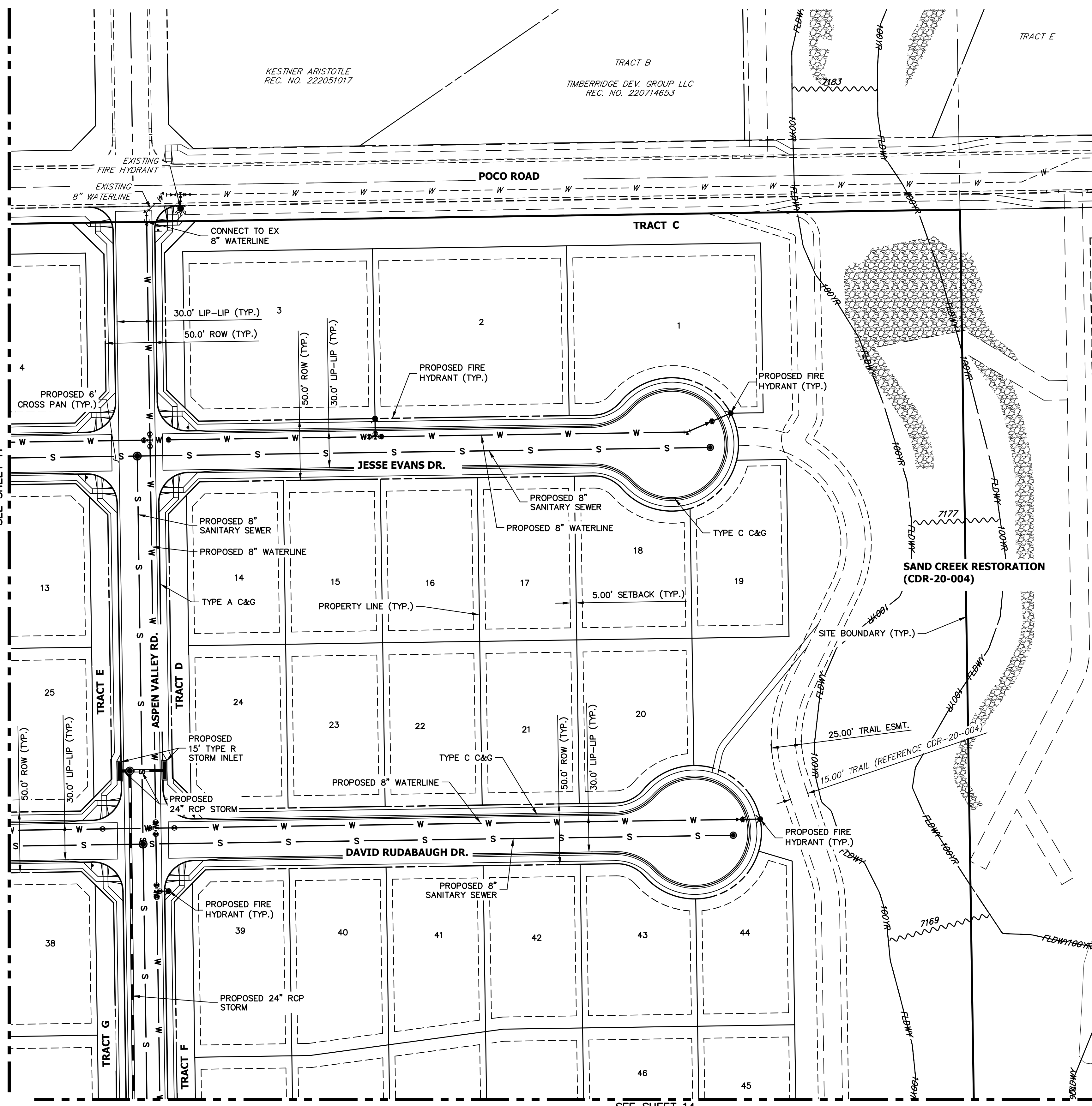
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7 OF 21

SP 22-007

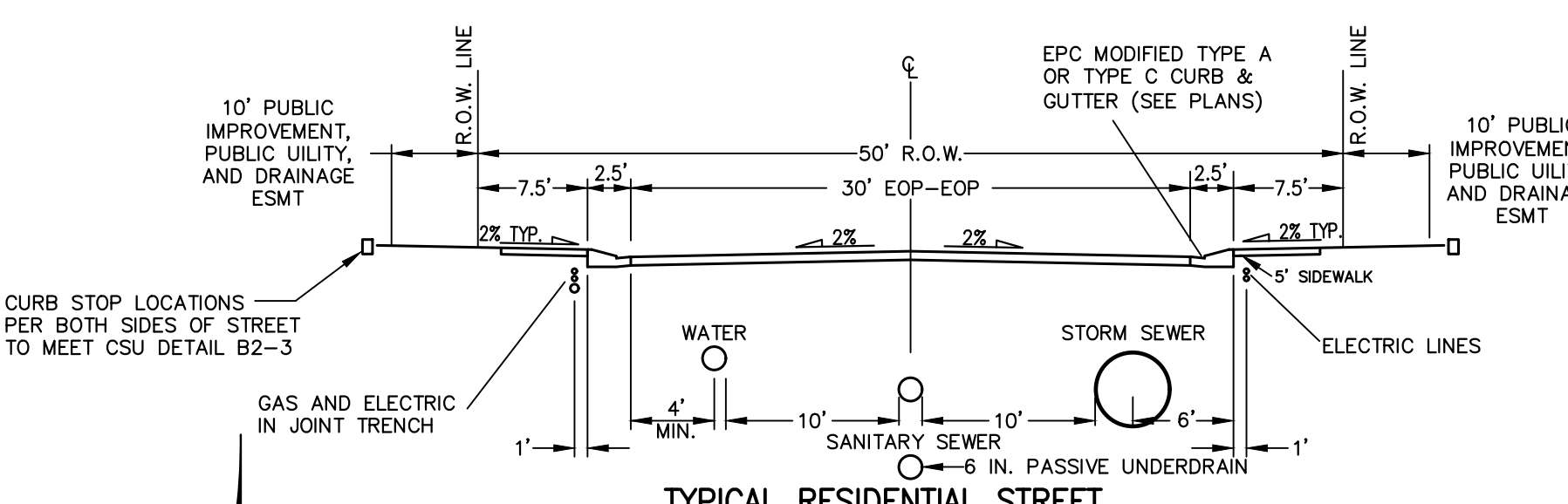
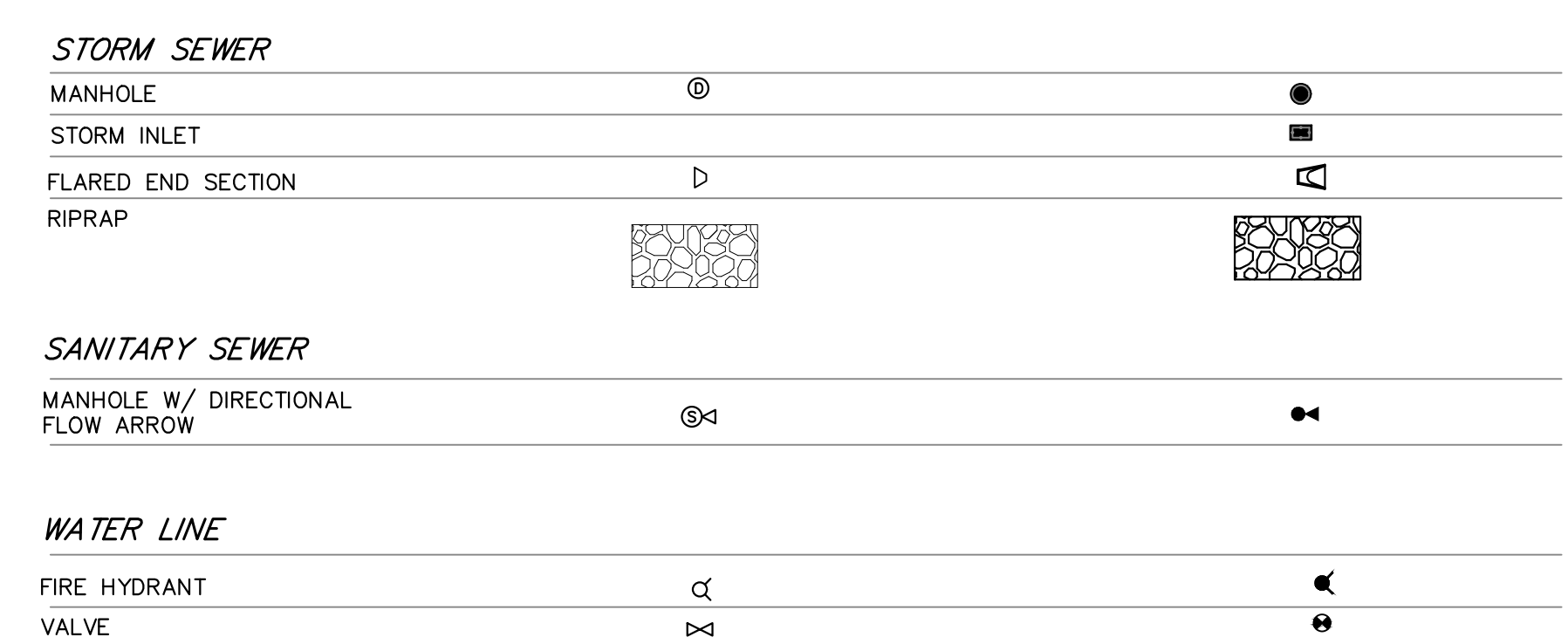


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LAYER LINETYPE LEGEND

	EXISTING	PROPOSED
CABLE TV	TV	TV
ELECTRIC	E	E
FIBER OPTIC	FO	FO
GAS MAIN	G	G
IRRIGATION MAIN	IRR	IRR
OIL/PETRO. MAIN	O	O
OVERHEAD UTILITY	OHU	OHU
SANITARY SEWER	S	S
STORM DRAIN	T	T
TELEPHONE	T	T
WATER MAIN	W	W
RAW WATER LINE	RWL	RWL



TYPICAL RESIDENTIAL STREET
SCALE: NTS
DESIGN SPEED: 25 MPH POSTED SPEED: 25 MPH



THE LOCATIONS OF EXISTING ABOVE GROUND AND UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE CAUSED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL ABOVE GROUND AND UNDERGROUND UTILITIES.

UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, OR ENGINEERING AGENCIES, THEIR USE APPROVES THEIR USES DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR
SR LAND, LLC
20 BOULDER CRESCENT
SUITE 200
COLORADO SPRINGS, CO 80903
JAMES F. MORLEY
(719) 471-1742

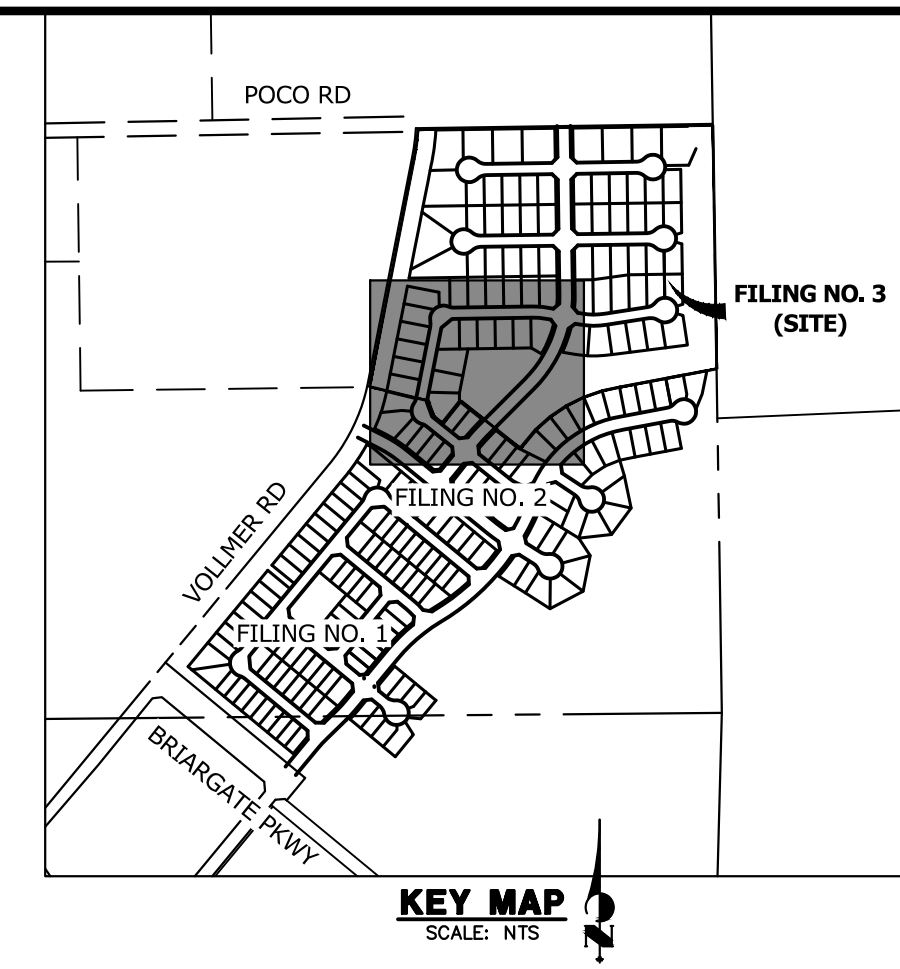
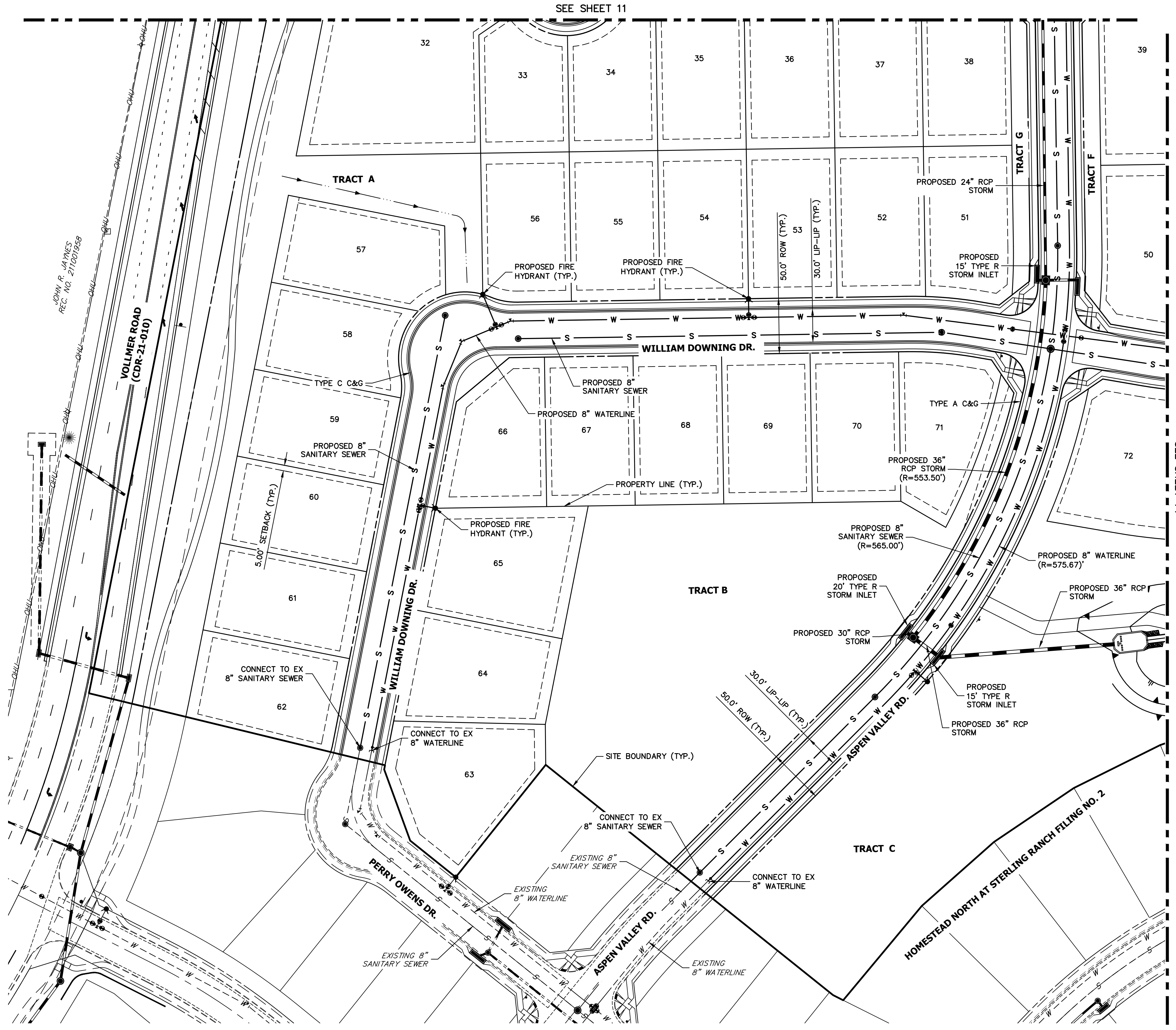
J.R. ENGINEERING
A Westman Company
Central 303-740-9383 • Colorado Springs 719-583-2583
Fort Collins 970-491-9888 • www.jrengineering.com

No.	REVISION	BY	DATE

HOMESTEAD NORTH AT STERLING RANCH FILING NO. 3
PRELIMINARY UTILITY PLAN

SHEET 12 OF 19
JOB NO. 2518812

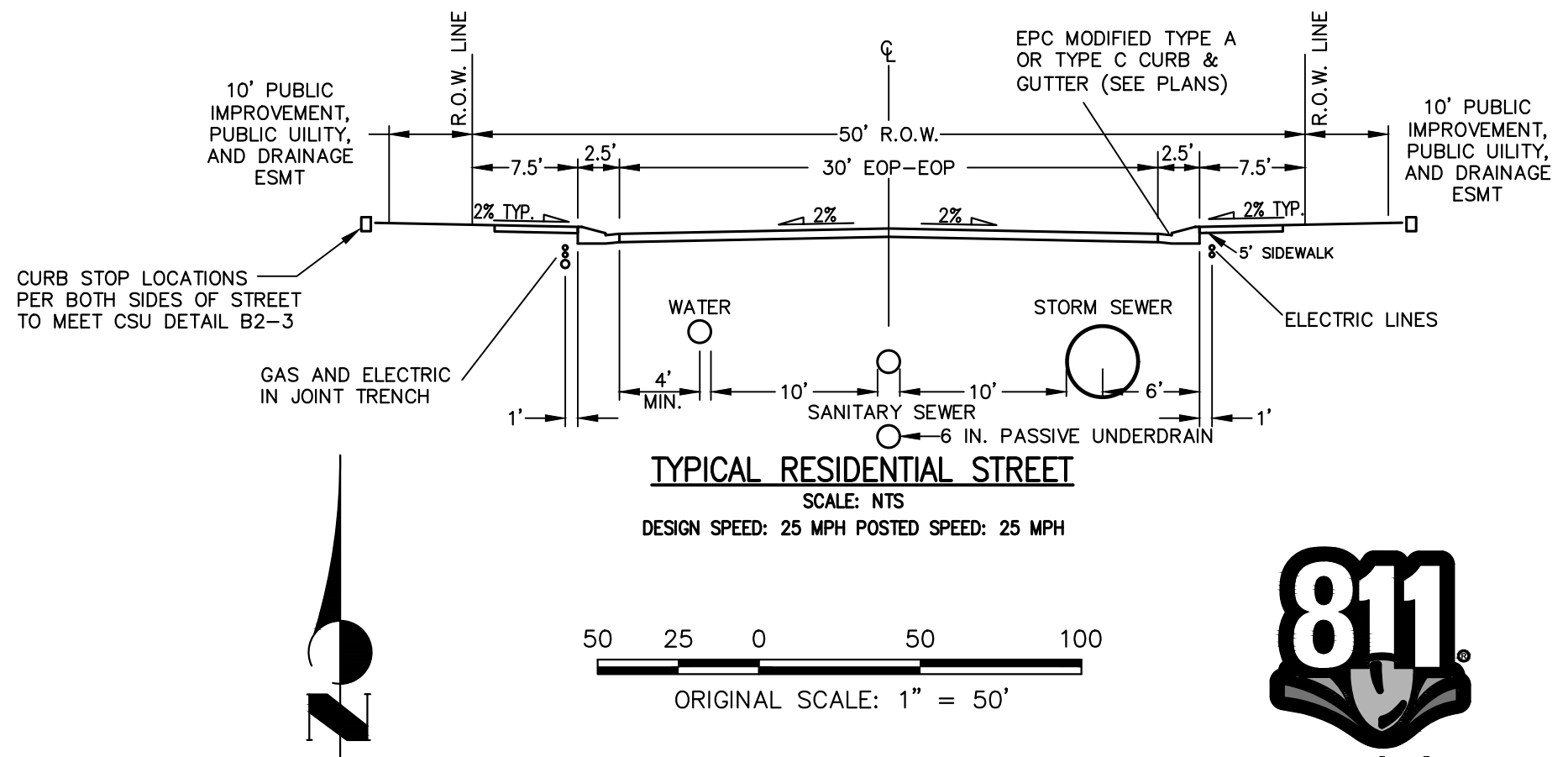
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LAYER LINETYPE LEGEND

	EXISTING	PROPOSED
CABLE TV	TV	TV
ELECTRIC	E	E
FIBER OPTIC	FO	FO
GAS MAIN	G	G
IRRIGATION MAIN	IRR	IRR
OIL/PETRO. MAIN	O	O
OVERHEAD UTILITY	OHU	OHU
SANITARY SEWER	S	S
STORM DRAIN		
TELEPHONE	T	T
WATER MAIN	W	W
RAW WATER LINE	RWL	RWL

	EXISTING	PROPOSED
STORM SEWER		
MANHOLE	⊙	⊙
STORM INLET	⊠	⊠
FLARED END SECTION	⊠	⊠
RIPRAP	⊠	⊠
SANITARY SEWER		
MANHOLE W/ DIRECTIONAL FLOW ARROW	⊙	⊙
WATER LINE		
FIRE HYDRANT	⊕	⊕
VALVE	⊕	⊕



THE LOCATIONS OF EXISTING ABOVE GROUND AND UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE CAUSED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL ABOVE GROUND AND UNDERGROUND UTILITIES.

UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, OR ENGINEERING APPROVES THEIR USE, THESE DRAWINGS ARE DESIGNATED BY WRITTEN AUTHORIZATION.

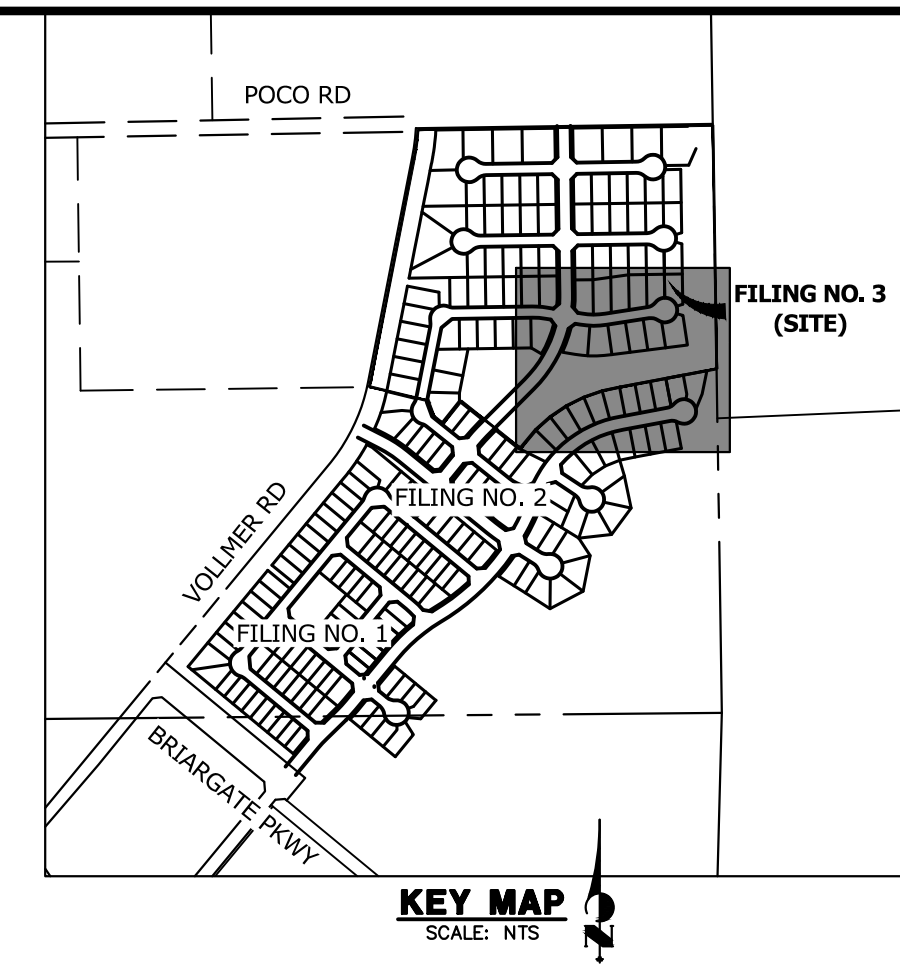
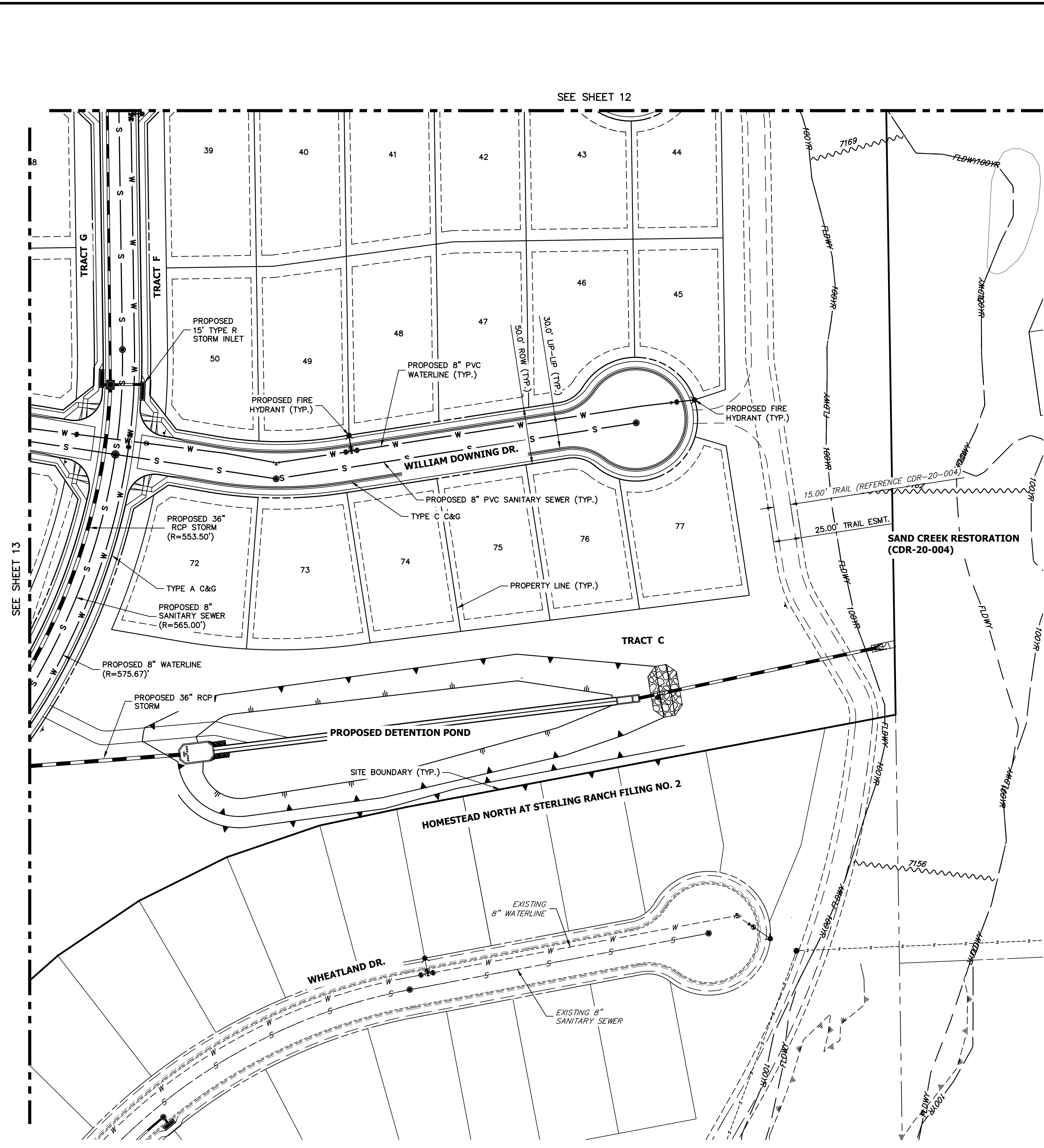
PREPARED FOR
SR LAND, LLC
 20 BOULDER CRESCENT
 SUITE 200
 COLORADO SPRINGS, CO 80903
 JAMES F. MORLEY
 (719) 471-1742

J.R. ENGINEERING
 A Westman Company
 Centennial 303-740-9383 • Colorado Springs 719-583-2583
 Fort Collins 970-491-9888 • www.jrengineering.com

No.	REVISION	BY	DATE

H-SCALE	V-SCALE	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
1"=50'	N/A	12/09/22	QNL	QNL	

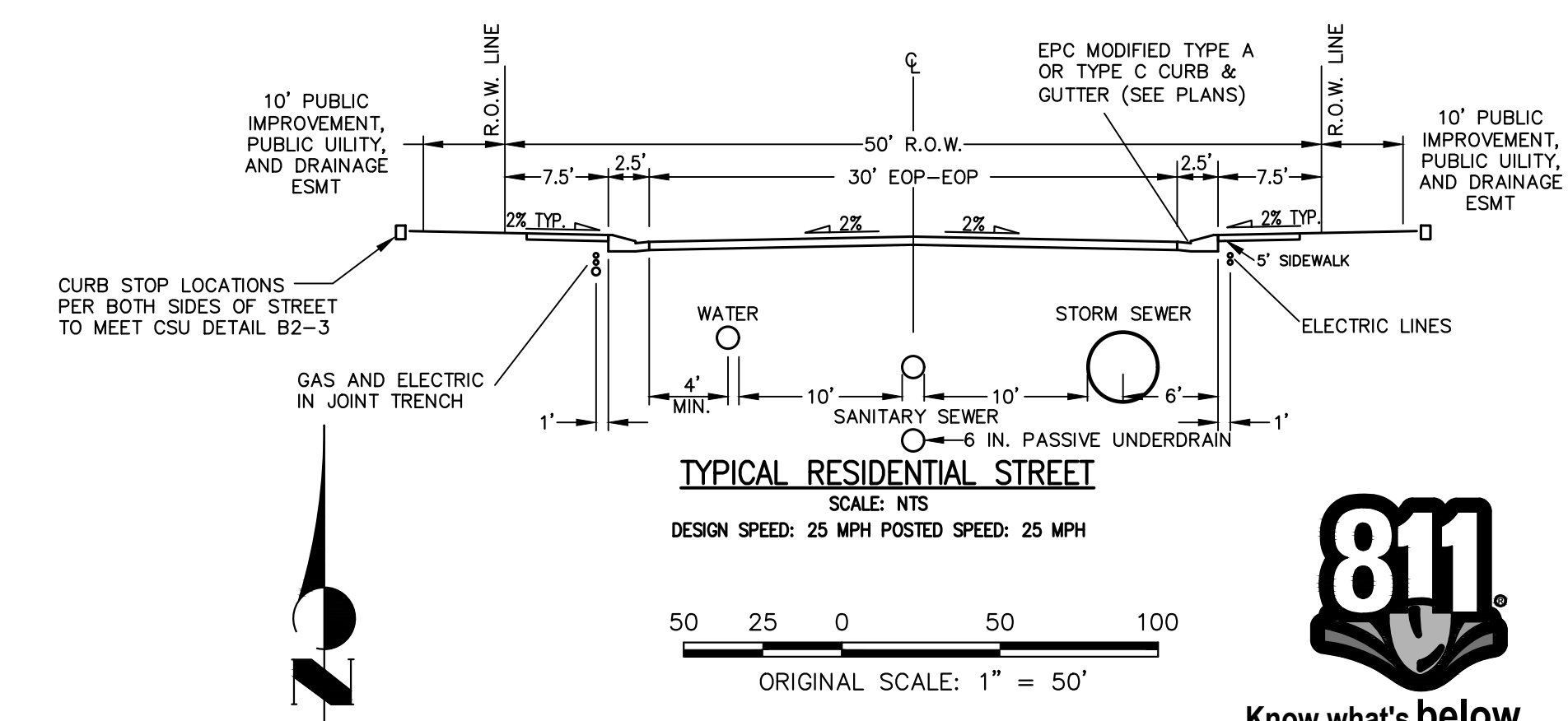
HOMESTEAD NORTH AT STERLING RANCH FILING NO. 3
PRELIMINARY UTILITY PLAN



LAYER LINETYPE LEGEND

	EXISTING	PROPOSED
CABLE TV	TV	TV
ELECTRIC	E	E
FIBER OPTIC	FO	FO
GAS MAIN	G	G
IRRIGATION MAIN	IRR	IRR
OIL/PETRO. MAIN	O	O
OVERHEAD UTILITY	OHU	OHU
SANITARY SEWER	S	S
STORM DRAIN		
TELEPHONE	T	T
WATER MAIN	W	W
RAW WATER LINE	RWL	RWL

STORM SEWER		
MANHOLE	⊙	●
STORM INLET		■
FLARED END SECTION	▷	▷
RIPRAP		
SANITARY SEWER		
MANHOLE W/ DIRECTIONAL FLOW ARROW	⊙	●
WATER LINE		
FIRE HYDRANT	⊕	⊕
VALVE	⊖	⊖



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No.	REVISION	BY	DATE

HOMESTEAD NORTH AT
 STERLING RANCH FILING NO. 3
 PRELIMINARY UTILITY PLAN

H-SCALE 1"=50'
 V-SCALE N/A
 DATE 12/09/22
 DESIGNED BY QNL
 DRAWN BY QNL
 CHECKED BY

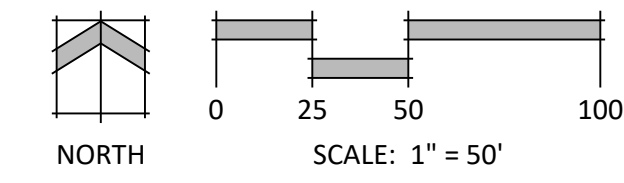
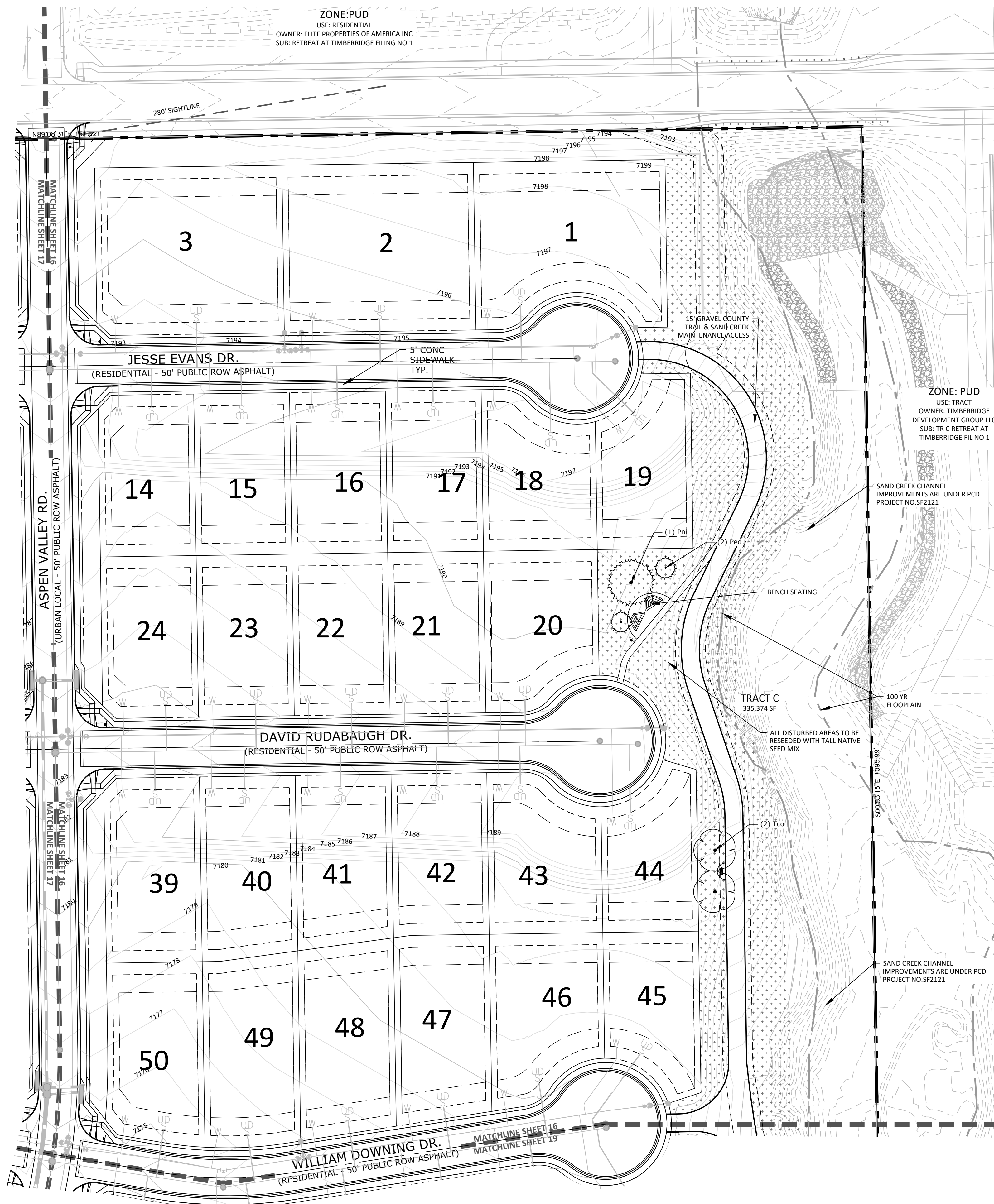
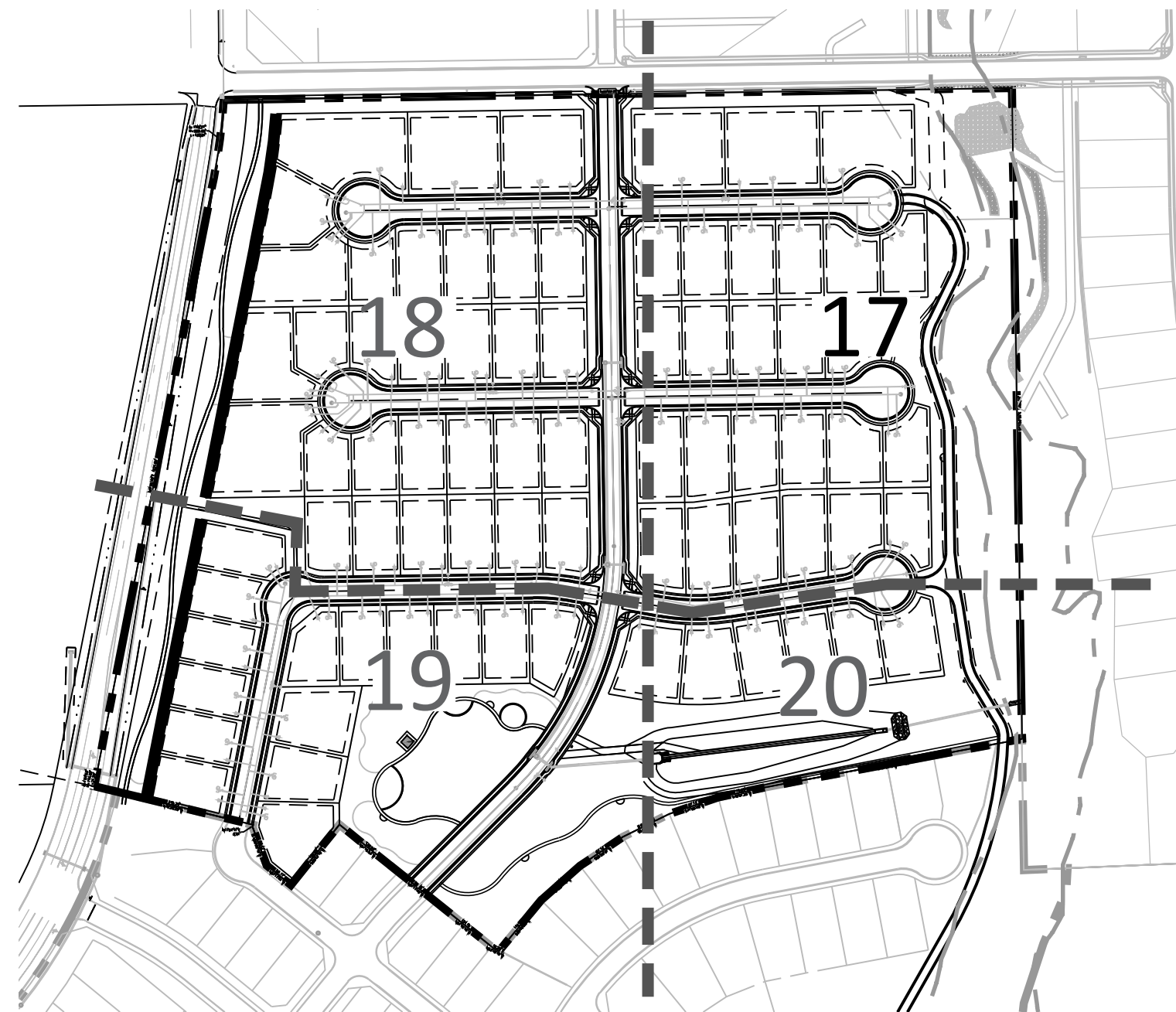
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 JOB NO. 2518812

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HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN

SHEET KEY MAP



N.E.S. Inc.
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Fax 719.471.0267
www.nescolorado.com
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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

STAMP

ENTITLEMENT

DATE: BY: DESCRIPTION:

ISSUE / REVISION

LANDSCAPE PLAN

SHEET TITLE

17

17 OF 21

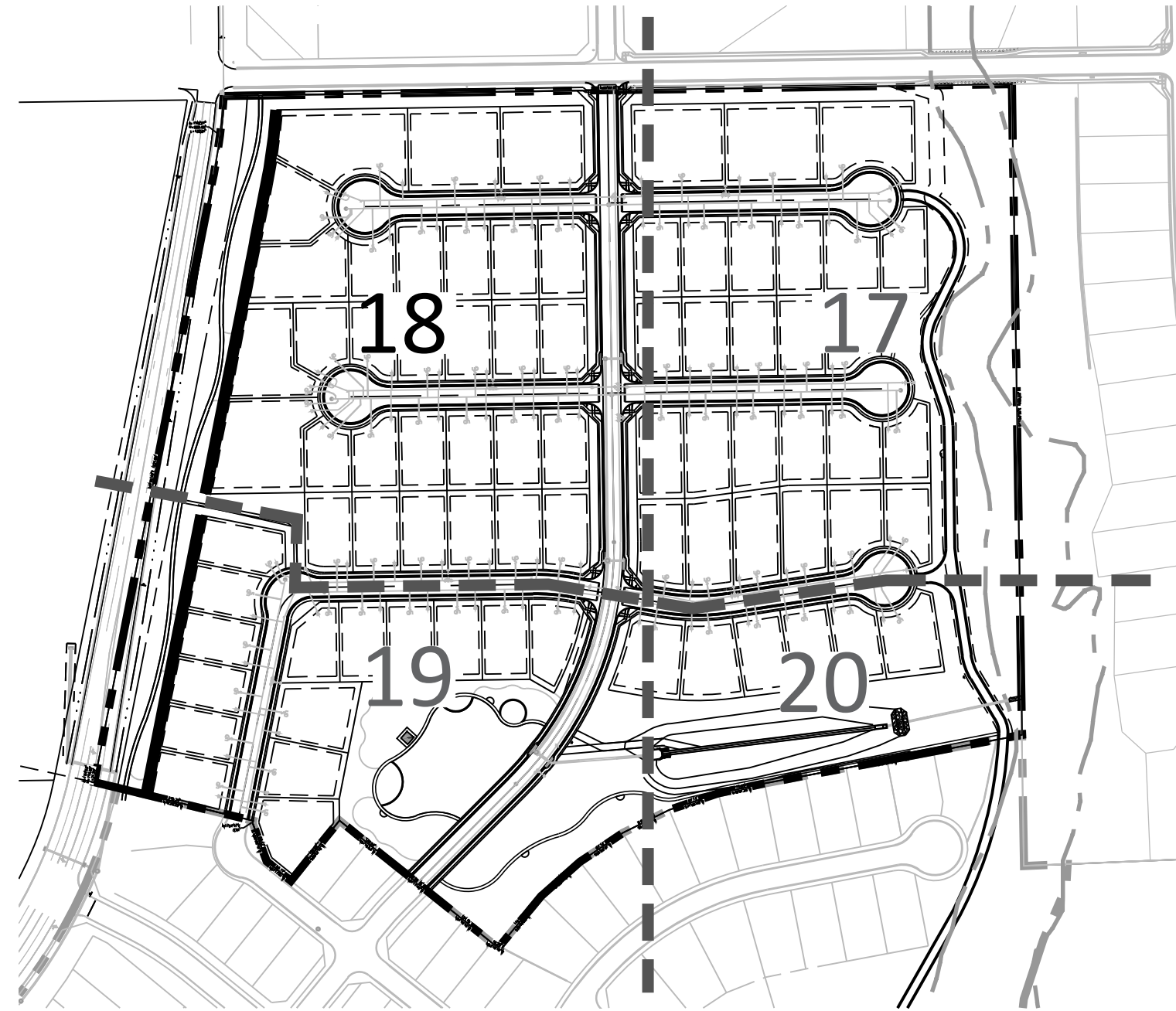
PLAN FILE # SP 22-007

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HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

PRELIMINARY PLAN



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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

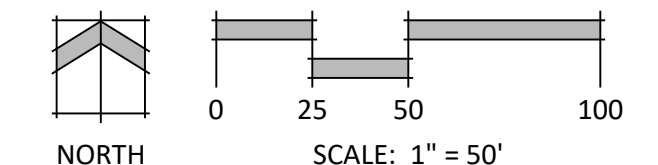
ENTITLEMENT

LANDSCAPE PLAN

18

18 OF 21

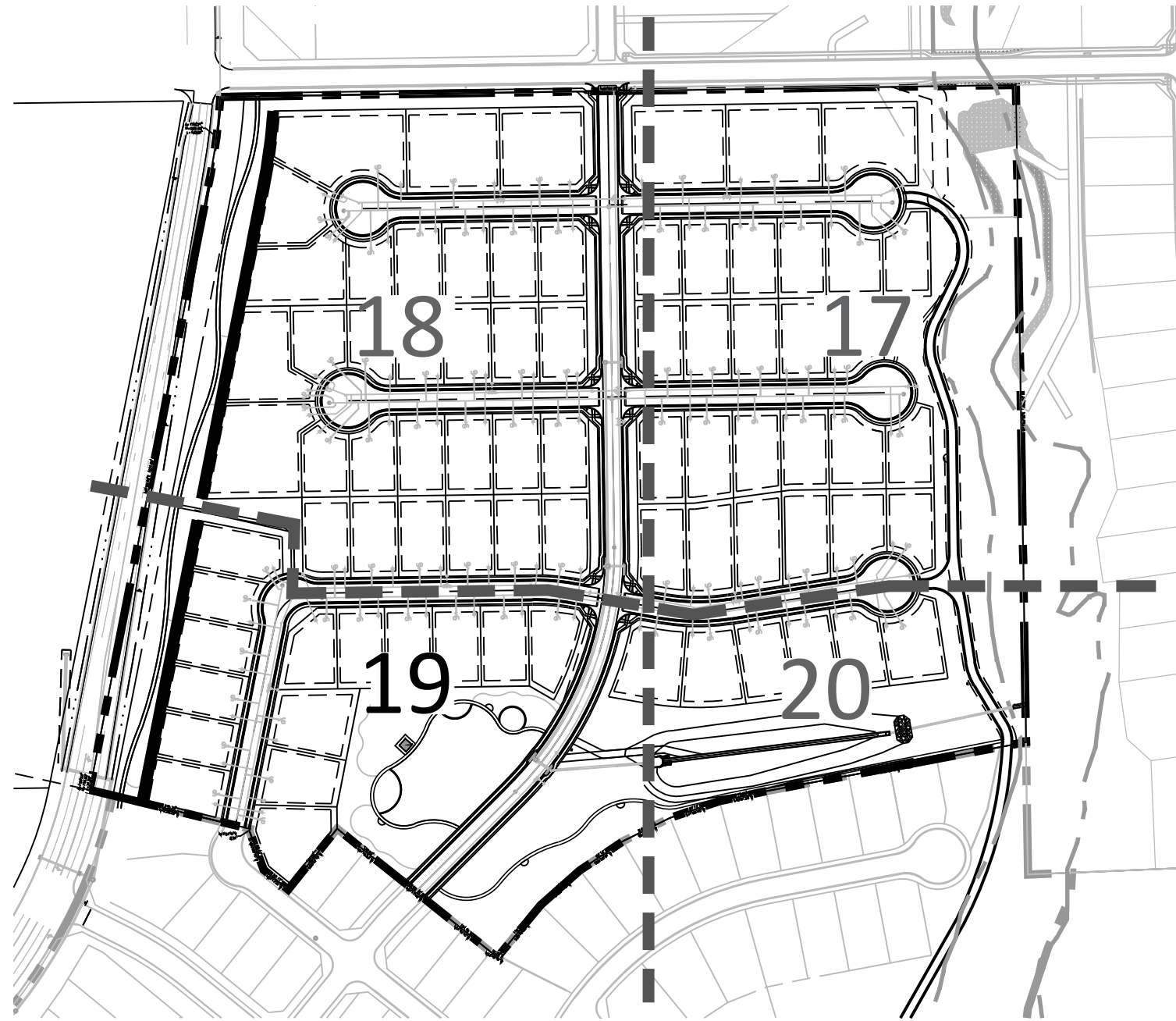
SP 22-007



HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN

SHEET KEY MAP



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HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
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ENTITLEMENT

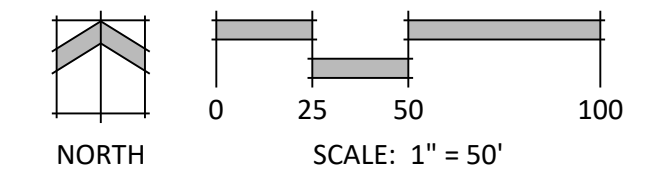
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LANDSCAPE PLAN

19

19 OF 21

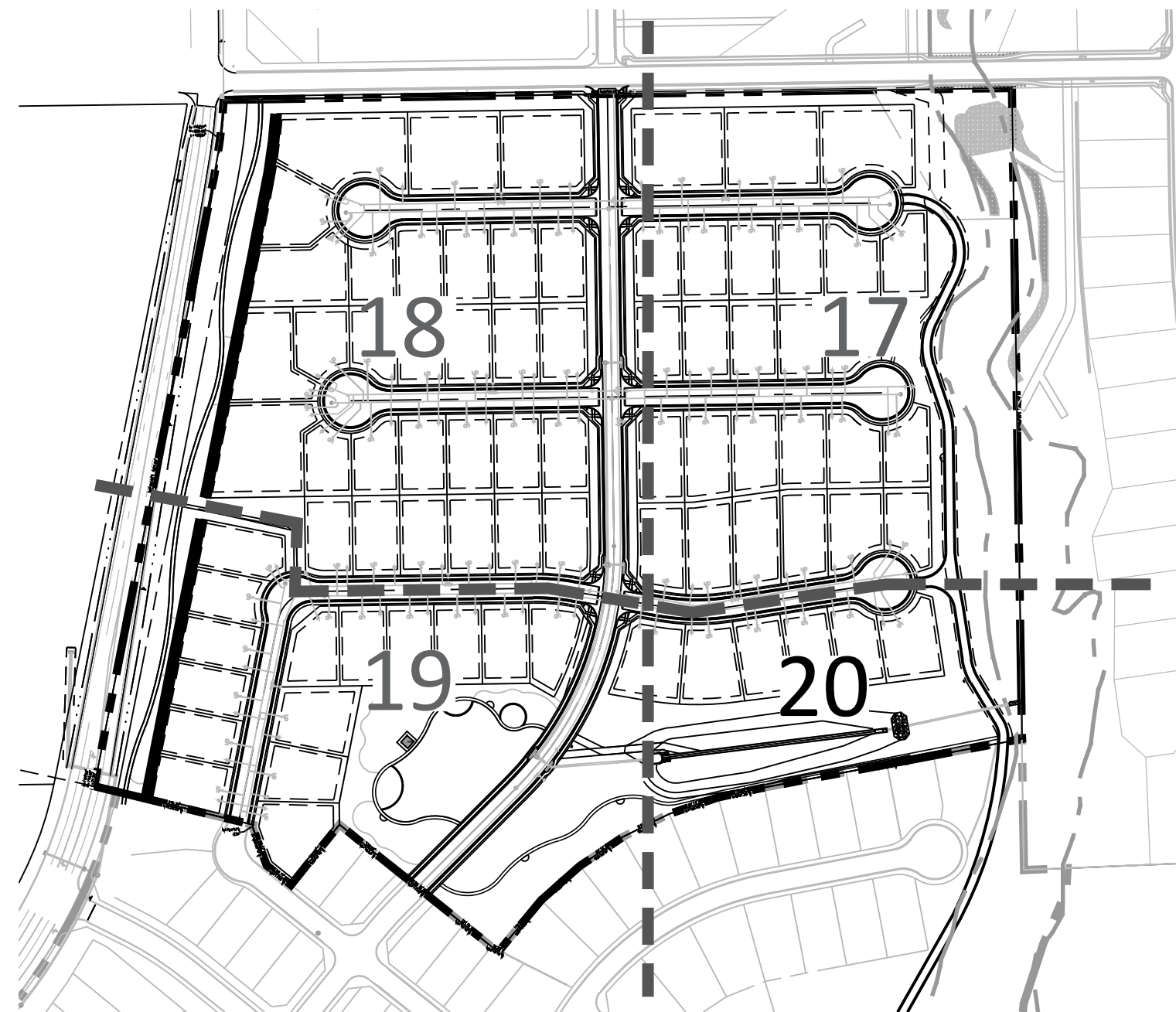
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HOMESTEAD NORTH AT STERLING RANCH FILING 3

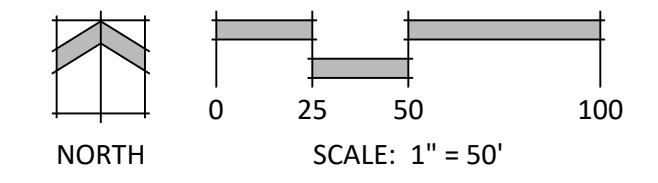
SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN

SHEET KEY MAP



ZONE: PUD
USE: TRACT
OWNER: TIMBERIDGE
DEVELOPMENT GROUP LLC
SUB: TR C RETREAT AT
TIMBERIDGE FIL NO 1

ZONE: RS-6000
USE: VACANT LAND
OWNER: SR LAND LLC
SUB: UNPLATTED



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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

HOMESTEAD NORTH AT STERLING RANCH FILING 3

VOLLMER ROAD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

STAMP

ENTITLEMENT

DATE: BY: DESCRIPTION:

ISSUE / REVISION

LANDSCAPE PLAN

SHEET TITLE

20

20 OF 21

SHEET NUMBER

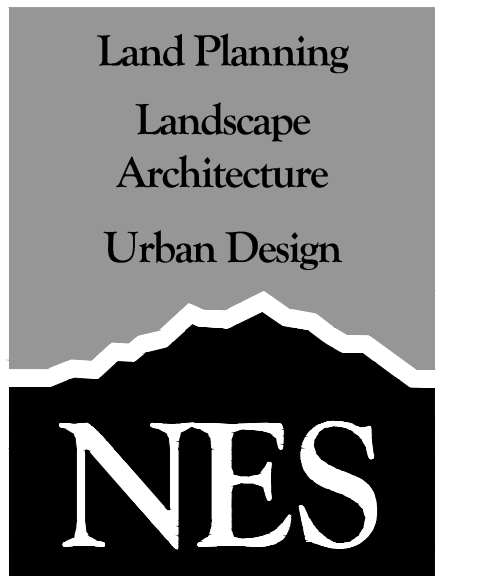
SP 22-007

PLAN FILE #

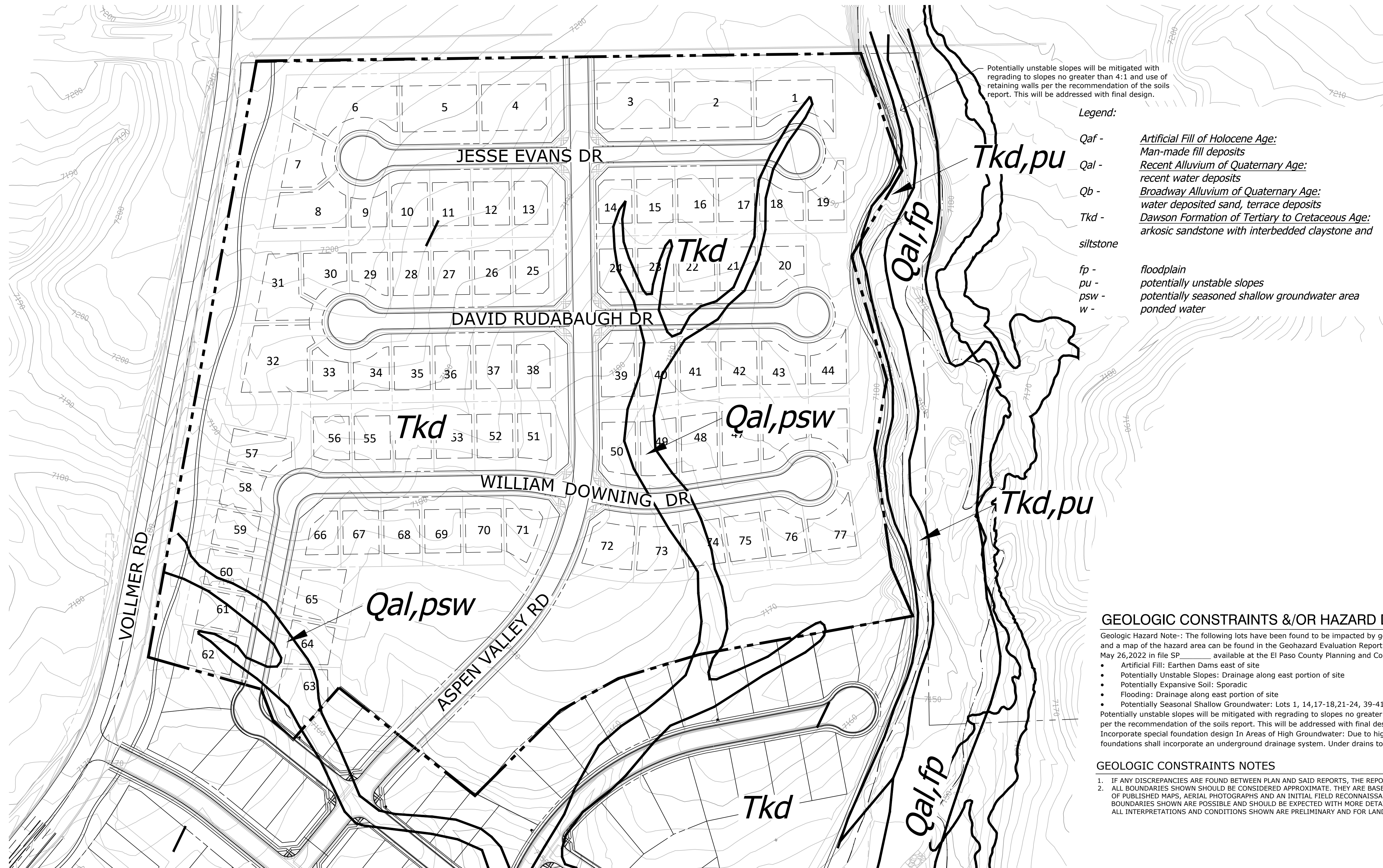
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HOMESTEAD NORTH AT STERLING RANCH FILING 3

SECTION 27,28 AND 33, IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF
THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO
PRELIMINARY PLAN



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Potentially unstable slopes will be mitigated with regrading to slopes no greater than 4:1 and use of retaining walls per the recommendation of the soils report. This will be addressed with final design.

Legend:

- Qaf - Artificial Fill of Holocene Age: Man-made fill deposits
- Qal - Recent Alluvium of Quaternary Age: recent water deposits
- Qb - Broadway Alluvium of Quaternary Age: water deposited sand, terrace deposits
- Tkd - Dawson Formation of Tertiary to Cretaceous Age: arkosic sandstone with interbedded claystone and siltstone
- fp - floodplain
- pu - potentially unstable slopes
- psw - potentially seasoned shallow groundwater area
- w - ponded water

GEOLOGIC CONSTRAINTS &/OR HAZARD DISCLOSURE STATEMENT

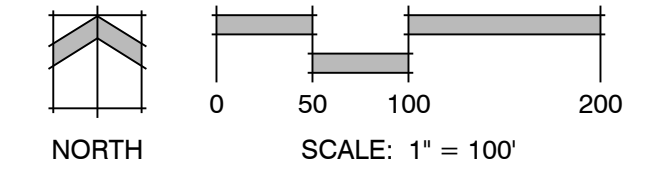
Geologic Hazard Note: The following lots have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the Geohazard Evaluation Report by Entech Engineering Inc., dated May 26, 2022 in file SP _____ available at the El Paso County Planning and Community Development Department:

- Artificial Fill: Earthen Dams east of site
- Potentially Unstable Slopes: Drainage along east portion of site
- Potentially Expansive Soil: Sporadic
- Flooding: Drainage along east portion of site
- Potentially Seasonal Shallow Groundwater: Lots 1, 14, 17-18, 21-24, 39-41, 49-50, 60-64 and 73-74

Potentially unstable slopes will be mitigated with regrading to slopes no greater than 4:1 and use of retaining walls per the recommendation of the soils report. This will be addressed with final design. In Areas of Expansive Soils: Incorporate special foundation design In Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate an underground drainage system. Under drains to be maintained by the District.

GEOLOGIC CONSTRAINTS NOTES

1. IF ANY DISCREPANCIES ARE FOUND BETWEEN PLAN AND SAID REPORTS, THE REPORTS SUPERSEDE.
2. ALL BOUNDARIES SHOWN SHOULD BE CONSIDERED APPROXIMATE. THEY ARE BASED UPON A SUBJECTIVE INTERPRETATION OF PUBLISHED MAPS, AERIAL PHOTOGRAPHS AND AN INITIAL FIELD RECONNAISSANCE. CHANGES IN THE MAPPED BOUNDARIES SHOWN ARE POSSIBLE AND SHOULD BE EXPECTED WITH MORE DETAILED WORK AND FURTHER INFORMATION. ALL INTERPRETATIONS AND CONDITIONS SHOWN ARE PRELIMINARY AND FOR LAND-USE PLANNING ONLY.



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PLANNING / LANDSCAPE ARCHITECT IN ASSOCIATION WITH

HOMESTEAD NORTH AT STERLING RANCH PHASE 3
VOLLMER RD

DATE: 07.07.2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. HALSTEN & J. SMITH

ENTITLEMENT

DATE	BY	DESCRIPTION

SITE CONSTRAINTS EXHIBIT

21 OF 21
SP 22-007



November 29, 2022

Kari Parsons
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Homestead North at Sterling Ranch Filing 3
Preliminary Plan
Sec. 34, Twp. 12S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 30443

To Whom It May Concern:

We have received revised information regarding the above-referenced proposal to subdivide a 40.8271± acre tract of land into 77 single-family lots. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Falcon Area Water and Wastewater Authority (“Authority” or “FAWWA”). This office previously provided comments regarding this referral on September 8, 2022. The comments included herein shall supersede those prior comments.

Water Supply Demand

According to the Water Supply Information Sheet received by this office, the estimated water demand for the development is 27.18 acre-feet/year (based on the Authority’s SFE equivalency for high-density lots) for 77 residential lots and 14.13 acre-feet/year for turf/native grass irrigation. The total estimated demand is 41.31 acre-feet/year. The wastewater will return to the Authority’s central system.

Source of Water Supply

The source of water for the proposed development is to be served by the Falcon Area Water and Wastewater Authority. A letter of commitment dated June 10, 2022 from the Authority was provided with the referral materials. The letter commits 41.31 acre-feet/year, which is equal to the estimated demand for the development. According to the submittal, the Authority will provide water from a number of Denver Basin aquifer wells (both existing and proposed) to a central system utilizing the water rights shown in Table 1, below.



Table 1 - Denver Basin Ground Water Rights

Aquifer	Decree	Tributary Status	Volume (AF)	Annual Allocation 100 Year (AF/Year)	Annual Allocation 300 Year (AF/Year)
Laramie-Fox Hills	86CW19	NT	53,900	539	179.67
Laramie-Fox Hills	08CW113	NT	40	0.4	0.13
Laramie-Fox Hills	20CW3059	NT	2,780	27.80	9.27
Laramie-Fox Hills	1689-BD	NT	26,300	263	87.67
Arapahoe	85CW131	NT	47,400	474	158
Arapahoe	86CW18	NT	57,500	575	191.67
Arapahoe	93CW18	NT	74,250	742.5	247.5
Arapahoe	08CW113	NNT	60	0.60	0.20
Arapahoe	20CW3059	NNT	4,311	43.11	14.37*
Arapahoe	1690-BD	NT	39,800	398	132.67
Denver	85CW131	NT	18,700	187	62.33
Denver	93CW18	NT	37,581	375.81	124.11*
Denver	08CW113	NNT	72,893	728.93	242.98
Denver	20CW3059	NNT	4,556	45.56	15.19*
Denver	1691-BD	NT	51,300	513	171
Total			491,028	4,910.28	1,636.76

*The available water as decreed from 20CW3059 varies slightly from the rates in the submitted Water Resources Report.

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

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

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

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an **allocation** approach based on three hundred years, the allowed average annual amount of withdrawal of 4,910.28 acre-feet/year would be reduced to one third of that amount, or 1,636.76 acre-feet/year, which is greater than the annual estimated commitments for FAWWA. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

Additional Comments

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

this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, located at <https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3576581&dbid=0> to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

State Engineer's Office Opinion

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

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

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

Our opinion is qualified by the following:

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

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

Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

Cc: Bill Tyner, Division Engineer
Jacob Olson, North Regional Team Lead



Prevent • Promote • Protect

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

Homestead North Filing No. 3, SP-22-7

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

- The proposed 77-residential lot, 40.8-acre, development will be provided central water and wastewater through Sterling Ranch Metropolitan District No.1, and the Falcon Area Water and Wastewater Authority. Interim wastewater treatment service will be provided by Meridian Service Metropolitan District No 1 through an inter-governmental agreement with Colorado Springs Utilities. Sterling Ranch Metropolitan District No.1. There is a Commitment to Serve water and wastewater letter dated 10Jun2022 from Sterling Ranch Metropolitan District #1 included with the submittal.
- There is a finding for sufficiency in terms of water quality for this Colorado Department of Public Health and Environment, Water Quality Control Division, approved water system. The Colorado Department of Public Health and Environment has assigned PWSID # CO0121724 to the district.
- The Water Resources and Wastewater Report for Sterling Ranch Service Area, by JDS-Hydro, Consultants, Inc., dated May 2022, was reviewed, and supports the determination of Sterling Ranch Metropolitan District No.1 for water and wastewater services.
- Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to: <https://www.colorado.gov/pacific/cdphe/general-air-permits>
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and specifically the El Paso County area, have higher radon levels than other areas of the country.
- El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walkability features help reduce obesity and associated heart diseases.
- The water quality basins must have mosquito control responsibilities included as a part of the construction design and maintenance plan to

Homestead North Filing No. 3, SP-22-7

help control mosquito breeding habitat and minimize the potential for West Nile Virus.

- **El Paso County Public Health encourages planned walkability of residential communities with sidewalks, walking paths, and bike trails to surrounding neighborhood parks, schools, and commercial areas. Walkability features promote exercise, help reduce obesity and lower the risk of heart disease.**

**Mike McCarthy
El Paso County Public Health
719-332-5771
mikemccarthy@elpasoco.com
12Dec2022**

County Attorney

Kenneth R. Hodges, County Attorney
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Centennial Hall
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Colorado Springs, CO 80903
www.ElPasoCo.com

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

January 3, 2023

SP-22-7 Homestead North Filing No. 3
Preliminary Plan

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Preliminary Plan proposal by N.E.S. (“Applicant”), to subdivide an approximately 40.827 +/- acre tract of land into 77 single-family lots. The property is zoned RR-5 (Residential Rural).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 41.31 acre-feet/year. The Applicant estimates a single-family equivalent of 0.353 acre-feet per lot, which results in an annual water demand of 27.18 acre-feet for 77 lots, plus irrigation of 5.65 acres for a demand of 14.13 annual acre-feet, for a total water demand of 41.31 acre-feet/year for Homestead North Filing No. 3. Based on these figures, the Applicant must provide a supply of 12,393 acre-feet of water (41.31 acre-feet/year x 300 years) to meet the County’s 300 year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Falcon Area Water and Wastewater Authority (“FAWWA” or “Authority”). The Authority was recently created to serve Sterling Ranch and The Retreat at TimberRidge, previously served by Sterling Ranch Metropolitan District. The *Water Resources Report – Homestead North at Sterling Ranch Filing 3 Preliminary Plan* (“Report”) indicates the Authority’s water supply is sourced from on-site non-tributary water rights, including water from Denver, Arapahoe and Laramie-Fox Hills aquifer wells

ASSISTANT COUNTY ATTORNEYS

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BRYAN E. SCHMID
STEVEN W. MARTYN

MERI GERINGER

to pursuant to the Water Decree in 20CW3059. The *Report* indicates that the current developed physical supply is 1901.83 annual acre-feet/300 years. The total water commitment is currently at 877.21 annual acre-feet. “This leaves a net excess of currently available water of 1024.62 annual AF/300 years and therefore there is more than sufficient water supply to meet the needs of Homestead North at Sterling Ranching Filing #3 on the 300 year basis.”

4. The Sterling Ranch Metropolitan District’s Board President provided a letter of commitment for Homestead North at Sterling Ranch Filing 3 dated June 10, 2022, in which the District committed to providing water service for the 77 single family lots plus irrigation of landscaping, for an annual water requirement of 41.31 acre-feet/year.

State Engineer’s Office Opinion

5. In a letter dated November 29, 2022, the State Engineer’s Office reviewed the application to subdivide the 40.8271 +/- acres into 77 single-family lots. The State Engineer stated that “[t]he proposed supply of water . . . is to be served by the Falcon Area Water and Wastewater Authority.” Further, the State Engineer stated that “[p]ursuant to the provision of C.R.S. 30-28-136(1)(h)(II), it is the opinion of this office that the proposed water supply is expected to be adequate and can be provided without injury to existing water rights.” The Engineer further advised that their opinion that the water can be provided without injury is based on the determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach (100 years) is greater than the annual amount of water required to supply existing water commitments and the estimated demands of the proposed subdivision.

The State Engineer further qualifies her opinion with the following:

“The amounts of water in the Denver Basin aquifers . . . are calculated based on estimated current aquifer conditions. For planning purposes, the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines.”

Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Homestead North at Sterling Ranch Filing No. 3 is 41.31 acre-feet per year for a total demand of 12,393 acre-feet for the subdivision for 300 years, to be supplied by FAWWA. **Based on the Authority’s available water supply of approximately 1024.62 annual acre-feet, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Homestead North at Sterling Ranch Filing No. 3.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply

operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary* provided June 23, 2022, the *Water Resources Report* dated October 2022, the *Sterling Ranch Metropolitan District* letter dated June 10, 2022, and the *State Engineer Office's Opinion* dated November 29, 2022. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to recording the first final plat for this preliminary plan, Applicant must upload an updated Water Supply Information Summary and Commitment letter citing that the requested water will be provided by the Falcon Area Water and Wastewater Authority.

cc: Kari Parsons, Senior Planner

COMMUNITY SERVICES DEPARTMENT

PARK OPERATIONS ~ ENVIRONMENTAL SERVICES ~ RECREATION/CULTURAL SERVICES

December 8, 2022

Kari Parsons
Project Manager
El Paso County Development Services Department
2880 International Circle
Colorado Springs, CO 80910

Subject: Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan, Review #2 – Final Comments (SP-22-007)

Hello Kari,

The Park Operations Division of the Community Services Department has reviewed the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan development application, Review #2, and has no additional comments of behalf of El Paso County Parks. Staff acknowledges and appreciates the inclusion of the 15' regional trail and 25' trail easement, as well as the 1.77-acre neighborhood park, in the applicant's Preliminary Plan and Letter of Intent. This application and the following comments and recommendations were presented to and endorsed by the Park Advisory Board on September 14, 2022:

"This is a request by N.E.S., Inc. on behalf of Classic SR Land, LLC, for endorsement of the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan, which includes 77 single-family residential lots on 40.83 acres. The property is being rezoned concurrently from RR-5 to RS-6000, and is located along Vollmer Road, north of Woodmen Road and west of Meridian Road.

The 2013 El Paso County Parks Master Plan shows a proposed regional trail connection impacted by the project. The proposed Sand Creek Primary Regional Trail alignment traverses generally north-south through the eastern portion of the property, along the western bank of Sand Creek. The proposed regional trail is depicted in the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan and Landscape Plans, labeled as "15' County Gravel Trail," and will be collocated with a maintenance access road along the western bank of Sand Creek. Within Sterling Ranch, the trail will end at Poco Road before continuing northward into the Retreat at Timber Ridge, although the Preliminary Plan shows it ending at Jesse Evans Drive, just south of Poco Road. The Final Plat and Landscape Plans also show concrete sidewalks/trails located adjacent Vollmer Road.

Furthermore, the proposed Vollmer Road Bicycle Route is located immediately west of the project location. Dedicated public rights-of-way and planned concrete sidewalks already exist along the aforementioned bicycle route, so no easement requests are necessary at that location; however, the applicant is advised that multi-modal transportation options will be developed within the Vollmer Road right-of-way in the future.

The 2022 El Paso County Parks Master Plan includes an update to the Candidate Open Space Areas, utilizing a weighted overlay of numerous natural and man-made attributes which contribute to strong candidate open space areas. Homestead North at Sterling Ranch Filing No. 3 falls completely within the bounds of the updated Black Forest South Candidate Open Space Area. Open space attribute values here include the Sand Creek corridor, surface water and wetland areas, floodplains, moderate wildlife impacts, and open high prairie grasslands along the southern boundary of Black Forest. The



applicant's continuing efforts to protect and reestablish a sustainable Sand Creek corridor address these attributes and contribute in some degree to their conservation.

Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan contains 11.77 acres dedicated to open space, parks, trails, and landscape tracts, comprising 28.8% of the total project area, although the El Paso County Land Development Code's 10% open space requirement is not applicable to projects that are not zoned PUD. According to the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan and Landscape Plans, a 1.77-acre neighborhood park is planned for Tract B alongside a larger stormwater detention facility and open space tract (Tract C). The applicant's Letter of Intent states the following in regard to parks, trails, and open spaces:

- *"The Sterling Ranch master planned community includes community parks, neighborhood parks, and open spaces, which are served by an interconnected system of trails to create a recreation-oriented community. The Homestead North Filing No. 3 Preliminary Plan provides 11.77-acre 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. Homestead North Filings 1, 2, and 3 are being planned as one community, with various park experiences provided throughout the area. Parks have been located so that residents have a short walk to these facilities. These parks and trails will be owned and maintained by the Sterling Ranch Metropolitan District."*
- *"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 and in progress on the west side of the creek, including this submittal. Multiple local trails will be included for circulation and recreational use throughout Sterling Ranch. These trails will be owned and maintained by the Sterling Ranch Metropolitan District."*
- *"The primary natural physical feature on the site is the Sand Creek channel, which is preserved and incorporated into the overall design for Sterling Ranch and this Preliminary Plan. This area will have an adjacent trail network, a community park south of Filing 3 and sufficient open space in Tracts A-G (11.77 AC)."*
- *"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."*

Due to the location of the Sand Creek Primary Regional Trail within the Homestead North at Sterling Ranch Filing No. 3, El Paso County Parks staff recommends that the applicant designate, provide, and dedicate to El Paso County a 25-foot trail easement that allows for public access, as well as construction and maintenance of the regional trail, and show the dedication within the Final Plat and General Plat Notes. Furthermore, staff recommends fees in lieu of land dedication for regional and urban park purposes.

Recommended Motion (Filing No. 3 Preliminary Plan):

"The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan: (1) designate and provide to El Paso County a 25-foot trail easement through Homestead North at Sterling Ranch Filing No. 3, within Tract C extending to its terminus at Poco Road, that allows for public access, as well as construction and maintenance of the Sand Creek Primary Regional Trail, and dedicate the easement to El Paso County prior to the recording of the forthcoming final plat(s); 2) fees in lieu of land dedication for regional park purposes in the amount of \$35,420 and urban park purposes in the amount of \$22,330 will be required upon recording of the forthcoming final plat(s)."

Please feel free to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Williams", with a long, sweeping horizontal line extending to the right.

Ross A. Williams
Park Planner
Park Operations Division
Community Services Department
rosswilliams@elpasoco.com

Black Forest South
Candidate Open
Space Area

Homestead North at Sterling
Ranch Filing No. 3

Retreat at
Timber Ridge

Sterling
Ranch

City of
Colorado Springs

Homestead North at Sterling Ranch Filing No. 3 Final Plat Review

-  Planned Parks By Other
-  Public Schools
-  Primary Regional Trail, Completed
-  Primary Regional Trail, Proposed
-  Proposed Bicycle Routes, Proposed
-  Secondary Regional Trail, Proposed
-  Colorado Springs Trail, Proposed
-  Streets & Roads
-  Lakes / Reservoirs
-  Parcels
-  Sterling Ranch
-  Homestead North Filing No. 3
-  Homestead North Filing No. 1
-  Homestead North Filing No. 2
-  Streams

0.5 0.25 0
Miles



**Development
Application
Permit
Review**



COMMUNITY SERVICES DEPARTMENT

Park Operations - Community Outreach - Environmental Services
Recreation / Cultural Services

September 14, 2022

Subdivision requirements referenced in Section 8.5.2 of the El Paso County Land Development Code. Fees are based on average land values within designated areas. See El Paso County Board of County Commissioners (BoCC) Resolution for fees established on an annual basis. The Park Advisory Board meets the second Wednesday of each month, 1:30 p.m., BoCC Auditorium, second floor of Centennial Hall, 200 South Cascade Avenue, Colorado Springs.

Name:	Homestead North at Sterling Ranch Filing No. 3 Prelim Plan	Application Type:	Preliminary Plan
PCD Reference #:	SP-22-007	Total Acreage:	40.83
		Total # of Dwelling Units:	77
Applicant / Owner:	Owner's Representative:	Dwelling Units Per 2.5 Acres:	4.71
Classic SRJ Land, LLC	N.E.S., Inc.	Regional Park Area:	2
2138 Flying Horse Club Drive	Andrea Barlow	Urban Park Area:	2
Colorado Springs, CO 80921	619 North Cascade Avenue, Suite 200	Existing Zoning Code:	RR-5
	Colorado Springs, CO 80903	Proposed Zoning Code:	RS-6000

REGIONAL AND URBAN PARK DEDICATION AND FEE REQUIREMENTS

Regional Park land dedication shall be 7.76 acres of park land per 1,000 projected residents, while Urban Park land dedication shall be 4 acres of park land per 1,000 projected residents. The number of projected residents shall be based on 2.5 residents per dwelling unit.

The EPC Land Development Code defines urban density as land development of higher density and intensity which is characteristically provided with services of an urban nature. This category of development includes residential uses with densities of more than one dwelling unit per 2.5 acres.

LAND REQUIREMENTS

Urban Density (≥ 1 Dwelling Unit Per 2.5 Acres): **YES**

Regional Park Area: 2

0.0194 Acres x 77 Dwelling Units = 1.494
Total Regional Park Acres: 1.494

Urban Park Area: 2
Neighborhood: 0.00375 Acres x 77 Dwelling Units = 0.29
Community: 0.00625 Acres x 77 Dwelling Units = 0.48
Total Urban Park Acres: 0.77

FEE REQUIREMENTS

Regional Park Area: 2

\$460 / Dwelling Unit x 77 Dwelling Units = \$35,420
Total Regional Park Fees: \$35,420

Urban Park Area: 2
Neighborhood: \$114 / Dwelling Unit x 77 Dwelling Units = \$8,778
Community: \$176 / Dwelling Unit x 77 Dwelling Units = \$13,552
Total Urban Park Fees: \$22,330

ADDITIONAL RECOMMENDATIONS

Staff Recommendation:

The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan: (1) designate and provide to El Paso County a 25-foot trail easement through Homestead North at Sterling Ranch Filing No. 3, within Tract C extending to its terminus at Poco Road, that allows for public access, as well as construction and maintenance of the Sand Creek Primary Regional Trail, and dedicate the easement to El Paso County prior to the recording of the forthcoming final plat(s); 2) fees in lieu of land dedication for regional park purposes in the amount of \$35,420 and urban park purposes in the amount of \$22,330 will be required upon recording of the forthcoming final plat(s).

Park Advisory Board Recommendation:

PAB Endorsed 09/14/2022

MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

Schuettpelz moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P-22-015
HOMESTEAD NORTH FILING NO. 3

WHEREAS, Classic SRJ Land, LLC, and SR Land, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on January 5, 2023; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, in approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners (BoCC) shall find that the request meets the following criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2022):

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111, §30-28-113, and §30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC, and SR Land, LLC, for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-6000 (Residential Suburban) zoning district and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

3. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
4. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Filing No. 3 Traffic Impact Study, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final plat for Homestead North at Sterling Ranch Filing No. 3.
5. Sand Creek, adjacent to and within the Homestead North preliminary plan area, shall be stabilized to meet the minimum standards of the Drainage Criteria Manual and the Engineering Criteria Manual.

NOTATIONS

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

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

Moraes seconded the adoption of the foregoing Resolution.

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

Brian Risley	aye / no / abstain / <u>absent</u>
Thomas Bailey	<u>aye</u> / no / abstain / absent
Tim Trowbridge	<u>aye</u> / no / abstain / absent
Becky Fuller	<u>aye</u> / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain / <u>absent</u>
Jay Carlson	<u>aye</u> / no / abstain / absent
Eric Moraes	<u>aye</u> / no / abstain / absent
Joshua Patterson	<u>aye</u> / no / abstain / absent
Bryce Schuettpelz	<u>aye</u> / no / abstain / absent


Christopher Whitney
Brandy Merriam

aye / no / abstain / absent
aye / no / abstain absent

The Resolution was adopted by a vote of 8 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 5th day of January 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Printed Name: THOMAS M. BAILEY
Title: VILLAGE CHAIRMAN

DATED: January 5, 2023

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376 2006" AT THE NORTHEAST CORNER AND BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHEAST CORNER, SAID LINE BEING ASSUMED TO BEAR S01°30'51"W.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, N00°53'15"W A DISTANCE OF 1,537.68 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'26"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 305.25 FEET, TO THE APPROXIMATE CENTERLINE OF VOLLMER ROAD AND A POINT OF NON-TANGENT CURVE;

THENCE ON THE APPROXIMATE CENTERLINE OF SAID VOLLMER ROAD, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°51'02"W, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF 01°31'06" AND AN ARC LENGTH OF 19.74 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1,021.92 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 07°40'27" AND AN ARC LENGTH OF 127.24 FEET, TO A POINT ON THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD, AS SHOWN ON THE PLAT OF RETREAT AT TIMBERRIDGE FILING NO. 1 RECORDED UNDER RECEPTION NO. 220714653 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING A POINT OF NON-TANGENT;

THENCE ON THE SAID SOUTHERLY RIGHT-OF-WAY LINE AND ITS EXTENSION, N89°08'31"E A DISTANCE OF 1,357.29 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 28;

THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1,095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,813,605 SQUARE FEET OR 41.6346 ACRES.

PRELIMINARY PLAN (RECOMMEND APPROVAL)

Trowbridge moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SP-22-007
HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN

WHEREAS, Classic SRJ Land, LLC, and SR Land, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a Preliminary Plan for the proposed Homestead North Filing No. 3 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on January 5, 2023; and

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

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

WHEREAS, in approving a minor subdivision, the Planning Commission and Board of County Commissioners (BoCC) shall find that the request meets the following preliminary plan criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022):

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
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 the Code (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);
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 the Code;
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)];
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
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;
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 the Code and the ECM;
10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) 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; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) 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;

11. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, 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 the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC, and SR Land, LLC, for the approval of a Preliminary Plan for the proposed Homestead North Filing No. 3 Subdivision for property located in the unincorporated area of El Paso County be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
2. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
3. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
5. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of

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

6. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
7. Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent preliminary plan(s) and final plat(s) submittals.
8. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Phase 1 Updated Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Homestead North at Sterling Ranch rezoning area.

NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
2. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
3. Approval of the preliminary plan will expire after three (3) years unless a final plat has been approved and recorded or a time extension has been granted.
4. Improvements to Vollmer Road and Briargate Parkway adjacent to the preliminary plan area are to be provided in accordance with the Development Agreement recorded at reception number 222098865 (PCD project number DA221). These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

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

Patterson seconded the adoption of the foregoing Resolution.

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

Brian Risley	aye / no / abstain <u>absent</u>
Thomas Bailey	<u>aye</u> / no / abstain / absent
Tim Trowbridge	<u>aye</u> / no / abstain / absent
Becky Fuller	<u>aye</u> / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain <u>absent</u>
Jay Carlson	<u>aye</u> / no / abstain / absent
Eric Moraes	<u>aye</u> / no / abstain / absent

Joshua Patterson aye / no / abstain / absent
Bryce Schuettpeiz aye / no / abstain / absent
Christopher Whitney aye / no / abstain / absent
Brandy Merriam aye / no / abstain / absent

The Resolution was adopted by a vote of 8 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 5th day of January 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Printed Name: THOMAS M. BAILEY
Title: VICE CHAIRMAN

DATED: January 5, 2023.

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28, N00°53'15"W A DISTANCE OF 220.84 FEET, TO THE NORTHEASTERLY CORNER OF TRACT H, AS SHOWN ON THE PLAT OF HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2 RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY LINES OF SAID HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'26"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 275.24 FEET, TO A POINT OF NON-TANGENT CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°47'32"W, HAVING A RADIUS OF 774.82 FEET, A CENTRAL ANGLE OF 01°34'03" AND AN ARC LENGTH OF 21.20 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1021.80 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 980.00 FEET, A CENTRAL ANGLE OF 07°48'21" AND AN ARC LENGTH OF 133.51 FEET, TO A POINT OF NON-TANGENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, N89°08'31"E A DISTANCE OF 1327.21 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28;
THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,778,429 SQUARE FEET OR 40.8271 ACRES.

Meggan Herington, Executive Director
El Paso County Planning & Community Development
O: 719-520-6300
MegganHerington@elpasoco.com
2880 International Circle, Suite 110
Colorado Springs, CO 80910

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

PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, January 5, 2023
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: TOM BAILEY, JAY CARLSON, BECKY FULLER, ERIC MORAES, TIM TROWBRIDGE, JOSHUA PATTERSON, BRYCE SCHUETTPELZ, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: BRIAN RISLEY, SARAH BRITAIN JACK, AND BRANDY MERRIAM.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KARI PARSONS, CHRISTIAN HAAS, CHARLENE DURHAM, MIRANDA BENSON, AND EL PASO COUNTY ATTORNEY LORI SEAGO.

OTHERS PRESENT AND SPEAKING: PATRICK CATANACH AND ANGELIA ZIPPLIES.

Mr. Bailey established that he is acting Chair in Mr. Risley's absence. He acknowledged Ms. Lucia-Treese' recent passing. He requested a moment of silence (observed).

Mr. Trowbridge shared his thoughts and memories of Ms. Lucia-Treese.

1. REPORT ITEMS.

A. Planning Department. Next PC Hearing is Thursday, January 19, 2023, at 9:00 A.M.

Mr. Kilgore announced the next hearing date will include a luncheon. He introduced new planner, Christian Haas, and stated two more planners will be starting next week. He also introduced the new Executive Director, Meggan Herington.

Mr. Whitney asked how many total planners PCD will have after the two start next week?

Mr. Kilgore answered that there are currently 6 planners on staff.

Ms. Herington added that there are two additional positions yet to be filled. She also introduced herself and gave a brief explanation of her background. She stated she would like to schedule time to meet or speak individually with each of the board members.

Mr. Bailey thanked Ms. Herington and commended the PCD staff.

Mr. Moraes asked if PCD has seen a decrease of applications over the last 6-9 months compared to the previous year?

Mr. Kilgore answered that he has been with PCD for 5 months, so he can only speak for that time. Recently, 4 or 5 projects have either cancelled or postponed. Other than that, multiple projects are coming in per day. He also made the correction that PCD currently has 7 planners (one on leave) and a manager on staff.

B. Call for public comment for items not on hearing agenda. NONE.

2. CONSENT ITEMS.

A. Adoption of Minutes from meeting held December 1, 2022.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (8-0).

B. CS-22-002

PARSONS

MAP AMENDMENT (REZONE) EMPRISE STORAGE REZONE

A request by Land Development Consultants, Inc. for approval of a map amendment (rezoning) of 40 acres from RR-5 (Residential Rural) to CS (Commercial Service). The 40-acre property is located directly south of Highway 94 and 0.20 miles west of the intersection of Highway 94 and Franceville Coal Mine Road, and is within Section 18, Township 14 South, Range 64 West of the 6th P.M. (Parcel No. 44000-00-056) (Commissioner District No. 4).

PC ACTION: MORAES MOVED / CARLSON SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 2B, CS-22-002, FOR A MAP AMENDMENT (REZONE), EMPRISE STORAGE REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (8-0).

C. P-22-015

PARSONS

MAP AMENDMENT (REZONE) HOMESTEAD NORTH FILING NO. 3

A request by Classic SRJ Land, LLC, and SR Land, LLC, for approval of a map amendment (rezoning) of 41.63 acres from RR-5 (residential Rural) to RS-6000 (Residential Suburban). The parcels are located north of the northeast corner of the Briargate Parkway and Vollmer Road

intersection and is within Section 28, Township 12 South, Range 65 West of the 6th P.M. The subject parcels are within the Sterling Ranch Sketch Plan area. (Parcel Nos. 52280-00-030 and 52280-00-038) (Commissioner District No. 2).

DISCUSSION

Mr. Carlson asked if there were any responses from the public?

Ms. Parsons stated no opposition was received prior to the meeting. She added there were two members of the public present in the audience for whom she answered questions.

PC ACTION: SCHUETTPELZ MOVED / MORAES SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 2C, P-22-015, FOR A MAP AMENDMENT (REZONE), HOMESTEAD NORTH FILING NO. 3, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH FIVE (5) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (8-0).

D. SP- 22-007

PARSONS

PRELIMINARY PLAN HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN

A request by Classic SRJ Land, LLC, and SR Land, LLC, for approval of the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan to create 77 single-family residential lots. The 40.83-acre development area is zoned RR-5 (Residential Rural). A concurrent Map Amendment (rezone) to RS-6000 (Residential Rural) is also requested. The subject property is within the Sterling Ranch Sketch Plan area which depicts a density of 2 dwelling units per acre. The proposed density is 1.8 dwelling units per acre. The parcels are located north of the northeast corner of the Vollmer Road and Briargate Parkway intersection and is within Section 28, Township 12 South, Range 65 West of the 6th P.M. (Parcel Nos. 52280-00-030 and 52280-00-038) (Commissioner District No. 2).

Member(s) of the public requested this item be heard as a Regular Item.

3. CALLED-UP CONSENT ITEMS

2D. SP- 22-007

PARSONS

PRELIMINARY PLAN HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN

A request by Classic SRJ Land, LLC, and SR Land, LLC, for approval of the Homestead North at Sterling Ranch Filing No. 3 Preliminary Plan to create 77 single-family residential lots. The 40.83-acre development area is zoned RR-5 (Residential Rural). A concurrent Map Amendment (rezone) to RS-6000 (Residential Rural) is also requested. The subject property is within the Sterling Ranch Sketch Plan area which depicts a density of 2 dwelling units per acre. The proposed density is 1.8 dwelling units per acre. The parcels are located north of the northeast corner of the Vollmer Road and Briargate Parkway intersection and is within Section 28, Township 12 South, Range 65 West of the 6th P.M. (Parcel Nos. 52280-00-030 and 52280-00-038) (Commissioner District No. 2).

DISCUSSION

Ms. Parsons explained that this item has a combined staff report and presentation with the rezone addressed previously, P-22-015.

Mr. Bailey advised the details concerning the rezone may be skipped. He questioned if a full staff presentation would be needed, or if the members of the public could state their specific questions/concerns?

Ms. Herington stated it would be appropriate to have the member of the public state his concern now that the item has been pulled from the Consent Items.

Mr. Catanach is a resident of The Retreat at TimberRidge. He is concerned that this project will include multi-dwelling units.

Ms. Parsons asked Ms. Seago to read the preliminary plan approval criteria into the record and stated this proposal does not include multi-family developments, but is for single-family detached units only. She then began the staff presentation.

Ms. Seago requested that the meeting proceed more formally. (Questions were being asked from the audience during staff presentation.)

Mr. Bailey explained to the audience that there would be a time later for comments from the public. He asked Ms. Parsons if the site included in this application was included in the approved Sterling Ranch Sketch Plan?

Ms. Parsons confirmed that the site is within the approved Sterling Ranch Sketch Plan and is consistent with the density proposed in that sketch plan. This project has an average overall density of 1.8 dwelling units per acre where the sketch plan allows for 2 dwelling units per acre. The area then tapers to higher density further south where Homestead North Filing Nos. 1 and 2 are located.

Mr. Bailey clarified for the question from the audience regarding rezoning, that this project does not deviate much from the adjacent zoning or approved sketch plan.

Ms. Parsons stated that is correct. She added that she had a conversation with Mr. Bailey prior to this hearing about the Parks Board's recommendation to the BOCC verifying the applicant depict a regional trail corridor along the eastern portion of the site. The applicants have depicted that trail. It is meant to connect into the sidewalk system, go to the north, then cross at an intersection. However, there is also a trail that dead-ends at Poco Rd where there is no currently planned crosswalk. Both trails are shown on the Preliminary Plan.

Mr. Bailey requested the presentation continue with Ms. Parsons explaining the background, from the sketch plan to what is currently approved, then continue with the applicant's presentation.

Ms. Herington asked that a map of the approved sketch plan be shown. Staff presentation continued.

Mr. Trowbridge requested more information about the background timeline.

Ms. Parsons stated the original sketch plan was approved in 2007 with two minor subsequent amendments. A condition at the podium required the applicant to include larger buffers and setbacks along the southern perimeter and additional open space corridors and trails. The applicant has not altered from that. In 2018, there was a minor modification approved administratively to relocate the MVEA Substation. There were no increases to density. In 2022, an administrative approval modified the sketch plan because Academy School District 20 no longer wanted the school site in the Branding Iron Filing No. 2 subdivision due to a large gas line running through the site. It was not feasible for the school district to relocate that gas line. The school district is in the process of doing a school land agreement with the County, SR Land LLC, and Classic/Elite Properties, which will go to the BOCC to move the school site to the land depicted in the 2022 amendment. No changes were made north of Briargate Parkway. The area is proposed to be serviced by the Sterling Ranch Metropolitan District for water and wastewater. There is an intergovernmental agreement with the Falcon Area Water and Wastewater Authority (FAWWA). The 1041 was approved administratively by a previous Executive Director.

Mr. Carlson clarified that the approved sketch plan depicts a density of 2 dwelling units per acre and this preliminary plan proposes 1.8 dwelling units per acre. He asked if that equals an overall total of 8 *more* homes than originally approved?

Ms. Parsons corrected Mr. Carlson's summary. The proposed plan equals 8 *less* homes than the approved sketch plan permits. She added that the applicants have provided a transition of larger lots on the northern end to smaller lot sizes to the south, consistent with the approved Homestead Filing Nos. 1 and 2.

Mr. Whitney clarified that there will be less density along Poco Rd, and it will gradually become more dense as you go south.

Ms. Parsons confirmed that is true.

Mr. Bailey addressed the concerns raised earlier by a member of the audience. He stated that this development is part of a long-standing plan that the developer has been working on for many years. It is unfortunate that anyone came into this situation midway through the process, not knowing what was planned around the area. The role of the Planning Commission is to apply specific criteria of approval to an application.

Ms. Barlow with N.E.S., reiterated that the proposed preliminary plan does not include multi-family residential. She added that the rezone, which was just recommended for approval (P-22-015), does not allow multi-family development. She stated that SR Land LLC and the builder, Classic Homes, are both local companies with local representation, and are both represented on the Sterling Ranch metro district board. If anyone has questions about how Sterling Ranch is planned, she recommends they attend the metro district meetings.

PUBLIC COMMENT

Mr. Catanach stated he had heard rumors about multi-family residential from around the community. He stated his issue is with Classic Homes charging premiums for lot views when they knew this future development has been in place. He stated the residents will need to talk with Classic Homes.

Ms. Ziplies is also a resident of The Retreat at TimberRidge. She stated she did look at the Master Plan before buying. She stated she is in contact with a nearby homeowner now, and they stated they only received an email a few days ago, but no letters in the mail. She is concerned that the entire neighborhood of TimberRidge was not notified. She also has concerns that everyone in TimberRidge that currently backs up to Sand Creek will see houses and a cul-de-sac when they paid more to have a lot with a view. She thinks they should have been notified by more than just the yellow poster on the property.

Mr. Bailey stated notification procedures are not within the control of the Planning Commission but can be addressed by the BOCC if the public has concerns or wants to change those rules. The County Attorney ensures all notifications are done properly.

Ms. Parsons clarified that PCD staff does not notify property owners via email about public hearings. The rezone was advertised in the *Colorado Springs Gazette*, N.E.S. put up the yellow poster on the property, and PCD staff mailed hearing notices to adjacent property owners. Notices are not mailed to the entire nearby developments. Regarding views, there is nothing in the Land Development Code or Engineering Criteria Manual that would preserve a view of the front range or any riparian corridor. Any issues with private agreements would be a civil matter between the citizen and the builder.

Mr. Trowbridge asked how far in advance the letters are mailed to the adjacent property owners?

Ms. Parsons answered that the internal requirement is 16 days, but they are often sent out by Miranda closer to 20 days prior.

Mr. Moraes asked if the notices were sent via registered mail? He has seen certified mail receipts in EDARP before.

Ms. Parsons clarified that the applicant is required to send registered notices to adjacent properties at the time of initial submittal. PCD's public hearing notice, newspaper advertisement, etc. are not certified.

Mr. Moraes asked if it was a state or local regulation that only adjacent property owners receive notifications? Somewhere he lived previously sent notices to anyone within a 200-foot boundary.

Ms. Parsons answered that there is no requirement to notify the public for a Planning Commission for a preliminary plan. The requirement followed by PCD staff is the state statute to notify for a rezone via the newspaper, which is for the BOCC hearing. PCD staff meets the mandated requirement and goes above and beyond with the mailed letters. She asked Ms. Seago to verify.

Ms. Seago confirmed.

Mr. Moraes then asked if Ms. Parsons could explain the lots transitioning in size from north to south.

Ms. Parsons stated lots are an average of 20,000 - 23,000 ft² at the north, going down to the zone district minimum which is 6,000 ft² to the south.

Ms. Barlow clarified that there are no lots as small as 6,000 ft². The smallest lots are just short of 9,000 ft² and the overall average is .28 acres.

Ms. Fuller asked that the review criteria be presented. She sympathized with neighbors who purchased their homes not knowing that the area had plans to be developed. There are resources at PCD available to the public that could have answered those questions if they had been asked ahead of time. Also, as a recommending body, they are not allowed to oppose a project just because of who the developer may be and whether they are local or not. That is not part of the review criteria.

Mr. Kilgore added that PCD utilizes a website called EDARP. Every application that comes through PCD goes through that system: all documents, all comments, all reviews. It is all available for the public to view. If citizens are unfamiliar with how to use the website, they are more than welcome to call or come into PCD where staff will help answer their questions.

Mr. Bailey thanked Mr. Kilgore for that reminder. He commended PCD staff for their transparency and efforts in making EDARP user-friendly and available to the public.

Mr. Whitney asked if any person interested in purchasing a property can call PCD to inquire about the zoning or adjacent vacant land?

Ms. Parsons answered that PCD would be happy to speak with any citizen. She then pulled up El Paso County's website and walked through accessing PCD's webpage to show the link for EDARP and contact information for PCD staff.

Mr. Bailey advised the public that items from this meeting would be heard by the BOCC on January 17th.

PC ACTION: TROWBRIDGE MOVED / PATTERSON SECONDED FOR APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 2D, SP-22-007, FOR A PRELIMINARY PLAN, HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH EIGHT (8) CONDITIONS AND FOUR (4) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (8-0).

4. REGULAR ITEMS. NONE.

MEETING ADJOURNED at 9:52 A.M.

Minutes Prepared By: Miranda Benson

RESOLUTION NO.

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

APPROVAL OF MAP AMENDMENT (REZONE)
HOMESTEAD NORTH FILING NO. 3 (P-22-015)

WHEREAS Classic SRJ Land, LLC and SR Land, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone property located within the unincorporated area of the County, as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on January 5, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on January 17, 2023; and

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

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

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

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

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111, §30-28-113, and §30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Classic SRJ Land, LLC and SR Land, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the RS-6000 (Residential Suburban) zoning district;

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

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RS-6000 (Residential Suburban)

zoning district and with the applicable sections of the El Paso County Land Development Code and Engineering Criteria Manual.

3. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
4. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Filing No. 3 Traffic Impact Study, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final plat for Homestead North at Sterling Ranch Filing No. 3.
5. Sand Creek, adjacent to and within the Homestead North preliminary plan area, shall be stabilized to meet the minimum standards of the Drainage Criteria Manual and the Engineering Criteria Manual.

NOTATIONS

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

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

DONE THIS 17th day of January 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10376 2006" AT THE NORTHEAST CORNER AND BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHEAST CORNER, SAID LINE BEING ASSUMED TO BEAR S01°30'51"W.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, N00°53'15"W A DISTANCE OF 1,537.68 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'26"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 305.25 FEET, TO THE APPROXIMATE CENTERLINE OF VOLLMER ROAD AND A POINT OF NON-TANGENT CURVE;

THENCE ON THE APPROXIMATE CENTERLINE OF SAID VOLLMER ROAD, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°51'02"W, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF 01°31'06" AND AN ARC LENGTH OF 19.74 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1,021.92 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 07°40'27" AND AN ARC LENGTH OF 127.24 FEET, TO A POINT ON THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD, AS SHOWN ON THE PLAT OF RETREAT AT TIMBERRIDGE FILING NO. 1 RECORDED UNDER RECEPTION NO. 220714653 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING A POINT OF NON-TANGENT;

THENCE ON THE SAID SOUTHERLY RIGHT-OF-WAY LINE AND ITS EXTENSION, N89°08'31"E A DISTANCE OF 1,357.29 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 28;

THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1,095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,813,605 SQUARE FEET OR 41.6346 ACRES.

RESOLUTION NO.

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

APPROVAL OF A PRELIMINARY PLAN FOR
HOMESTEAD NORTH FILING NO. 3 PRELIMINARY PLAN (SP-22-007)

WHEREAS, Classic SRJ Land, LLC, and SR Land, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a preliminary plan for the Homestead North Filing No. 3 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on January 5, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the preliminary plan application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on January 17, 2023; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. That the subdivision is in conformance with the subdivision design standards and any approved sketch plan.

7. That the subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. That 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 the Land Development Code.
9. That 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 the Land Development Code.
10. That 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.W. §30-28-133(6)(c)].
11. That adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. That 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.
13. That 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 the Land Development Code and the Engineering Criteria Manual.
14. That the proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encouraging 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; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

15. That necessary services, including police and fire protection, recreation, utilities, open space, and transportation system are or will be available to serve the proposed subdivision.
16. That the subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
17. That the proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
18. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the preliminary plan application for the Homestead North Filing No. 3 Subdivision;

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

CONDITIONS

1. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
2. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
3. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
5. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat

recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

- 6. The County Attorney’s Conditions of Compliance shall be adhered to at the appropriate time.
- 7. Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent preliminary plan(s) and final plat(s) submittals.
- 8. The developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 3 of the Homestead North Phase 1 Updated Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Homestead North at Sterling Ranch rezoning area.

NOTATIONS

- 1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
- 2. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
- 3. Approval of the preliminary plan will expire after three (3) years unless a final plat has been approved and recorded or a time extension has been granted.
- 4. Improvements to Vollmer Road and Briargate Parkway adjacent to the preliminary plan area are to be provided in accordance with the Development Agreement recorded at reception number 222098865 (PCD project number DA221). These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

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

DONE THIS 17th day of January 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28, N00°53'15"W A DISTANCE OF 220.84 FEET, TO THE NORTHEASTERLY CORNER OF TRACT H, AS SHOWN ON THE PLAT OF HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2 RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY LINES OF SAID HOMESTEAD NORTH AT STERLING RANCH FILING NO. 2, THE FOLLOWING SIXTEEN (16) COURSES:

1. S79°18'16"W A DISTANCE OF 441.05 FEET;
2. S78°01'26"W A DISTANCE OF 79.85 FEET;
3. S71°09'48"W A DISTANCE OF 87.13 FEET;
4. S63°35'09"W A DISTANCE OF 87.13 FEET;
5. S55°58'31"W A DISTANCE OF 87.13 FEET;
6. S48°27'49"W A DISTANCE OF 87.13 FEET;
7. S39°48'59"W A DISTANCE OF 110.92 FEET;
8. N63°15'15"W A DISTANCE OF 10.26 FEET;
9. N51°18'16"W A DISTANCE OF 124.15 FEET;
10. N51°17'40"W A DISTANCE OF 80.48 FEET;
11. N51°16'53"W A DISTANCE OF 128.03 FEET;
12. S38°42'19"W A DISTANCE OF 130.03 FEET;
13. N51°17'41"W A DISTANCE OF 52.77 FEET;
14. N20°05'15"W A DISTANCE OF 68.42 FEET;
15. N11°07'11"E A DISTANCE OF 3.91 FEET;
16. N76°20'29"W A DISTANCE OF 275.24 FEET, TO A POINT OF NON-TANGENT CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N77°47'32"W, HAVING A RADIUS OF 774.82 FEET, A CENTRAL ANGLE OF 01°34'03" AND AN ARC LENGTH OF 21.20 FEET, TO A POINT OF NON-TANGENT;
2. N11°06'40"E A DISTANCE OF 1021.80 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 980.00 FEET, A CENTRAL ANGLE OF 07°48'21" AND AN ARC LENGTH OF 133.51 FEET, TO A POINT OF NON-TANGENT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF POCO ROAD;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, N89°08'31"E A DISTANCE OF 1327.21 FEET, TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28;

THENCE ON SAID EAST LINE, S00°53'15"E A DISTANCE OF 1095.99 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,778,429 SQUARE FEET OR 40.8271 ACRES.