

EL PASO COUNTY

COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

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

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

**RE: Project File #: P-20-005
 Project Name: Homestead North
 Parcel No.: 52280-00-030**

OWNER:	REPRESENTATIVE:
SR Land, LLC 20 Boulder Crescent Street, Suite 102 Colorado Springs, CO 80903	NES 619 S. Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	5/20/2021
Board of County Commissioners Hearing Date:	6/15/2021

EXECUTIVE SUMMARY

A request by SR Land, LLC, for approval of a map amendment (rezoning) of 65.29 acres from RR-5 (Residential Rural) to RS-6000 (Residential Suburban). The parcel is located at the northeast corner of the Vollmer Road and Briargate Parkway intersection and is within Sections 17, 28, and 33, Township 12 South, Range 65 West of the 6th P.M. The property is located within the within the boundaries of the Falcon Peyton Small Area Plan (2008) and the Black Forest Preservation Plan (1987).

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by SR Land, LLC, for approval of a map amendment (rezone) of 65.29 acres from RR-5 (Residential Rural) to RS-6000 (Residential Suburban).

Waiver(s)/Deviation(s): There are no waivers or deviations associated with the map amendment (rezone) request.

Authorization to Sign: There are no documents associated with this application that require signing.

B. Planning Commission Summary

Request Heard: As a Regular item at the May 20, 2021 hearing

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 8 to 0

Vote Rationale: N/A

Summary of Hearing: The applicant was represented at the hearing.

Legal Notice: Advertised in Shopper’s Press on May 19, 2021.

C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners shall 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 (2020):

- 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.

D. LOCATION

North:	RR-5 (Residential Rural)	Vacant
South:	RS-5000 (Residential Suburban)/ CS (Commercial Service)	Single-family Residential/ Vacant

East:	RR-5 (Residential Rural)	Vacant
West:	RR-5 (Residential Rural))	Vacant

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 3-5 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 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.

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

“Rezoning of the property is necessary to implement the sketch plan. Staff support for the sketch plan and the finding of master plan consistency herein assumes a proposed rezoning to PUD. To the extent applicant brings forward a rezoning and preliminary plan that contemplates a zoning classification other than PUD, Development Services will consider that a material modification of the sketch plan and may require applicant to proceed forward with an amended sketch plan, which

amended sketch plan process may or may not proceed simultaneously with a proposed rezoning and preliminary plan.”

Staff agreed with the action to remove Condition No. 2 to allow rezoning of the property to conventional single-family and commercial zoning with the understanding that it could still function in a manner that would preserve the open space acreage and density originally approved in the Sketch Plan. Open space tracts are shown throughout the concurrently reviewed preliminary plan (PCD File No. SP-20-008). Pursuant to the Sketch Plan Extension approval, staff has recommended Condition of Approval No. 3 which states, “Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent rezoning and subdivision submittals.”

Map amendments (rezone) of the property adjacent to the south from RR-5 (Residential Rural) to RS-5000 (Residential Suburban) and CS (Commercial Service) were approved by the Board of County Commissioners on March 24, 2015

The applicant is requesting a map amendment (rezoning) of 65.29 acres from the RR-5 zoning district to the RS-6000 zoning district. If the map amendment (rezoning) is approved, the applicant will seek approval of a concurrently reviewed preliminary plan that is depicted to have a density of 2.5 dwelling units per acre, and final plat(s) to allow for the creation of 147 single-family detached residential lots and 11 tracts.

F. ANALYSIS

1. Land Development Code Analysis

The applicant is proposing a map amendment (rezoning) of 65.29 acres from RR-5 to RS-6000. The area included within the map amendment (rezoning) request is include 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 3-5 dwelling units per acre. The applicant is depicting an average density of 2.5 dwelling units per acre on the concurrent reviewed 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. A half-mile to the north, adjacent to Vollmer Road, 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 vacant land immediately adjacent to the north of the requested area to be rezoned

is within the Sterling Ranch Sketch Plan and has a density of two (2) dwelling units per acre. The land to the south, is also included in the Sterling Ranch Sketch Plan. A portion of the land to the south is vacant and is zoned CS (Commercial Service). The Homestead Filing No. 2 subdivision, located south of the subject parcel, is zoned RS-5000 (Residential Suburban) and is nearly built out and has a density of 3.5 dwelling units per acre. The land to the east of the subject parcel, across the Sand Creek Chanel, is also included in the Sterling Ranch Sketch Plan and is depicted as allowing a density of 5-8 dwelling units per acre. The land west of the proposed development area is zoned RR-5 (Residential Rural) and is currently vacant.

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 commercial property will be required to provide a buffer to the residential properties at the time of a site development plan.

2. Zoning Compliance

The applicant is requesting approval of a map amendment (rezoning) of 65.29 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 lot line - 50 feet

Setbacks - 25 feet in the front and rear, 5 feet on the sides

Maximum height - 30 feet

Maximum lot coverage - 40 percent / 45 percent*

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

Approval of a preliminary plan and final plat(s) will be required to subdivide the 65.29-acre parcel into individual lots. The applicant will be required to demonstrate compliance with the RS-6000 (Residential Suburban) zoning district dimensional standards in association with each of the future preliminary plan and final plat applications.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan.

Relevant policies are as follows:

Policy 6.1.1 – Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.

Policy 6.1.8 – Encourage incorporation of buffers or transitions between areas of varying use or density where possible.

Policy 6.1.11 – Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.2.1 – Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.

The subject parcel is presently zoned RR-5 (Rural Residential) and is proposed to be rezoned to the RS-6000 (Residential Suburban) zoning district. The land located immediately south is zoned CS (Commercial Service) and RS-6000. The Homestead Filing No. 2 subdivision, located south of the subject parcel, is zoned RS-5000 (Residential Suburban) and is nearly built out. The land to the west is zoned RR-5 (Residential Rural). The proposed map amendment (rezoning) to the RS-6000 (Residential Suburban) zoning district is anticipated to be contiguous and compatible in terms of density and land use to those existing developments located to the south, north, and east of the subject property.

The adjacent CS-zoned land to the south is vacant and is required to provide a minimum of a 15-foot buffer from the adjacent residential properties. The concurrently reviewed preliminary plan depicts a 25-foot buffer along the north side of Briargate Parkway, which is anticipated to functionally and aesthetically integrate the varying land uses and transition from the commercial land use to the proposed residential land use. The commercial development also located adjacent to the

south will be required to provide a buffer and roadway landscaping to aid in transitioning from single-family residential use to commercial uses.

The proposed map amendment (rezoning) is a logical extension of the existing urban development in the area and will provide a transition from the anticipated the single-family residential development located adjacent to the south.

4. Small Area Plan Analysis

The property is located within the Falcon/Peyton Small Area Master Plan (2008) and the Black Forest Preservation Plan (1987). Both plans should be considered in reviewing this rezoning request. More specifically, the property is located within the Black Forest Cooperative Planning Area as depicted on the Falcon/Peyton Small Area Master Plan (2008) Recommendations Map.

The Falcon/Peyton Small Area Master Plan states the following:

“The primary purpose of this plan is to set forth a framework within which proposed new land uses may be analyzed. This document describes the characteristics and features which are unique to this planning area. The plan is intended to serve as an advisory planning tool to guide future land use decisions.” (Page 1)

“Development proposals that are located within the Black Forest Cooperative Planning Area should be evaluated according to both the current Black Forest Preservation Plan and the Falcon/Peyton Small Area Master Plan. Proposals in this area should comply with both Plans.” (page 4-28)

Figure 4-5 - Recommendations Plan, shows this area as being recommended for urban density development. The Plan defines “Urban Density” as:

“Parcel sizes are less than 2.5 acres, typically less than 1 acre. These areas are served by urban level infrastructure, including roadways, water distribution, and wastewater treatment.”

The applicant has proposed urban density to include lot sizes with a minimum lots size of 6,000 square feet. Sterling Ranch Metropolitan District has committed to provide water and sewer to the proposed development. The proposed map amendment is generally consistent with the recommendations of the Falcon/Peyton Small Area Master Plan.

Map 12 of the Black Forest Preservation Plan designates the subject parcel as being within Sub-area 10–Southern Transitional Area. The Concept Plan

designates this area to be an “appropriate mix and phasing of urban density development that will be dependent on the final alignment of major transportation corridors”. Final alignment of Briargate Parkway has been set, and is immediately adjacent, and south of the area included in the proposed rezoning request. Relevant policies are as follows:

- Policy 9.12 - Encourage the joint utilization of regional water and sanitation systems in urban density areas and discourage the proliferation of small individual systems.
- Policy 1.2 - Allow nodes of higher density residential, commercial, and industrial development only in those areas specifically designated on the Concept Plan and described in the Land Use Scenario.

The land use scenario for the Southern Transitional Area states that development should occur with the appropriate mix and phasing of urban density which is to be dependent on the alignment of a major transportation corridor (Briargate Parkway). It also states that low density residential buffer should originate no more than one-quarter (1/4) of a mile north of the major east-west expressway corridor, and then only if such a corridor is located no more than two miles north of Woodmen Road.

The proposed RS-6000 zoning district is located north and adjacent to the planned transportation corridor (Briargate Parkway), which is consistent with the Plan. Vollmer Road defines the west boundary of the area within the rezoning request, providing a division between adjacent lower density single-family land uses to the west and the proposed density. The eastern edge of the area within the rezoning request is bounded by Sand Creek, which creates a natural buffer from the RR-5-zoned property to the east. As stated above, Sterling Ranch Metropolitan District has committed to provide water and wastewater services to the development area. The proposed map amendment (rezoning) is generally consistent with the Black Forest Preservation Plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

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

Policy 3.6.2 – Water providers should work with neighboring entities to provide and plan for growth between their respective boundaries.

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 5.3.1- Discourage individual wells for new subdivisions with 2.5 acres or smaller average lot sizes, especially in the near-surface aquifers, when there is reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when the economics of scale to do so can be achieved.

Goal 6.0.11- Continue to limit urban level development to those areas served by centralized services.

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 1,581 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.

The applicant anticipates central water and wastewater service to be provided by the Sterling Ranch District No. 1. A commitment letter is not required with a map amendment (rezoning) application; however, a commitment letter was received with the concurrently reviewed preliminary plan. A finding of sufficiency regarding water quantity, quality, and dependability is not required for a map amendment (rezoning) but will be required at the subdivision stage of development.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The El Paso County Community Services Department, Environmental Services Division, was sent a referral and has no outstanding comments. A natural features report and noxious weed management plan will be required and reviewed with the preliminary plan application.

The Master Plan for Mineral Extraction (1996) does 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 El Paso County Parks Master Plan (2013) does not depict any parks, trails, or open space within the map amendment area.

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

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified with the map amendment (rezoning) application.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential.

3. Floodplain

As shown on FEMA Flood Insurance Rate Map (FIRM) panel numbers 08041C0533G and 08041C0535G, effective December 7, 2018, a portion of the subject property is located within Zone AE 100-year floodplain, where studied base flood elevations are provided on the FIRM panel. The east edge of the property contains the FEMA floodplain from the Sand Creek channel

4. 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 under review with the concurrently submitted preliminary plan (PCD File No. SP-20-008), 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 and accepted for file by County staff.

Channel improvements for the Sand Creek channel adjacent to and within the rezone site will be required for the overall Sterling Ranch development in accordance with the subdivision improvements agreement for Sterling Ranch Filing No. 1.

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 (2019).

5. Transportation

The proposed Homestead North at Sterling Ranch development is located immediately northeast of the intersection of Vollmer Road and Briargate Parkway with access to the development proposed from each of these roads.

Traffic generated from the 147 proposed dwelling units in this development is estimated to be 1,388 average daily trips. The proposed interior roads will be public local urban paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the Homestead North Phase 1 Updated 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. Briargate Parkway is shown as a 4-lane principal arterial on both the 2040 and 2060 plans. The County is currently conducting a Briargate Parkway/Stapleton Road corridor planning study that will provide additional recommendations for this corridor from the City of Colorado Springs incorporated limits at Black Forest Road, east through undeveloped properties including Sterling Ranch, and ending at Meridian Road. The corridor study will address intersection

spacing, roadway capacity improvements, transportation modes, and corridor preservation.

In accordance with Recommended Conditions of Approval Nos. 5 and 6 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.

This development is subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended, at the time of final plat recording.

H. SERVICES

1. Water

Central water supply service will be provided by Sterling Ranch Metropolitan District. The District has provided a commitment letter to serve the anticipated development with the concurrently reviewed preliminary plan.

2. Sanitation

Central wastewater service will be provided by Sterling Ranch Metropolitan District. The District has provided a commitment letter to serve the anticipated development with the concurrently reviewed preliminary plan.

3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral and has provided no response.

4. Utilities

Electrical services will be provided by Mountain View Electric Association. Natural gas services will be provided by Black Hills Energy. Mountain View Electric and Black Hills Energy were sent a referral on the map amendment (rezoning) and have no outstanding comments.

5. Metropolitan Districts

The property is included within Sterling Ranch Metropolitan District, which provides central water and wastewater services in the area. The District does not have ad valorem (property tax) mill levy.

6. Parks/Trails

Land dedication or fees in lieu of park land dedication are not required with a map amendment (rezoning) application. Fees will be required at the time of final plat recordation.

7. Schools

Land dedication or fees in lieu of school land dedication are not required with a map amendment (rezoning) application. Fees will be required at the subdivision stage of development.

I. APPLICABLE RESOLUTIONS

Approval Page 27
Disapproval Page 28

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

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 (2020), 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 Land Development Code and Engineering Criteria Manual.
3. 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.

4. The Homestead North Phase 1 Updated Traffic Impact Study (TIS) shall be accepted by the ECM Administrator for the map amendment (rezoning) file prior to scheduling the Homestead North preliminary plan for Planning Commission hearing.
5. 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.
6. Vollmer Road and Briargate Parkway adjacent to the rezoning area shall be improved to meet the minimum standards of an arterial roadway with development of the Homestead North rezone area, in accordance with the Engineering Criteria Manual. These road improvements will be required with access permitting for the associated final plat. The necessary road improvements, including offsite improvements, and phasing will be identified with the first final plat in the map amendment (rezoning) area. These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition 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 petition. 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. 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.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 9 adjoining property owners on May 3, 2021, for the Board of County Commissioners meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map

Letter of Intent

Map Amendment (Rezone) Map

Adjacent Property Owner Responses

Planning Commission Resolution

Board of County Commissioners' Resolution

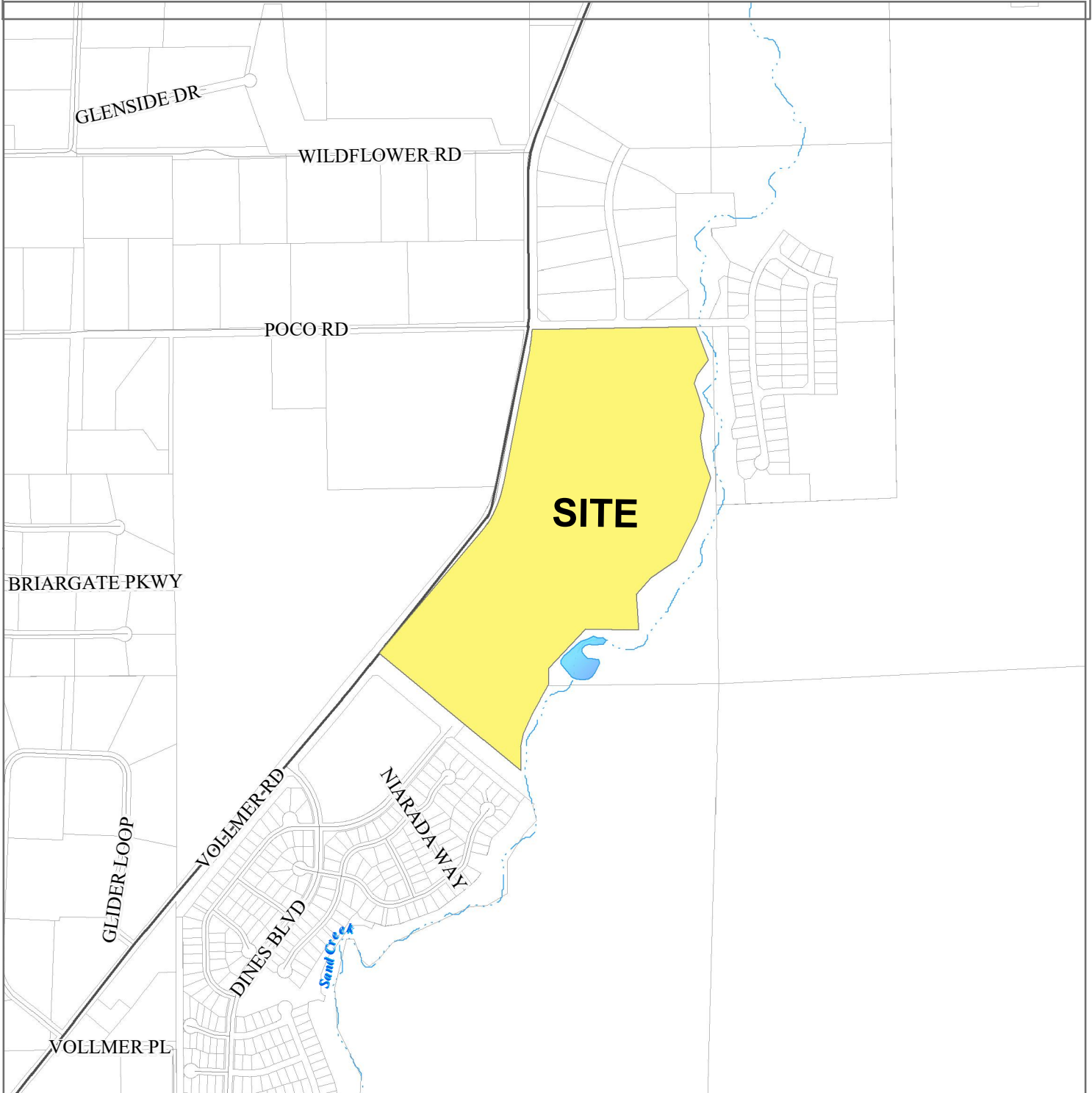
El Paso County Parcel Information

PARCEL	NAME
5228000030	SR LAND LLC

File Name: P-20-005

Zone Map No. --

Date: April 29, 2021



Please report any parcel discrepancies to:
El Paso County Assessor
1675 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
16 (719) 520-6600



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HOMESTEAD NORTH PHASE I ZONE CHANGE

LETTER OF INTENT

~~NOVEMBER, 2020~~ **REVISED MARCH 2021**

OWNER/APPLICANT:

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

CONSULTANT:

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

REQUEST

SR Land, LLC. requests approval of a Zone Change from RR-5 to RS-6000 for approximately 63.10 acres.

LOCATION

Homestead North Phase I is located north of Briargate Parkway, east of Vollmer Road, and west of the Sand Creek channel.



Traffic: A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for Homestead North (*Homestead North Traffic Impact Study, March 2021*). Access to the project area is provided by two full movement access points one from Briargate Parkway onto the northern portion of Wheatland Drive and another from Vollmer onto Sam Bass Drive. Vollmer is proposed to be improved to a 4-lane urban minor arterial cross section from the Sterling Ranch boundary south of Dines Boulevard to Sam Bass Drive. From Sam Bass Drive north to the property line, Vollmer is proposed to be improved and provide transitions from the 4-lane to a 2-lane cross section at the site boundary. Briargate Parkway from Vollmer to Wheatland is planned in the short term as a partial cross-section constructed with the Homestead Filing 2 development. The Preliminary Plan interior roadways will be constructed as part of their respective filings. The project will be part of the 10 mil PID and participate in the Countywide Transportation Improvement Fee Program.

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

Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas.

Floodplain: The eastern portion of this Preliminary Plan area, adjacent to Sand Creek, is mapped within Zone A of the FEMA Floodplain Map No. 08041C0533G, 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 100-year floodplain.

Wetlands: The Sand Creek drainageway and jurisdictional wetlands were identified on the original 2008 Sketch Plan and preserved as a natural feature. As part of the preliminary plan application, the corridor is incorporated as part of the open space system and an extension of the Sand Creek Trail. This phase of development will not impact the main Sand Creek Channel or existing wetlands.

Wildlife: Wildlife that has been viewed on the site and surrounding areas including rodents, deer, and carnivores. Potential for several species of mammals, rodents, fish, and vegetation is possible but unlikely to be impacted by the project. As development occurs within Sterling Ranch, care will be taken to minimize human and wildlife conflicts within reasonable limits.

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 with one small pocket of high risk near the northeast corner.

Districts Serving the Property:

- Academy School District 20
- Mountain View Electric
- City of Colorado Springs Utilities – Gas
- Black Forest Fire Protection District

- Sterling Ranch Metropolitan District No. 2
- El Paso County Conservation District
- Pikes Peak Library District

PROJECT JUSTIFICATION

The relevant County Plans for Sterling Ranch are the County Policy Plan, the Water Master Plan, and the Black Forest Preservation Plan. A detailed analysis of the relationship of the Sterling Ranch Sketch Plan and the goals and objectives of these plans was previously provided with the Sketch Plan and is further discussed below. These include the provision of adequate buffers and transitions from lower, rural density residential development, the provision of adequate urban services by Sterling Ranch Metropolitan District, an interconnected system of trails, open spaces and neighborhood parks, and the preservation of open space.

Homestead North is compatible with the approved Sketch Plan. The anticipated density is within the 2-3 du/ac which is just below the identified 3-5 dwelling units on the Sketch Plan. The request to rezone the property to RS-6000 to accommodate lots of a minimum of 6,000 square feet. The density and development standards of the RS-6000 zone and the Land Development Code (“LDC”) are adhered too with the Preliminary Plan. Given the amount of roadway, open space, utilities, and buffers required to accommodate development, it is anticipated that the density will not surpass 3 du/ac.

County Policy Plan

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.8: Encourage incorporating buffers or transitions between areas of varying use or density where possible.

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 13.1.1: Encourage a sufficient supply and choice of housing at varied price and rent levels through land development regulations.

Policy 13.1.2: Support the provision of land use availability to meet the housing needs of county residents.

The proposed development provides an additional housing choice in an urbanizing area. The County Plan encourages a variety of housing options that allows for a balance of mutually supportive land uses in a more urban area of the County. Compatibility is defined as “a state in which two things are able to exist or occur together without problems or conflict.” It does not mean that the two things have to be identical. The zone change to RS-6000 transitions from the PUD zoning to the north and east and the RR-5 zoning to the west of Vollmer and the RS-5000 zoning to the south. This development continues the urban density approved with the Sterling Ranch Phase I Preliminary Plan through to the urban density approved with the Retreat at Timber Ridge PUD.

Black Forest Preservation Plan Goals & Policies

The project area is primarily within the Gateway unit boundary of the Black Forest Preservation Plan and is specifically described as “area is perceived as more urban in nature”. The Gateway area borders the Transition unit providing a buffer in land uses and densities from the forested timbered area and the urbanizing area proposed.

Goal 1.2 Allow nodes of higher density residential, commercial, and industrial development only in those areas designated on the Concept Plan and described in the Land Use Scenario.

Goal 1.4 Provide for a mix of compatible uses within designated urban density areas.

Goal 3.2 Give careful consideration to clustering alternatives in areas appropriate for subdivision as a means of preserving more open space, minimizing costs and environmental impacts and promoting aesthetic quality.

Goal 3.5 Generally support residential development which compliments and enhances the area’s terrain, vegetation, and natural resources.

The zoning provides for an additional housing option and transition in density for this urbanizing area. The proposed single-family residential zoning and density is compatible with the recently approved and developing subdivisions. By providing smaller lots and clustering them near the intersection of Vollmer and Marksheffel, the project provides preservation of the Sand Creek Channel and opportunity for trail connections and open space in the area.

Water Master Plan

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

Goal 6.0 – Require adequate water availability for proposed development.

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

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

Sterling Ranch Metro District has sufficient supply and infrastructure in the area to serve this development. The total commitment of the Sterling Ranch System includes 1,087.5 SFE in the Sterling Ranch Service Area and 167 SFE in the Retreat service area. The total Sterling commitments stand at 442.52 acre-feet and available supply is now 697.39 acre-feet.

The Sterling Ranch System includes both decrees and determinations. Local groundwater rights are associated with three service area portions; Sterling Ranch, The Retreat, and The Ranch. The system includes a central system and some well and septic systems. The Water Resources report primarily focuses on the central supply and does not include the 41 rural style lots in the Retreat served by wells in the calculations.

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

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

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

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

In order to meet future demands, contractual arrangements have been made to obtain additional legal and physical supply including contracts with McCune Water SR Water LLC. And the Bar X Water. In addition to adding off-site sources, additional priority is to acquire and invest in additional renewable water supplies. Future supply has been contracted for and implementation is under way. A substantial amount of Not Non-tributary water is available on the Sterling Ranch site and is the purpose of a pending augmentation plan. This water rights case will result in a gain of 9,215 acre-feet of water. This case is expected to be needed by 2029 and expected to be completed by 2022. This provides adequate service for the development of 1,828 SFE. Beyond the 1,828 will require the completion of the Bar X Northern Delivery Project providing physical and legal water to Sterling.

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

Section 5.2.5.B: Map Amendment (Rezoning) 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;**

As stated above, the project provides an additional housing option, a transition in densities, and fulfills the need to provide attainable housing in the County.

- 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 and is a compatible transition between the adjacent subdivisions and 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; AND**

As noted above, compatibility is defined as *"a state in which two things are able to exist or occur together without problems or conflict."* It does not mean that the two things must be identical. The zone change to RS-6000 transitions from the PUD zoning to the north and east and the RR-5 zoning to the west of Vollmer and the RS-5000 zoning to the south. This development continues the urban density approved with the Sterling Ranch Phase I Preliminary Plan through to the urban density approved with the Retreat at Timber Ridge PUD.

- 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 proposed lots will meet the use and dimensional standards for the RS-6000 zone as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed residential lots and it provides a transition between residential use types. The project has adequate access to Volmer Road and Briargate Parkway and has access to adequate utilities.

LEGAL DESCRIPTION

PROPERTY DESCRIPTION
 A PARCEL OF LAND BEING A PORTION OF SECTION 27, SECTION 28 AND SECTION 33, ALL IN 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 3/4" 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 NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, S89°29'10"W A DISTANCE OF 1,191.33 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING SIX (6) COURSES:

1. S19°42'21"W A DISTANCE OF 184.86 FEET;
2. S32°15'45"W A DISTANCE OF 71.66 FEET;
3. S41°47'19"W A DISTANCE OF 88.37 FEET;
4. S14°57'52"W A DISTANCE OF 155.36 FEET;
5. S03°04'57"E A DISTANCE OF 208.19 FEET;
6. S05°19'07"E A DISTANCE OF 22.87 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND ITS EXTENSION;
7. S39°33'48"W A DISTANCE OF 65.00 FEET, TO THE CENTERLINE OF BRIARGATE PARKWAY AND ITS EXTENSION;

THENCE ON SAID CENTERLINE, N05°26'12"W A DISTANCE OF 1,469.51 FEET, TO THE CENTERLINE OF VOLLMER ROAD;

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

1. N39°33'48"E A DISTANCE OF 1,199.57 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N49°25'54"W, HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 16°15'30" AND AN ARC LENGTH OF 227.01 FEET, TO A POINT OF NON-TANGENT CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N65°15'03"W, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF 12°38'24" AND AN ARC LENGTH OF 164.31 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID CENTERLINE, THE FOLLOWING SEVENTEEN (17) COURSES:

1. S76°13'25"E A DISTANCE OF 255.22 FEET;
2. S76°20'29"E A DISTANCE OF 30.05 FEET;
3. S11°07'11"W A DISTANCE OF 3.91 FEET;
4. S20°05'15"E A DISTANCE OF 68.42 FEET;
5. S51°17'41"E A DISTANCE OF 52.77 FEET;
6. N38°42'19"E A DISTANCE OF 130.03 FEET;
7. S51°16'53"E A DISTANCE OF 128.03 FEET;
8. S51°17'40"E A DISTANCE OF 80.48 FEET;
9. S51°18'16"E A DISTANCE OF 124.15 FEET;
10. S83°15'15"E A DISTANCE OF 10.26 FEET;
11. N39°48'59"E A DISTANCE OF 110.92 FEET;
12. N48°27'49"E A DISTANCE OF 87.13 FEET;
13. S55°58'31"E A DISTANCE OF 87.13 FEET;
14. N63°35'09"E A DISTANCE OF 87.13 FEET;
15. N71°09'48"E A DISTANCE OF 87.13 FEET;
16. N78°01'26"E A DISTANCE OF 79.85 FEET;
17. N79°18'16"E A DISTANCE OF 44.05 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID WEST LINE, S00°53'15"E A DISTANCE OF 320.84 FEET, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27, N87°34'53"E A DISTANCE OF 73.60 FEET;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING TWENTY-ONE (21) COURSES:

1. S54°00'08"W A DISTANCE OF 38.86 FEET;
2. S33°30'37"W A DISTANCE OF 96.02 FEET;
3. S17°58'09"W A DISTANCE OF 105.84 FEET;
4. S07°20'33"W A DISTANCE OF 248.45 FEET;
5. S27°44'47"W A DISTANCE OF 82.16 FEET;
6. S51°16'10"W A DISTANCE OF 361.44 FEET;
7. S29°33'30"W A DISTANCE OF 198.68 FEET;
8. S56°09'51"W A DISTANCE OF 68.55 FEET;
9. S51°10'06"W A DISTANCE OF 86.23 FEET;
10. S82°29'37"W A DISTANCE OF 85.63 FEET;
11. N82°52'49"W A DISTANCE OF 82.74 FEET;
12. N63°10'02"W A DISTANCE OF 59.72 FEET, TO A POINT OF NON-TANGENT CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S32°31'17"W, HAVING A RADIUS OF 43.53 FEET, A CENTRAL ANGLE OF 60°07'09" AND AN ARC LENGTH OF 90.25 FEET, TO A POINT OF REVERSE CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.41 FEET, A CENTRAL ANGLE OF 21°27'48" AND AN ARC LENGTH OF 78.07 FEET, TO A POINT OF REVERSE CURVE;
15. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 85.46 FEET, A CENTRAL ANGLE OF 85°24'40" AND AN ARC LENGTH OF 127.39 FEET, TO A POINT OF TANGENT;
16. S12°28'27"W A DISTANCE OF 90.70 FEET;
17. S87°04'53"W A DISTANCE OF 91.55 FEET;
18. S01°04'54"W A DISTANCE OF 49.42 FEET;
19. S27°12'58"W A DISTANCE OF 75.48 FEET;
20. S12°38'34"W A DISTANCE OF 55.41 FEET;
21. S19°42'21"W A DISTANCE OF 0.70 FEET, TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 2,844.314 SQUARE FEET OR 65.2965 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF:

LINE	BEARING	DISTANCE
L1	S19°42'21"W	184.86'
L2	S32°15'45"W	71.66'
L3	S41°47'19"W	88.37'
L4	S14°57'52"W	155.36'
L5	S03°04'57"E	208.19'
L6	S05°19'07"E	22.87'
L7	S39°33'48"W	65.00'
L8	N50°26'12"W	1469.51'
L9	N39°33'48"E	1199.57'
L10	S76°13'25"E	255.22'
L11	S76°20'29"E	50.05'
L12	S11°07'11"W	3.91'
L13	S20°05'15"E	68.42'
L14	S51°17'41"E	52.77'
L15	N38°42'19"E	130.03'
L16	S51°16'53"E	128.03'
L17	S51°17'40"E	80.48'
L18	S51°18'16"E	124.15'
L19	S63°15'15"E	10.26'
L20	N39°48'59"E	110.92'

LINE	BEARING	DISTANCE
L21	N48°27'49"E	87.13'
L22	N55°58'31"E	87.13'
L23	N63°35'09"E	87.13'
L24	N71°09'48"E	87.13'
L25	N78°01'26"E	79.85'
L26	N79°18'16"E	44.05'
L27	S00°53'15"E	220.84'
L28	N87°34'53"E	73.60'
L29	S04°00'08"W	38.86'
L30	S23°30'33"W	96.02'
L31	S17°58'09"W	105.84'
L32	S07°20'33"W	248.45'
L33	S27°44'47"W	82.16'
L34	S51°16'10"W	361.44'
L35	S29°33'30"W	198.68'
L36	S56°06'51"W	68.55'
L37	S51°10'06"W	86.23'
L38	S82°29'37"W	85.63'
L39	N82°52'49"W	82.74'
L40	N63°10'02"W	59.72'

LINE	BEARING	DISTANCE
L41	S12°28'27"W	90.70'
L42	S87°04'53"W	91.55'
L43	S01°04'54"W	49.42'
L44	S27°12'58"W	75.48'
L45	S12°38'34"W	55.41'
L46	S19°42'21"W	0.70'

LINE	BEARING	DISTANCE
L41	S12°28'27"W	90.70'
L42	S87°04'53"W	91.55'
L43	S01°04'54"W	49.42'
L44	S27°12'58"W	75.48'
L45	S12°38'34"W	55.41'
L46	S19°42'21"W	0.70'

ZONE: RR-5
 USE: SINGLE FAMILY RESIDENTIAL
 OWNER: JOHN R. JAYNES
 SUB: UNPLATTED

ZONE: RR-5
 USE: VACANT
 OWNER: SR LAND LLC
 SUB: UNPLATTED

ZONE: PUD
 USE: AGRICULTURE
 GRAZING LAND
 OWNER: TIMBERIDGE
 DEVELOPMENT GROUP LL
 SUB: UNPLATTED

ZONE: RR-5
 USE: MOBILE ON OWNED LAND
 OWNER: JAYNES AMIEE R LIVING TRUST, JAYNES KENNETH
 HENRY, MCCOLLOR JANE E, MANITOU SPRINGS CITY OF,
 JAYNES JOHN R
 SUB: UNPLATTED

CURRENT ZONE: RR-5
 PROPOSED ZONE: RS-6000
 USE: VACANT
 OWNER: SR LAND LLC
 SUB: UNPLATTED

ZONE: RR-5
 USE: AGRICULTURE GRAZING
 OWNER: MORLEY-BENTLEY
 INVESTMENTS LLC, TRADER
 VICS INVESTMENTS LP
 SUB: UNPLATTED

ZONE: CS RS-5000
 USE: RESIDENTIAL
 OWNER: SR COMMERCIAL LLC
 SUB: TR C STERLING RANCH FIL NO 1

ZONE: RR-5
 USE: LANDSCAPE TRACT
 OWNER: SR LAND LLC
 SUB: TR B STERLING RANCH FIL
 NO 1

ZONE: RS-6000
 USE: RESIDENTIAL
 OWNER: SR LAND LLC
 SUB: TR E STERLING
 RANCH FIL NO 1

SE 1/4, SEC. 28
 T.12S R65W 6TH P.M.

N. LINE, NE 1/4 SEC. 33

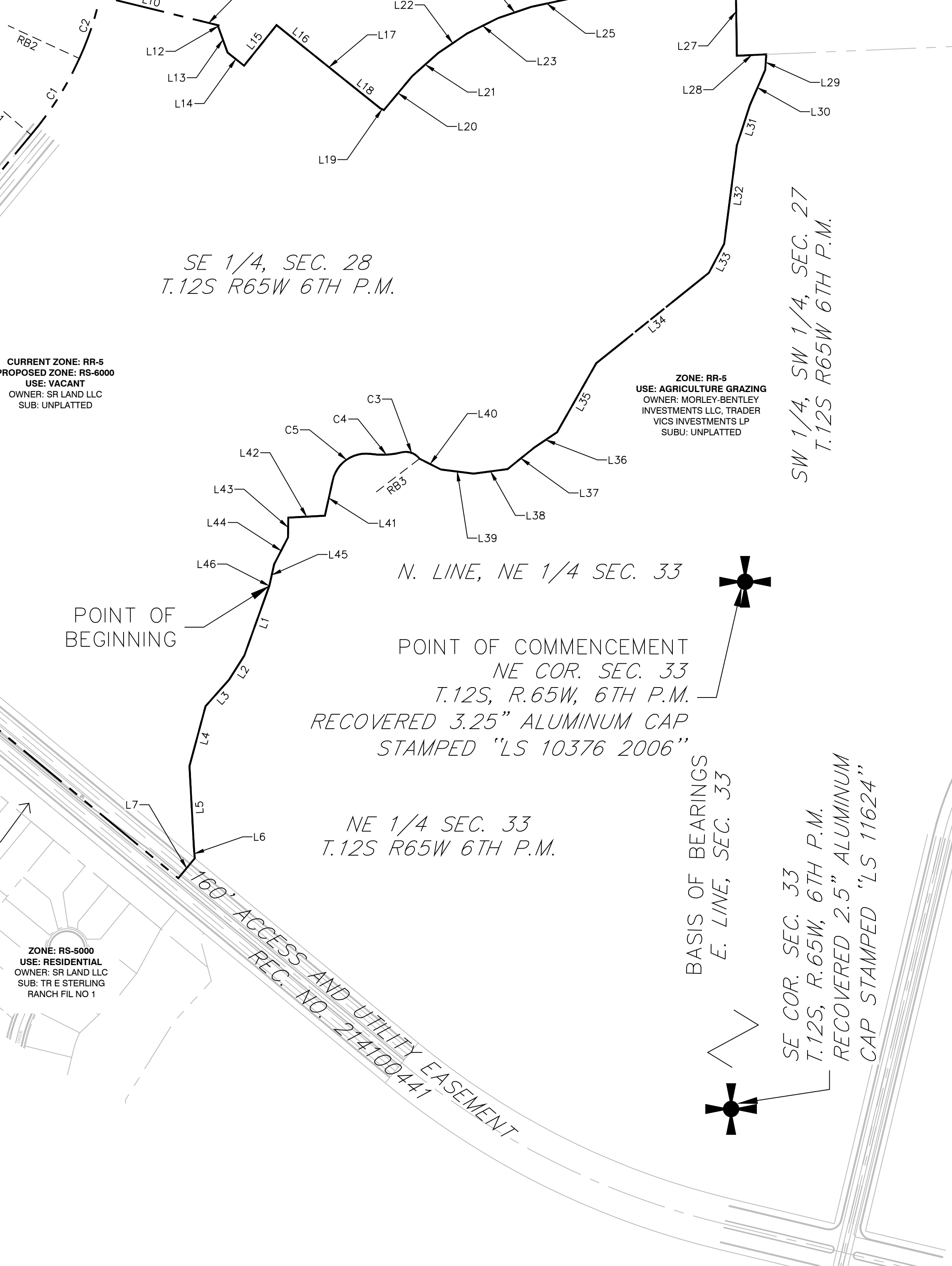
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 STAMPED "LS 10376 2006"

NE 1/4 SEC. 33
 T.12S R65W 6TH P.M.

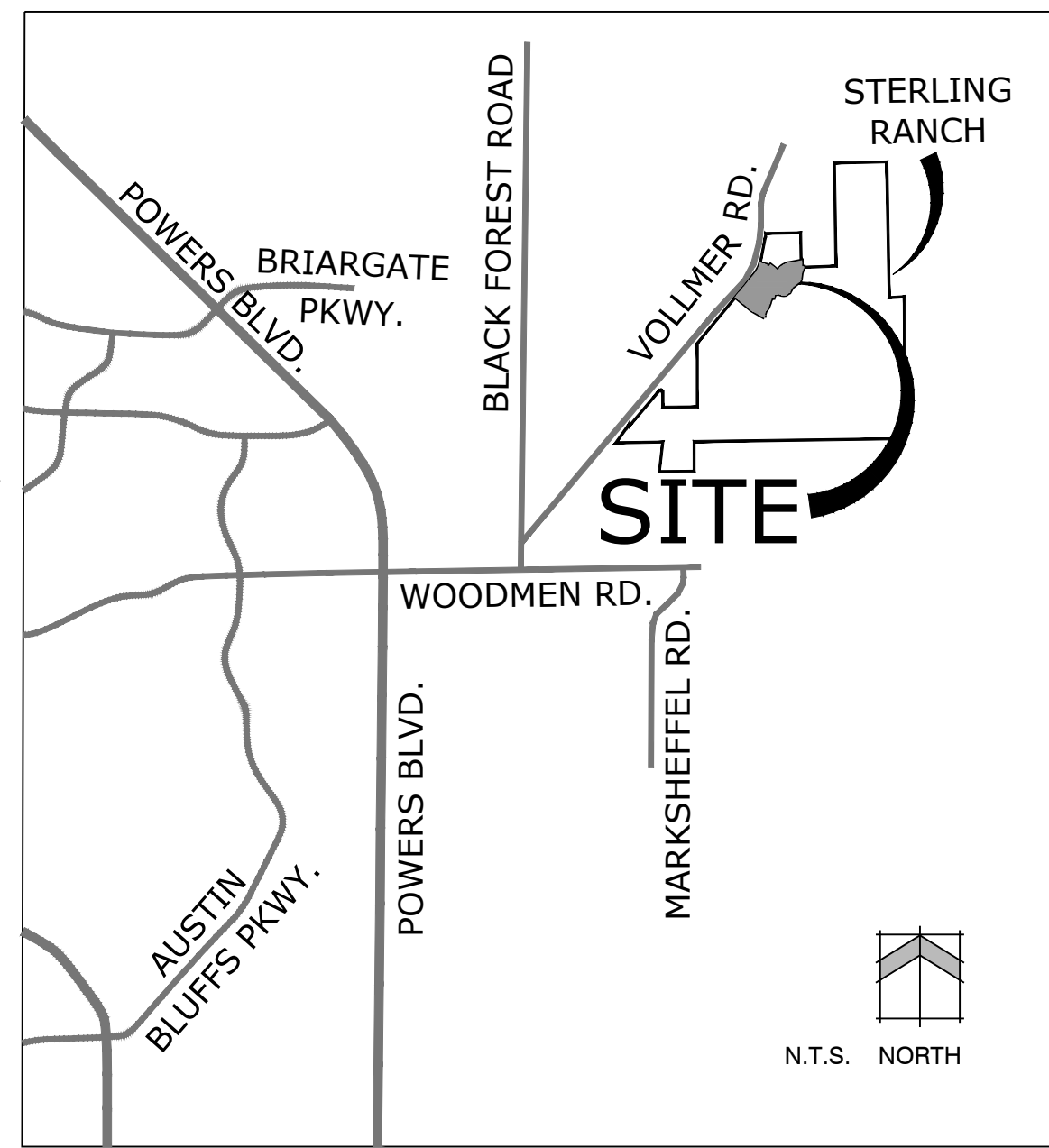
BASIS OF BEARINGS
 E. LINE, SEC. 33

SE COR. SEC. 33
 T.12S, R.65W, 6TH P.M.
 RECOVERED 2.5" ALUMINUM
 CAP STAMPED "LS 11624"

160' ACCESS AND UTILITY EASEMENT
 REC. NO. 274100441



VICINITY MAP

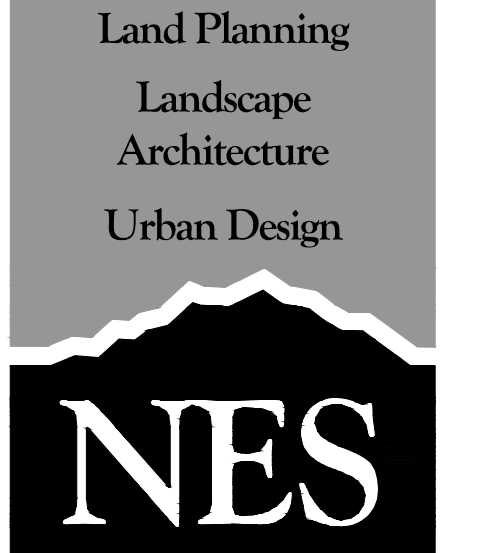


SITE DATA

OWNER:
 SR LAND LLC
 20 BOULDER CRESCENT ST STE 102
 COLORADO SPRINGS CO 80903-3300

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

Tax ID Numbers: 5228000030
 Sketch Plan: SKP 18-003 (Approved 2018)
 Current Zoning: RR-5
 Proposed Zoning: RS-6000
 Total Area: 65.2965 ac



N.E.S. Inc.
 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

REGISTERED ARCHITECT

**STERLING RANCH
 HOMESTEAD
 NORTH**
 PHASE 1
ZONE CHANGE EXHIBIT
 EL PASO COUNTY, CO

DATE: 09.15.2020
 PROJECT MGR: E. GANAWAY
 PREPARED BY: B. ITTEN

SEAL

ENTITLEMENT

ISSUE INFO

DATE:	BY:	DESCRIPTION:
02.22.2021	B.I.	PER COUNTY COMMENTS

ISSUE PROVISION

**ZONE CHANGE
 EXHIBIT**

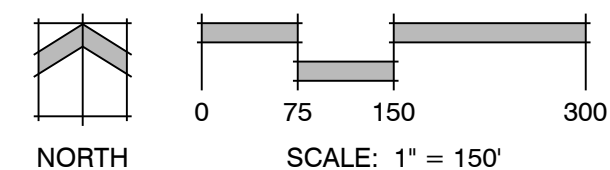
SHEET TITLE

SHEET NUMBER

1
 1 OF 1

PLANTING

EPC# P205



May 18, 2021

Gary L. Beierle
8450 Poco Road
Colorado Springs, CO 80908

Kari Parsons, El Paso County Planning Commission
Commissioners: Stan VanderWerf, Cami Bremer
Longinos Gonzalez Jr., Holly Williams, Carrie Geitner

garyb4lee@hotmail.com
ph. (719) 661-5104

Re: Project: Homestead North
File #: P-20-005
Parcel No. : 52280-00-030

El Paso County Commissioners and Planning Commission members,

This request for rezoning does not meet approval criteria.

It is not okay for the developer and County to state falsehoods and deem them as facts.

Specifically, under Policy Plan Analysis, Policy 6.1.3, Policy 6.1.11 and Policy 6.2.1 are stating this development complies with and considers the impact of this zone change on the integrity of existing neighborhoods.

It does not. It is exactly the opposite. Because the developer and County say it's so, it does not make those false statements a reality.

Our property adjoins this parcel on the northwest corner. We have lived here for the past 43 years. We and the vast majority of every adjoining, adjacent and nearby homeowners are adamantly opposed to this density increase in our neighborhood.

I presented a petition signed by 29 adjoining, adjacent and nearby neighbors that were opposed to 'The Retreat' PUD rezone to the north of this parcel. The Planning Commission heard our concerns and voted 7-0 to deny the request. The County Commissioners paid little heed and voted to allow leapfrogging urban density into the middle of RR-5 zoning. Lots on the east side of the Retreat are an even higher density than what is shown adjoining on the Sterling Ranch Sketch Plan.

It's understood that developers have a right to purchase land and develop it, but it must be done to integrate and be compatible with adjoining properties.

The Letter of Intent misstates zoning is PUD to the east. The Executive Summary clarifies zoning is RR-5 to the north, west and east.

The Letter of Intent states: 'compatibility is defined as a state in which two things are able to exist or occur together without problems or conflict'. There are problems and conflict here. Our property adjoins this parcel at the northwest corner, and I'm vehemently opposed to urban density adjoining our RR-5 zoned property. We did not move this far away from the City 43 years ago to have urban density dumped on our back doorstep. How would you like to have a 12-fold density increase on the other side of your street? Traffic, safety, crime, and infrastructure that already cannot handle the density.

The Letter of Intent; Water Master Plan, Policy 6.0.11 – "Continue to limit urban development to those areas served by centralized utilities". Does everyone realize all the water for all of Sterling Ranch is from groundwater? A non-renewable resource that is guaranteed to be depleted in the future. The Executive Summary shows a water supply deficit of 1,143 Acre Feet by year 2060. Additional statements in the Letter of Intent: "additional priority is to acquire and invest in additional renewable water supplies. Future supply has been contracted for and implementation is under way". "Sterling wastewater is discharged in the Meridian System which in turn has potential to convert some reusable flows for available physical supplies."

What a wish and a prayer that all good things are going to happen, and everyone just accepts it.

Wildlife Report on the Executive Summary states "low wildlife impact potential", and Letter of Intent states rodents and deer have been viewed, potential is possible but "unlikely to be impacted by the project". My observation of 43 years is deer do not frequent this area, antelope thrived, but they've been pretty much eliminated by the development that's been allowed. There's another dead antelope on the side of the road about every other week, because of all the traffic from increased development. Coyotes used to take care of the carrion, but they've been eliminated also.

Again, more cherry-picked verbiage to distort reality and the truth. This entire process is like dealing with a school of pirhanas. The developers and County just keep nibbling away until there's nothing left. It appears it's okay to present false facts as reality. This is nothing but a pony show pretending to show concern for homeowners' rights.

We do not want urban density in our backyard and along the corridor entering Black Forest.

Neighborly cooperation requires compromise on both sides. Neither side wins, both sides must give a little. I feel a reasonable compromise would be 2.5 acre parcels all the way up Vollmer Road from proposed Briargate Parkway up to Poco Road and continue 2.5 acre lots along new Poco Road east to Sand Creek, with no additional traffic interconnections to Poco Road until east of Sand Creek. Lots adjoining these 2.5 acre lots should be 1 acre lots and then gradually increase in density farther east.

The Sterling Ranch Sketch is just that. It is a conceptual sketch. We homeowners have a right to expect future developments to be compatible with our neighborhoods and adjoining properties. As proposed, this rezoning request does not.

The approval criteria stated on the Executive Summary states this to be in general conformance with the Master Plan, or there's been a substantial change in the character of the neighborhood since it was last zoned, and that its compatible with existing landowners in all directions. Again, this urban density next to existing RR-5 zoning is overwhelmingly opposed by surrounding and nearby landowners.

We request consideration and compromise as stated earlier for 2.5-acre sites, etc., along Vollmer Road and new Poco Road east to Sand Creek. If this can be achieved on this go-around, fine, otherwise this request for rezoning should be denied.

Thank you for your consideration.

Respectfully,



Gary L. Beierle

From: Richard Hum <rhum76@gmail.com>
Sent: Sunday, May 16, 2021 7:18 AM
To: Kari Parsons <kariparsons@elpasoco.com>
Subject: Vollmer Poco proposed zoning change

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Dear Sir:

My wife and I have been residents of Highland Park region just east of Black Forest Rd and West of Vollmer since 2006. One of the things that drew us to this region was the more rural setting with having houses with more acreage (2.5 acres with 1 family dwelling). Unfortunately the area surrounding our area is becoming more crowded with multiple housing developments.

Now I hear that there is a proposal to rezoning the land east of Poco Rd from RR-5 to RS-6000. This is very distressing. This kind of change will have a massive impact on our quality of living regarding traffic, overall level of noise, and safety.

I am not against allowing development, but it must be done in such a way that those of us who currently live in the region will not be adversely impacted to such a great degree. Keeping the proposed expansion governed by RR-5 is a good compromise that I would like you to champion. Thank you for listening to me and giving consideration to those who love the CO life and lifestyle, and not changing us into many parts of the country which unlimited growth is the only consideration.

Richard K. and Gretchen A. Hum
Kilniver Court
Highland Park Subdivision
Black Forest 80908

From: Mike Rokes <mdrokes@gmail.com>
Sent: Wednesday, May 12, 2021 10:07 PM
To: Kari Parsons <kariparsons@elpasoco.com>
Subject: Rezoning request P-20-005

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Ms Parsons

I am writing to express my strong opposition to the request by SR Land, LLC to rezone a parcel of land southeast of the Vollmer Rd/Poco Rd intersection. Their request seeks to change the zoning from RR-5 to RS-6000, a 35-fold increase in population density. This rezoning would be inconsistent with the land to the west and north of the subject property. Westward, across Vollmer Rd the land is zoned RR-5 and to the north, across Poco Rd the land is RR-2.5. This dramatic shift would be incongruous with the rural nature of the surroundings. It would unreasonably increase traffic and decrease safety, exacerbating the bottleneck that occurs already at the intersection of Vollmer Rd and Black Forest Rd.

A more reasonable request would be to rezone the property to RR-2.5 matching the zoning to the north for any part that lies to the west of Sand Creek. However, creating an urban development at this location is in violent contrast to the county's previously stated desire to blend the urban setting to the south with the more rural setting approaching the treed area of Black Forest.

Thank you for your consideration of this matter.

Mike Rokes
Pam Rokes
8155 Poco Rd, Colorado Springs, CO

From: Jim Woudstra <jjowoudstra@gmail.com>

Sent: Monday, May 10, 2021 9:21 AM

To: Cami Bremer <CamiBremer@elpasoco.com>; Holly Williams <HollyWilliams@elpasoco.com>; Kari Parsons <kariparsons@elpasoco.com>

Subject: Fwd: Rezoning concerns P-20-005

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Dear commissioner:

I would like to express my concern with the rezoning request (P-20-005 Homestead North) to convert RR-5 to RS-6000 for the 65.3 acres at the NE corner of the Briargate Parkway and Vollmer Road intersection. This rezoning request would be inconsistent with the surrounding parcels and the long-standing policy to provide a buffer for the Black Forest area. This request would create a significant increase in traffic and noise and a decrease in safety for those going to and from the Black Forest.

The developer's attempt to pack as many homes as possible along Vollmer Road is not consistent with earlier plans which included larger plots along Vollmer Road (5 acre and 2.5 acre plots) with the smaller lots farther into the development and away from Vollmer.

It seems unacceptable to me that the game plan would be changed in mid-stream to reduce lot sizes along Vollmer just to benefit the pocket book of the developer! I believe the nature and quality of this unique area should be preserved and we must rely on you to do this.

Thank you for your work on the County Commission. I trust that wisdom related to the future of the Black Forest and it's environs will prevail.

In His Grip,
Jim Woudstra
8050 Poco Road

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Commissioner Bailey moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

**RESOLUTION NO. P-20-005
HOMESTEAD NORTH REZONE**

WHEREAS, 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 RS-6000(Residential Suburban) zoning district; and

WHEREAS, a public hearing was held by this Commission on May 20, 2021; and

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

1. The application was properly submitted for consideration by the Planning Commission.
2. Proper posting, publication and public notice was 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 were heard at that hearing.
4. 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.
5. The proposed land use or zone district is compatible with existing and permitted land uses and zone districts in all directions.
6. 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

7. 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. 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the petition of 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 (Rural Residential) zoning district to the RS-6000 (Residential Suburban) zoning district be approved by the Board of County Commissioners:

BE IT FURTHER RESOLVED that the Planning Commisison recommends 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 Land Development Code and Engineering Criteria Manual.
3. 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.
4. The Homestead North Phase 1 Updated Traffic Impact Study (TIS) shall be accepted by the ECM Administrator for the map amendment (rezoning) file prior to scheduling the Homestead North preliminary plan for Planning Commission hearing.
5. 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.

6. Vollmer Road and Briargate Parkway adjacent to the rezoning area shall be improved to meet the minimum standards of an arterial roadway with development of the Homestead North rezone area, in accordance with the Engineering Criteria Manual. These road improvements will be required with access permitting for the associated final plat. The necessary road improvements, including offsite improvements, and phasing will be identified with the first final plat in the map amendment (rezoning) area. These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition 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 petition. 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. 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 Board of County Commissioners for its consideration.

Commissioner Blea- Nunez seconded the adoption of the foregoing Resolution.

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

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

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

Dated: May 20, 2021

Brian Risley, Chair

EXHIBIT A

21-028

A PARCEL OF LAND BEING A PORTION OF SECTION 27, SECTION 28 AND SECTION 33, ALL IN 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 NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, S89°29'10"W A DISTANCE OF 1,191.33 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING SIX (6) COURSES:

1. S19°42'21"W A DISTANCE OF 184.86 FEET;
2. S32°15'45"W A DISTANCE OF 71.66 FEET;
3. S41°47'19"W A DISTANCE OF 88.37 FEET;
4. S14°57'52"W A DISTANCE OF 155.36 FEET;
5. S03°04'57"E A DISTANCE OF 208.19 FEET;
6. S05°19'07"E A DISTANCE OF 22.87 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND ITS EXTENSION;
7. S39°33'48"W A DISTANCE OF 65.00 FEET, TO THE CENTERLINE OF BRIARGATE PARKWAY AND ITS EXTENSION;

THENCE ON SAID CENTERLINE, N50°26'12"W A DISTANCE OF 1,469.51 FEET, TO THE CENTERLINE OF VOLLMER ROAD;

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

1. N39°33'48"E A DISTANCE OF 1,199.57 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N49°28'54"W, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 16°15'30" AND AN ARC LENGTH OF 227.01 FEET, TO A POINT OF NON-TANGENT CURVE;

3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS $N65^{\circ}15'03''W$, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF $12^{\circ}38'24''$ AND AN ARC LENGTH OF 164.31 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID CENTERLINE, THE FOLLOWING SEVENTEEN (17) COURSES:

1. $S76^{\circ}13'25''E$ A DISTANCE OF 255.22 FEET;
2. $S76^{\circ}20'29''E$ A DISTANCE OF 50.05 FEET;
3. $S11^{\circ}07'11''W$ A DISTANCE OF 3.91 FEET;
4. $S20^{\circ}05'15''E$ A DISTANCE OF 68.42 FEET;
5. $S51^{\circ}17'41''E$ A DISTANCE OF 52.77 FEET;
6. $N38^{\circ}42'19''E$ A DISTANCE OF 130.03 FEET;
7. $S51^{\circ}16'53''E$ A DISTANCE OF 128.03 FEET;
8. $S51^{\circ}17'40''E$ A DISTANCE OF 80.48 FEET;
9. $S51^{\circ}18'16''E$ A DISTANCE OF 124.15 FEET;
10. $S63^{\circ}15'15''E$ A DISTANCE OF 10.26 FEET;
11. $N39^{\circ}48'59''E$ A DISTANCE OF 110.92 FEET;
12. $N48^{\circ}27'49''E$ A DISTANCE OF 87.13 FEET;
13. $N55^{\circ}58'31''E$ A DISTANCE OF 87.13 FEET;
14. $N63^{\circ}35'09''E$ A DISTANCE OF 87.13 FEET;
15. $N71^{\circ}09'48''E$ A DISTANCE OF 87.13 FEET;
16. $N78^{\circ}01'26''E$ A DISTANCE OF 79.85 FEET;
17. $N79^{\circ}18'16''E$ A DISTANCE OF 441.05 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID WEST LINE, $S00^{\circ}53'15''E$ A DISTANCE OF 220.84 FEET, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27, N87°34'53"E A DISTANCE OF 73.60 FEET;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING TWENTY-ONE (21) COURSES:

1. S04°00'08"W A DISTANCE OF 38.86 FEET;
2. S23°30'33"W A DISTANCE OF 96.02 FEET;
3. S17°58'09"W A DISTANCE OF 105.84 FEET;
4. S07°20'33"W A DISTANCE OF 248.45 FEET;
5. S27°44'47"W A DISTANCE OF 82.16 FEET;
6. S51°16'10"W A DISTANCE OF 361.44 FEET;
7. S29°35'35"W A DISTANCE OF 198.68 FEET;
8. S56°06'51"W A DISTANCE OF 68.55 FEET;
9. S51°10'06"W A DISTANCE OF 86.23 FEET;
10. S82°29'37"W A DISTANCE OF 85.63 FEET;
11. N82°52'49"W A DISTANCE OF 82.74 FEET;
12. N63°10'02"W A DISTANCE OF 59.72 FEET, TO A POINT OF NON-TANGENT CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S52°33'19"W, HAVING A RADIUS OF 43.53 FEET, A CENTRAL ANGLE OF 66°07'59" AND AN ARC LENGTH OF 50.25 FEET, TO A POINT OF REVERSE CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.41 FEET, A CENTRAL ANGLE OF 21°27'48" AND AN ARC LENGTH OF 78.07 FEET, TO A POINT OF REVERSE CURVE;
15. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 85.46 FEET, A CENTRAL ANGLE OF 85°24'40" AND AN ARC LENGTH OF 127.39 FEET, TO A POINT OF TANGENT;
16. S12°28'27"W A DISTANCE OF 90.70 FEET;
17. S87°04'53"W A DISTANCE OF 91.55 FEET;

18. S01°04'54"W A DISTANCE OF 49.42 FEET;

19. S27°12'58"W A DISTANCE OF 75.48 FEET;

20. S12°38'34"W A DISTANCE OF 55.41 FEET;

21. S19°42'21"W A DISTANCE OF 0.70 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,844,314 SQUARE FEET OR 65.2965 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

RESOLUTION NO. 21-

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO

APPROVAL OF THE HOMESTEAD NORTH MAP AMENDMENT (REZONING) (P-20-005)

WHEREAS 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 for property located within the unincorporated area of the County, more particularly 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; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 20, 2021, 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 this Board on June 15, 2021; and

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

1. The application was properly submitted for consideration by the Board of County Commissioners.
2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. The proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

5. The proposed land use will be compatible with existing and permitted land uses in the area.
6. 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.
7. 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.
8. Changing conditions clearly require amendment to the Zoning Resolutions.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of 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-5000 (Residential Suburban) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. 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.

4. The Homestead North Phase 1 Updated Traffic Impact Study (TIS) shall be accepted by the ECM Administrator for the map amendment (rezoning) file prior to scheduling the Homestead North preliminary plan for Planning Commission hearing.
5. 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.
6. Vollmer Road and Briargate Parkway adjacent to the rezoning area shall be improved to meet the minimum standards of an arterial roadway with development of the Homestead North rezone area, in accordance with the Engineering Criteria Manual. These road improvements will be required with access permitting for the associated final plat. The necessary road improvements, including offsite improvements, and phasing will be identified with the first final plat in the map amendment (rezoning) area. These road improvements may be subject to reimbursement as outlined in the El Paso County Road Impact Fee Program.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition 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 petition. 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. 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 15th day of June, 2021 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
County Clerk & Recorder

By: _____
Chair

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF SECTION 27, SECTION 28 AND SECTION 33, ALL IN 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 NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, S89°29'10"W A DISTANCE OF 1,191.33 FEET, TO THE POINT OF BEGINNING;

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1. S19°42'21"W A DISTANCE OF 184.86 FEET;
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6. S05°19'07"E A DISTANCE OF 22.87 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BRIARGATE PARKWAY AND ITS EXTENSION;
7. S39°33'48"W A DISTANCE OF 65.00 FEET, TO THE CENTERLINE OF BRIARGATE PARKWAY AND ITS EXTENSION:

THENCE ON SAID CENTERLINE, N50°26'12"W A DISTANCE OF 1,469.51 FEET, TO THE CENTERLINE OF VOLLMER ROAD;

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

1. N39°33'48"E A DISTANCE OF 1,199.57 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N49°28'54"W, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 16°15'30" AND AN ARC LENGTH OF 227.01 FEET, TO A POINT OF NON-TANGENT CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N65°15'03"W, HAVING A RADIUS OF 744.82 FEET, A CENTRAL ANGLE OF 12°38'24" AND AN ARC LENGTH OF 164.31 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID CENTERLINE, THE FOLLOWING SEVENTEEN (17) COURSES:

1. S76°13'25"E A DISTANCE OF 255.22 FEET;
2. S76°20'29"E A DISTANCE OF 50.05 FEET;
3. S11°07'11"W A DISTANCE OF 3.91 FEET;
4. S20°05'15"E A DISTANCE OF 68.42 FEET;
5. S51°17'41"E A DISTANCE OF 52.77 FEET;
6. N38°42'19"E A DISTANCE OF 130.03 FEET;
7. S51°16'53"E A DISTANCE OF 128.03 FEET;
8. S51°17'40"E A DISTANCE OF 80.48 FEET;
9. S51°18'16"E A DISTANCE OF 124.15 FEET;
10. S63°15'15"E A DISTANCE OF 10.26 FEET;
11. N39°48'59"E A DISTANCE OF 110.92 FEET;
12. N48°27'49"E A DISTANCE OF 87.13 FEET;
13. N55°58'31"E A DISTANCE OF 87.13 FEET;
14. N63°35'09"E A DISTANCE OF 87.13 FEET;
15. N71°09'48"E A DISTANCE OF 87.13 FEET;

16. N78°01'26"E A DISTANCE OF 79.85 FEET;

17. N79°18'16"E A DISTANCE OF 441.05 FEET, TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID WEST LINE, S00°53'15"E A DISTANCE OF 220.84 FEET, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27, N87°34'53"E A DISTANCE OF 73.60 FEET;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING TWENTY-ONE (21) COURSES:

1. S04°00'08"W A DISTANCE OF 38.86 FEET;

2. S23°30'33"W A DISTANCE OF 96.02 FEET;

3. S17°58'09"W A DISTANCE OF 105.84 FEET;

4. S07°20'33"W A DISTANCE OF 248.45 FEET;

5. S27°44'47"W A DISTANCE OF 82.16 FEET;

6. S51°16'10"W A DISTANCE OF 361.44 FEET;

7. S29°35'35"W A DISTANCE OF 198.68 FEET;

8. S56°06'51"W A DISTANCE OF 68.55 FEET;

9. S51°10'06"W A DISTANCE OF 86.23 FEET;

10. S82°29'37"W A DISTANCE OF 85.63 FEET;

11. N82°52'49"W A DISTANCE OF 82.74 FEET;

12. N63°10'02"W A DISTANCE OF 59.72 FEET, TO A POINT OF NON-TANGENT CURVE;

13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S52°33'19"W, HAVING A RADIUS OF 43.53 FEET, A CENTRAL ANGLE

OF 66°07'59" AND AN ARC LENGTH OF 50.25 FEET, TO A POINT OF REVERSE CURVE;

14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 208.41 FEET, A CENTRAL ANGLE OF 21°27'48" AND AN ARC LENGTH OF 78.07 FEET, TO A POINT OF REVERSE CURVE;

15. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 85.46 FEET, A CENTRAL ANGLE OF 85°24'40" AND AN ARC LENGTH OF 127.39 FEET, TO A POINT OF TANGENT;

16. S12°28'27"W A DISTANCE OF 90.70 FEET;

17. S87°04'53"W A DISTANCE OF 91.55 FEET;

18. S01°04'54"W A DISTANCE OF 49.42 FEET;

19. S27°12'58"W A DISTANCE OF 75.48 FEET;

20. S12°38'34"W A DISTANCE OF 55.41 FEET;

21. S19°42'21"W A DISTANCE OF 0.70 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,844,314 SQUARE FEET OR 65.2965 ACRES.

EXHIBIT ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.