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## STERLING RANCH EAST FILING 6 REZONE AND PRELIMINARY PLAN

LETTER OF INTENT

SEPTEMBER 2024

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**OWNER:**

Classic SRJ Land LLC  
2138 FLYING HORSE CLUB DR  
COLORADO SPRINGS, CO 80921

**APPLICANT:**

CLASSIC COMMUNITIES  
6385 CORPORATE DR. SUITE 200  
COLORADO SPRINGS, CO 80919

**CONSULTANT:**

N.E.S. INC  
ANDREA BARLOW  
619 N. CASCADE AVE, SUITE 200  
COLORADO SPRINGS, CO 80903  
ABARLOW@NESCOLORADO.COM  
(719) 471-0073

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**SITE DETAILS:**

**TSN:** 52000000573

**ADDRESS:** 34-12-65

**ACREAGE:**

- Preliminary Plan: 56.13 AC
- Rezone: 11.191 AC

**CURRENT ZONING:** PUD AND RS-5000

**PROPOSED ZONING:** RS-5000

**CURRENT USE:** SINGLE FAMILY RESIDENTIAL AND VACANT

**FILE #S:**

- P2414 – Sterling Ranch East Filing No. 6 Rezone
- SP244 – Sterling Ranch East Filing No. 6 Preliminary Plan

**REQUEST:**

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

1. One Map Amendment (Rezone) to rezone 11.191 AC from PUD to RS-5000.
2. A Preliminary Plan for Sterling Ranch East Filing 6, which covers 56.13 AC and proposes 198 detached single-family development with 3.32 AC of open space and a 6.78 AC Drainage and Detention Pond.
3. A finding of water sufficiency is requested with the Preliminary Plan, with the administrative approval of subsequent final plats.

## SITE LOCATION

Sterling Ranch East Filing 6 is located northwest of the intersection of the future Briargate Parkway extension and the future Sterling Ranch Road. The site is surrounded by a growing area of El Paso County, close to the City of Colorado Springs' municipal boundary.

## SURROUNDING LAND USE

The site is currently surrounded by vacant and residential properties of various densities within the Sterling Ranch Master Plan area. The 1,444-acre master plan allows up to 4,800 residential units and includes multiple school sites, neighborhood parks, regional trails, a 28-acre community park, and mixed-use sites that will surround and complement Sterling Ranch East Filing 6. Future roads that will serve the project have not yet been constructed; however, the site is located northeast of the intended intersection of the Briargate Parkway extension and Sterling Ranch Road.



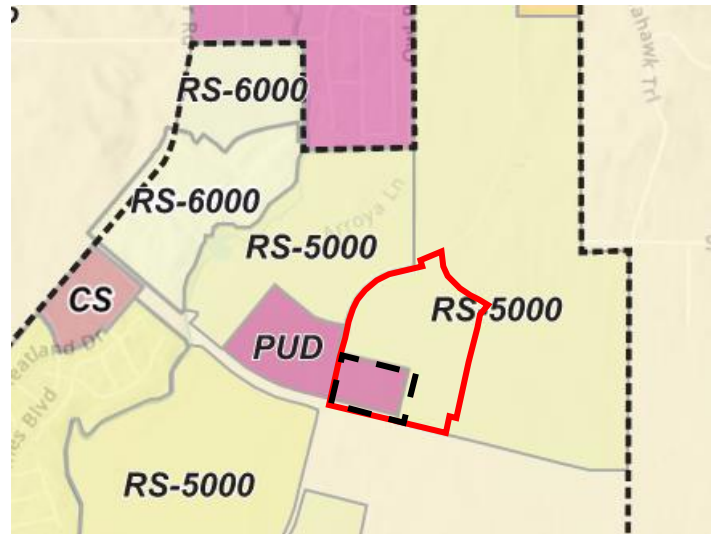
Sterling Ranch East filing 6 is located toward the center of the Sterling Ranch Sketch Plan area. To the north and east of Sterling Ranch East filing 6 is planned for future residential development. The approved Sketch Plan shows Residential 3-5 du/acre which is consistent with densities proposed with this project. To the west, across Sterling Ranch Road, is Four Square and Sterling Ranch East filing 4. Four Square was approved for detached single-family with a density of 5.25 du/acre. Sterling Ranch East filing 4 is also single-family detached and approved with a density of 2.4 du/acre. To the south is Villages at Sterling Ranch East which is currently in review and is intended to be 5.81 du/acre.



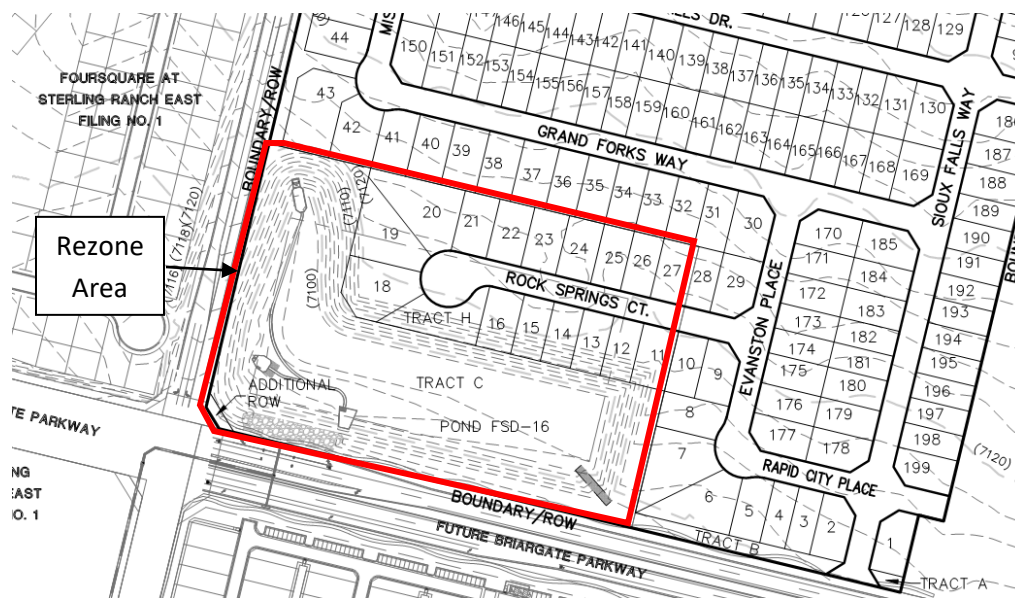
Sterling Ranch East Filing 6 is fully internal to Sterling Ranch and is buffered from any lower-density residential properties outside of the Master Plan area. These include the Pawnee Rancheros 5-acre rural residential subdivision located to the south and 40-acre ranchettes, also zoned RR-5, to the west.

### ZONING CONTEXT

The property is currently zoned PUD (Planned Unit Development) and RS-5000. Surrounding zoning includes RS-5000 to the north; PUD and RS-5000 to the west; RR-5 to the south (although this area is the subject of current and future rezones to PUD and RS-5000); and RS-5000 to the east. In conjunction with the Preliminary Plan, one map amendment is being requested to rezone a portion of the Preliminary Plan area from PUD to RS-5000 to consolidate the Preliminary Plan into one zone district.



The 11.191-AC area included within the rezone was previously included as Tract H of the FourSquare PUD/ Preliminary Plan, as a proposed detention pond. At that time, it was intended that the detention pond would also accommodate recreational uses, such as a ball field and perimeter trails, and was oversized to accommodate this dual function. El Paso County Community Service Department has since indicated that it will not grant park land credit for a recreational facility within a detention pond, so the recreational component has been removed from the detention pond. As a result, the detention pond size has been reduced to 6.78-acres and the residual 4.41 acres is included as lots in Sterling Ranch East Filing 6. To achieve this, the former Tract H of the FourSquare PUD is being rezoned to RS-5000 and incorporated into the Filing 6 Preliminary Plan as Tract C for detention and lots 11-27.



While Tract H was included as open space for the FourSquare PUD/Preliminary Plan due to its intended dual use as a recreational facility, its removal from the FourSquare PUD does not impact compliance with PUD open space requirements. LDC Chapter 4.2.6 requires that a minimum of 10% of the gross PUD development area shall be set aside as open space and that 25% of open space shall be contiguous and usable. The FourSquare PUD is currently 36.647 AC. With the removal of Tract H it will be 25.456 AC. The total open space requirement is therefore 2.55 AC, with a contiguous useable area of 0.64 AC. FourSquare will retain a total of 5.12 AC of open space in Tracts A – G, with 2.57 AC of contiguous useable open space in the central Tract G.

## **PROJECT DESCRIPTION**

The Sterling Ranch East Filing 6 Rezone and Preliminary Plan proposes to rezone 11.191 acres from PUD to RS-5000 and to allow 198 single-family detached lots on 56.13 acres. A 35,290-sf neighborhood park is in Tract G, southeast of the future intersection of Sterling Ranch Road and Vancouver Street. A large detention facility is located in Tract C and will accommodate detention and water quality for Sterling Ranch East filing 6 and Foursquare at Sterling Ranch. As part of this project, a portion of Appleton Drive adjacent to the filing boundary and a portion of Sterling Ranch Rd will be constructed to provide access to the site.

**COMPATIBILITY/TRANSITIONS:** The Sterling Ranch East filing 6 Preliminary Plan boundary is fully within the Sterling Ranch Master Plan boundary and surrounded by planned residential uses of similar or higher densities. Sterling Ranch East filing 6 is proposed to be zoned RS-5000 to include 198 detached, single-family homes. Four Square at Sterling Ranch is west of the site across Sterling Ranch Road and includes 158 detached single-family units, is zoned PUD and was approved to allow a net density of 5.25 du/ac. North of Four Square and west of the project site is Sterling Ranch East filing 4 which includes 258 units, is zoned RS-5000 and is approved as part of the Sterling Ranch East Phase 1 Preliminary Plan which has a net density of 5.6 du/ac. To the north, northeast, and east are future planned residential filings with an approved density range of 3-5 du/ac per the Sterling Ranch Master Plan and are currently within the RS-5000 zoning. South of the subject filing is Villages at Sterling Ranch which is under review and includes 227 units of attached single-family with a density of 5.81 du/ac. The proposed zoning for this project is PUD.

**ACCESS AND CIRCULATION:** Access to Sterling Ranch East Filing 6 will be gained from three different points. Sioux Falls Way will provide access on the Northeast side of the filing from Appleton Drive, an Urban Residential Collector. Sioux falls also connects to the southeast access point off Briargate Pkwy, an Urban Principal 4-lane Arterial. Vancouver Street will provide access from the West off Sterling Ranch Road, an Urban Non-Residential Collector. All the residential lots within the filing will gain access from an internal network of public, Urban Local roads.

**TRAFFIC:** A Traffic Impact Study prepared by LSC in September 2024 is included with the Map Amendments and Preliminary Plan submittals. The Study provides an analysis of anticipated project impacts and also includes an update to the Intersection and Roadway Improvements anticipated for the

entirety of Sterling Ranch. There are three primary access points to the Preliminary Plan area from the future Sterling Ranch Road and future Briargate Parkway to serve the proposed single-family detached housing units. The Traffic Study concludes the following:

- This site is subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended. An option for payment will be selected in conjunction with Final Plat applications.
- Sterling Ranch East Filing No. 6 is projected to generate about 1,867 new external vehicle trips on the average weekday, with about half entering and half exiting the site during a 24-hour period. During the morning peak hour, which generally occurs for one hour between 6:30 and 8:30 a.m., about 35 vehicles would enter and 104 vehicles would exit the site. During the afternoon peak hour, which generally occurs for one hour between 4:15 and 6:15 p.m., about 117 vehicles would enter and 69 vehicles would exit the site.
- The stop-sign-controlled intersection of Vollmer/Burgess is projected to operate at LOS C or better for all approaches based on the short-term total traffic volumes. LSC recommends this intersection be reconstructed as a modern one-lane roundabout by 2045. As a modern roundabout, it is projected to operate at LOS C or better for all approaches during the peak hours, based on the projected 2045 total traffic volumes.
- The intersections of Vollmer/Briargate and Briargate/Sterling Ranch are projected to operate at a satisfactory level of service as stop-sign-controlled intersections in the short-term future. By 2045, these intersections will likely need to be converted to traffic-signal control. As signalized intersections, all movements are projected to operate at LOS D or better during the peak hours, based on the projected 2045 total traffic volumes.
- Some of the movements at the intersections of Marksheffel Road/Vollmer Road and Marksheffel Road/Sterling Ranch Road are projected to operate at LOS E or LOS F during the peak hours, if they remain stop-sign controlled in the short-term future. Once signalized, all movements at these intersections are projected to operate at LOS D or better, based on the projected short-term and 2045 total traffic volumes. An escrow analysis for these future traffic signals may need to be provided with the final plat.
- The intersections of Sterling Ranch/Vancouver and Sterling Ranch/Appleton are projected to operate at a satisfactory level of service as stop-sign-controlled intersections.
- Assumed intersection control improvements are identified in Table 5 of the Study and include the following:
  - Construct a northbound to eastbound right-turn acceleration lane on Briargate Parkway at Sterling Ranch Road. The lane should be 580' long plus a 180' taper.
  - Construct a westbound left-turn lane on Briargate Parkway approaching Sterling Ranch Road. The lane should be 285' long plus a 200' taper.
  - Construct an eastbound right-turn deceleration lane on Briargate Parkway approaching Sterling Ranch Road. The lane should be 235' long plus a 200' taper.
  - Signalization of the intersection of Marksheffel Road and Sterling Ranch Road once warrants are met.

- Construct an eastbound right-turn deceleration lane on Briargate Parkway approaching Sioux Falls Way. The lane should be 235' long plus a 200' taper.
- Construct a southbound left-turn lane on Sterling Ranch Road approaching Vancouver Street. The lane should be 205' long plus a 160' taper.
- Construct a northbound right-turn deceleration lane on Sterling Ranch Road approaching Vancouver Street. The lane should be 155' long plus a 160' taper.
- Construct a northbound right-turn deceleration lane on Sterling Ranch Road approaching Appleton Drive. The lane should be 155' long plus a 160' taper.

**WATER SERVICE:** Sterling Ranch East Filing 6 is to be provided central water and sewer services through Falcon Area Water and Wastewater Authority (FAWWA). A service commitment letter is provided by FAWWA. A finding of water sufficiency is requested with the Preliminary Plan, with the administrative approval of subsequent final plats.

A Water Resources Report, prepared by RESPEC in September 2024, is included with this submittal. It is expected that an urban residential home in the Falcon Area Water and Wastewater Authority will require an average of 0.353 annual acre-feet, which is the adopted user characteristic for FAWWA based on anticipated 1,500 square feet or more of landscaping. This is consistent with historic needs for nearby developments. For lots smaller than 7,000 square feet, FAWWA has adopted an SFE equivalency ratio of .90 to account for substantially reduced water needs, although this is partially offset by estimation of common area irrigation needs. Sterling Ranch East Filing 6 includes 198 lots, 73 of which are less than 7,000 square feet and have an effective annual demand of 0.318 acre-feet of water per unit. Roughly 4.13 annual acre-feet of water have additionally been set aside for 3.34 acres of active and passive irrigated landscaping.

The resulting water demand on the central water system is 71.46 acre-feet on an annual basis. The total 300-year water supply for FAWWA totals 1962.23 annual acre-feet. Appendix F of the report is an accounting of FAWWA's active water commitments, which total 1105.33 acre-feet including all subdivisions committed through September 27, 2024. This leaves a net excess of currently available water of 856.9 annual acre-feet. Accordingly, there is more than sufficient water supply to meet the 71.46 annual acre-feet needs of the Sterling Ranch East Filing 6 Preliminary Plan on the 300-year basis.

**WASTEWATER SERVICE:** The average daily maximum monthly wastewater loads are expected to be roughly 172 gallons per day per single-family residence. Interim Wastewater Treatment Services will be provided by Colorado Springs Utilities via an Interim Services agreement. FAWWA has access to 1.006 MGD of wastewater treatment capacity in the Cherokee Wastewater Treatment Plant via Meridian Service Metro District (MSMD) and has a perpetual contract with the MSMD for the provision of wastewater treatment. The loading projected from Sterling Ranch East filing 6 is roughly 3.197% of the contractual capacity available to FAWWA. Including all commitments to date (September 20, 2024), and including Sterling Ranch East Filing No. 6 Preliminary Plan, the current committed capacity is for 3180 SFE which is 54.37 % of FAWWA contractual treatment capacity. Accordingly, FAWWA has more than adequate wastewater treatment capacity to serve the Subdivision.

**OTHER UTILITIES:** The property is within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Black Hills Energy for natural gas service. Service commitment letters have been provided by each service entity.

**DRAINAGE:** Tract C of Sterling Ranch East filing 6 is 6.78-acres in size and will provide full spectrum detention and water quality for both Sterling Ranch East filing 6 and Foursquare at Sterling Ranch East filing 1 to the west. Tract C is a portion of the former Tract I as platted in Foursquare at Sterling Ranch East filing 1. The original design for this detention/stormwater quality facility was to have a large useable park area (multiple ball fields) as a component in the upper section of the 100-yr ponding area. After discussions with County Parks staff, it was determined that this type of park use within a pond area would not get credit for urban park fees. Thus, with the proposed Sterling Ranch East Filing No. 6 development, Pond FSD-16 is still planned to be a detention/stormwater quality to handle all the previously anticipated developed flows but now designed without the large ball field area. This allows for the reconfiguration of the northeast portion of the original pond area to be used for future residential lots. Also, Tract I was re-zoned to PUD along with the Foursquare at Sterling Ranch Filing No. 1 approval. However, with Sterling Ranch East Filing No. 6 development, we are proposing to change the zoning of the original Tract I to RS-5000 to be consistent with the surrounding land use east of Sterling Ranch Road. The new detention facility will be reconfigured to fit the new site layout but still designed to handle all the anticipated developed flows as previously planned.

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

**GEOLOGIC & SOIL HAZARDS:** A Soils and Geology Study for the proposed residential development, prepared by Entech Engineers, is included in this submittal. Geologic hazards expected at the site include artificial fill, collapsible soils, expansive soils, bedrock, potentially shallow groundwater, and radon. The minor constraints affecting development will be those associated with the potential for artificial fill, hydrocompaction, potential for expansive soils, and potential seasonally shallow groundwater areas on the site that can be satisfactorily mitigated through proper engineering design and construction practices. Ultimately, it was concluded that development is possible at this site.

**VEGETATION & WILDLIFE:** Bristlecone Ecology provided a Natural Features and Wetlands Report in October 2023 for the Sterling Ranch Sketch Plan Amendment. The Report identified the project site as being within the Foothill Grasslands ecoregion in Colorado. Topography of the Project consists mainly of a mix of flat to rolling grasslands. There are no trees or shrubs present on the site. Much of the site has been disturbed by cattle grazing, but vegetative cover is relatively extensive. Diversity is moderate for this ecoregion, and the structure of vegetation in the uplands is somewhat poorly developed. Several noxious weeds are present at the site, mostly scattered throughout the property in low densities where disturbance is most present. In general, the site provides moderate to poor quality habitat for wildlife. The site is dominated by one primary vegetation community, represented by typical Foothill Grasslands vegetation such as prairie Junegrass, needle-and-thread grass, and blue grama. Riparian and wetland vegetation is scarce to nonexistent. State-listed and State sensitive species were not observed. Additionally, the site is located within the Colorado Springs Block Clearance Zone for the state-listed



Preble's meadow jumping mouse, meaning the presence of this species is precluded. While there is grassland habitat available for the state sensitive black-tailed prairie dog, none were observed during site reconnaissance. The site is not suitable for state threatened burrowing owl based on the lack of existing burrows. Both federally protected Eagle species are unlikely to occur except by accident because the site lacks suitable habitats. Overall, the construction and development of the site does not impact any threatened or endangered species of plants or wildlife.

**WILDFIRE:** Sterling Ranch East Filing 6 is within the Black Forest Fire Rescue District (BFFR). The primary wildland fuel type is grassland. The Colorado State Forest Service Wildfire Risk Assessment Portal (WARP). This mapping system identifies the wildfire risk of most of the project site as "High Risk" for wildfires, with a Fire Intensity rating as low to moderate intensity which is comparable to surrounding undeveloped properties. The Fire Protection Report prepared by Classic Consulting analyzes the wildfire risk and burn probability within the project site.

**DISTRICTS/ENTITIES SERVING THE PROPERTY:** The following districts will serve the property:

- Sterling Ranch Metro District
- Mountain View Electric Association will provide electric service. A commitment letter is provided with this application.
- Black Hills Energy will provide natural gas service. A commitment letter is provided with this application.
- Black Forest Fire Rescue Protection District will provide fire protection and emergency services.
- FAWWA will provide water and wastewater services for the development. A commitment letter is provided with this application.
- School District 49 will serve the property.
- Pikes Peak Library District.

## **COUNTY MASTER PLAN COMPLIANCE**

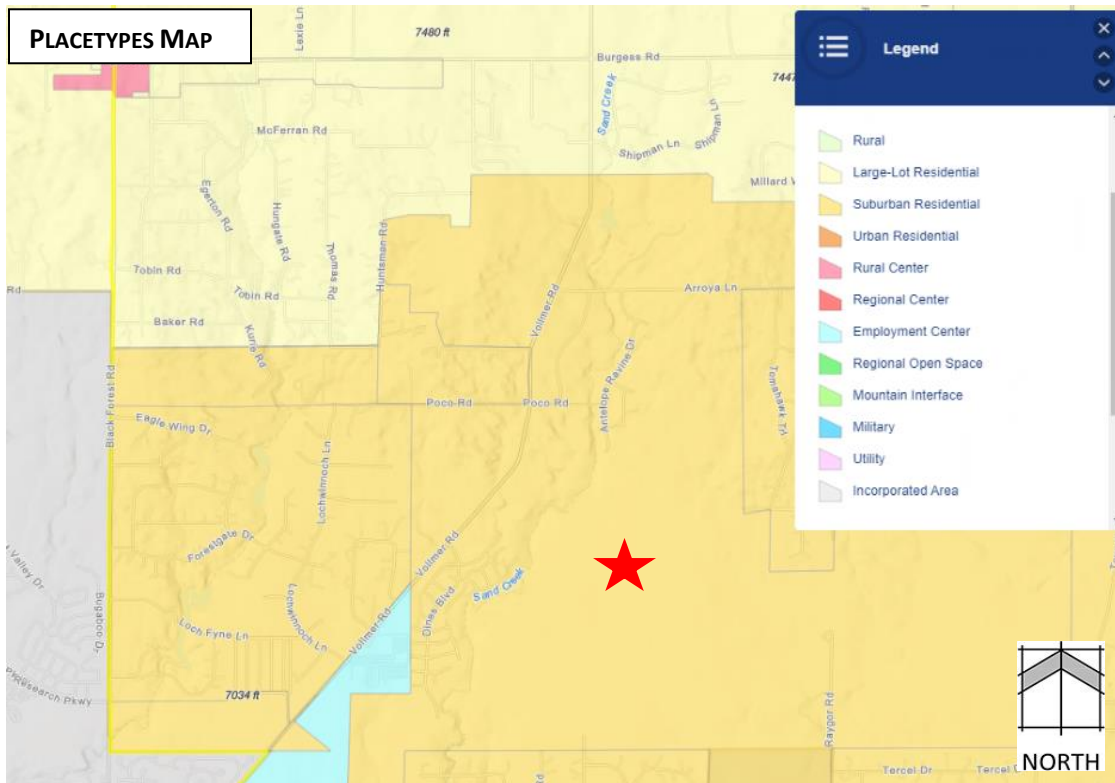
Applicable plans for the County comprise the Your Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

### **YOUR EL PASO MASTER PLAN**

Sterling Ranch East Filing 6 is denoted as "Suburban Residential" on the Placetypes Map (below) in the Master Plan. The primary land use in the Suburban Residential placetype is single-family detached residential, with lot sizes smaller than 2.5 acres per lot and up to 5 units per acre. Single-family attached, multifamily, commercial and parks and open space are identified as supporting land uses in the Suburban Residential placetype.

The proposed Preliminary Plan meets the intent of the Suburban Residential placetype as it has a minimum lot size of 6,000 square feet proposed for single-family residential use. This gross density of 3.5 du/ac is well below the primary land use of the Suburban Residential placetype, which is 5 du/ac.

The Preliminary Plan also designates 3.32 acres as neighborhood parks and open space, which are supporting uses that are consistent with the Suburban Residential Placetype.



In the Key Area Influences chapter, this site is designated as a Potential Area for Annexation. While the Applicant does not propose to annex Sterling Ranch East Filing 6 into the City, the site’s status as a Potential Area for Annexation is indicative of its urban character and the need for urban level of utility services, which will be provided by the Falcon Area Water and Wastewater Authority.

In the Areas of Change chapter of the County Master Plan, the Preliminary Plan area is identified as a “New Development Area.” The Plan states that New Development Areas will be significantly transformed as development takes place. These areas are often undeveloped or agricultural areas and are expected to be complimentary to adjacent built out areas. The proposed new development within Sterling Ranch East Filing 6 will bring about the transformation of this area as anticipated by the Master Plan and will be complimentary to the adjacent built-out area of Sterling Ranch.

Core Principle 1, Land Use Development, seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” and Goal 1.1 seeks to, “ensure compatibility with established character and infrastructure capacity.” Sterling Ranch East Filing 6 is compatible with adjacent residentially zoned areas and continues the suburban density approved with the adjacent Sterling Ranch East Filing 5 and the remainder of the Sterling Ranch Sketch Plan area. The Preliminary Plan is also consistent with Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types” and Goal 2.3 to “locate attainable housing that

provides convenient access to goods, services, and employment”. The Preliminary Plan provides for a variety of housing types to meet the needs of present and future El Paso County residents.

### **WATER MASTER PLAN**

The proposed residential development satisfies the following policies of the Water Master Plan.

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

*Goal 4.2 – Support the efficient use of water supplies.*

*Policy 4.3.6 – Encourage well monitoring throughout the County, with an emphasis on the Denver Basin aquifer fringe areas.*

*Policy 4.1.2 – Encourage more systematic monitoring and reporting of water quality in individual wells.*

*Goal 6.0 – Require adequate water availability for proposed development.*

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. 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 projected 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.

Sterling Ranch East Filing 6 is within the service area of FAWWA, which has sufficient supply and infrastructure in the area to serve this development. In order to meet future water demands, FAWWA has contractual arrangements 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, FAWWA intends to acquire and invest in additional renewable water supplies. Future supply has been contracted for, and implementation is under way.

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

### **2040 MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)**

The 2040 Functional Classification map in the MTCP shows the new Briargate Parkway connection as a 4-lane principal arterial by 2040. Vollmer Road is depicted as a 4-lane minor arterial south of Briargate Parkway and 2-lane minor arterial to the north of Briargate Parkway. The 2060 Corridor Preservation Plan shows no changes to the classification of Briargate Parkway but includes the widening of Vollmer Road north of Briargate Parkway to 4-lanes by 2060.

Briargate Parkway is currently an integral part of mobility and access to I-25 from the north and southern areas of Colorado Springs. The Briargate Parkway-Stapleton Road project is currently being

studied to verify and develop the master plan requirements for the roadway. The MTCP indicates that the Briargate-Stapleton corridor is expected to be a four-lane principal arterial from the eastern City Limits of Colorado Springs (Black Forest Road) to Judge Orr Road. It is anticipated that this segment will plan for interim improvements and that interim phases of capacity along Briargate Parkway may be warranted based upon the findings of this study. Furthermore, multi-modal transportation opportunities will be evaluated along this stretch as well. The outcome of this study and ultimate build out will be to improve the public health, safety and welfare of the overall area.

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

The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. A 28.9-acre community park is included as part of Sterling Ranch East Phase 1. The Trails Master Plan map identifies a proposed Regional Trail adjacent to Sand Creek through Sterling Ranch. This has been accommodated in the Sterling Ranch filings already approved or in progress on the west side of the creek. There are no proposed regional trails in this portion of Sterling Ranch.

The Sterling Ranch East Filing 6 Map Amendment and Preliminary Plan provides a 35,290 sf neighborhood park which is only a portion of the 3.32-acres of parks and open spaces proposed within the development. All parks, trails, and open spaces will be owned and maintained by the Sterling Ranch Metropolitan District.

## **PROJECT JUSTIFICATION**

### **MAP AMENDMENT (REZONE) APPROVAL CRITERIA-CHAPTER 5.3.5 (B)**

- 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;**

The relevant County Plans for the Sterling Ranch East Filing 6 Map Amendment and Preliminary Plan are Your El Paso County Master Plan, the County Water Master Plan, the 2040 Major Transportation Corridor Plan, and the County Parks Master Plan. The project is in general conformity with these plans as described above.

- 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 map amendment fulfils the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, it therefore complies with the statutory provisions that allow the County 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**

The Sterling Ranch East filing 6 Preliminary Plan boundary is fully within the Sterling Ranch Master Plan boundary and surrounded by planned residential uses of similar or higher densities. Sterling Ranch East filing 6 is proposed to be zoned RS-5000 to include 198 detached, single-family homes. Four Square at Sterling Ranch is west of the site across Sterling Ranch Road and includes 158 detached single-family units, is zoned PUD and was approved to allow a net density of 5.25 du/ac. North of Four Square and west of the project site is Sterling Ranch East filing 4 which includes 258 units, is zoned RS-5000 and is approved as part of the Sterling Ranch East Phase 1 Preliminary Plan which has a net density of 5.6 du/ac. To the north, northeast, and east are future planned residential filings with an approved density range of 3-5 du/ac per the Sterling Ranch Master Plan and are currently within the RS-5000 zoning. South of the subject filing is Villages at Sterling Ranch which is under review and includes 227 units of attached single-family with a density of 5.81 du/ac. The proposed zoning for this project is 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.**

Future development of Sterling Ranch East Filing 6 Rezone and Preliminary Plan will meet the use and dimensional standards for the RS-5000 zone, as set out in Chapter 5 of the Land Development Code (LDC). Rezoning and development of the site for 198 detached single-family lots, right-of-way, park, and drainage are suitable for the property.

**PRELIMINARY PLAN APPROVAL CRITERIA-CHAPTER 7.2.1.D.2.E**

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

The relevant County Plans for the Sterling Ranch East Filing 6 Rezone and Preliminary Plan are Your El Paso County Master Plan, the County Water Master Plan, the 2040 Major Transportation Corridor Plan, and the County Parks Master Plan. The Sterling Ranch East Filing 6 Rezone and Preliminary Plan is in general conformity with these plans as described above.

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

The Preliminary Plan meets all technical submittal requirements of the Land Development Code. The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the present and future residents of El Paso County. Sterling Ranch East Filing 6 Rezone and Preliminary Plan achieves this by proposing new development consistent with the policies of the El Paso County Master Plan in a manner that provides appropriate transitions between residential densities. The Preliminary Plan also achieves the goal of accommodating a variety of housing types to meet the needs of present and future El Paso County residents with supporting commercial services and parks.

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

The Preliminary Plan is in conformance with the subdivision design standards of the Land Development Code; no waivers are requested. The proposed lot sizes and density is wholly consistent with the approved Sterling Ranch Sketch Plan.

**4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S. § 30-28-133(6)(A)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE (THIS FINDING MAY NOT BE DEFERRED TO FINAL PLAT IF THE APPLICANT INTENDS TO SEEK ADMINISTRATIVE FINAL PLAT APPROVAL);**

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by FAWWA and the Water Resources Report prepared by RESPEC. The water commitment is for 71.46 annual acre-feet to serve 198 residential lots, 2.81 acres of passive irrigation, and 0.53 acres of active community irrigation.

**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;**

A commitment from FAWWA to meet the average daily maximum monthly wastewater load of roughly 34,056 gallons per day has been provided.

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

The Soils and Geology Study identifies the potential geologic hazards to include artificial fill, collapsible soils, expansive soils, bedrock, potentially shallow groundwater, and radon. The geologic conditions of the site are common, and mitigation can be accomplished by implementing common engineering and construction practices.

**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;**

A drainage report has been prepared for the Preliminary Plan area and submitted with this application. A stormwater detention pond will be constructed in the southwestern portion of the Plan area. All proposed drainage improvements comply with State Law and the requirements of the LDC and ECM.

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

There are no known mineral deposits on this site.

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

All lots will have legal and physical access to a public street.

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

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

The project site is mostly flat and comprised of native grasses. There are no trees, shrubs, wetlands, or streams present on the site. While there are no notable natural features to include in the design of the project, adequate parks and open space are provided. The project includes 3.32 acres of parks, open space, trails within the project boundary. Of the 3.32-acres of recreation area, .81-acres will be developed as a neighborhood park. A detention pond will also be constructed in the southwest corner of the development to capture runoff generated by the development.

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

Sterling Ranch Filing 6 includes various contributions to the transportation system planned as part of the Sterling Ranch Master Plan area. A portion of Appleton Drive, an Urban Residential Collector, will be constructed on the north side of the development to provide 1 of the 3 accesses to the development. Appleton Drive is proposed as a right turn from Sterling Ranch Rd that will continue southeast through multiple future filings and reconnect with Briargate Pkwy on the eastern edge of the Sterling Ranch Master Planned area. A small portion of Sterling Ranch Road where it will connect with Appleton Drive will also be extended as part of this development. While Briargate Pkwy and majority of the adjacent Sterling Ranch Road are not being constructed with this development, sidewalks along the filing boundary will be constructed as part of this development application which will contribute to pedestrian connectivity in the Master Plan area. Sidewalks will also be provided adjacent to the Urban Local road network within the development boundary.

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

A sound wall will be constructed on the rear lot line of all lots directly adjacent to Briargate Pkwy and Sterling Ranch Rd. All surrounding land uses are planned as part of the overall Sterling Ranch Master Planned community and include residential uses with similar or higher densities than what is proposed in Sterling Ranch East filing 6. No additional transition features are necessary to buffer the site from other land uses.

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

There are no wetlands or wildlife corridors present on this site.

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

A Traffic Impact Study was prepared by LSC Transportation Consultants, and is included with this submittal. There are three primary access points to the Preliminary Plan area from the future Sterling Ranch Road and the future Briargate Parkway. The report recommends various road improvements and, subject to these improvements, concludes that the proposed site-generated traffic resulting from the proposed development is not expected to negatively impact traffic operations for the existing or proposed surrounding roadway network.

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

Commitment letters from all necessary services are provided with this application submittal. Water and wastewater will be provided by FAWWA, electric will be provided by MVEA, and gas will be provided by Black Hills energy. The site is currently within the Black Forest Fire Rescue District. A 28.9-acre community park will be constructed west of the site and will satisfy the UPLA needs for this filing however 3.32-acres of parks and open space are also provided within the preliminary plan boundary, .81 of which will developed as a neighborhood park. The section of Briargate Pkwy necessary to provide the southern access to the site was approved and will be constructed with the Villages at Sterling Ranch East filing 1 project and the section of Sterling Ranch Rd necessary to provide access to this development on the west side are approved and will be constructed as part of Foursquare at Sterling Ranch East Filing 1. The portion of Appleton Drive necessary to provide the third access point on the north side will be constructed with this development.

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

A Fire Protection Report is included with this submittal which demonstrates compliance with the International Fire Code and the standards in Chapter 6.3.3. of the Land Development Code relating to fire protection and wildfire mitigation.

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

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