

COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN

LETTER OF INTENT

APRIL 2022

OWNER:

SR LAND/MORLEY BENTLEY
20 BOULDER CRESCENT ST. SUITE 102
COLORADO SPRINGS, CO. 80903

APPLICANT:

CHALLENGER COMMUNITIES
8605 EXPLORER DR. SUITE 250
COLORADO SPRINGS, CO. 80920

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
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SITE DETAILS:

TSN: 5200000364; 5233000011; 5232400002; 5300000173

ADDRESS: VOLLMER RD

ACREAGE: 19.651 AC

CURRENT ZONING: RS-5000

CURRENT USE: VACANT

REQUEST

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

1. A PUD Preliminary Plan for Sterling Ranch at Copper Chase; a 138 lot single family detached development.
2. A rezone from RS-5000 (Residential Suburban) to PUD (Planned Unit Development)
3. A Finding of water sufficiency with the Preliminary Plan and subsequent Final Plat to be approved administratively.
4. PUD Modification of ECM Sections 2.3.3.F.3, 2.5.2.C.4, 2.3.2 Table 2-7 and 2.5.2.C.3 in relation to the minimum tangent length between broken back curves, mid-block crossings, minimum centerline curve radius, intersection spacing and mid block curb ramps.

LOCATION

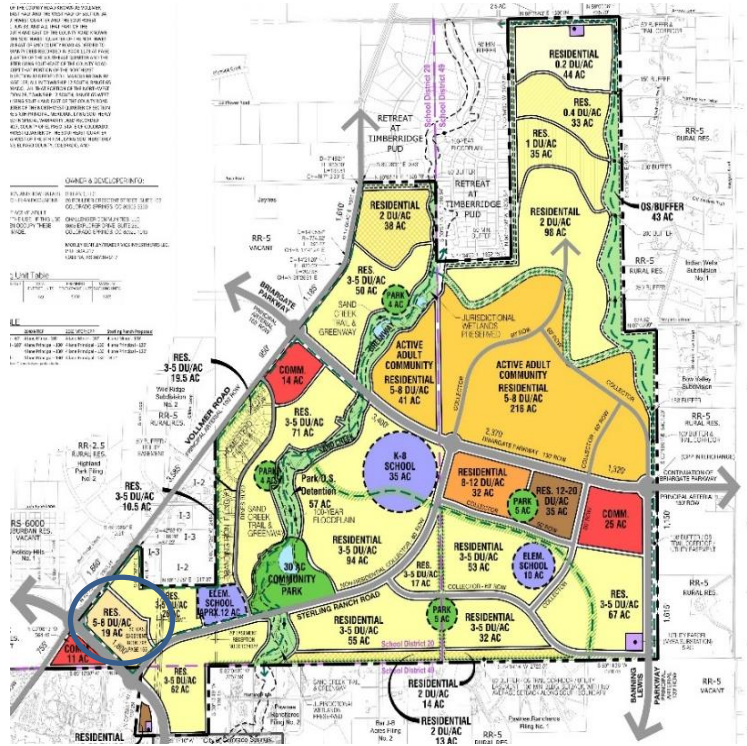
Copper Chase at Sterling Ranch is 19.6514 acres located east of the intersection of Marksheffel Road and Vollmer Road. The property is currently vacant, undeveloped land. The property is located southeast of the intersection of Vollmer Road and the proposed extension of Marksheffel Road.



PROJECT CONTEXT

The Sterling Ranch Sketch Plan for 5,225 dwelling units on 1,444 acres was approved November 13, 2008. The Copper Chase area is identified on the Sketch Plan with a density range of 5-8 du/acre. Vollmer Road is to the North. To the northeast is an area designated as 3-5 du/acre. To the southeast is residential 3-5 du/acre, and to the southwest is 11 acres designated for commercial.

Existing zone on site is RS-5000 with proposed rezone to PUD. The higher density residential at the corner of Vollmer and Marksheffel is appropriate for a location adjacent to an interchange of principal arterial streets and opposite future commercial. It will provide a transition from this intersection and commercial to the single-family within Sterling Ranch. The proposed density is consistent with the Amended Sketch Plan approved in 2018.



PROJECT DESCRIPTION

The project proposes 138 single family detached units on 19.65 acres, for a proposed density of 7 dwelling units per acre. The lots front and are entered from the three streets, Blue Feather Point, Salt Fork Point, and Lost Trail Point. The project proposes a 5-foot side, a 20-foot front, and 15' rear setbacks are provided on all lots. The minimum lot area is 3,200 square feet.

A finding of water sufficiency is requested with the Preliminary Plan and the administrative approval of subsequent final plats.

COMPATIBILITY/TRANSITIONS: The site is surrounded by residential development, or vacant land zoned for residential. To the east is vacant land zoned RR-5. To the north are RR-2.5 lots. Sterling Ranch is to the west, zoned RS-5000.

ACCESS AND CIRCULATION: A full-movement access is provided at the intersection of Alzada Drive and Outcrop Point. A $\frac{3}{4}$ movement access is provided at the intersection of Bynum Drive and Salt Fork Point. Alzada Drive and Bynum Drive are both planned to be constructed as Urban Local streets as part of Sterling Ranch Filing No. 2.

TRAFFIC: A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entirety of the Phase One Preliminary Plan (*Sterling Ranch Phase One, Traffic Impact Analysis, February 2015*). An updated Traffic Memo has been prepared in support of Copper Chase at Sterling Ranch, which incorporates subsequent analysis related to traffic estimates generated by buildout of Sterling Ranch

Phase I and Phase II, and The Retreat at Timber Ridge. Sterling Ranch Filing No. 2 includes the construction of Marksheffel Road between Vollmer Road and Sterling Ranch Road, and Sterling Ranch Road will be constructed from Marksheffel Road to Dines Boulevard, thereby connecting it to the southern point of Filing No. 1.

AIR QUALITY: The proposed residential use will not negatively impact air quality. The proposed development is located within a developing area with convenient access to Vollmer Rd, E Woodmen Rd, and Highway 24, providing shorter travel time to employment and commercial facilities.

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

This specific site of 138 single family lots includes 143 SFE. The total commitment is 50.45 acre-feet. A Water Resources Report, provided by RESPEC, is included in this submittal.

WASTEWATER: The wastewater commitment is for 22,704 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 Cooper Chase represents roughly 2.34 % 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 Copper Chase. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

NOISE: The Land Development Code requires the impacts of noise pollution to residents be mitigated. A noise study conducted by LSC in December of 2021 is included with this submittal. The Noise Study found that with a minimum 6-foot-high noise barrier all noise levels in the development will be below 67 decibels. The noise barrier referenced by the study determined to be a rigid material, with a density of at least four pounds per square foot. It identifies a 6-foot sound wall adjacent to Marksheffel Road and Vollmer Rd to address this recommendation.

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

FLOODPLAIN: This site, 8335 Vollmer Road is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0529G, effective 12.07.2018.

GEOLOGIC HAZARDS: 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. 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-high wildfire hazard potential and listed as a moderate risk with one small pocket of high risk near the northeast corner.

SCHOOLS: Two school sites are identified on the Sketch Plan within the District 20 boundary. The Branding Iron Filing 2 Plat includes a site for an elementary school which is consistent with the Sketch Plan. Recent discussions with School District 20 indicate that they still have a need for the Branding Iron school site and that the 11.53 acres identified and the proposed location northwest of Sterling Ranch Road and Dines Boulevard is acceptable. A second 35-acre K-8 school site located east of the Sand Creek Channel on Briargate Parkway is identified on the Sketch Plan and is anticipated to serve this development in the future.

TRAILS AND OPEN SPACE: The Sterling Ranch Phase I Preliminary Plan included an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. This system of open spaces, trails and parks is intended to provide a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets. Parks have been located so that residents have a ten-minute walk or less to these facilities. Landscape trail buffers are provided along the Marksheffel and Vollmer right of ways, providing buffers of 30' at Marksheffel and 50' at Vollmer between the roadways and this development. Parks will be maintained by the Sterling Ranch Metropolitan District. Copper Chase at Sterling Ranch provides connections to this parks, trails, and open space system. There is 60,755 SF of open space provided in this PUD (21,425 SF required).

DRAINAGE: The drainage improvements associated with the Copper Chase at Sterling Ranch are consistent with the Master Development Drainage Plan and Preliminary Drainage Report for Sterling Ranch. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Sand Creek Drainage Basin Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual.

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

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

DISTRICTS 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

PUD MODIFICATION:

Chapter 4.2.6.F.2.h 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). The proposed PUD modifications allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community. The development implications and decisions guiding the request for the modification support the identified benefits in Chapter 4.2.6.F.2.h - providing more accessible open space within the development.

	LDC/ECM Section	Category	Standard	Modification	Justification
1	ECM Section 2.5.2.C.4	Mid-block crossings	Access ramps on local roadways shall be spaced no greater than 600 feet apart.	Blue Feather Point exceeds 600 feet without a mid-block crossing.	The deviation is being requested in order to promote a reasonable sidewalk layout to accommodate pedestrian traffic from a logical access point that is considered comparable or superior to that of the ECM standards.
2	ECM Section 2.3.3.F.3	Broken Back Curves	Minimum tangent length between broken back curves (200')	Blue Feather Point 101' minimum tangent length between broken back curves	Create a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family and open space land uses on an irregularly shaped infill development parcel.
3	ECM Section 2.3.2, Table 2-7	Minimum Centerline Radius & Intersection Spacing Standards	Minimum centerline radius (200') and minimum intersection spacing standards (175') for urban local roadways	125' Minimum Centerline Radius and 134' Minimum Intersection Spacing	Create a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family land uses on an irregularly shaped infill development parcel.
4	ECM Section 2.5.2.C.3	Mid-Block Ramps on Local Roadways "T" Intersections	All "T" intersections shall have a minimum of four curb ramps	2 PED ramps at Blue Feather Point and Lost Trail Point northeastern intersection. 2 PED ramps at Blue Feather Point and Salt Fork Point northeastern intersection. 2 PED ramps at Blue Feather Point and Blue Feather Point intersection.	Promote safer pedestrian circulation paths that function similar to or superior to that of the ECM standards and responds to market demands of lot density and various site constraints.

Section 2.5.2.C.4 of the ECM states that block lengths in excess of 600 feet shall require pedestrian access to be provided approximately midway through the block. In this area of development for the 138

lots, the need for a midblock crossing is not considered necessary as there is no pedestrian destination in these areas that would necessitate a midblock crossing that the current attached sidewalks and open space trail connections wont already facilitate.

Section 2.3.3.F.3 of the ECM states that 200 feet is the minimum tangent length between broken back curves. Along Blue Feather Point the minimum tangent length between broken back curves is 101 feet to create a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family and open space land uses on an irregularly shaped infill development parcel.

Section 2.3.2, Table 2-7 of the ECM states that 200 feet is the minimum centerline radius and 175 feet is the minimum intersection spacing for urban local roadways. Along Blue Feather Point the minimum centerline radius is 125' and the mimum intersection spacing is 134 feet. The design of Blue Feather Point creates a more efficient development in terms of land devoted to transportation facilities and to maximize land for single family land uses on an irregularly shaped infill development parcel.

ECM Section 2.5.2.C.3 of the ECM states that all "T" intersections shall have a minimum of four curb ramps. Two curb ramps are proposed at the northeastern intersections of Blue Feather Point and Lost Trail Point, Blue Feather Point and Salt Fork Point and Blue Feather Point and Blue Feather Point. This curb ramp placement promotes safer pedestrian circulation paths that function similar to ECM standards.

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, and the Black Forest Preservation 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 while supporting multi-family, neighborhood commercial, and parks. The Copper Chase at Sterling Ranch PUD Preliminary Plan proposes 138 single family detached residential units, which aligns with this placetype. This plan also aligns with 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.

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.”

It is also consistent with Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “Promote development of a mix of housing types in identified areas.”

BLACK FOREST PRESERVATION PLAN GOALS & POLICIES

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

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

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

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

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

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

WATER MASTER PLAN

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

Goal 6.0 – Require adequate water availability for proposed development.

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

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

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

The Sterling Ranch System includes both decrees and determinations. Local groundwater rights are associated with three service area portions; Sterling Ranch, The Retreat, and The Ranch. The system

includes a central system and some well and septic systems. The Water Resources report primarily focuses on the central supply and does not include the 41 rural style lots in the Retreat served by wells in the calculations.

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

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

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

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

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

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

2040 MAJOR TRANSPORTATION CORRIDOR PLAN

The 2040 Functional Classification map shows adjacent roads Vollmer and Black Forest Roads as minor arterials. Woodmen Road is an expressway.

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 a minor collector by 2040.

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. The site is 5 miles from the Pineries Open Space and 7 miles from Black Forest Regional Park. It is in close proximity to various trailheads as well. There is a proposed county trail going through the site on the El Paso County Master Plan, however, this trail is being diverted through The Ranch and Sterling Ranch developments, as the current location necessitates going through multiple 5-acre lots to the south.

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 Copper Chase at Sterling Ranch 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;

The Copper Chase at Sterling Ranch 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;*
The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.
- *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;*
The Copper Chase at Sterling Ranch PUD includes smaller lots that require more design flexibility than afforded by standard zoning districts.
- *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;

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. The Copper Chase at Sterling Ranch PUD provides the flexibility to provide a housing product that meets this demand.

- *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;*

There are several employment and shopping centers 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 Copper Chase at Sterling Ranch PUD are the Your El Paso County Master Plan, Black Forest Preservation Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. Copper Chase at Sterling PUD 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 residential lots is consistent with the County Master Plan and provides a transition between the surrounding single-family lots to the north and east and future commercial to the 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 higher density residential at the corner of Vollmer and Marksheffel is appropriate for a location adjacent to an interchange of principal arterial streets and opposite future commercial. It will provide a transition from this intersection and commercial to the single-family within Sterling Ranch. The proposed density is consistent with the Amended Sketch Plan approved in 2018.

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;

The development provides a transitional use of a higher density single-family detached that provides a buffer from the commercial to the lower density residential.

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

The units are limited to 35-feet, which is compatible with the surrounding existing and proposed

development. The proposed development is buffered from future commercial to south by Mark Sheffel Road and associated landscaping, a noise wall and landscaping is proposed along Vollmer road on the northwest and the site is buffered by landscape tracts associated with Sterling Ranch Filing No. 2 on the east.

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;

Open space and trails are identified on the PUD Preliminary Plan and provide residents with walking and access to biking opportunities.

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. 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 the open space tracts along Marksheffel and Vollmer. There are no environmental features within the site.

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

There are no mineral rights owners on this property.

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

PUD modifications are requested of the Engineering Criteria manual Section 2.5.2.C.4, 2.3.3.F, 2.3.2 Table 2-7 and 2.5.2.C.3. The justification for these is set out above. The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving the identified benefits in

Chapter 4.2.6.F.2.h by providing a more livable environment, more accessible open space and a more efficient pedestrian system within the development.

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 choice 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;

The higher density residential at the corner of Vollmer and Marksheffel is appropriate for a location adjacent to an interchange of principal arterial streets and opposite future commercial. It will provide a transition from this intersection and commercial to the single-family within Sterling Ranch. The proposed density is consistent with the Amended Sketch Plan approved in 2018.

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

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by the Sterling Ranch Metropolitan District and the Water resources report provided by RESPEC and JDS Hydro.

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 22,704 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. 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)];

These matters are addressed in the Soils, Geology, and Geologic Hazard Study provided by Entech Engineering Inc.

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 M&S Civil.

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 that comply with the LDC and ECM.

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. Sufficient open space is provided in Tracts B-K.

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 and connect to the surrounding Sterling Ranch trails and open space.

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 Filing 2 as required by the LDC and the Sterling Ranch Sketch Plan.

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;

The Traffic Report by LSC Transportation Consultants Inc. demonstrates that the development will not materially impact existing levels of service on surrounding County Roads as identified through the Sketch Plan process and the Phase 1 Preliminary Plan. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

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 Sterling Ranch Metro District. Natural gas is provided by Colorado Springs Utilities. The required will serve letters are 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 Falcon Fire Protection District. A service commitment letter from the District and a Fire Protection Report are included with the 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 requested PUD modification and deviation requests.

Section 5.3.5.B: Map Amendment (Rezoning) Criteria

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

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

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

As the proposed rezoning fulfils the goals of the County Master Plan and is a compatible transition between the adjacent subdivisions and therefore complies with the statutory provisions that allow County's to establish limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

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

As noted above, compatibility is defined as *"a state in which two things are able to exist or occur together without problems or conflict."* It does not mean that the two things must be identical. The zone change to PUD transitions from the RS-5000 zoning to the north and east and the RR-2.5 zoning to the west of Vollmer and the RR-5 and I-3 zoning to the south.

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

The proposed lots will meet the use and dimensional standards for the PUD zone as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed residential lots and it provides a transition between residential use types. The project has adequate access to Alzada Drive, Bynum Drive and Sterling Ranch Ranch Road and has access to adequate utilities.