

UUSTERLING RANCH FILING 5 PUD PRELIMINARY PLAN

LETTER OF INTENT

AUGUST 2023, UPDATED NOVEMBER 2023

OWNER:

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

APPLICANT:

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

CONSULTANT:

N.E.S. INC.
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COLORADO SPRINGS, CO 80903
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SITE DETAILS:

TSN: 523302049

ADDRESS: DINES BLVD.

ACREAGE: 11.66 AC

CURRENT ZONING: RR-5

PROPOSED ZONING: PUD

CURRENT USE: VACANT

REQUEST

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

1. A rezone from RR-5 (Residential Rural) to PUD (Planned Unit Development)
2. A PUD Preliminary Plan for Sterling Ranch Filing 5; a 72-lot single family attached and detached development.
3. A Finding of water sufficiency for quantity, quality, and dependability with the Preliminary Plan and subsequent Final Plat to be approved administratively.
4. PUD Modification for LDC Chapters 8.4.4(C) for service of three units (Lots 54-56) via private access drive.

LOCATION

Sterling Ranch Filing 5 is 11.66 acres is located in the northwest corner of Sterling Ranch Road and Dines Boulevard. The property is currently vacant, undeveloped land.



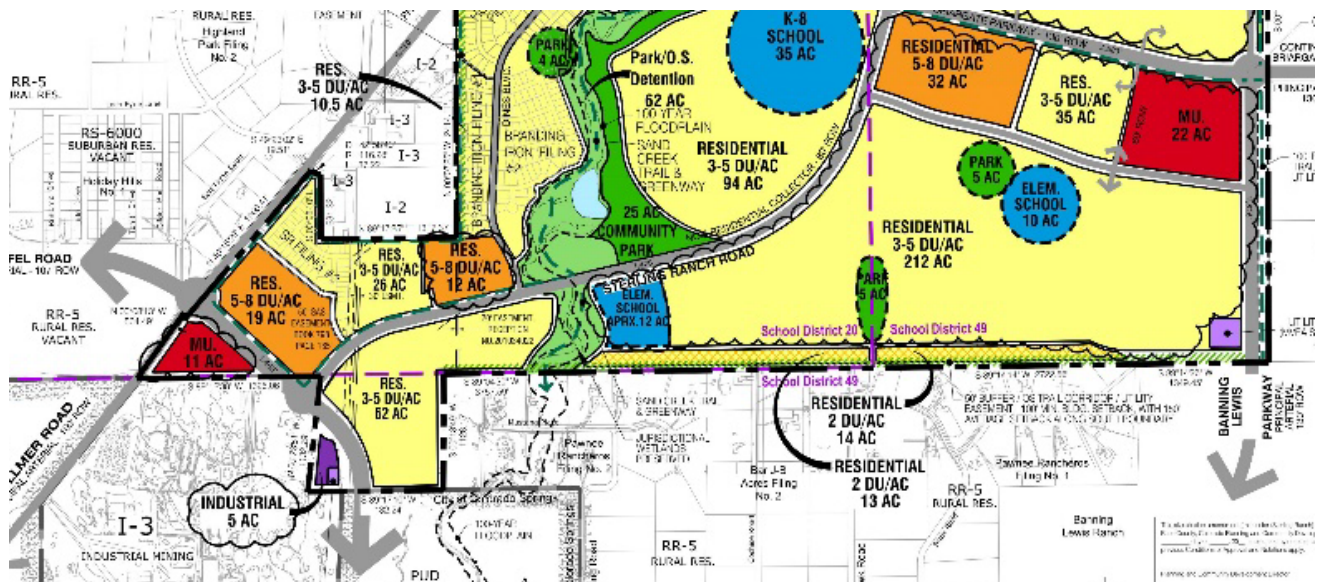
After speaking with Justin, and he with Meggan we would like to remove the modification request and move forward with the shared drive way as is.

Are rational on this is that a pud waiver cant be approved for no frontage since this is not a private road- its a shared driveway...and the driveway has 49 feet of frontage at the street so it meets the intent of the Code. Please remove all references to modification

PROJECT CONTEXT

The Sterling Ranch Sketch Plan for 4,800 dwelling units on 1,444 acres. The most recent amendment to the Sterling Ranch Sketch Plan was approved December 19, 2022. Sterling Ranch Filing 5 area is identified on the Sketch Plan with a density range of 5-8 du/acre. I-3 zoning is to the immediate northwest of the site, with Branding Iron Filing # 1 immediately north of the site. This land was previously platted as Tract B of Branding Iron Filing No. 2 as a future school site. Through discussions with Classic and D20, an agreement regarding a land swap and future school land dedication requirements was ratified in June of 2023. The approved Sterling Ranch Sketch Plan identifies an 11.8AC site and one 35AC site as land dedications for D20. The 11.8AC site is shown as a future elementary school site and the 35AC site is shown as a future K-8 school site on the recently approved Sterling Ranch East Preliminary Plan Phase 1 Filings 1-4.

Both parties have agreed on the new school site locations. As part of this agreement, the old school site, known as Tract B of Branding Iron Filing No. 2 has been deeded to Classic SRJ Land, LLC.



Directly south of the site is Sterling Ranch Filing 3. Southwest and west of the site is Sterling Ranch Filing 4. Both Sterling Ranch Filing 3 and Filing 4 are a detached single family residential community with a density range of 3-5 DU/AC. Sterling Ranch Road bounds the south side of Sterling Ranch Filing 5. Dines Boulevard runs along the east side of the development.

The Sand Creek channel and Regional Trail is located east of the proposed development to the east.

CSU owns a gas line and easement that bisects the property. This easement will be vacated by a separate instrument as it will be located within the ROW. The easement will remain within Tract A and Tract C, both tracts are open spaces that will be maintained by the Sterling Ranch Metro District.

PROJECT DESCRIPTION

The site is currently zoned RR-5 and is proposed to be rezoned as PUD. The development proposes, 72 single family detached and attached on 11AC for a gross density of 6.17DU/AC. This density is within the 5-8DU/AC range shown on the approved Sketch Plan. Medium density residential at this location will serve to transition the industrial areas, zoned I-3, to the northwest, and the adjacent Dines Boulevard and Sterling Ranch Road, to the lower density 3-5 DU/AC single family detached residential to the west, south, east and northeast.

The project proposes a 5-foot side, 20-foot front and 15-foot rear setbacks provided on all lots. A 0' side setback is proposed on all lots with attached units. The minimum lot size for the entire development is 30,66SF. Maximum lot coverage for the single-family detached lots will be 65%, and 75% for the single-family attached lots.

2.52AC of open spaces is provided in five tracts with walking paths connecting throughout the development and to the Sterling Ranch Parks and Trails system. All landscape entry features, open space tracts, parks and trails will be owned and maintained by the Sterling Ranch Metro District.

COMPATIBILITY/TRANSITIONS: This site is located in the northwest corner of Sterling Ranch Road and Dines Boulevard. The site is predominantly surrounded by detached single family residential to the west, south and north east. I-3 zoning sits to the northwest of the site. Sterling Ranch Filing 4, a detached single-family development zoned RS-5000 is located to the west and southwest. Sterling Ranch Filing 3, a detached single-family development, is immediately south and zoned RS-5000. A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

This development is positioned immediately west of Dines Boulevard, the Sand Creek Channel and Sand Creek Regional Trail. Pedestrian connectivity is provided throughout the development with connections provided to the Sterling Ranch, community park to the east and community open space amenities and trails.

Medium density detached and attached single family housing at this location will serve to transition the adjacent industrial area, Sterling Ranch Road and Dines Boulevard, to the lower intensity detached single family uses of Sterling Ranch Filings 3 and 4.

ACCESS AND CIRCULATION: A 3/4-movement access is provided at the intersection of Sterling Ranch Road and Dines Boulevard. Two public local roads with a 50'-0" ROW provide circulation throughout the site and access to each lot. Hazlett Drive serves to connect Sterling Ranch Filing 4 and Sterling Ranch Filing 5 to Sterling Ranch Road. Manor House Way connects Sterling Ranch Filing 5 to Dines Boulevard. Pedestrian circulation is provided throughout the development. Attached sidewalk are provided along all urban local roads and mid-block pedestrian crossing position as needed. A looped 5' concrete walk provides pedestrian connectivity through Tract B, a centralized 34,327SF community open space

amenity. Pedestrian connections are provided from Sterling Ranch Filing 5 to the Sterling Ranch Park and Trails through improvements provided at Dines Boulevard and Sterling Ranch Road.

TRAFFIC: A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entire Sterling Ranch Development in March 2023. An updated Traffic Memo has been prepared in support of Sterling Ranch Filing 5, which incorporates subsequent analysis related to traffic estimates generated by all traffic studies within Sterling Ranch and in the vicinity of the area of study within the past five years. A list of area traffic studies is shown in Appendix Table 1 of the Traffic Impact Study. Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. These recommendations are consistent with the LSC Sketch Plan TIS report. Axillary lane improvements required with Sterling Ranch Filing 5, if not completed with Sterling Ranch Filing No. 2, include:

- Marksheffel/Vollmer
- Sterling Ranch/Marksheffel
- Sterling Ranch/Hazlett
- Sterling Ranch/Dines
- Dines/Manor House

WATER: This development will be served by FAWWA, which is the overall service entity for Sterling Ranch and other adjacent properties. Sterling Ranch Filing 5 PUD and Preliminary Plan includes 72 lots which fall into high-density development ratios for small lots, and roughly 0.93AC of irrigated landscaping. The resulting water demand is 24.26 acre-feet.

This leaves a net excess of currently available water of 1028.4AF over 300 years and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Filing 5 PUD and Preliminary Plan on the 300-year basis.

A finding of sufficiency for water quantity, quality and dependability is requested with this application.

WASTEWATER: The wastewater commitment is for 12,384 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The projected loading represents roughly 1.265% of the contractual capacity available to the Falcon Area Water and Wastewater Authority (FAWWA). FAWWA therefore has more than adequate wastewater treatment capacity to provide service to Sterling Ranch Filing 5. Including all subdivisions submitted before March 31, 2023, the current committed capacity is for 2722 SFE which is 46.538% of FAWWA contractual treatment capacity. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

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

Sterling Ranch Road does not require noise mitigation as it is classified as a collector. Dines is classified as a rural local and does not require noise mitigation. A 6' concrete slat wall is proposed along Sterling Ranch Road and Dine Boulevard for aesthetic purposes.

A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

WILDLIFE: No critical habitat or sensitive species have been identified on site. As development occurs within Sterling Ranch, care will be taken to minimize human and wildlife conflicts within reasonable limits.

FLOODPLAIN: This site is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0533G, effective 12.07.2018.

GEOLOGIC HAZARDS: The Soils, Geology and Geologic Hazard Study prepared by Entech Engineers, determined the site to be suitable for the proposed development and achievable by avoidance or proper mitigation through standard construction methods. Geologic hazards encountered at the site include, artificial fill, expansive soils, subsidence area, slope stability and landslide hazard, debris fans, groundwater and floodplain areas, potentially seasonal shallow groundwater, faults, dipping bedrock, shallow bedrock, and radio activity. In areas where shallow groundwater has been detected (Lots 7-17), CGS recommends that groundwater monitoring/observation be conducted to verify floor levels are a least 3' above maximum anticipated groundwater levels, and determine feasibility of basements and if perimeter drains will be required if basements are proposed.

Finished floor levels must be a minimum of one floor above the floodplain level. Subsurface perimeter drains may be necessary to prevent the intrusion of water into areas below grade. Additionally, where shallow groundwater is encountered, under slab drains or interceptor drains may be necessary. Where basements are considered, interceptor and under slab drains may be necessary. Additional investigation, after grading is completed, is recommended to provide final foundation and subsurface drain recommendations.

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.

WILDFIRE: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a moderate to low moderate fire risk.

SCHOOLS: The project site for Sterling Ranch Filing 5 was platted as Tract B of Branding Iron Filing 2 as a future school site. Through discussions with Classic and D20, both parties have agreed for this parcel to be conveyed to Classic and for both school sites to be developed within Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4.

The approved Sterling Ranch Sketch Plan identifies an 11.8AC site and one 38AC site as land dedications for D20. The 11.8AC site is located east of Sand Creek and shown as a future elementary school site. The 38AC site is shown as a future K-8 school site and is located in the southwest corner of Briargate Parkway and Sterling Ranch Road. Both school sites are shown on the recently approved Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4.

TRAILS AND OPEN SPACE: 2.52AC of open space is provided with this development. Pedestrian connections are provided to all of the tracts through a series of looped 5FT concrete walkways. This development exceeds the 10% open space requirement by providing 109,527SF of recreational open space. It also exceeds the requirement for 25% contiguous open space (12,698SF) by providing 34,327SF or 67% contiguous open space in Tract B. Open spaces surround the perimeter of the development with Tract B, 34,327SF, providing a centralized community park for residents. 5FT concrete pedestrian walks, with safe pedestrian connections, provide connectivity throughout the park, to the adjacent Sand Creek Trail, 29AC Sterling Ranch Community Park to the east and connection to the Sterling Ranch Parks and trails network.

The Sterling Ranch master planned community includes an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. Sterling Ranch Filing 5 will be connected to this system through pedestrian connections provided at Sterling Ranch Road and Dines Boulevard. All parks and trails will be maintained by Sterling Ranch Metro District.

DRAINAGE: Proposed Sterling Ranch Filing No. 5 drainage improvements were designed to meet or exceed the El Paso County Drainage Criteria. The proposed development will not adversely affect the offsite drainage-ways or surrounding development. The existing pond W-5 is to release at equal to or less than historic runoff. The site is consistent with the Sterling Ranch Filing No. 2 Drainage Report.

UTILITIES: Falcon Area Water and Wastewater Authority (FAWWA) will provide water and waste water services for this development. A commitment letter has been included with the submittal.

Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas. The utility commitment letters are submitted with this application.

Parks, open space and trails will be owned and maintained by Sterling Ranch Metro District.

DISTRICTS/ENTITIES SERVING THE PROPERTY:

The following districts will serve the property:

- Academy School District 20
- Mountain View Electric Association
- City of Colorado Springs Utilities Department – Gas
- Sterling Ranch Metro District
- Black Forest Fire Protection District
- FAWWA- Water and Wastewater

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

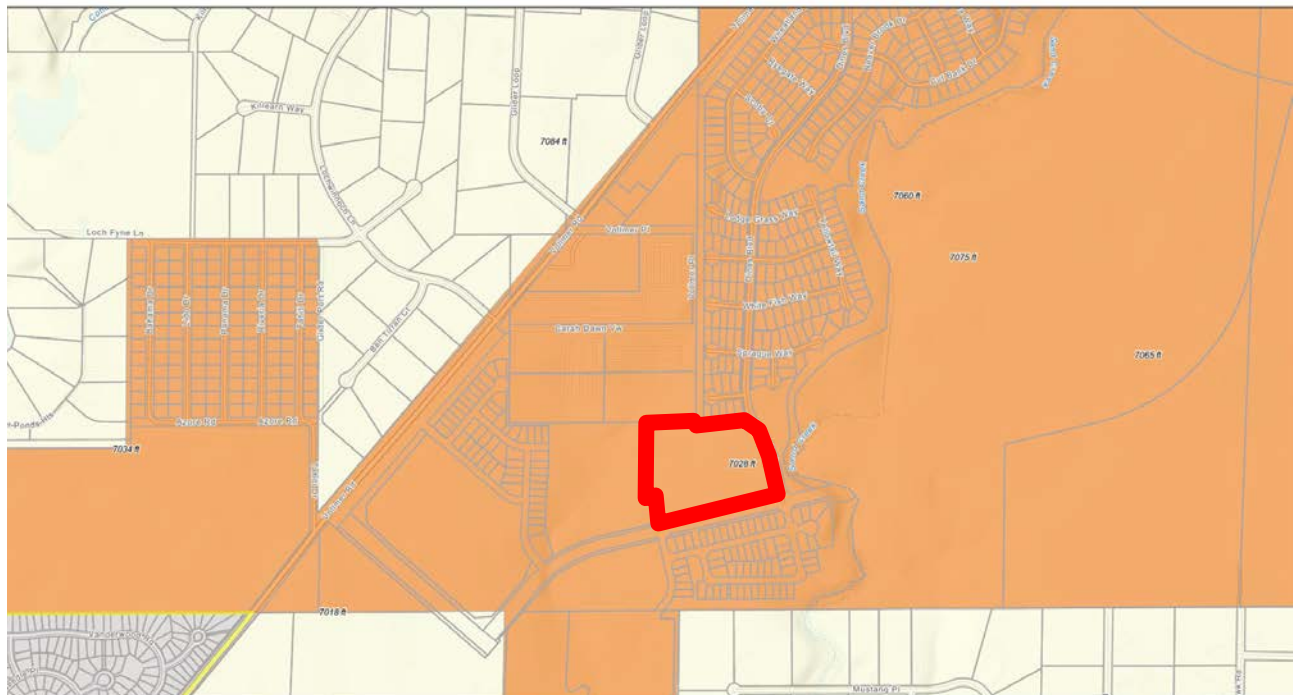
The relevant County Plans for Sterling Ranch are the Your El Paso Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the Parks Master Plan. A detailed analysis of the relationship of the Sterling Ranch Sketch Plan and the goals and objectives of these plans was previously provided with the Sketch Plan. 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.

YOUR EL PASO MASTER PLAN

The new County Master Plan denotes the site as a Suburban Residential Placetype, which consists of predominantly Single-Family homes with supporting, Single-Family Attached, Multi-Family, Neighborhood Commercial, and Parks. Sterling Ranch Filing 5 proposes 72 single family detached and attached residential units, which aligns with this placetype. This plan also supports the curvilinear pattern of streets that characterizes the suburban residential placetype.

This area is located within a Priority Development Area and is denoted as a “New Development Area” on the Areas of Change map. New Development Areas take place on land largely undeveloped, adjacent to built out areas. These areas are to be designed to integrate with and compliment adjacent development. Sterling Ranch Filing 5 is presently an undeveloped portion of the County that is adjacent to a built-out area and will be developed to match the character of that adjacent development.

Sterling Ranch Filing 5 Areas of Change



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

the county,” in addition to goal 1.1, “Ensure compatibility with established character and infrastructure capacity” and goal 1.3, “Encourage a range of development types to support a variety of land uses.” Sterling Ranch Filing 5 supports a diversity of single-family housing choices in the localized area while preserving single family characteristics of the nearby developments such as Single Ranch Filing No. 3 and Sterling Ranch Filing No. 4. The proposed layout provides over 21% open space, connection to Sterling Ranch Parks and Trails and diversity in housing choices.

Sterling Ranch Filing 5 is also consistent with Core Principle 2, Housing & Communities, which seeks to “Preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “Promote development of a mix of housing types in identified areas.” This PUD Preliminary plan proposes a mix of smaller detached and attached single family residential product type that is complimentary to the proposed single family residential uses within Sterling Ranch. The character of this development is similar to the immediately adjacent Sterling Ranch Filings 3 and 4 and with its higher density will provide a transition from the I-3 to the northwest, Sterling Ranch Road and Dines Boulevard.

Transportation & Mobility core principals and goal 4.2, “Promote walkability and bikability where multimodal transportation systems are feasible” and Community Facilities & Infrastructure and goal 5.1, “Coordinate with agencies to provide high-quality community facilities, services and infrastructure to enhance quality of life,” are supported by Sterling Ranch Filing 5. This development is connected to the Sterling Ranch Parks and Trails which includes a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets and a system of Open spaces, Trails and Parks. Pedestrian connections are provided throughout the development with a looped walk connecting all open space tracts and providing connections to parks and trails within Sterling Ranch.

Pedestrian connections at Sterling Ranch Road and Dines Boulevard will provide connections to the comprehensive Sterling Ranch Parks and Trails system.

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 FAWWA, which is the overall service entity for Sterling Ranch and other adjacent properties. Sterling Ranch Filing 5 PUD Preliminary Plan includes 72 lots which fall into high-density development ratios for small lots, and roughly 0.93AC of irrigated landscaping. The resulting water demand is 24.26 acre-feet.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1930.16 AF for 300 YRs which would be adequate supply to meet the needs of 5,468 SFE. This leaves a net excess of currently available water of 1029.4 AF for 300 YR and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Filing 5.

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 350 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.

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.”

Sterling Ranch Filing 5 will be centrally serviced by FAWWA which will become the overall service entity, for not only the Sterling Ranch Metropolitan District, but the Retreat and the future ranch as well. 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.

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 currently has a total supply of 1901.83 acre-feet. This leaves a net excess of currently available water of 1037.64AF over 300years; thereby creating a more than sufficient water supply to meet the needs of Sterling Ranch East Phase one 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 April, 2023.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN

The 2040 Improvements map identified the most proximate roadway improvement to the site is the county road capacity improvements to Vollmer Rd between Marksheffel Rd and Stapleton Drive. There will be rural county road upgrades to Vollmer Rd north of the site. The extension of Briargate Parkway will add a new roadway connection just north of the site. The 2060 corridor preservation plan depicts that Briargate Pkwy will become a principal arterial. Vollmer Road is expected to be a minor collector by 2040.

EL PASO COUNTY PARKS MASTER PLAN

No regional county parks are planned to be within the immediate area. The Sand Creek Regional Trail proposed on the west side of Sand Creek is the major north-south trail connection through the Serling Ranch development. This regional trail provides connectivity to parks and trails throughout the community, pedestrian connections at Sterling Ranch Road and Dines Boulevard will connect Sterling Ranch Filing 5 to the Sand Creek Regional Trail and 29AC Community Park to the east.

PROJECT JUSTIFICATION

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met. The PUD/Preliminary Plan for Sterling Ranch Filing 5 is consistent with the PUD zoning and preliminary plan approval criteria set forth in Chapter 4.2.6.D & 4.2.6.E of the LDC as follows:

1. The proposed PUD District zoning advances the stated purposes set forth in this Section;

Sterling Ranch Filing 5 PUD will advance the following purposes of the PUD District designation:

- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*
- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*
- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*
- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*

Sterling Ranch Filing 5 is responding to the need for more diversified housing products in the area. The flexibility of the PUD allows for the creation of improved design, character and quality of new development. The provision of detached and attached single family homes on small lots is reflective of growing demands for smaller homes that are more affordable and have less maintenance. Housing within this area will provide support to several employment and shopping centers that are in close proximity to the site, as well as churches and schools that provide community facilities.

2. The application is in general conformity with the Master Plan;

The relevant County Plans for Sterling Ranch Filing 5 are the Your El Paso County Master Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. Sterling Ranch Filing 5 is in general conformity with these plans as described above.

3. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The proposed subdivision of attached and detached single family residential lots is consistent with the County Master Plan. The higher density residential provides a more gradual transition from the I-3 uses to the northwest and the intersection of Sterling Ranch Road and Dines Boulevard to the lower density detached single-family housing within Sterling Ranch Filing 3 and 4 to the west and south.

- 4. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;**

The proposed medium residential at the corner of Sterling Ranch Road and Dines Boulevard provides an appropriate transition from the industrial uses to northwest to the lower density single family residential south and southeast of the development. The proposed density of 6.17DU/AC is consistent with the approved Sterling Ranch Sketch Plan Designation of 5-8DU/AC.

A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 5. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;**

A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 6. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;**

A 6' concrete slat wall is provided along Sterling Ranch Road to provide a consistent character within the Sterling Ranch Community. Open spaces and lot layouts within Sterling Ranch Filing 5 are similar to higher densities within Sterling Ranch. A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;**

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

8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;

Sterling Ranch Filing 5 proposes 2.52AC of open space which equates to 21% of the 11.66AC site. Tract B, 34,327SF provides centralized open space within the development and exceeds the 25% contiguous open space requirement. Open spaces are connected with safe pedestrian connections which connect to the Sterling Ranch Parks and Trails amenities. A pedestrian connection is provided at Sterling Ranch Road and Dines Boulevard, providing connection to the Sand Creek Regional Trail and 29AC Community Park.

9. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;

The Traffic Impact Memo demonstrates that the development will not materially impact existing levels of service on surrounding roads.

Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. These recommendations are consistent with the LSC Sketch Plan MTIS report. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

10. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;

The project proposes interconnected sidewalks throughout the project that connect the open space tracts and provide a connection to the Sand Creek Regional Trail and proposed 29 AC Sterling Ranch Community Park to the east of Sand Creek. There are no environmental features within the project site.

11. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;

There are no mineral rights owners on this property.

12. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and

A PUD modification is requested for LDC 8.4.4 (C). The allowance of three lots to be accessed from a shared private access will allow for more efficient vehicular and pedestrian circulation, as well as greater diversity of housing. The shared private drive directly connects to a public street. The justification for this is set out below.

After speaking with Justin, and he with Meggan we would like to remove the modification request and move forward with the shared drive way as is. Are rational on this is that a pud waiver cant be approved for no frontage since this is not a private road- its a shared driveway...and the driveway has 49 feet of frontage at the street so it meets the intent of the Code.

13. The owner has authorized the application.

Yes.

PUD Preliminary Plan

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

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

See above analysis.

2. The subdivision is consistent with the purposes of this Code;

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

3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

See above analysis. The medium density residential uses at the corner of Sterling Ranch Road and Dines Boulevard are appropriate at this location and provide a transition to the lower density single family uses within Sterling Ranch Filings 3 and 4. The proposed density is consistent with the Sterling Ranch Sketch Plan approved in 2022.

The PUD Preliminary Plan meets all subdivision design standards other than the requested PUD modification for access to lots 54-56 via a private access as described elsewhere in this report. remove

4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by FAWWA and the Water Resources Report provided by JDS Hydro.

A finding of water sufficiency for quantity, quality and dependability is requested with this PUD Preliminary Plan and for the subsequent Final Plat to be approved administratively.

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

The wastewater commitment is for 12,384 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The loading projected from Sterling Ranch Filing 5 represents roughly 1.265% of the contractual capacity available to the Falcon Area Water and Wastewater Authority (FAWWA). Including all subdivisions submitted before March 31 of 2023, the current committed capacity is for 2,722 SFE which is 46.538% of FAWWA contractual treatment capacity. FAWWA therefore has more than

adequate wastewater treatment capacity to provide service to Sterling Ranch Filing 5. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods.

Finished floor levels must be a minimum of one floor above the floodplain level. Subsurface perimeter drains may be necessary to prevent the intrusion of water into areas below grade. Additionally, where shallow groundwater is encountered, under slab drains or interceptor drains may be necessary. Where basements are considered, interceptor and under slab drains may be necessary. Additional investigation, after grading is completed, is recommended to provide final foundation and subsurface drain recommendations.

In areas where shallow groundwater has been detected (Lots 7-17), CGS recommends that groundwater monitoring/observation be conducted to verify floor levels are a least 3' above maximum anticipated groundwater levels, and determine feasibility of basements and if perimeter drains will be required if basements are proposed. **now is the time to disclose if basements are allowable w constraint**

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 are provided by the design;

These matters are addressed in the Drainage Report prepared by JR Engineering. Proposed Sterling Ranch Filing No. 5 drainage improvements were designed to meet or exceed the El Paso County Drainage Criteria. The proposed development will not adversely affect the offsite drainage-ways or surrounding development. The existing pond W-5 is to release at equal to or less than historic runoff. The site is consistent with the Sterling Ranch Filing No. 2 Drainage Report.

8. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;

All lots will be accessible by new public streets. A PUD modification has been requested to allow for 3 lots to be accessed by a private access. The proposed private drive will allow for a more efficient lot layout and increase in overall open space. The private drive will connect to the nearest public street.

9. The proposed subdivision has established an adequate level of compatibility by

a. Incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision;

There are no natural physical features on the site. 21% open space is provided with over 25% of space provided contiguous. This exceeds the 10% PUD open space requirement.

b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;

Appropriate provision is made in this regard given the context of the site and surrounding area. Sidewalks are included throughout the project. Safe pedestrian connections provide connection to open spaces within the development and to the Sterling Ranch parks and trails comprehensive system.

c. Incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;

The site is surrounded by landscape tracts that are part of this project and in Filing 2 along Marksheffel Road and Vollmer Road, as required by the LDC and the Sterling Ranch Sketch Plan.

A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

In the I-3 zone there is a 175' setback required from adjacent residential development.

d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and

There are no environmentally sensitive areas on the property.

e. Incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entire Sterling Ranch Development in March 2023. An updated Traffic Memo has been prepared in support of Sterling Ranch Filing 5, which incorporates subsequent analysis related to traffic estimates generated by all traffic studies within Sterling Ranch and in the vicinity of the area of study within the past five years. A list of area traffic studies is shown in Appendix Table 1 of the

Traffic Impact Study. Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. Reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

10. Necessary services, including police and fire protection, recreation, utilities, open space and transportation systems, are or will be available to serve the proposed subdivision;

Water and sanitary service is provided by the FAWWA. Natural gas is provided by Colorado Springs Utilities and electric is provided by MVEA. Will serve letters have been included with this submittal.

11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

The site lies within the Black Forest Fire Protection District. A service commitment letter from the District is included with the submittal. A fire exhibit showing fire hydrant locations and 150' hose lay has been included with this submittal.

12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

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

revise per no modification needed

PUD MODIFICATIONS:

Chapter 4.2.6.F.2.g of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM).

LDC/ECM Section	Category	Standard	Modification	Justification
LDC Chapters 8.4.4(C)	Public Roads Required	Division of land, lots and tracts shall be serviced by public roads	Lots 54-56 are accessed via a private shared access easement and will not have direct frontage to a public road	The allowance of three lots to be accessed from a shared drive will allow for more efficient vehicular and pedestrian circulation. The shared private drive directly connects to a public street.

Section 8.4.4(C) of the LDC states that division of land, lots and tracts shall be serviced by public roads, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4(E). This development is requesting for Lots 54-56 to be accessed by a 30FT private concrete driveway that directly connects to School House Drive. This will be subject to a shared access easement across all three lots, to be recorded by separate instrument.

Section 4.2.6.F.2.h of the LDC requires that, in approving a PUD modification of a general development standard in the LDC or criteria or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least 1 of the following benefits:

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

The proposed PUD modification supports a smaller product type that responds to area market demands for diversity in housing choices. The modification for three lots to be accessed by a 30FT shared private access with no lot frontage to a public street, enables a more efficient land use and lot layout for this product type. This layout creates a more efficient vehicular and pedestrian circulation route. The 30FT shared private drive connects to School House Drive, a public urban local street. The shared private drive will be owned by the respective lot owners with day-to-day maintenance by lot owners (e.g. snow removal), and long-term maintenance by Sterling Ranch Metro District (e.g. repaving). The details of this agreement will be reflected in a shared access easement to be recorded by separate instrument.

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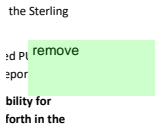


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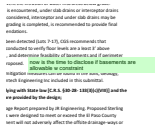
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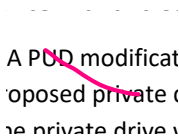
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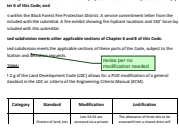


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