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**Board of County Commissioners**

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

## SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners  
FROM: Planning & Community Development  
DATE: 10/12/2023  
RE: PUDSP222, Copper Chase at Sterling Ranch PUD/Preliminary Plan, N.E.S. Inc.

### Project Description

A request by Challenger Communities, LLC, for approval of a combined Planned Unit Development and Preliminary Plan to create 138 single-family residential lots in one phase. The 19.6-acre property is zoned RS-5000 (Residential Suburban) and is located immediately adjacent to the north of the recent extension of Marksheffel Road and immediately adjacent to the east of Vollmer Road. The PUD/Preliminary Plan is within the approved Sterling Ranch Sketch Plan area.

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

The PUD/Preliminary Plan depicts 138 single-family residential lots (12 acres), 4.01 acres of future right-of-way, and 10 tracts to be used for open space, detention, landscape, fencing, retaining walls, signage, utilities, and parkland (3.64 acres). If the request for a PUD/Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property. There is no public opposition to the requested plan. The Planning Commission recommended approval (9-0).

### Notation

There was a brief update by the Planning and Community Development Executive Director regarding the Spring 2024 implementation updates to the County's Master Plan. Please see the Planning Commission Draft Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

### Planning Commission Recommendation and Vote

Mr. Carlson moved / Mr. Moraes seconded to recommend approval for the PUD/Preliminary Plan with ten (10) conditions and two (2) notations that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (9-0)**. The item was heard as a regular agenda item.

### Attachments

1. Planning Commission Minutes from September 21, 2023.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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## **EL PASO COUNTY PLANNING COMMISSION**

### **MEETING RESULTS (UNOFFICIAL RESULTS)**

Planning Commission (PC) Meeting  
Thursday, September 21, 2023  
El Paso County Planning and Community Development Department  
2880 International Circle – Second Floor Hearing Room  
Colorado Springs, Colorado

#### **REGULAR HEARING, 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** THOMAS BAILEY, SARAH BRITTAIN JACK, JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, ERIC MORAES, BRYCE SCHUETTELPELZ, TIM TROWBRIDGE, AND CHRISTOPHER WHITNEY.

**PC MEMBERS VIRTUAL AND VOTING:** NONE.

**PC MEMBERS PRESENT AND NOT VOTING:** JIM BYERS.

**PC MEMBERS ABSENT:** BRANDY MERRIAM, KARA OFFNER, AND WAYNE SMITH.

**STAFF PRESENT:** MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, CARLOS HERNANDEZ MARTINEZ, JEFF RICE, JOE LETKE, RYAN HOWSER, DANIEL TORRES, LEKISHIA BELLAMY, KARI PARSONS, MIRANDA BENSON, AND LORI SEAGO.

**OTHERS PRESENT AND SPEAKING:** DAVID ELLIS AND KAYLIE DREW.

#### **1. REPORT ITEMS**

**Mr. Kilgore** advised that the next PC Hearing is Oct. 5, 2023. The applicant for item number 3D of the current agenda has requested a continuance to a date certain of Oct. 19, 2023.

#### **2. Call for public comment for items not on the hearing agenda.**

**Mr. David Ellis** commended the Planning Commission (PC) for their objective application of the zoning and land-use standards regarding the Colorado Pumpkin Patch (CPP). He recapped that the Special Use request to increase the allowed number of cars on the residential lot was recommended for denial by the PC. He stated the decision recognized the right of the current residents to peacefully enjoy their properties. He further stated the decision signaled that the provisions within the LDC, established through previous public comment and debate, should not be arbitrarily swept aside to

allow one business to make money at the detriment of its neighbors. He further reiterated that only one week after the PC's recommendation, the BOCC unanimously went in the opposite direction and approved the Special Use request. He stated the residents feel betrayed by the BOCC, who he stated cast aside the LDC restrictions, in favor of a special interest, possibly their own self-interest. He stated the agritainment concept is relatively new; adopted in 2017. He believes it was written specifically to enable the CPP to relocate from its proximity to Matthew Dunston's Preserve at Walden housing development into the existing residential neighborhood of Canterbury. Before the LDC amendment, agritainment would only have been allowed within agricultural or commercial zoning districts. He mentioned that Mr. Dunston donated a 23-acre site for the Monument Academy High School and has donated thousands of dollars to current Commissioners' campaign funds. He believes that whatever Mr. Dunston wants from the Commissioners, he gets. He thinks the concept of agritainment, as it is written in the LDC, has "gone off the rails". He stated the CPP is far from the examples of corn mazes or farm tours and has morphed into an outdoor amusement park.

### **3. CONSENT ITEMS**

#### **A. Adoption of Minutes of meeting held September 7th, 2023.**

**PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).**

#### **B. SF2224**

**BAGLEY**

##### **FINAL PLAT THE GLEN AT WIDEFIELD FILING NO. 12**

A request by Glen Investment Group No. VIII, LLC for approval of a Final Plat to create seventy-nine (79) single-family residential lots and three (3) tracts. The 27.23-acre property is zoned RS-6000 (Residential Suburban) and is subject to the CAD-O (Commercial Airport Overlay) district. The property is located on the west side of South Marksheffel Road, approximately one-half of a mile south of Fontaine Boulevard. (Parcel No. 5522000010) (Commissioner District No. 4).

#### **NO PUBLIC COMMENT OR DISCUSSION**

**PC ACTION: FULLER MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3B, FILE NUMBER SF2224, FOR A FINAL PLAT, THE GLEN AT WIDEFIELD FILING NO. 12, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVENTEEN (17) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

#### **C. SF2232**

**HOWSER**

##### **FINAL PLAT SOLACE APARTMENTS FILING NO. 2**

A request by CS Powers & Galley, LLC for approval of a 7.685-acre Final Plat illustrating one (1) multi-family residential lot to support development of 108 multi-family dwelling units. The property is zoned RM-12 (Residential, Multi-Dwelling) and is subject to the CAD-O (Commercial Airport Overlay) District. The property is located at the northeast corner of the intersection of North Powers Boulevard and Galley Road. (Parcel No. 5407205047) (Commissioner District No. 4).

#### **NO PUBLIC COMMENT**

## **DISCUSSION**

**Mr. Trowbridge** asked for clarification regarding the recommended water finding.

**Ms. Seago** clarified that the County Attorney's Office has provided a recommended finding of conditional sufficiency because before Cherokee Metro District's "Commitment to Serve" can be complete, they require that a copy of the Final Plat approval be provided to them within 12 months from the date of their commitment letter. While the PC may make a motion to approve, the applicant has the burden of providing the Metro District with a copy of the Final Plat approval, if granted, which will fulfill the condition.

**PC ACTION: CARLSON MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3C, FILE NUMBER SF2232, FOR A FINAL PLAT, SOLACE APARTMENTS FILING NO. 2, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH EIGHT (8) CONDITIONS, FOUR (4) NOTATIONS, AND A RECOMMENDED CONDITIONAL FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

**D. P234**

**HOWSER**

### **MAP AMENDMENT (REZONE) FAIRYTALE ACRES**

A request by Jacob and Sherry Kershman for approval of a Map Amendment (Rezoning) of 14.63 acres from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The property is located at 13055 Herring Road and on the east side of Herring Road, approximately one-half of a mile north of Shoup Road. (Parcel No. 5209000030) (Commissioner District No. 1).

### **NO PUBLIC COMMENT OR DISCUSSION**

**THE APPLICANT REQUESTED THAT THE PROJECT BE POSTPONED TO THE PC HEARING ON 10/19/2023.**

**PC ACTION: TROWBRIDGE MOVED / MORAES SECONDED TO POSTPONE AGENDA ITEM 3D, FILE NUMBER P234, FOR A MAP AMENDMENT (REZONE), FAIRYTALE ACRES, THAT THE ITEM BE RESCHEDULED TO A DATE CERTAIN OF OCTOBER 19, 2023. THE MOTION WAS APPROVED (9-0).**

**E. SP231**

**BELLAMY**

### **PRELIMINARY PLAN HAY CREEK PRELIMINARY PLAN**

A request by Matrix Design Group Inc. for approval of a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots. The property is zoned RR-5 (Residential Rural) and is located at 2855 Hay Creek Road, 1.26 miles from Baptist Road. (Parcel Nos. 7100000267, 7100000268, 7100000269, 7100000270, and 7133000001) (Commissioner District No. 3).

**PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER CITIZEN REQUEST.**



**PRELIMINARY PLAN  
WATERVIEW EAST COMMERCIAL**

A request by Waterview Commercial Investors, LLC for approval of a 22.10-acre Preliminary Plan illustrating nine (9) commercial lots. The property is zoned CS (Commercial Service) and is located directly southeast of the intersection of Bradley Road and Powers Boulevard. (Parcel No. 5509200002) (Commissioner District No. 4).

**NO PUBLIC COMMENT OR DISCUSSION**

**PC ACTION: SCHUETTELPELZ MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3F, FILE NUMBER SP229, FOR A PRELIMINARY PLAN, WATERVIEW EAST COMMERCIAL, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVEN (7) CONDITIONS, FIVE (5) NOTATIONS, TWO (2) WAIVERS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

**4. CALLED-UP CONSENT ITEMS**

**PRELIMINARY PLAN  
HAY CREEK PRELIMINARY PLAN**

A request by Matrix Design Group Inc. for approval of a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots. The property is zoned RR-5 (Residential Rural) and is located at 2855 Hay Creek Road, 1.26 miles from Baptist Road. (Parcel Nos. 7100000267, 7100000268, 7100000269, 7100000270, and 7133000001) (Commissioner District No. 3).

**STAFF & APPLICANT PRESENTATIONS**

**Mr. Markewich** asked about the areas that are highlighted within the applicant's Letter of Intent.

**Ms. Bellamy** stated she would need to look at the packet to see what he was referring to.

**Mr. Bailey** added that PCD staff does not typically mark up the applicant's documents, so the applicant would have made those marks and can address why it was done.

**Mr. Whitney** asked for clarification regarding the 5<sup>th</sup> recommended condition of approval; "The developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage." Does that mean it is not timely to do that now?

**Ms. Bellamy** replied that it *is* already addressed on the Preliminary Plan, but she wanted to ensure the easements and notations were not left out of the Final Plat.

**Mr. Jason Alwine**, with Matrix Design Group, responded to Mr. Markewich's previous question. When a revised Letter of Intent was submitted, they highlighted the changes so PCD staff did not need to search through the entire document looking for edits. The highlighting was not meant to serve as emphasis, it just wasn't turned off before final submission.

**Mr. Markewich** asked if a Letter of Intent would be resubmitted without the highlighting.

**Mr. Alwine** responded that they would submit a clean version to be sent to the BOCC. The applicant's presentation then began.

**Mr. Carlson** asked about an outline present on a map image within the slideshow.

**Mr. Alwine** explained that it was part of the offset of the property boundary for the map making program, but it has no bearing on the proposal. Presentation continued.

**Mr. Whitney** asked if the applicant is agreeable to PCD staff's 5<sup>th</sup> recommended condition.

**Mr. Alwine** confirmed and added that the note is already on the Preliminary Plan, will be carried forward onto the Final Plat, and will be included on any other necessary disclosures.

## **PUBLIC COMMENTS & DISCUSSION**

**Mr. Bailey** noted that some members of the public that requested the item be heard as a Regular Item have left. He verified there is one remaining member of the public who wishes to speak.

**Ms. Kaylie Drew** stated she didn't get a letter notice of the public hearing but saw the posted hearing notice (poster) on the property. She noted that Ms. Bellamy's name was not on the poster, so she couldn't reach out directly to her. She came to the hearing for information because she didn't have time to read all the project information. She mentioned that there will be an impact to wildlife because elk migrate through the area. She wonders if adding 20 additional wells will impact people in the area. She would like to know if there will be additional phases. She would like to know how the increase in residents that turn off the road into this neighborhood will impact traffic for those that live further down the road. It is a two-lane road with no shoulder and she wonders how it will hold up. She mentioned wildfire risk and would like to know how the additional homes and traffic will impact her ability to get to safety. She requests that the item be postponed so people in the area can have additional time to research the information.

**Mr. Alwine** stated they corresponded with both CPW and US Fish & Wildlife regarding restrictions. There are other nearby large-lot developments in the area. While the developer is constructing a road into the neighborhood, individual residents will need to decide the location of their improvements. Fencing and tree-removal will follow state and federal guidelines. The finding of sufficiency regarding water is being deferred to Final Plat, so the applicant will need to address that topic at future public hearings. He clarified there will only be one phase of development, but the sale of lots and the construction of homes may happen at different times. Regarding the effect the proposal may have on traffic, the appropriate documentation was submitted to the County with no issues identified. The County asked for improvements to be made to the intersection. He explained that the number of anticipated trips is spread out over a 24-hour period, and besides peak morning and evening work commute times, should be negligible. He noted that the subject area already consists of 6 lots, so this proposal only adds 14 residences.

**Mr. Markewich** asked if Hay Creek Road was paved. (It is.) He then mentioned that the road was described as a narrow road with no shoulder. He asked if it would be safe to assume that a car could pass any heavy equipment traveling on and off the site.

**Mr. Alwine** replied that it should be possible. The proposal is a small subdivision with a small construction schedule. There may be a time where traffic must pause when there is an oversized load, for example, but it shouldn't be common because of the small scale of the proposal.

**Mr. Markewich** asked what would happen if damage were done to the road due to equipment.

**Mr. Alwine** stated the Department of Public Works would contact them if repairs needed to be done. The next step includes construction drawings, and no concerns have been mentioned so far.

**Mr. Moraes** asked Ms. Herington for a description of public notice requirements.

**Ms. Herington** answered that the application was submitted in 2022 when notifications were only sent to immediately adjacent properties. PCD's Public noticing procedures have since been updated, and PCD now notifies all property owners within 500 feet. The poster size has also increased. Going forward, both the initial notification at an application's submission *and* the notice of public hearing will be sent to property owners within 500 feet.

**Mr. Moraes** asked Ms. Seago for a brief overview of how water sufficiency is determined.

**Ms. Seago** explained that because the applicant is not requesting a finding of sufficiency with their Preliminary Plan, it will be evaluated at the Final Plat stage. They will need to provide sufficient documentation, which will be reviewed by the County Attorney's Office, to show that there is sufficient water to support the subdivision. The County Attorney's Office will then make a recommendation to the PC and BOCC of their finding.

**Mr. Moraes** asked what would happen if water sufficiency were not found. Would the applicant have to find another solution?

**Ms. Seago** confirmed and further explained that if the BOCC determines a finding of sufficiency has not been found, they could not approval the Final Plat.

**Mr. Trowbridge** noted that all project documents are available to the public on EDARP.

**PC ACTION: TROWBRIDGE MOVED / BRITTAIN JACK SECONDED TO RECOMMEND APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 3E, FILE NUMBER SP231, FOR A PRELIMINARY PLAN, HAY CREEK PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, THREE (3) NOTATIONS, AND TWO (2) WAIVERS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

## **5. REGULAR ITEMS**

### **A. PUDSP222**

**PARSONS**

#### **PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN**

A request by Challenger Communities, LLC for approval of a combined Planned Unit Development and Preliminary Plan to create one hundred and thirty-eight (138) single-family residential lots in a single phase of development. The 19.65-acre property is zoned RS-5000 (Residential Suburban) and is located east of Vollmer Road and north of the recent Marksheffel Road extension. The PUD/Preliminary Plan is within the approved Sterling Ranch Sketch Plan. If the request for a PUD/Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property. (Parcel No. 5232410003) (Commissioner District Nos. 1 and 2).

### **STAFF & APPLICANT PRESENTATIONS**

**Ms. Parsons** asked Ms. Herington to explain how PCD is going to address Master Plan placetype map errors such as the one occurring in the subject area.

**Ms. Herington** explained that the Master Plan implemented guidelines to recommend an evaluation after 2-3 years. Due to staff changes, the 2-year mark has passed. PCD will be reporting back to the Planning Commission sometime in the Spring of 2024 regarding a review of the Master Plan's implementation. If there are errors, changes, or updates that need to be made, PCD will work with the Planning Commission to complete those. The presentation continued.

**Mr. Moraes** asked how many more Sterling Ranch projects remained.

**Ms. Parsons** used a slideshow image of the Sketch Plan to explain the status of various Sterling Ranch projects.

**Mr. Trowbridge** asked for an explanation of the ECM deviations that were requested.

**Ms. Andrea Barlow**, with N.E.S., described the "broken back curve" that connects with Bynum Drive due to the short distance between the two curved roads. She also described the deviation request from mid-block crossings due to the continuous road exceeding 600 feet. She referenced the slideshow image to show where crosswalks will be provided. She discussed the overall pedestrian circulation within the community.

**Ms. Parsons** noted that ECM deviations are not granted by the BOCC or the PCD Director but are under the authority of the County Engineer.

#### **NO PUBLIC COMMENTS**

#### **NO FURTHER DISCUSSION**

**PC ACTION: CARLSON MOVED / MORAES SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM NUMBER 5A, FILE NUMBER PUDSP222, FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN, COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

#### **6. NON-ACTION ITEMS – NONE**

**MEETING ADJOURNED** at 10:42 A.M.

**Minutes Prepared By:** Miranda Benson

MAP AMENDMENT (REZONE) – PLANNED UNIT DEVELOPMENT (PUD) AND  
PRELIMINARY PLAN (SP) (RECOMMEND APPROVAL)

CARLSON moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP-222

COPPER CHASE AT STERLING RANCH PUD (REZONE) & PRELIMINARY PLAN

WHEREAS, Challenger Communities, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RS-5000 (Residential Suburban) zoning district to the PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing 138 single-family residential lots (12 acres), ten (10) tracts to be used for open space, detention, landscape, fencing, retaining walls, signage, utilities, and parkland (3.64 acres), and 4.11 acres of future right-of-way; and

WHEREAS, a public hearing was held by this Commission on September 21, 2023; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;

5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and Board of County Commissioners shall determine that the following criteria for approval outlined in Section 4.2.6 and Section 7.2.1 of the El Paso County Land Development Code, as amended, have been met to approve a PUD zoning district and Preliminary Plan:

1. The proposed PUD district zoning advances the stated purposes set forth in Chapter 4 of the Code.
2. The application is in general conformity with the Master Plan;
3. The proposed development is in compliance with the requirements of the 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;
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;
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;
6. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and 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;
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;
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;
12. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
13. The owner has authorized the application.

WHEREAS, the applicant has also requested the proposed PUD be reviewed and considered as a Preliminary Plan, the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code, as amended, for a Preliminary Plan requires the Planning Commission and the Board of County Commissioners find that the following additional criteria for approval of a Preliminary Plan have also been met:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Code;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133 (6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133 (6)(c)];

7. Adequate drainage improvements complying with State law [C.R.S. §30-28-133 (3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
11. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

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

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Challenger Communities, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from RS-5000 (Residential Suburban) zoning district to PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing 138 single-family residential lots (12 acres), ten (10) tracts to be used for open space, detention, landscape, fencing, retaining walls, signage, utilities, and parkland (3.64 acres), and 4.11 acres of future right-of-way be approved by the Board of County Commissioners with the following conditions and notations:



## CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan and Development Guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any Final Plat approvals.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471, as amended), at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations dated June 15, 2023, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
9. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
10. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 4 of the Sterling Ranch Sketch Plan Amendment Master TIS, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final. Updated traffic signal analyses for the intersections of concern in the TIS shall be provided upon buildout of Copper Chase at

Sterling Ranch. Any resulting design and construction requirements shall be provided by the developer at that time.

#### NOTATIONS

1. Subsequent Final Plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Copper Chase at Sterling Ranch PUD (Rezone) & Preliminary Plan Subdivision.

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

Moraes seconded the adoption of the foregoing Resolution.

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


Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / <u>recused</u> / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / <u>absent</u>
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

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

DONE THIS 21 day of September 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:

  
Thomas Bailey, Chair

## EXHIBIT A

### **LEGAL DESCRIPTION: COPPER CHASE AT STERLING RANCH EAST PUD/PRELIMINARY PLAN**

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 32, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4, SW 1/4) OF SECTION 33, T12S, R65W OF THE 6TH P.M., AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 5, T13S, R65W OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING TRACT E, "STERLING RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 222714894 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE.

SAID PARCEL CONTAINS 856,016 SQUARE FEET (19.651 ACRES, MORE OR LESS).



COMMISSIONERS:  
CAMI BREMER (CHAIR)  
CARRIE GEITNER (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS  
STAN VANDERWERF  
LONGINOS GONZALEZ, JR.

## PLANNING & COMMUNITY DEVELOPMENT

**TO:** El Paso County Planning Commission  
Thomas Bailey, Chair

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

**RE:** Project File Number: PUDSP222  
Project Name: Copper Chase at Sterling Ranch PUD (Rezone) &  
Preliminary Plan  
Parcel Number: 5232410003

OWNER:	REPRESENTATIVE:
Challenger Communities, LLC 8605 Explorer Dr, Suite 250 Colorado Springs, CO, 80920	N.E.S., Inc. 619 North Cascade Avenue, Suite 200 Colorado Springs, CO 80903

**Commissioner District: 1 and 2**

<b>Planning Commission Hearing Date:</b>	<b>9/21/2023</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>10/12/2023</b>

### EXECUTIVE SUMMARY

A request by Challenger Communities, LLC, for approval of a Map Amendment (Rezone) of 19.65 acres from RS-5000 (Residential Suburban) to PUD (Planned Unit Development) to allow for single-family detached residential lots. The property is within the CAD-O (Commercial Airport Overlay District) zoning overlay; however, the property is not within an Accident Potential Zone (APZ) airport subzone. The applicants are also requesting the Copper Chase at Sterling Ranch PUD Development Plan be approved as a Preliminary Plan with a finding of water sufficiency for water quality, dependability, and quantity.

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The property is located immediately adjacent and to the north of the recent extension of Marksheffel Road and immediately adjacent and to the east of Vollmer Road. The Preliminary Plan includes 138 single-family residential lots (12 acres), ten (10) tracts to be used for open space, detention, landscape, fencing, retaining walls, signage, utilities, and parkland (3.64 acres), and 4.01 acres of future right-of-way.

A finding of water sufficiency for water quality, quantity and dependability is requested at this time. Additionally, the applicants are requesting approval to perform pre-subdivision site grading to include installation of wet utilities.

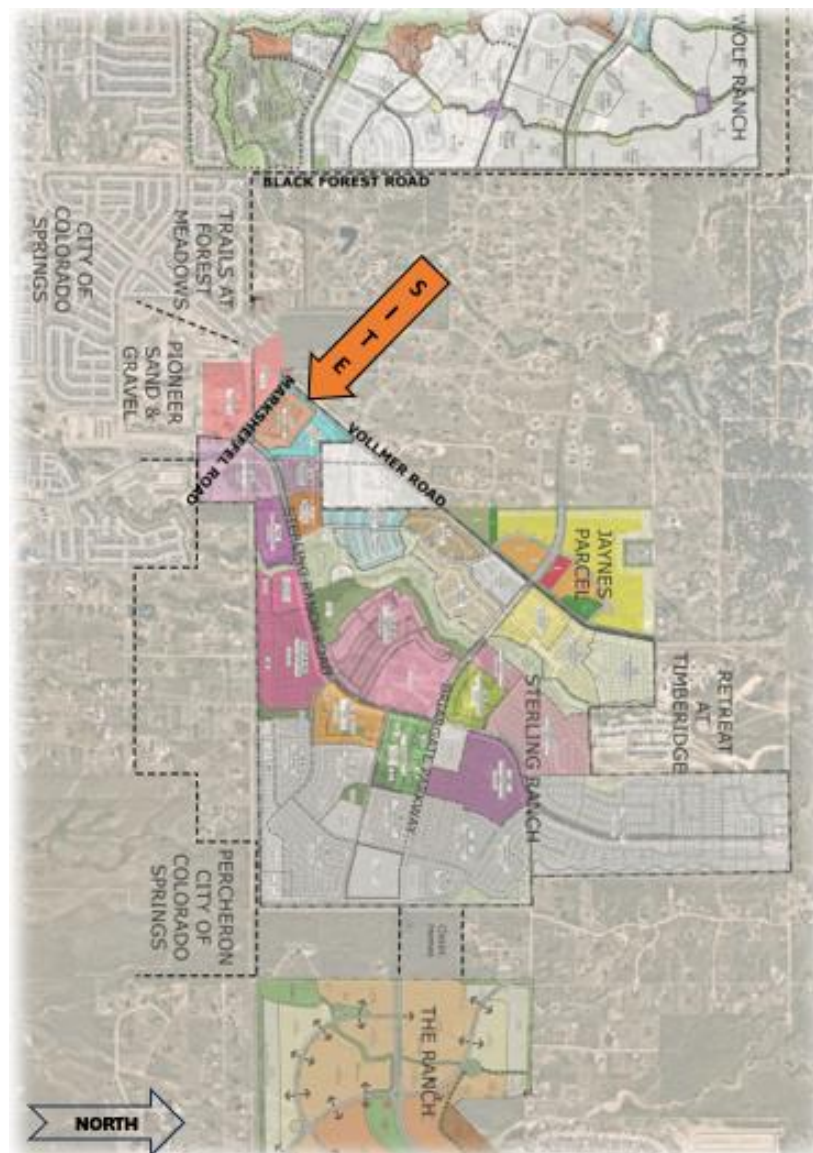


Figure: Overall Context Map

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## **A. AUTHORIZATION TO SIGN**

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

## **B. APPROVAL CRITERIA**

In approving a Planned Unit Development Plan (rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 4.2.6, (PUD) of the El Paso County Land Development Code, as amended:

- The proposed PUD District zoning advances the stated purposes set forth in Section 4 of the Code;
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of the 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 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 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 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;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the Development Plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;



- 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 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 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;
- 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
- The owner has authorized the application.

The applicants have also requested the proposed PUD be reviewed and considered as a Preliminary Plan. In approving a Preliminary Plan, Section 7.2.1.D.2 of the El Paso County Land Development Code, as amended, states the BoCC shall find that:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of the Code;
- The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code (this finding may not be deferred to Final Plat if the applicant intends to seek administrative Final Plat approval);
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

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- Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
- Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

### C. LOCATION

North:	RS-5000 (Residential Suburban)	Residential Single-family
South:	I-3 (Heavy Industrial)/RR-5 (Residential Rural)	Undeveloped
East:	RS-5000 (Residential Suburban)	Residential Single-family
West:	RR-2.5 (Residential Rural)	Residential Single-family
	RM-30 (Residential Multi-dwelling)	Undeveloped

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## **D. BACKGROUND**

The Sterling Ranch Sketch Plan, consisting of 1,443.70 acres, was heard, and approved by the Board of County Commissioners on November 18, 2008. Minor Sketch Plan amendments have been approved which have relocated the school sites, parkland, utility sites, and have lowered the maximum residential units to 4,800.

The requested PUD Rezone and Preliminary Plan have a density of 7.0 dwelling units per acre and are in conformance with the approved Sterling Ranch Sketch Plan which depicts a density of 5 to 8 dwelling units per acre.

## **E. ANALYSIS**

### **1. Land Development Code Compliance**

The applicant is proposing a PUD, Planned Unit Development zoning district of 19.65 acres. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), a PUD Development Plan may be approved as a Preliminary Plan.

The PUD and Preliminary Plan include 138 single-family residential lots with a minimum lot size of 3,200 square feet, ten (10) open-space tracts (3.64 acres), which includes a 1.39-acre designated pocket park with a gazebo and park benches within the center of the development, and pedestrian connections to the overall development via sidewalks. Sidewalk connections through the development will connect to the adjacent development, which will provide a connection to the Sand Creek Regional trail corridor located further to the east of the development.

The adjacent properties to the north, and east included in the Sterling Ranch Sketch Plan are zoned RS-5000 (Residential Suburban) and are developed or developing single-family lots. A landscape tract, which includes a noise wall and trail corridor, owned and maintained by the Sterling Ranch Metropolitan District, buffers the southern boundary of the subject property adjacent to Marksheffel Road, a Principal Arterial roadway. The property to the south of Marksheffel Road, currently zoned RR-5 (Residential Rural), is a planned mixed-use development pursuant to the Sterling Ranch Sketch Plan. A landscape tract, which includes a noise wall and trail corridor, owned and maintained by the Sterling Ranch Metropolitan District, buffers the western boundary of the subject property adjacent to Vollmer Road, a Principal Arterial roadway. Further to the west of Vollmer Road, lies existing single family residential homes zoned RR-2.5 (Residential Rural), and planned multi-family development.

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Section 4.2.6.F.8, Planned Unit Development District of the Land Development Code requires a minimum of ten (10) percent of the overall residential PUD be set aside as open space area. The open space areas may be public or privately owned; include drainage, utilities, trail corridors, landscape, designated land not to be developed and park land. The PUD area is 19.65 acres in size, which would require a total of 1.97 acres of open space area. The applicant is providing 3.64 acres (19 percent) of designated open space tracts which include: drainage, utilities, associated easements, trails, parkland, and landscaping. It should be noted that the applicants are providing 1.39-acres of usable open space (designated park site) within the development which exceeds the 25 percent (0.49-acres) of overall open space required.

Pursuant to the availability of central water and sanitation services in the area, this portion of El Paso County has experienced, and continues to experience, significant growth and development along the Briargate Parkway/Stapleton Corridor, Marksheffel Road, and Vollmer Road, corridors. The land uses allowed within the proposed PUD zoning district are compatible with the existing and approved urban level residential development surrounding the subject property.

The proposed PUD and Preliminary Plan are consistent with the Your El Paso County Master Plan (2021). The PUD application meets the purpose of zoning and criteria of approval, in Chapter 4, and of the El Paso County Land Development Code (as amended). The Preliminary Plan application meets the Preliminary Plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

The property is located within the CAD-O (Commercial Airport Overlay District) zoning overlay, but not within the Accident Potential Zone (APZ) airport subzone. Single-family residential is an allowable land use within the CAD-O. The CAD-O was adopted by the Board of County Commissioners pursuant to C.R.S §30-28-113 et seq. and 41-4-101 et seq. The purpose of the CAD-O overlay district is to ensure compliance with the Federal Aviation Administration; to ensure free and unobstructed passage of all aircraft through and over airspace, and to acknowledge that private property owners have a property interest in usable airspace above the surface of their property.

A referral was sent to the Colorado Springs Airport Advisory Commission (CSAAC) for review and comment. The CSAAC provided a response indicating that they have no concerns.

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Section 4.3.1 CAD-O, Commercial Airport Overlay District, of the Land Development Code requires an Airport Activity Notice and Disclosure to be recorded against the title of the property at the time of the Final Plat but does not require provision of an aviation easement. More specifically, Section 4.3.1 of the Code states:

*The following are required prior to approval of any rezoning or subdivision plat:*

- *The request shall be referred to the Airport Advisory Commission for review and comment.*
- *Airport Activity Notice and Disclosure shall be required to be recorded against the title of the property as a condition of approval.*

The applicant will be required to comply with the above referenced section of the Code at the Final Plat stage of development.

## **2. Zoning Compliance**

The Copper Chase at Sterling Ranch PUD Development Plan identifies allowed accessory uses and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and overall landscaping requirements. The PUD Development Plan and Preliminary Plan are consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

## **F. MASTER PLAN COMPLIANCE**

### **1. Your El Paso County Master Plan**

The subject property is depicted as being within two Placetypes in the 2021 Master Plan. Most of the property is mapped as Employment Center Placetype; the eastern portion of the site is within the Suburban Residential Placetype. Staff concludes that the Employment Center Placetype is a mapped error in the Master Plan pursuant to the approved 2007 Sterling Ranch Sketch Plan and 2018 amended Sketch Plan which both depict residential development at a density of 5-8 units per acre prior to the adoption of the Plan. An analysis of the Suburban Residential Placetype is provided.

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Figure F1 : Placetype Map

**a. Placetype Character:** Suburban Residential

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

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

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

## **Recommended Land Uses:**

### Primary

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

### Supporting

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

**Analysis:** The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. The application is consistent with the land use and densities set forth in the approved Sketch Plan, entirely within the Suburban Residential Placetype, which depicts a density range of 5-8 dwelling units per acre in the subject area. The applicant is proposing a density of 7 dwelling units per acre which is consistent with the placetype. The applicant is proposing single-family detached homes on urban lots (3,200 Square Feet), with a maximum lot coverage of 65 percent. These lots are designed around a centralized park with connecting sidewalks, which are proposed to maximize the lot area in an effort to reduce the home costs and provide a variety of development in the context of the overall Sterling Ranch development. Relevant goals and objectives are as follows:

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

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

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

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

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



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

**b. Area of Change Designation:** New Development

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

**Analysis:** The entire Sterling Ranch development, which includes the proposed PUD Development Plan and Preliminary Plan is located in an area which is expected to completely or significantly change in character. The applicant proposes to develop the subject property with single-family detached residential homes, which are consistent with the planned development surrounding the site. A relevant priority is as follows:

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

**c. Key Area Influences:** Potential Areas for Annexation

The subject property is located within the Potential Areas for Annexation. The key area map demonstrates the anticipated urban growth areas in unincorporated El Paso County. The property is contiguous to the City boundary via Marksheffel Road. The applicant does not wish to annex into the City at this time. The applicant, City, and County are coordinating on the design of Vollmer Road and Briargate Parkway/Stapleton Corridor. Continued coordination between the applicant, City, and County is anticipated to occur.

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- d. Other Implications (Priority Development, Housing, etc.)** The subject property is located within a High Priority Development Area, Falcon Area.

*The Falcon community has developed its own unique character and functions like a small municipality. New Suburban Residential development would not only match the existing development pattern in Colorado Springs and Falcon to the east and west but also act as a density buffer between more urban development to the south and large-lot to the north. The proposed rezone is also consistent with the High Priority Areas, and the guidelines below:*

- *Residential development near the municipal boundaries adjacent to this area may include single-family attached and multi-family units.*
- *The County should emphasize Stapleton Road, Woodmen Road and Vollmer Road as connectivity corridors that would provide important access to necessary goods and services in surrounding communities, generally supporting suburban residential development.*

The subject area is anticipated to continue to have significant growth due to the establishment of central water and sanitation services. As residential development occurs, commercial areas are anticipated to develop in these areas to provide local services to the residents in the area. A District No. 20 school site is proposed east of the subject property which is anticipated to provide education and recreation opportunities to the area. The proposed PUD Development Plan and Preliminary Plan requests are consistent with the developed area, and with the goals and policies of the Master Plan.

## **2. Water Master Plan Analysis**

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

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

**Goal 1.2** – *Integrate water and land use planning.*

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

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

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

**Policy 6.0.1** – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*

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

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Region 3, Falcon Area, which is expected to experience significant growth by 2040. Specifically, the Plan states:

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

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

Falcon Area Water and Wastewater Authority (FAWWA) has provided a commitment to serve the development and is mitigating the predicted water deficit by constructing water infrastructure from the northern area (Bar X Ranch, Winsome, and Shamrock West Ranches) of the County to the Falcon area, to provide centralized services to the development, and by investing additional water resources.

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### **3. Other Master Plan Elements**

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

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

The Community Services Department Parks Division has provided a response (see attachments) which includes an analysis regarding conformance with The El Paso County Parks Master Plan (2022).

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

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards which would preclude development in the development area were identified in the Soil, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated March 7, 2022, if mitigation, such as grading in addition to limiting basements were to occur. The applicants have agreed that no basements will be allowed within the development area due to “potentially shallow groundwater”.

### **2. Floodplain**

As shown on FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0533G, dated December 7, 2018, no portion of the subject property is located within a FEMA floodplain.

### **3. Drainage and Erosion**

The proposed subdivision is located within the Sand Creek drainage basin, which was studied in 1996. More recently, the area was studied in the “Master Drainage & Development Drainage Report for Sterling Ranch Filing Nos. 1 & 2”, prepared by M&S Civil Consultants, dated December 2017 and “Final Drainage Report for Sterling Ranch Filing No. 2” by JR Engineering, LLC, approved November 2021.

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This basin requires drainage and bridge fees to be paid at the time of Final Plat recording. The site generally drains overland from north to south, with runoff eventually flowing to Sand Creek, which ultimately outfalls into Fountain Creek. Offsite flows are diverted by exterior roadways and do not enter the site.

A Preliminary Drainage Report (PDR) was provided with the requested application. The PDR analysis and design indicates that the proposed development will not release developed runoff in excess of historic rates. The PDR concludes that “development of the proposed site does not significantly impact any downstream facility or property to an extent greater than that which currently exists in the pre-development conditions.” Runoff from the site will be conveyed to existing Pond W-5, a subregional Full Spectrum Detention, located along the south boundary line of the overall Sterling Ranch project site.

The applicant is requesting approval to perform pre-subdivision site grading. An erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, the associated financial assurance estimate (FAE), a stormwater management plan (SWMP), and wet utility plans are approved with the Preliminary Plan for the pre-subdivision grading request. Collateral is required for the pre-subdivision site grading at the time of the pre-construction meeting between the applicants and EPC Inspections staff.

#### **4. Transportation**

The Copper Chase at Sterling Ranch PUD/ Preliminary Plan area is south of Vollmer Road, Alzada Drive and west of Bynum Drive. Marksheffel Road is to the southwest and Sterling Ranch Road is to the southeast of the site. Access to the development will be from Alzada Drive and Bynum Drive. Alzada Drive has direct access to Vollmer Road, a minor arterial, through a right-in/right-out access. Bynum Drive has a full access intersection with Sterling Ranch Road, a non-residential collector.

A traffic memorandum (TIS) dated July 25, 2023, was provided with the requested application addressing traffic impacts of the subject development. Auxiliary lanes at the intersections of Marksheffel Road and Vollmer Road, Sterling Ranch Road and Marksheffel Road, and Sterling Ranch Road and Bynum Drive is required with this development if they have not been completed as part of the Sterling Ranch Filing No. 2 development. The updated Master Traffic Impact Study for Sterling Ranch submitted with the Sterling Ranch Sketch Plan Amendment (SKP-22-004) was recently approved.

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Traffic generated from the 138 proposed dwelling units in this development is estimated to be approximately 1,301 average daily trips. The proposed interior roads will be public paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the TIS and the PUD/Preliminary Plan are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP), and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS.

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

## **H. SERVICES**

### **1. Water**

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

Water Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

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

### **2. Sanitation**

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

### **3. Emergency Services**

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

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#### **4. Utilities**

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

#### **5. Schools**

The site is within the boundaries of the Academy School District No. 20. School dedication for the benefit of Academy School District No. 20 is anticipated within the Sterling Ranch Development Area in lieu of fees paid at Final Plat recordation to District No. 20.

### **I. APPLICABLE RESOLUTIONS**

See attached resolutions.

### **J. STATUS OF MAJOR ISSUES**

No major issues remain.

### **K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 4.2.6 (PUD) and Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

#### **CONDITIONS**

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require the submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan and Development Guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any Final Plat approvals.

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5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471, as amended), at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations dated June 15, 2023, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
9. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
10. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 4 of the Sterling Ranch Sketch Plan Amendment Master TIS, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final. Updated traffic signal analyses for the intersections of concern in the TIS shall be provided upon buildout of Copper Chase at Sterling Ranch. Any resulting design and construction requirements shall be provided by the developer at that time.

## **NOTATIONS**

1. Subsequent Final Plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

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## **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 12 adjoining property owners on September 5, 2023, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

## **M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
PUD/Preliminary Plan Drawing  
Overall Sterling Ranch Map  
CSAAC Comment  
State Engineer's Letter  
County Attorney's Letter  
EPC Parks & Community Services Response  
Draft PC PUD/Preliminary Plan Resolution

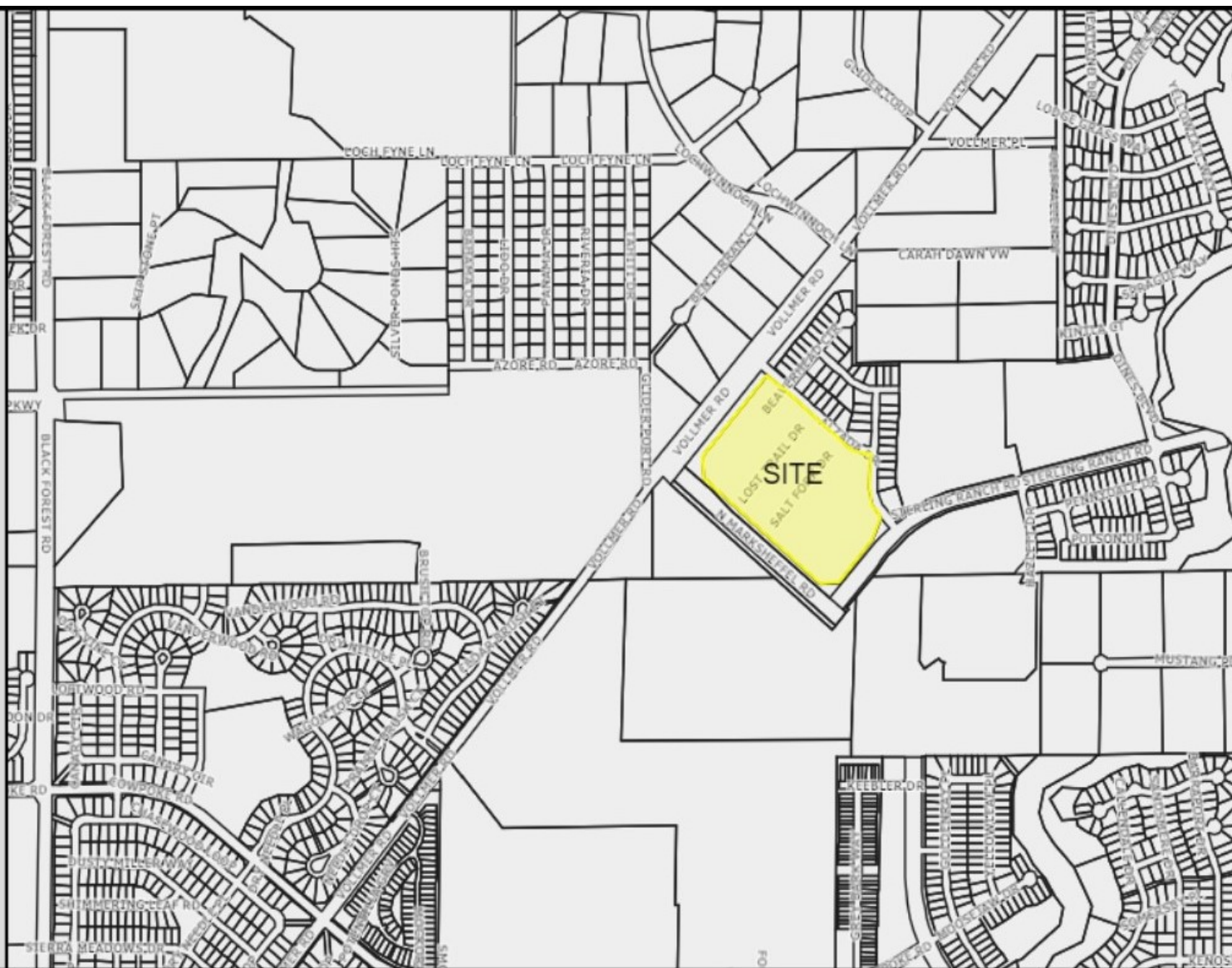
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**ADDRESS:**  
ALZADA DR  
COLO SPGS CO, 80908



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## **COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN**

### **LETTER OF INTENT**

**REVISED AUGUST 2023**

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#### **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  
719.471.0073  
[abarlow@nescolorado.com](mailto:abarlow@nescolorado.com)

#### **SITE DETAILS:**

**TSN:** 5232410003  
**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. Deviations from 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 relations to mid-block crossings, minimum centerline radius, broken back curves and minimum intersection spacing (175') for urban local roadways, all "T" intersections shall have a minimum of four curb ramps and reverse curves

## LOCATION

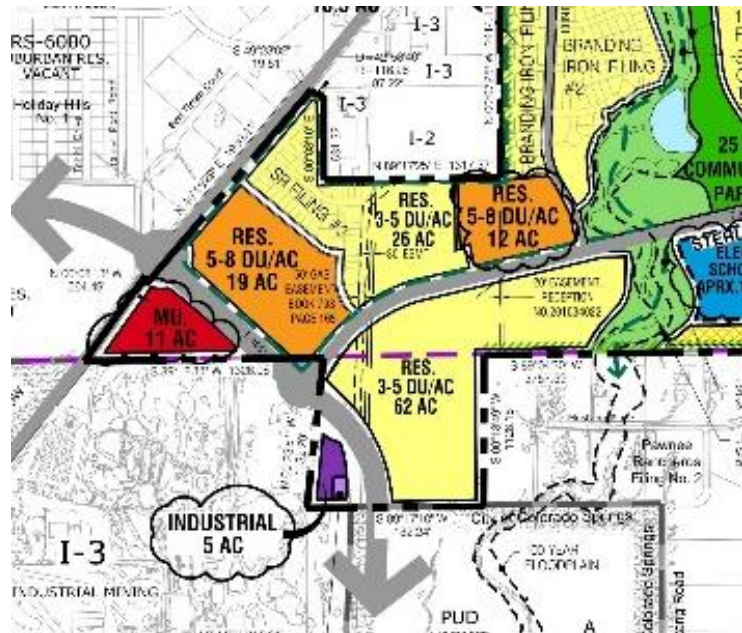
Copper Chase at Sterling Ranch is 19.6514 acres located east of the intersection of Marksheffel Road and Vollmer Road. The property is currently vacant, undeveloped land. The property is located northeast of the intersection of Vollmer Road and the proposed extension of Marksheffel Road.



## PROJECT CONTEXT

The Sterling Ranch Sketch Plan for 4,800 dwelling units on 1,444 acres was approved in December of 2022. Copper Chase area is identified on the Sketch Plan with a density range of 5-8 du/acre. Vollmer Road is to the North of the proposed development and the proposed extension of Sterling Ranch Road is to the south. 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 mixed use commercial.

Current zoning on the site is RS-5000 and the site is proposed to be rezoned as PUD. Medium density residential at the corner of Vollmer and Marksheffel is appropriate adjacent to an interchange of principal arterial streets and opposite future commercial. This density 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 which was approved in 2022.



## PROJECT DESCRIPTION

The project proposes 138 single family detached units on 19.65 acres and a proposed gross density of 7 dwelling units per acre. The lots front and are entered from the three streets, Blue Feather Loop, Salt Fork Drive, and Lost Trail Drive. All roads will be public. Deviations have been requested for from ECM Sections 2.3.3.F.3, 2.5.2.C.4, 2.3.2 Table 2-7 and 2.52.C.3 in relation to mid-block crossings, minimum centerline radius, broken back curves and minimum intersection spacing (175') for urban local roadways, all "T" intersections shall have a minimum of four curb ramps and reverse curves.

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 2,080 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 southwest, across Marksheffel Road, is vacant land zoned RR-5 and designated as 11AC mixed use commercial on the Sterling Ranch Sketch Plan. West of the site, across Vollmer Road is RM-30. Northwest of the site is RR-2.5. This area has been developed as single family residential and is part of the Highland Park Filing No. 2 subdivision.

Northeast and east of the site is Sterling Ranch Filing 2, which is zoned RS-5000. Sterling Ranch Filing 4, RS-5000 is to the southeast of the development.

Directly south of Copper Chase and the 11AC mixed use parcel, lies industrial uses, zoned I-3. The southeasternmost corner of Copper Chase, across from Marksheffel Road, is adjacent to this use.

**ACCESS AND CIRCULATION:** A full-movement access is provided at the intersection of Alzada Drive and Outcrop Drive. A  $\frac{3}{4}$  movement access is provided at the intersection of Bynum Drive and Salt Fork Drive. 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 Sterling Ranch Development (*MTIS dated March 17, 2023*). 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. A List of other traffic studies within Sterling Ranch and in the vicinity of the area of study completed within the past five years (that LSC is aware of) is shown in Appendix Table 1 of the TIS. The land use and access currently proposed are consistent with what was assumed in the Master TIS and The Sterling Ranch East Rezoning and Preliminary Plan TIS. Appendix Table 2 of the TIS report includes a list of improvements needed either prior to or with Copper Chase at Sterling Ranch. The following auxiliary lanes shown will be required with Copper Chase at Sterling Ranch development if not completed with Sterling Ranch Filing No. 2:

- Marksheffel/Vollmer
  - 155-foot northbound right-turn deceleration lane on Vollmer approaching Marksheffel, plus a 160-foot taper
  - 310-foot southbound left-turn lane on Vollmer approaching Marksheffel, plus a 160-foot taper.
  - 425-foot westbound left-turn lane on Marksheffel approaching Vollmer, plus a 200-foot taper
  - 235-foot westbound right-turn deceleration lane on Marksheffel approaching Vollmer, plus a 200-foot taper
- Sterling Ranch/Marksheffel
  - 470-foot eastbound left-turn lane on Marksheffel approaching Sterling Ranch, plus a 200-foot taper
  - A 285-foot southbound left-turn lane on Sterling Ranch approaching Marksheffel, plus a 90-foot reverse-curve taper
  - A 155-foot southbound right-turn lane on Sterling Ranch approaching Marksheffel, plus a 160-foot taper

Sterling Ranch/Bynum

- A 155-foot northbound left-turn lane on Sterling Ranch Road approaching Bynum, plus a 90-foot reverse-curve taper

**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:**

This development will be served by FAWWA, which is the overall service entity for Sterling Ranch and other adjacent properties. Copper Chase at Sterling Ranch includes 138 lots which fall into high-density development ratios for small lots, and roughly 1.368 acres of irrigated landscaping. The resulting water demand is 52.13 acres feet.

Water rights adjudications have been decreed by the State of Colorado, Water Division 2 District Court, Water Division 1 District Court, and the Colorado Groundwater Commission. The comprehensive rights for the FAWWA service include both decrees and determinations. The most recent water rights added to the Sterling Ranch Inventory are three acquisitions: McCune Ranch 391.33 AC for 300 YRs, Bar-X Ranch 592.78 AF for 300 YRs, and Shamrock West 220.10 AF for 300 YRs.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1901.83 AF for 300 YRs which would be adequate supply to meet the needs of 5,387 SFE. This leaves a net excess of currently available water of 1037 AF for 300 YR and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Phase One (which includes Copper Chase) on the 300-year basis.

The FAWWA water system has only been in operation for three years, so little-to-no usable historic information would be reliable for unique, long-term planning. However, substantial nearby data from the Falcon area is available for use. As of the end of 2021, the system had approximately only 300 active users. Therefore, initial projections have been based on area-wide water user characteristics and a linear buildout rate. This rate is considered to be an average annual rate that might be reasonably maintainable over a 10-year period. The average growth rate is projected as 180 units added per year.

- **2040 Scenario:** Based on the above factors, the FAWWA system might conservatively anticipate serving 3,710 SFEs in the year 2040. This number is a service area projection and includes the Retreat and The Ranch, as well as the main Sterling Ranch residents. This would require no additional water.
- **2060 Scenario:** Based on the same factors, the Sterling system might be expected to serve 7,310 SFEs within its expanded service area, which includes the Retreat and The Ranch. This would be substantially greater than the actual Sterling Ranch. The annual acre-foot requirement might be 679 annual AF, but supply would include water from The Ranch which has not yet been added to inventory. In addition to adding off-site sources, potential, additional supplies include renewable resources and/or regional projects bringing new water to the area FAWWA's main supply source is centralized at a point that both Cherokee Metropolitan District and Woodmen Hills Metropolitan District have adjacent major storage and delivery facilities. There are currently no arrangements in place to make connections, but in the future, SRMD may seek to have

interconnections and possibly share supply. Other actions include conducting cooperative actions with CSU and SRMD to potentially share centralized facilities.

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

**WASTEWATER:** The wastewater commitment is for 23,736 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 2.35 % 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. The 6-foot sound wall will be installed and maintained by the Sterling Ranch Metro District.

**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 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 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. No basements or slab on grade are allowed in this development; at this location a foundation depth of 30 inches is recommended. Subsurface perimeter drains may be necessary to prevent the intrusion of water into areas below grade. Swales should be created to intercept surface runoff and carry it safely around and away from structures. Specific foundation recommendations should be made after grading is completed. 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 approved Sketch Plan within the District 20 boundary.

With the Branding Iron Filing 2 Plat, SR Land dedicated, in lieu of school fees, 11.663 acres known as Tract B of Branding Iron at Sterling Ranch Filing No. 2 to the County for District 20's use as a future school site. Since that time District 20 has expressed that they no longer desire to develop and construct a school on this site and through conversations with SR Land, identified an 11.86AC parcel and one 38.547AC parcel to be dedicated as school site. Both the 11.86AC site and 38.547AC school sites are shown as part of the approved Sterling Ranch Minor Sketch Plan Second Amendment and Sterling Ranch East Phase 1 Preliminary Plan Filing 1-4. Per the ratified agreement, Tract B of Branding Iron at Sterling Ranch Filing No. 2 is conveyed to Classic.

**TRAILS AND OPEN SPACE:** The Sterling Ranch master planned community includes an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. Parks throughout the Sterling Ranch development have been located so that residents have a ten-minute walk or less to these facilities. The Sand Creek Regional Trail on the west side of Sand Creek is the major north-south trail connection through the development, which provides connectivity throughout the community and to a series of parks planned alongside it. The Copper Chase development will be connected to the regional trail and adjacent parks by the trail connection that will be provided along the north side of Marksheffel Road and Sterling Ranch Road, adjacent to the Copper Chase development.

Copper Chase includes 3.64AC of open space in 10 tracts, which equated to 18.5% of the 19.65 AC site. Tract H is a centralized park with provides 1.39 AC of contiguous usable open space, which equates to 38% of the total 3.64 AC of open space. Safe pedestrian connections are provided through the open space areas to provide connectivity through the Copper Chase community, to the park and to the external sidewalk and trails.

**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 and wastewater will be provided by FAWWA.

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/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 & Wastewater

#### **ECM DEVIATIONS:**

Chapter 5.8 of the Engineering Criteria Manual (ECM) allows for a deviation from standards. The proposed deviations allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community.

	ECM Section	Category	Standard	Deviation	Justification
1	ECM Section 2.5.2.C.4	<b>Mid-block crossings</b>	Access ramps on local roadways shall be spaced no greater than 600 feet apart.	Blue Feather Loop 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	<b>Broken Back Curves</b>	Minimum tangent length between broken back curves (200')	Blue Feather Loop 88' 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 a high-density single-family development.
3	ECM Section 2.3.2, Table 2-7	<b>Minimum Centerline Radius &amp; Intersection Spacing Standards</b>	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 infill development parcel.
4	ECM Section 2.5.2.C.3	<b>Mid-Block Ramps on Local Roadways "T" Intersections</b>	All "T" intersections shall have a minimum of four curb ramps	2 PED ramps at Blue Feather Loop and Lost Trail Drive northeastern intersection. 2 PED ramps at Blue Feather Loop and Salt Fork Drive northeastern intersection. 2 PED ramps at Blue Feather Loop and Blue Feather Loop 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. Proposed crossing location provides midpoint access coming from both sides. Reduces number of conflict points between pedestrian and vehicle traffic paths resulting from proximity of intersections and lot density. Lot geometry, density, and associated features such as driveways promote the desire for a solution to the original problem. Similar circulation paths can be achieved with this solution. Does not impede pedestrian movements



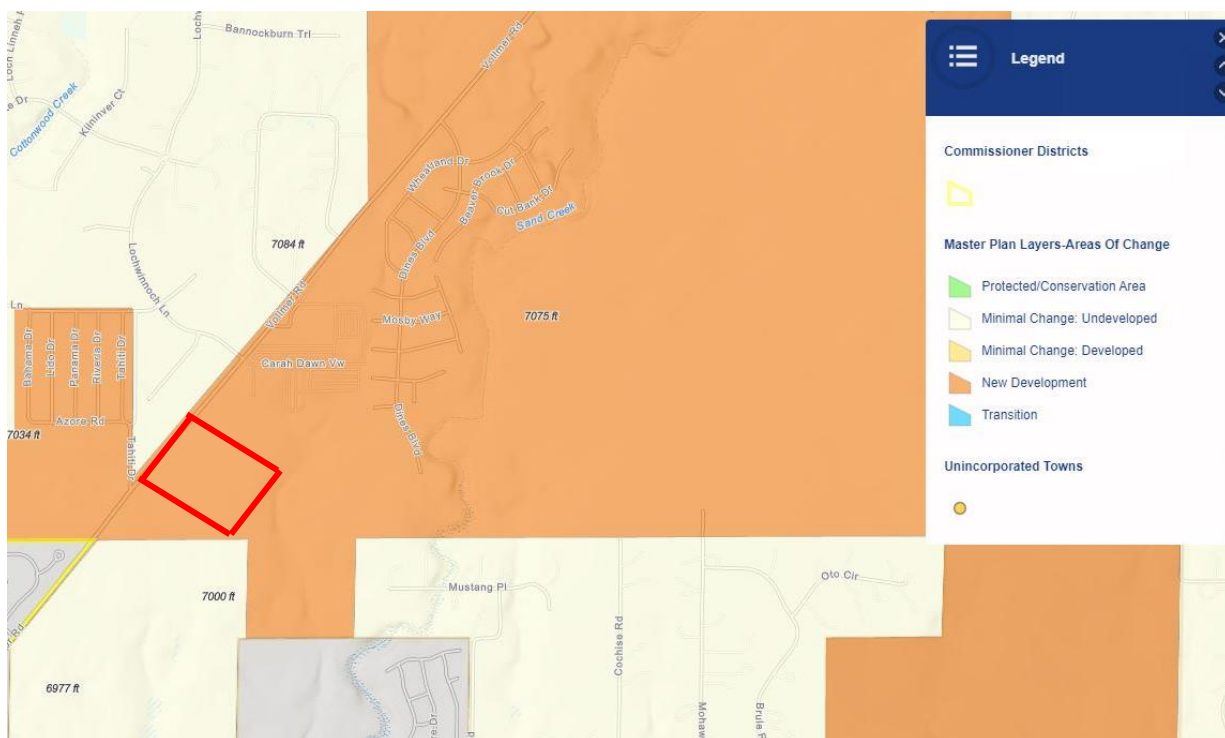
## **RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS**

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.

### **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. Copper Chase 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.



The PUD Preliminary Plan is 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.” Copper Chase 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. 2 and Sterling



Ranch Filing No. 4. The proposed layout provides over 19% open space, connection to Sterling Ranch Trails and Open Spaces and detached single family housing.

Copper Chase 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.” Copper Chase proposes a smaller detached single family residential product type that is complimentary to the proposed single family residential uses within Sterling Ranch. This development proposes detached single-family housing that is similar to the immediately adjacent developments of Sterling Ranch Filing No. 2 and Sterling Ranch Fil. No. 4.

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 Copper Chase. This development is connected to the Sterling Ranch Phase I Preliminary Plan 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. A proposed community trail runs along Marksheffel Road on the south side of the development connecting to the Sterling Ranch open space/trail network and 4.8 AC park in the northwest corner of Sterling Ranch Filing No. 4. Parks throughout the Sterling Ranch development have been located so that residents have a ten-minute walk or less to these facilities. This is reflected by Copper Chase’s adjacency to a 4.8 AC park within Sterling Ranch.

#### **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 medium 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. Copper Chase at Sterling Ranch includes 138 lots which fall into high-density development ratios for small lots, and roughly 1.368 acres of irrigated landscaping. The resulting water demand is 52.13 acres feet.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1901.83 AF for 300 YRs which would be adequate supply to meet the needs of 5,387 SFE. This leaves a net excess of currently available water of 1037 AF for 300 YR and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Phase One (which includes Copper Chase) on the 300-year basis.

The FAWWA water system has only been in operation for three years, so little-to-no usable historic

information would be reliable for unique, long-term planning. However, substantial nearby data from the Falcon area is available for use. As of the end of 2021, the system had approximately only 300 active users. Therefore, initial projections have been based on area-wide water user characteristics and a linear buildout rate. This rate is considered to be an average annual rate that might be reasonably maintainable over a 10-year period. The average growth rate is projected as 180 units added per year.

- **2040 Scenario:** Based on the above factors, the FAWWA system might conservatively anticipate serving 3,710 SFEs in the year 2040. This number is a service area projection and includes the Retreat and The Ranch, as well as the main Sterling Ranch residents. This would require no additional water.
- **2060 Scenario:** Based on the same factors, the Sterling system might be expected to serve 7,310 SFEs within its expanded service area, which includes the Retreat and The Ranch. This would be substantially greater than the actual Sterling Ranch. The annual acre-foot requirement might be 679 annual AF, but supply would include water from The Ranch which has not yet been added to inventory. In addition to adding off-site sources, potential, additional supplies include renewable resources and/or regional projects bringing new water to the area

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

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.”

Copper Chase 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 October, 2022.

#### **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 Road 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 Sterling Ranch community includes an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. Parks throughout the Sterling Ranch development have been located so that residents have a ten-minute walk or less to these facilities. The Sand Creek Regional Trail on the west side of Sand Creek is the major north-south trail connection through the development, which provides connectivity throughout the community and to a series of parks planned alongside it. The Copper Chase development will be connected to the regional trail and adjacent parks by the trail connection that will be provided along the north side of Marksheffel Road and Sterling Ranch Road, adjacent to the Copper Chase development. The Copper Chase PUD

Development/Preliminary Plan includes internal pedestrian connections to provide access through the development and to the external trails and amenities within Sterling Ranch.

### **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;*
- *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;*

Copper Chase at Sterling Ranch responds to the growing demands of the local population for smaller homes that are more affordable with less overall maintenance. Flexibility afforded by PUD zoning allows for the creation of smaller housing that meet market demand and support diversity in housing choices. The overall design of the PUD Development Plan is within the character of Sterling Ranch, with detached single-family homes provided, adequate access to open spaces and connections to the Sterling Ranch Parks and Trails system. High-density single-family housing at this location is further supported by several employment and shopping centers near 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, 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 mixed-use 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 medium 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 which was approved in 2022.

- 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 medium 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 MarkSheffel 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;**

Copper Chase includes 3.64 AC of open space in 10 tracts, which equated to 18.5% of the 19.65 AC site. Tract H is a centralized park which provides 1.39 AC of contiguous usable open space, equating to 38% of the total 3.64 AC of open space. Safe pedestrian connections are provided through the open space areas to provide connectivity through the Copper Chase community, to the park and to the external sidewalk and trails. These trails provide access to walking and biking opportunities within the broader Sterling Ranch community. Open spaces and trails will be owned and maintained by Sterling Ranch Metro District.

**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. All roadways are designed to EPC ECM standards and will be dedicated as public roadways to be maintained by El Paso County.

**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 connects 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**

Deviations are requested of the Engineering Criteria manual Section 2.5.2.C.4, 2.3.3.F, 2.3.2 Table 2-7, 2.3.3.F.3 and 2.5.2.C.3. The justification for these is set out above. The proposed deviations allow for a more efficient layout that minimizes grading, 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 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. Roadways are constructed to EPC ECM standards and will be maintained by El Paso County. Open spaces and tracts will be maintained by Sterling Ranch Metro District.

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

The medium 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 2022.

**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 FAWWA and the Water Resources Report provided by 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 23,736 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 2.35% 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.

**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. No basements or slab on grade are allowed in this development; at this location a foundation depth of 30 inches is recommended. Subsurface perimeter drains may be necessary to prevent the intrusion of water into areas below grade. Swales should be created to intercept surface runoff and carry it safely around and away from structures. Specific foundation recommendations should be made after grading is completed. 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 M&S Civil. 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.

**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. Deviations have been submitted for the streets.

**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. More than sufficient open space is provided to meet the PUD 10% open space requirement.

Copper Chase includes 3.64AC of open space in 10 tracts, which equated to 18.5% of the 19.65 AC site. Tract H is a centralized park which provides 1.39 AC of contiguous usable open space, equating to 38% of the total 3.64 AC of open space. Safe pedestrian connections are provided through the open space areas to provide connectivity through the Copper Chase community, to the park and to the external sidewalk and trails. Open space and trails will be maintained by Sterling Ranch Metro District.

**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 in Filing 2 along Marksheffel Road and Vollmer Road, 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, Phase 1 Preliminary Plan and Sterling Ranch Filing No. 2. 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 FAWWA. 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 Black Forest Fire Protection District. A service commitment letter from the District is 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 deviation requests.

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- GENERAL PROVISIONS**
- A. **Authority.** This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- B. **Applicability.** The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Director or Board of County Commissioners.
- C. **Adoption.** The adoption of this development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for Copper Chase at Sterling Ranch is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this development plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
- D. **Relationship to County Regulations.** The provisions of this Development Plan shall prevail and govern the development of Copper Chase at Sterling Ranch, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval (or owner acknowledge the PUD changes with the Code), or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- E. **Enforcement.** To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- F. **Conflict.** Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- G. **Maximum Level of Development.** The total number of dwellings or the total commercial, business, or industrial intensity shown on the development plan for development within the specified planning areas is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- H. **Project Tracking.** At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development, in order to assure maximum development limits are not exceeded.
- I. **Overall Project Standards.** The standard zoning requirements of El Paso County Land Development Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.
- J. **Utility Providers.** The following utility providers will serve the Copper Chase at Sterling Ranch PUD Preliminary Plan area:  
Water: FAWWA  
Wastewater: FAWWA  
Gas: Colorado Springs Utilities  
Electric: Mountain View Electric

**DEVELOPMENT GUIDELINES: COPPER CHASE AT STERLING RANCH PUD DEVELOPMENT PLAN**

- A. **Project Description**  
Copper Chase at Sterling Ranch is the continuation of a long-term development with a distinct vision. The project centers on a recreational lifestyle by providing opportunities such as parks and open space, and trails for residents to enjoy. Overall Sterling Ranch common landscape elements such as fencing, street tree plantings, landscaping, and signage will establish a unique sense of place for this development. The parks have been located in areas of higher density so more of the residents can access them by walking and provide a focal element to the neighborhoods. Lot sizes, setbacks, and landscape tracts are designed to provide a wide variety of housing options and prices within the development while ensuring open space and visually interesting streetscapes for the community.
- B. **Permitted and Accessory uses:** Permitted and accessory uses are as identified in the use table below.

PRINCIPAL USES	
CMRS Facility, Stealth	S**
Dwellings - Detached Single Family	A*
Model Home/Subdivision Sales Office	T***
Public Park, Open Space	A
Yard Sales	T***

ACCESSORY USES	
Day Care Home	A*
Group Home	A*
Home Occupation, Residential	A
Accessory Living Quarters	A
Personal Use Greenhouse	A
Residential accessory structures & uses	A
Solar Energy system	A
LEGEND	
A: Allowed Use	
S: Special Use**	
T: Temporary Use***	
<b>Uses not listed in this table are prohibited.</b>	
* Day Care & Group Homes may be an Allowed Use or a Special Use depending on the size as defined in Table 5.3 of the El Paso County Land Development Code and are subject to the criteria in Section 5.2.2 of the El Paso County Land Development Code OR as otherwise Amended	
** Special uses are subject to the requirements of the El Paso County Land Development Code, Section 5.3.2 OR as otherwise Amended	
*** Temporary uses are subject to the requirements of the El Paso County Land Development Code, Section 5.3.1 OR as otherwise Amended	

- C. **Development Requirements**
- Maximum lot coverage: sixty-five (65) percent
  - Maximum building height: thirty-five (35) feet.
  - Setback minimums:
    - Front yard: twenty (20) feet
    - Side yard: five (5) feetEnd/Corner lot: The side yard setback shall be ten (5) feet along the corner adjacent to a tract.  
The side yard setback shall be fifteen (15) feet along the corner adjacent to the ROW
  - Rear yard: fifteen (15) feet.
  - Accessory buildings must comply with the setbacks established above.
  - Projections into setbacks are governed by the Land Development Code, as may be amended, and as stated below:
    - Patios, landings, window wells and other similar features may project into rear setbacks a maximum of 3' provided they do not interfere with utility services and drainage easements
  - Lot Sizes
    - The minimum lot size is 3,200 square feet.
    - The lot sizes, dimensions, and bearings will be established with the Final Plat and may vary from that shown on the PUD Development/Preliminary Plan.
    - The Final Plat will not create any additional building lots.
    - No subdivision of any lot will be allowed if such subdivision results in the creation of additional building lots.
    - Lot line adjustments, per Chapter 7 of the Land Development Code or as amended will not require an amendment of this PUD Development/Preliminary Plan.
  - Streets**  
Public streets within the Copper Chase at Sterling Ranch Subdivision provide general vehicular circulation throughout the development. All streets shall be paved with curb and gutter. Sidewalks shall be provided on both sides of all internal streets illustrated on this plan. All streets will be public and maintained by El Paso County.
  - Signs**  
Signs shall be permitted to identify entryways to Copper Chase at Sterling Ranch community. The maximum size of the Community Entryway Sign shall be 100 square feet with a maximum height of (6) feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.
  - Easements**  
Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with a 5 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 7 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners. A ten (10) foot front line MVEA utility easement will be provided for any public improvement easement, in addition to the side and rear lot utility easements and all tracts.

# COPPER CHASE AT STERLING RANCH

EL PASO COUNTY, COLORADO

A PORTION OF THE E 1/2 SE 1/4 OF SECTION 32 AND THE S 1/2 SW 1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NE 1/4 OF NE 1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH P.M.

## PUD DEVELOPMENT/PRELIMINARY PLAN

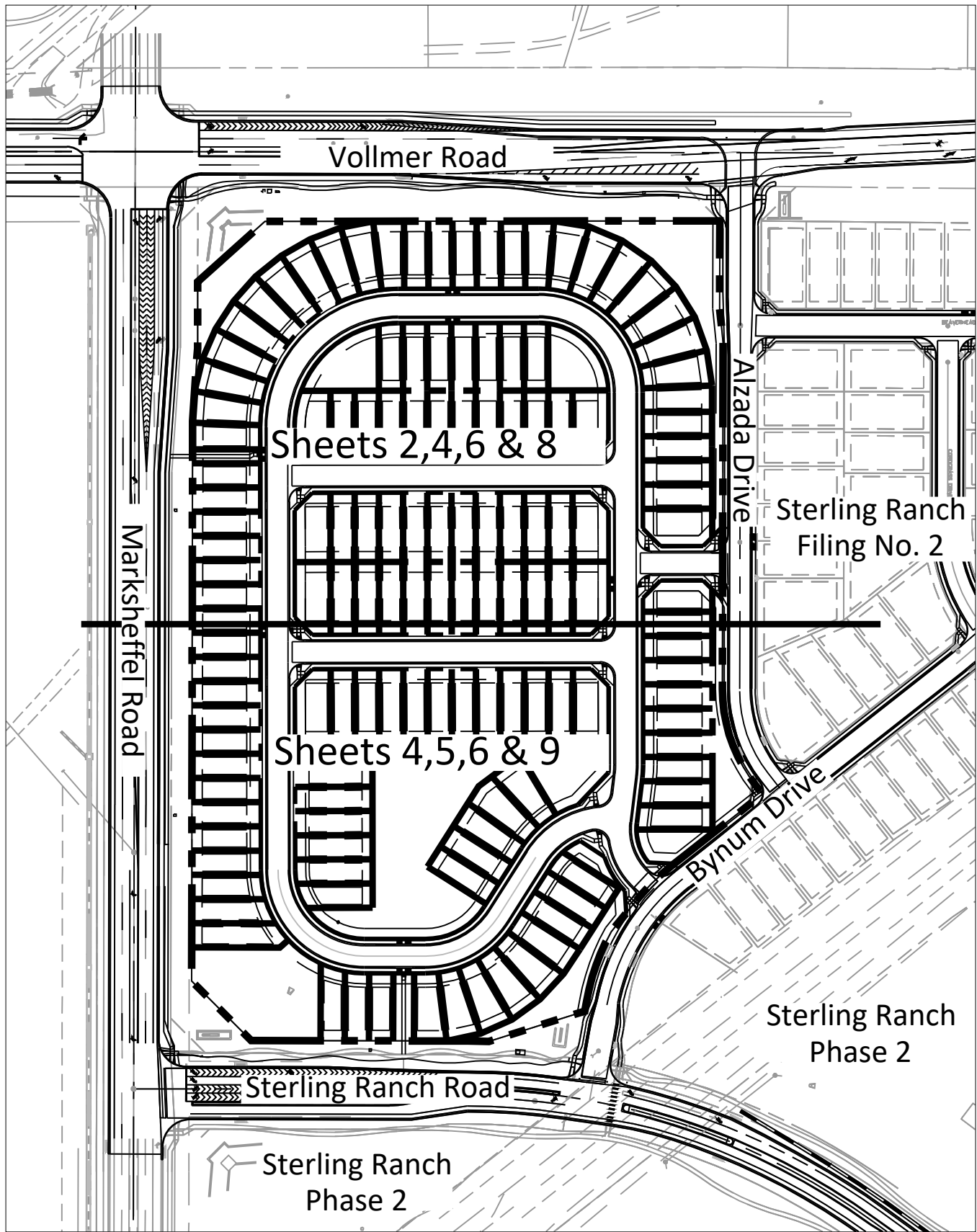
### LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 32, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4, SW 1/4) OF SECTION 33, T12S, R65W OF THE 6<sup>TH</sup> P.M., AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 5, T13S, R65W OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, BEING TRACT E, "STERLING RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 222714894 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE.

SAID PARCEL CONTAINS 856,016 SQUARE FEET (19.651 ACRES, MORE OR LESS).

### GENERAL NOTES

- All sidewalks shown on development plan are to be 5' concrete unless otherwise specified.
- Federal Emergency Management Agency, Flood Insurance Rate Map number 0804LC05336, effective date, December 7, 2018, indicates the area in the vicinity of this parcel of land to be a Zone X (area determined to be out of the 500 year floodplain).
- The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by El Paso County does not assure compliance with the ADA or any regulations or guidelines enacted or promulgated under or with respect to such laws.
- Landscape entry features, open space tracts, parks and trails shall be owned and maintained by the Sterling Ranch Metropolitan District.
- All open space/trail/landscape tracts shall be limited to non-motorized use only, except for maintenance and emergency vehicles.
- There shall be no direct lot access to Vollmer Road, Marksheffel Road and Sterling Ranch Road.
- The public roads as shown on this PUD will be maintained by El Paso County.
- Noise wall along Vollmer Road and Marksheffel Road is not a part of this PUD. Noise wall to be installed, owned and maintained by the Sterling Ranch Metropolitan District.
- Minor changes such as minor lot or tract line adjustments upon final engineering will not require a PUD or Preliminary Plan amendment.
- Geologic Hazard Note: The following lots have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report Soil, Geology and Geologic Hazard Study Copper Chase at Sterling Ranch El Paso County, Colorado by Entech Engineering dated March 7, 2022 in file PUDSP 22-002 available at the El Paso County Planning and Community Development Department:
  - Potential Shallow Groundwater (All Lots)
  - Artificial Fill (All Lots)
  - Shallow Bedrock (All Lots)
  - Potential Expansive Soil (Sporadic)
  - Hydrocompaction (Lots 6-12, 15-28, 41-63, 73-115 and 120-138)In Areas of Expansive Soil: Mitigation of expansive soils will require special foundation design.  
In Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate an underground drainage system. No basements below grade are proposed for this site.
- NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT ASSOCIATED WITH AIRPORT: This serves as notice of potential aircraft overflight and noise impacts on this property due to its close proximity to an airport, which is being disclosed to all prospective purchasers considering the use of this property for residential and other purposes. This property is subject to the overflight and associated noise of arriving and departing aircraft during the course of normal airport operations.
- NOTICE: This property may be adversely impacted by noise, dust, fumes, and light pollution caused by adjacent industrial properties and activities. The buyer should research and be aware of this potentiality and the ramifications thereof.



CONTEXT MAP / SHEET INDEX MAP

ROAD DEVIATIONS TABLE  
(AS ALLOWED BY ECM SECTION 5.8)

	LDC/ECM Section	Category	Standard	Modification	Justification
2	ECM Section 2.5.2.C.4	Mid-block Ramps on Local Roadways	Access ramps on local roadways shall be spaced no greater than 600 feet apart.	611 feet maximum without a mid-block crossing.	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.
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	100' Minimum Centerline Radius and 100' 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 Loop and Lost Trail Drive northeastern intersection. 2 PED ramps at Blue Feather Loop and Salt Fork Drive northeastern intersection. 2 PED ramps at Blue Feather Loop and Blue Feather Loop 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. Proposed crossing location provides midpoint access coming from both sides. Reduces number of conflict points between pedestrian and vehicle traffic paths resulting from proximity of intersections and lot density. Lot geometry, density, and associated features such as driveways promote the desire for a solution to the original problem. Similar circulation paths can be achieved with this solution. Does not impede pedestrian movements
5	ECM Section 2.3.3	Broken Back Curve	Two curves in the same direction (broken back curves) shall be separated by a tangent with a length of at least two times the minimum length shown in Table 2-10. For local roadways, a minimum tangent of 200FT shall be used to separate all broken back curves	Two curves separated with a tangent length of 88'.	The deviation is being requested 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. The intersection spacing of Sterling Ranch RD and Alzada or Bynum Rd restricts where Blue Feather Loop can intersect Bynum Dr., restricting the broken Back Curve tangent requirement.

### PROJECT TEAM

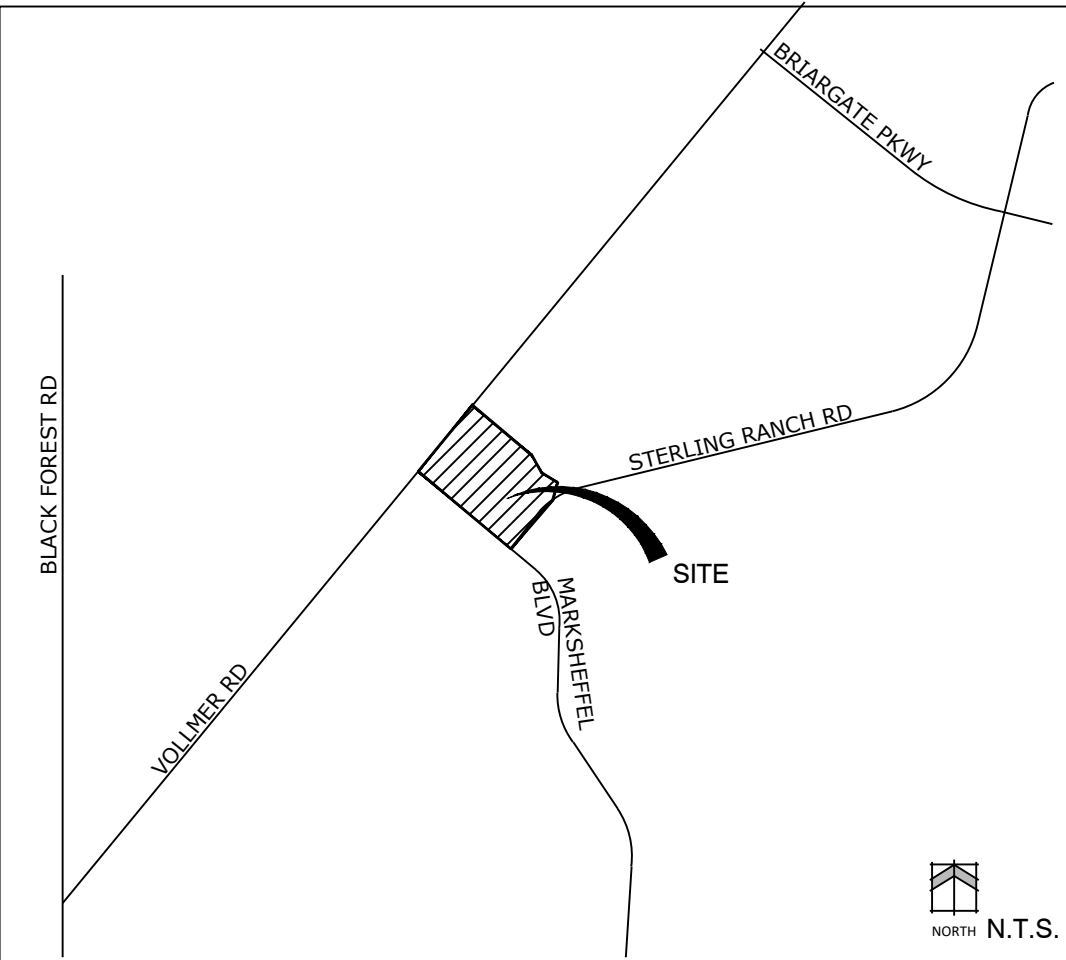
Owner/Developer: Challenger Communities, LLC  
8605 Explorer Drive, Suite 250  
Colorado Springs, CO 80920  
(719) 598-5192

Applicant: N.E.S. Inc.  
619 N. Cascade Ave., Suite 200  
Colorado Springs, CO 80903  
(719) 471-0073

### SHEET INDEX

Sheet 1 of 10: Cover Sheet  
Sheet 2 of 10: PUD Site Plan  
Sheet 3 of 10: PUD Site Plan  
Sheet 4 of 10: Preliminary Grading Plan  
Sheet 5 of 10: Preliminary Utility Plan  
Sheet 6 of 10: Landscape Notes & Details  
Sheet 7 of 10: Landscape Plan  
Sheet 8 of 10: Landscape Plan  
Sheet 9 of 10: Tract Exhibit  
Sheet 10 of 10: Constraints Exhibit

### VICINITY MAP



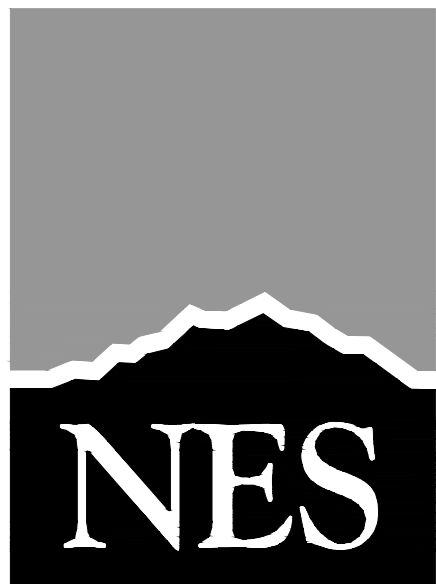
### SITE DATA

Tax ID Number: 5232410003  
Total Area: 19.651 AC  
Development Schedule: Fall 2023  
Sketch Plan: SKP 18-803 (Approved 2018 Density Range: 5-8 DU/AC)  
Current Zoning: RS-5000  
Proposed Zoning: PUD  
Current Use: Vacant  
Proposed Use: Single Family Residential  
Number of Lots: 138  
Proposed Gross Density: 7.0 DU/AC  
Proposed Net Density: 11.5 DU/AC

PUD Open Space:  
Formula: 10% of 855,998 SF  
Required: 85,600 SF  
Usable: 21,400 SF (25%)  
Provided: 158,558 SF  
Usable: 60,548 SF Tract H (38%)

### LAND USE DATA TABLE

LAND USE	ACRES	% OF LAND
SINGLE FAMILY	12.0	61%
PUBLIC ROADS	4.011	20%
OPEN SPACE TRACTS	3.64	19%
TOTAL	19.651	100%



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

Tel. 719.471.0073  
Fax 719.471.0267

www.nescolorado.com

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## Copper Chase at Sterling Ranch

8335 Vollmer Road

DATE: 03.25.2022  
PROJECT MGR: B. Swenson  
PREPARED BY: B. Halsten

### Entitlement

DATE:	BY:	DESCRIPTION:
07.21.2022	B.H.	PER COUNTY COMMENT
05.12.2023	J.S./A.L.	PER COUNTY COMMENT
08.07.2023	J.S./A.L.	PER COUNTY COMMENT

### Cover Sheet

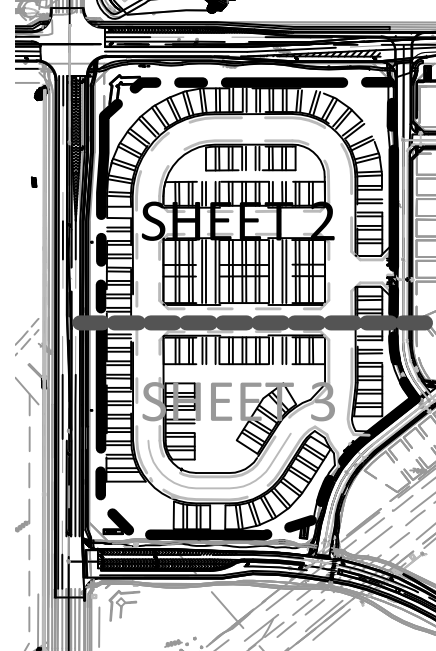
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1 OF 10

PUDSP 22-002

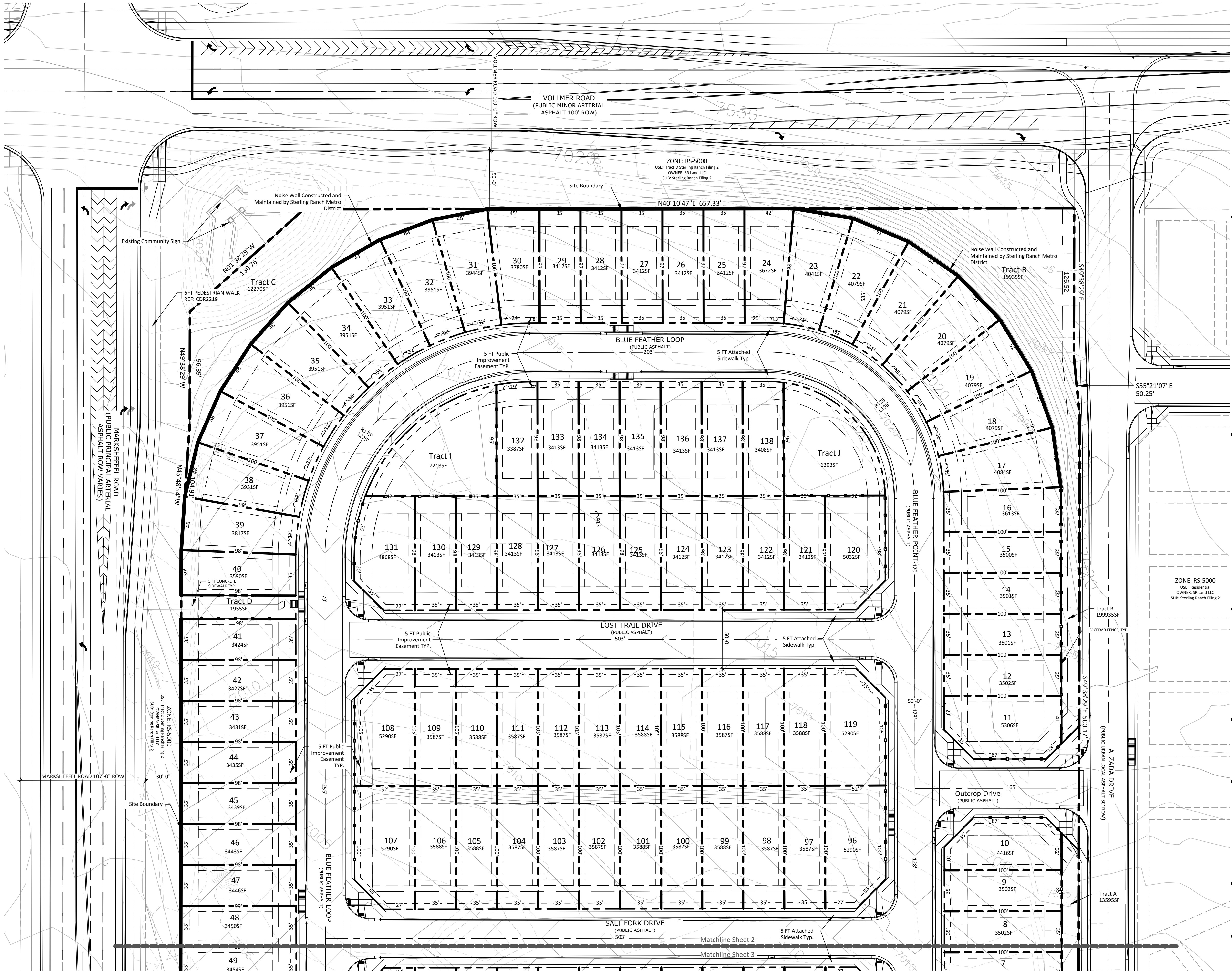


SHEET KEY MAP



LINE TYPE LEGEND

6" CONCRETE BLOCK NOISE WALL	
BUILDING SETBACK	
MVEA EASEMENT	
PUBLIC IMPROVEMENT EASEMENT	
LOT LINES	
EXISTING CONTOUR	
PROPOSED CONTOUR	
5FT CEDAR FENCE	
RIGHT OF WAY	



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Copper Chase  
at Sterling  
Ranch

8335 Vollmer Road

ZONE: RS-5000  
USE: Residential  
OWNER: SR Land LLC  
SUB: Sterling Ranch Filing 2

DATE: 03.25.2022  
PROJECT MGR: B. Swenson  
PREPARED BY: B. Halsten

Entitlement

DATE:	BY:	DESCRIPTION:
07.21.2022	B.H.	PER COUNTY COMMENT
05.12.2023	J.S./A.L.	PER COUNTY COMMENT
08.07.2023	J.S./A.L.	PER COUNTY COMMENT

PUD Site Plan

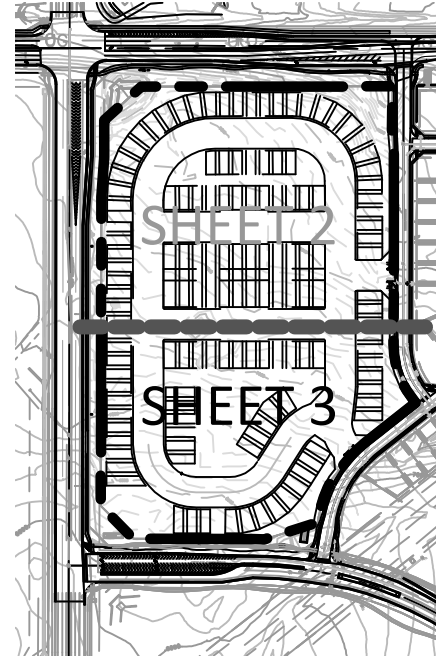
2

2 OF 10

PUDSP 22-002



SHEET KEY MAP



LINE TYPE LEGEND

6" CONCRETE BLOCK NOISE WALL	
BUILDING SETBACK	
MVEA EASEMENT	
PUBLIC IMPROVEMENT EASEMENT	
LOT LINES	
EXISTING CONTOUR	
PROPOSED CONTOUR	
6FT VINYL FENCE	
RIGHT OF WAY	



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Copper Chase  
at Sterling  
Ranch

8335 Vollmer Road

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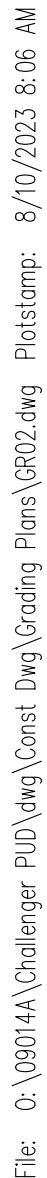
PUD Site Plan

3

3 OF 10

PUDSP 22-002





SEDIMENT BASIN TABLE:

ADDITIONAL NOTES:

- NARRATIVE NOTES:

- FRONT/SIDE LOT LINES  
ALONG RIGHT-OF-WAY  
TYPICAL LOT EASEMENTS

A circular sign with a diagonal slash over a shovel and a spade, indicating that digging is prohibited.

FOR BURIED UTILITY INFORMATION  
48 HRS BEFORE YOU DIG

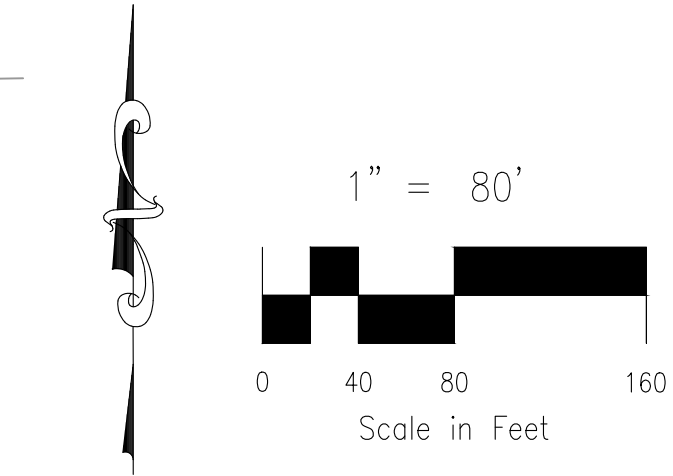
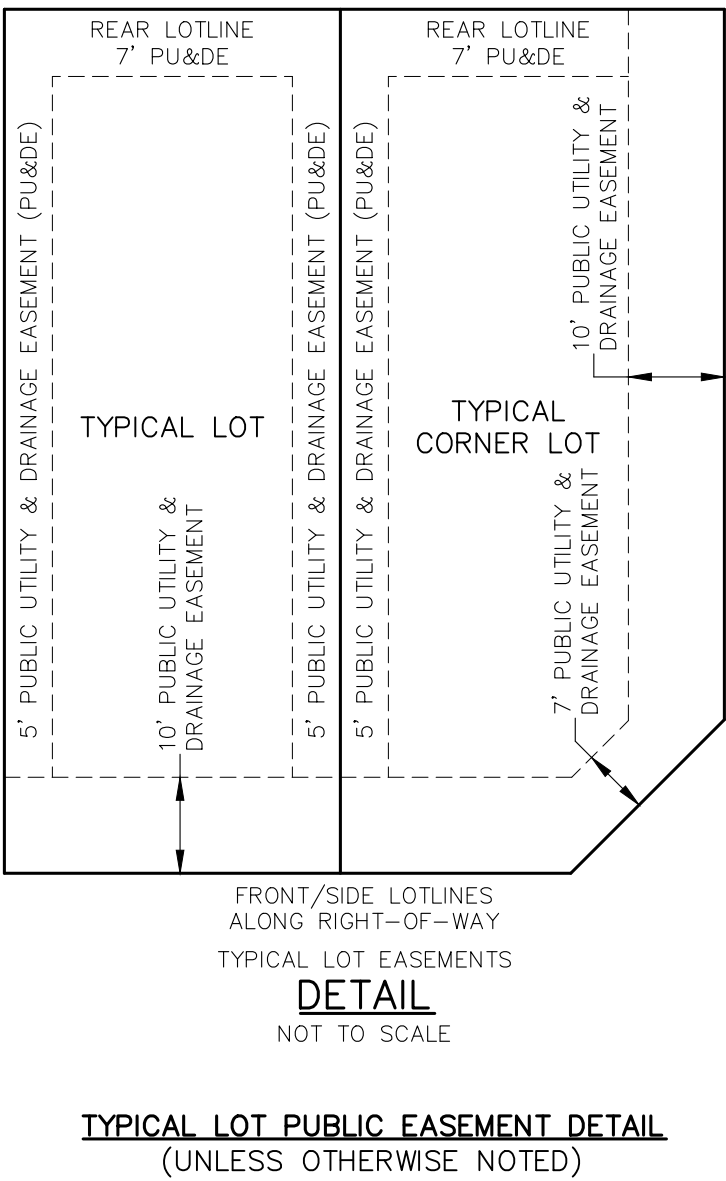
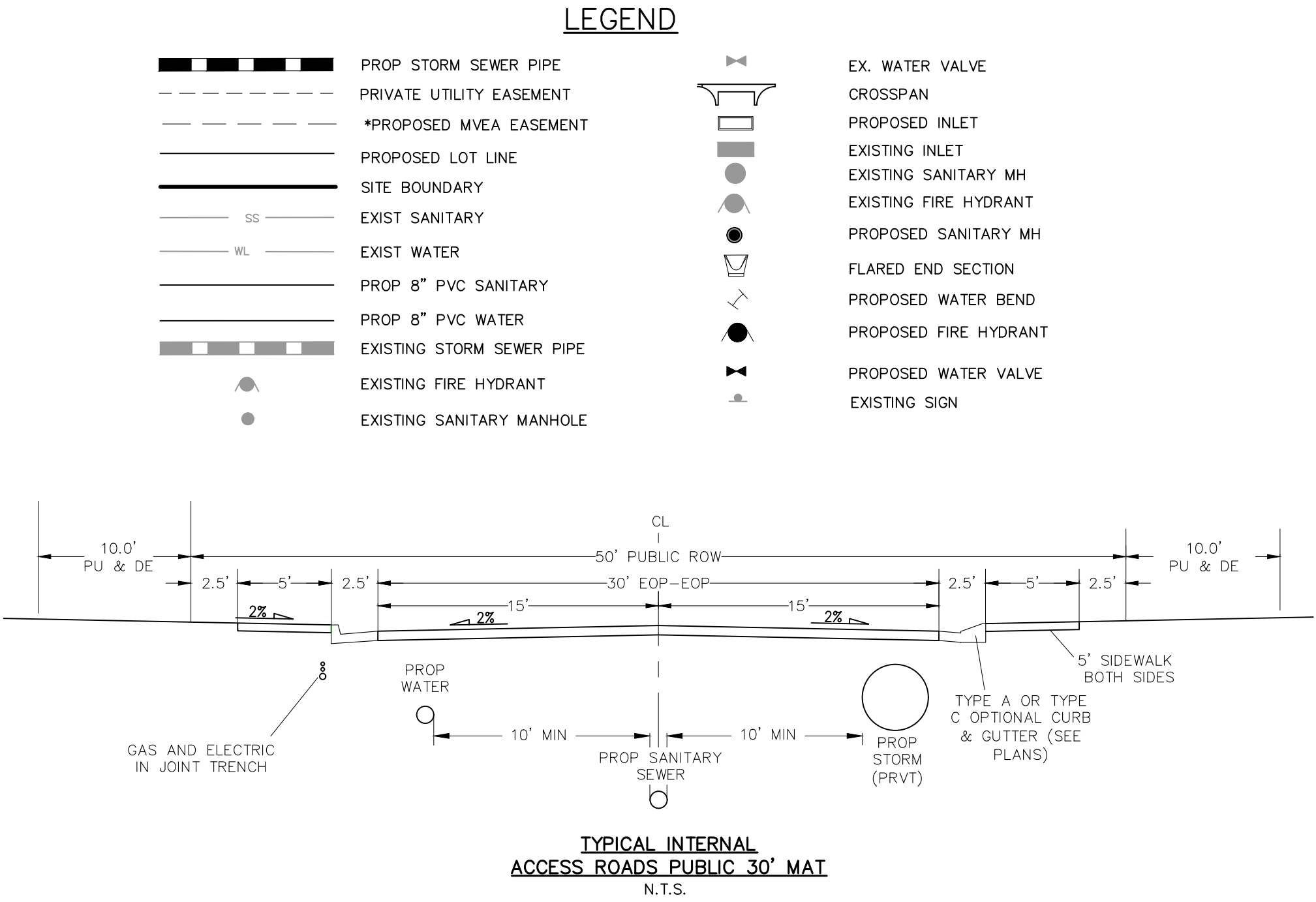
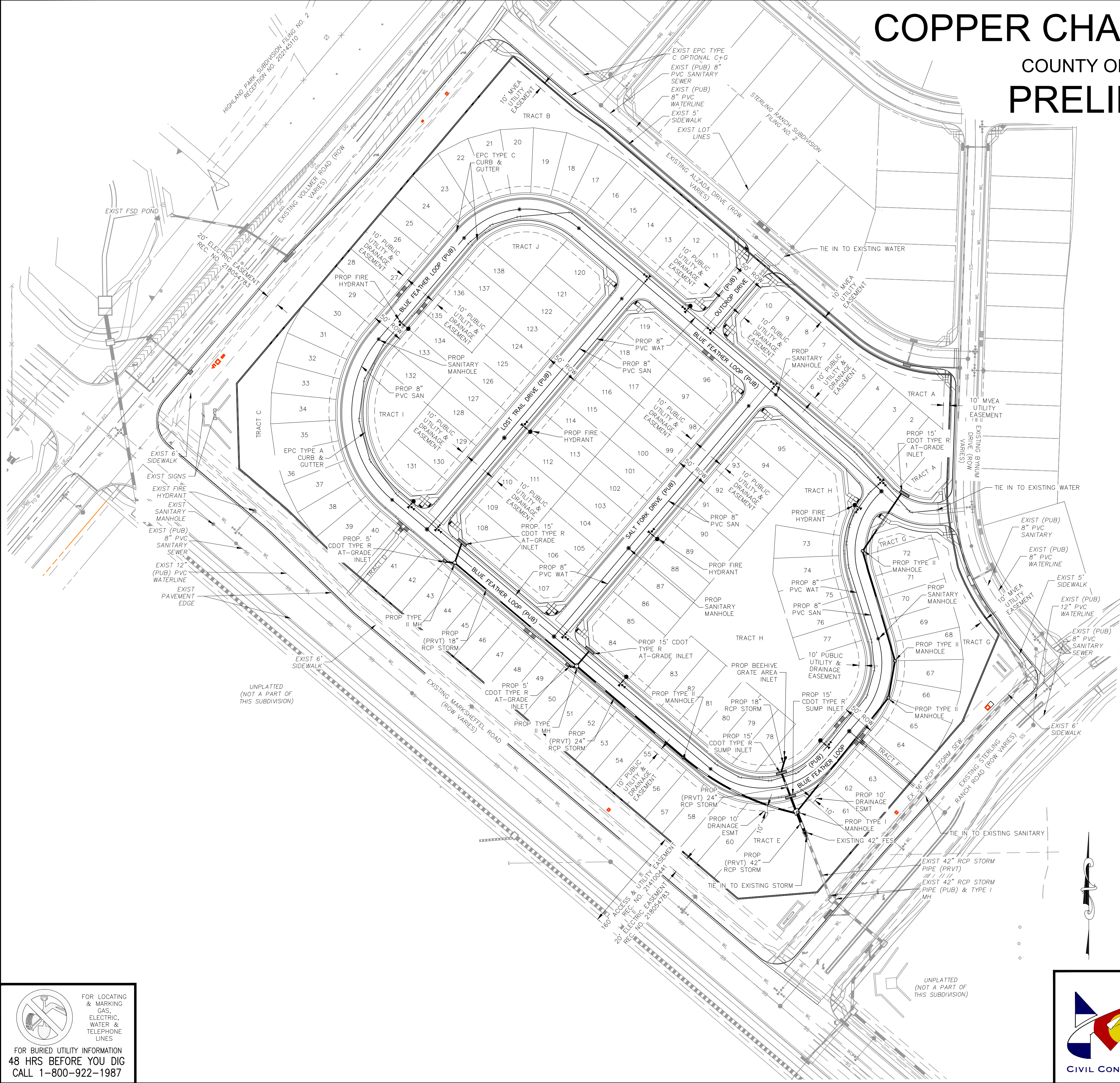


# COPPER CHASE AT STERLING RANCH

COUNTY OF EL PASO, STATE OF COLORADO

## PRELIMINARY UTILITIES

AUGUST 2023



FOR LOCATING & MARKING GAS, ELECTRIC, WATER & TELEPHONE LINES

FOR BURIED UTILITY INFORMATION 48 HRS BEFORE YOU DIG CALL 1-800-922-1987

212 N. WAHSATCH AVE., STE 305  
COLORADO SPRINGS, CO 80903  
PHONE: 719.955.5485

COPPER CHASE AT STERLING RANCH			
PRELIMINARY UTILITIES			
PROJECT NO. 09-014	SCALE: HORIZONTAL: 1"=80' VERTICAL: N/A	DATE: 08/10/2023	
DESIGNED BY: GW	DRAWN BY: GW	SHEET 1 OF 1	PU01
CHECKED BY: VAS			









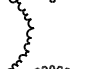




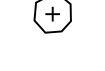

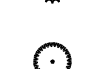

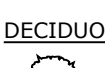



# COPPER CHASE AT STERLING RANCH

EL PASO COUNTY, COLORADO

A PORTION OF THE E 1/2 SE 1/4 OF SECTION 32 AND THE S 1/2 SW 1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST,  
AND THE NE 1/4 OF NE 1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH P.M.

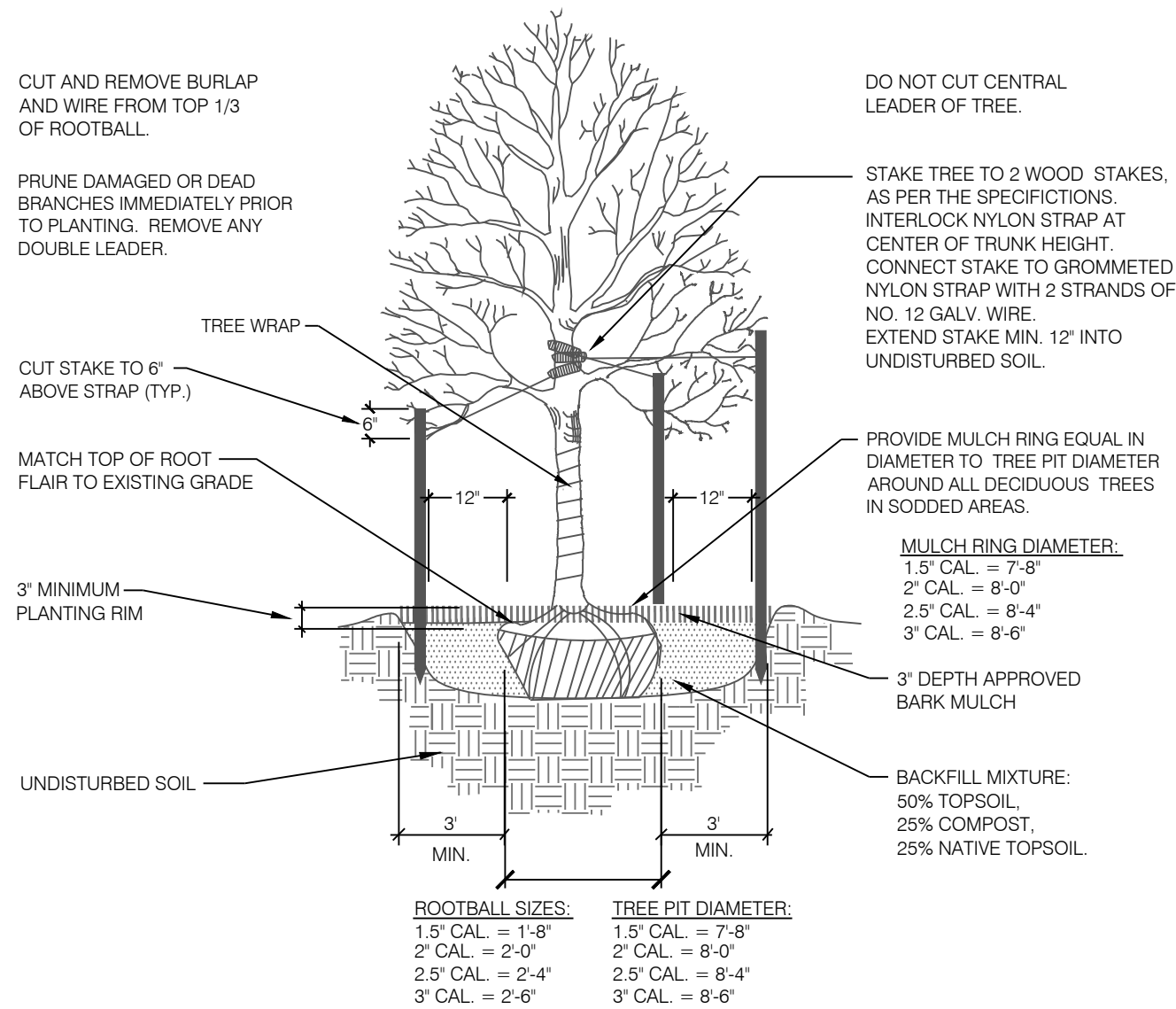
## PUD DEVELOPMENT/PRELIMINARY PLAN

### PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Agr	24	Acer grandidentatum / Bigtooth Maple	30'	30'	2" Cal.	B&B
	Coc	5	Celtis occidentalis / Common Hackberry	60'	50'	2" Cal.	B&B
	Ccr	1	Crataegus crus-galli / Cockspur Hawthorn	30'	30'	2" Cal.	B&B
	Mxr	13	Malus x 'Radiant' / Radiant Crabapple	25'	20'	2" Cal.	B&B
	Qma	4	Quercus macrocarpa / Burr Oak	60'	50'	3" Cal.	B&B
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Ped	30	Pinus edulis / Pinon Pine	30'	20'	6" HT	B&B
	Pfl	11	Pinus flexilis / Limber Pine	50'	30'	6" HT	B&B
	Ppo	2	Pinus ponderosa / Ponderosa Pine	80'	40'	6" HT	B&B
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Cxc	82	Caryopteris x clandonensis 'Blue Mist' / Blue Mist Shrub	4'	4'	5 GAL	CONT
	Cse	22	Cornus sericea / Redoiser Dogwood	8'	8'	5 GAL	CONT
	Je	14	Juniperus virginiana 'Globosa' / Globe Eastern Redcedar	3'			
	Pod	11	Physocarpus opulifolius 'Diablo' / Diablo Ninebark	8'	8'	5 GAL	CONT
	Pb	34	Pinus mugo 'Big Tuna' / Mountain Pine	5'	6'	5 GAL	CONT
	Pc	166	Pinus mugo 'Compacta' / Dwarf Mugo Pine	3'	3'	5 GAL	CONT
	Psy	11	Pinus sylvestris 'Hillside Creeper' / Hillside Creeper Scotch Pine	2'	6'	5 GAL	CONT
	Rxx	17	Rosa x 'Knockout' TM / Rose	3'	3'	5 GAL	CONT
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Fn	10	Forestiera neomexicana / New Mexico Privet	12'	12'	5 GAL	
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Cxa	310	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	5'	2'	1 GAL	CONT
	Cl	44	Chasmanthium latifolium 'Little Tickler' / Little Tickler Northern Sea Oats	2'	2'	1 GAL	CONT

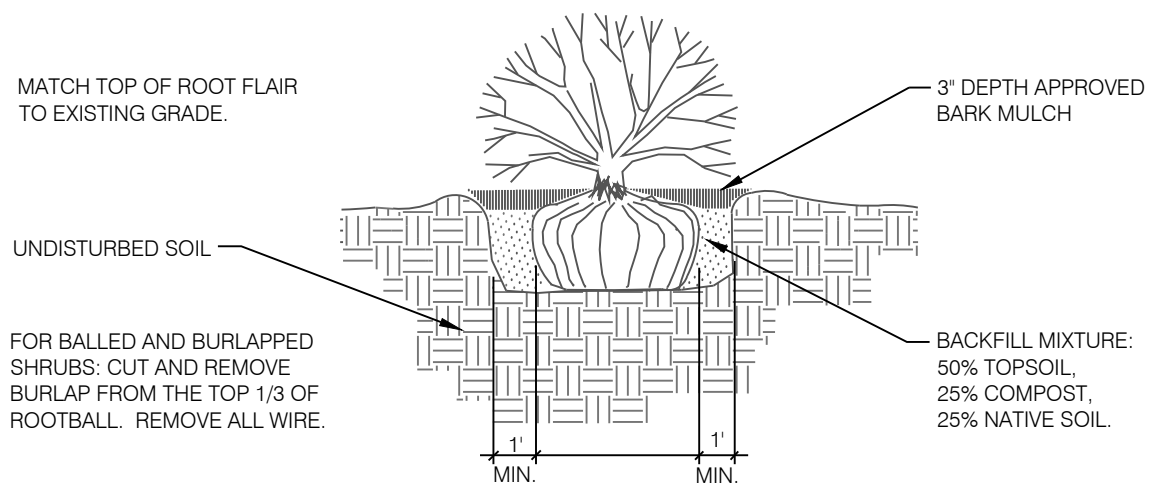
### LANDSCAPE NOTES

- ALL PRESERVATION AREAS CONTAINING VEGETATION DESIGNATED TO BE PRESERVED, SHALL BE FENCED OFF DURING CONSTRUCTION TO MINIMIZE DISTURBANCE IN THESE AREAS. ALL FENCING SHALL BE INSTALLED AROUND PRESERVED VEGETATION PRIOR TO ANY GRADING ON THE PROPERTY. A 4-FOOT, ORANGE, CONSTRUCTION SAFETY FENCE SHALL BE USED IN THIS APPLICATION.
- SOIL AMENDMENT - INCORPORATE 3 CUBIC YARDS/1000 S.F. AREA OF CLASS 2 A1 ORGANICS PREMIUM ORGANIC COMPOST ON TALL FESCUE SOD AREAS. INCORPORATE 2 CUBIC YARDS/1000 S.F. AREA OF CLASS 3 COMPOSTED COW MANURE (AGED 1 YEAR) ORGANIC COMPOST TO ALL SEED AREAS. AMENDMENTS MAY CHANGE TO BE BASED ON SOIL ANALYSIS OF FINAL INFILL.
- FOR GRADES REFER TO CIVIL ENGINEERING DRAWINGS.
- CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAILABLE. TILL INTO TOP 6" OF SOIL.
- CONTRACTOR TO APPLY EROSION CONTROL BLANKET TO ALL AREAS WITH 3:1 SLOPES.
- ALL SOD SHALL BE TALL FESCUE BLEND.
- NO SOD SHALL BE PLANTED ON SLOPES IN EXCESS OF 6:1 GRADIENT.
- FOR ALL SEED AREAS REFER TO SEED MIXES SPECIFIED ON THIS SHEET.
- ALL NATIVE SEED AREAS SHALL HAVE A TEMPORARY ABOVE-GROUND SPRAY IRRIGATION SYSTEM UTILIZED UNTIL SEED IS ESTABLISHED, AND ALL TREES AND SHRUBS WITHIN NATIVE SEED AREAS SHALL HAVE A PERMANENT DRIP IRRIGATION SYSTEM.
- A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREE, SHRUB, AND GROUND COVER PLANTINGS, AND SPRAY ALL TALL FESCUE SOD AND LOW ALTERNATIVE TURF AREAS. AN IRRIGATION PLAN WILL BE PREPARED AT A LATER DATE AND WILL INCLUDE AN IRRIGATION SCHEDULE THAT NOTES APPLICATION RATES BASED ON TURF TYPE, RATES FOR NEWLY INSTALLED PLANTS VS. ESTABLISHED PLANTS, AND GENERAL RECOMMENDATIONS REGARDING SEASONAL ADJUSTMENTS.
- NO TREES AND NO PLANTS OVER 2 FEET TALL SHALL BE INSTALLED WITHIN 5 FEET OF ANY FIRE HYDRANTS.
- ALL PLANTS TO RECEIVE 3 INCH DEPTH OF GORILLA HAIR SHREDDED CEDAR WOOD MULCH UNLESS OTHERWISE SPECIFIED. FOLLOW PLANTING DETAILS FOR MULCH RING DIMENSIONS WITHIN ROCK, SOD, OR SEED AREAS.
- COBBLE: 2-3" CRIPPLE CREEK ORE, AT 3-4" DEPTH, AT ALL INTERSECTION CORNERS BETWEEN HANDICAP RAMPS. INSTALL GEOTEXTILE FABRIC UNDER ALL COBBLE AREAS.
- GRAVEL ROCK: 3/4" CIMARRON GRANITE, AT 3-4" DEPTH. INSTALL GEOTEXTILE FABRIC UNDER ALL ROCK AREAS.
- ALL SHRUB BEDS TO BE ENCLOSED BY SOLID STEEL EDGING, AS A SEPARATOR FROM SOD, SEED, AND ALTERNATIVE TURF. SEPARATION BETWEEN SOD AND SEED, AND BETWEEN ALTERNATIVE TURF AND SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING.
- SCHEDULE PLANTS SIZES IN TABLE ARE SUGGESTED. PLANTS TO BE CONSIDERED FOR FULFILLING COUNTY LANDSCAPE REQUIREMENTS SHALL HAVE A MINIMUM CALIPER SIZE (MEASURED SIX INCHES ABOVE GROUND) FOR DECIDUOUS SHADE TREES SHALL BE 1-1/2 INCHES AND FOR DECIDUOUS ORNAMENTAL TREES 1 INCH. EVERGREEN TREES SHALL BE A MINIMUM OF 6 FEET IN HEIGHT ABOVE GROUND. SHRUBS SHALL BE A MINIMUM OF 5 GALLON SIZE.
- ALL PLANTS SHOWN IN PRELIMINARY LANDSCAPE PLAN ARE FULFILLING A COUNTY LANDSCAPE REQUIREMENT. ADDITIONAL AND INTERIOR PLANTING WILL BE SHOWN IN FINAL LANDSCAPE PLAN.
- ANY FIELD CHANGES OR DEVIATIONS TO THESE PLANS WITHOUT PRIOR COUNTY APPROVAL OF AN AMENDED SITE DEVELOPMENT PLAN MAY RESULT IN A DELAY OF FINAL APPROVAL AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THESE PLANS ARE FOR COUNTY APPROVALS ONLY AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION.
- ANY OBJECT WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENT MORE THAN 30 INCHES ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY SHALL CONSTITUTE A SIGHT OBSTRUCTION, AND SHALL BE REMOVED OR LOWERED. THE OBJECTS MAY INCLUDE BUT ARE NOT LIMITED TO BERMS, BUILDINGS, PARKED VEHICLES ON PRIVATE PROPERTY, CUT SLOPES, HEDGES, TREES, BUSHES, UTILITY CABINETS OR TALL CROPS. TREES MAY BE PERMITTED AT THE DISCRETION OF THE ECM ADMINISTRATOR IF PRUNED TO AT LEAST 8 FEET ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY.



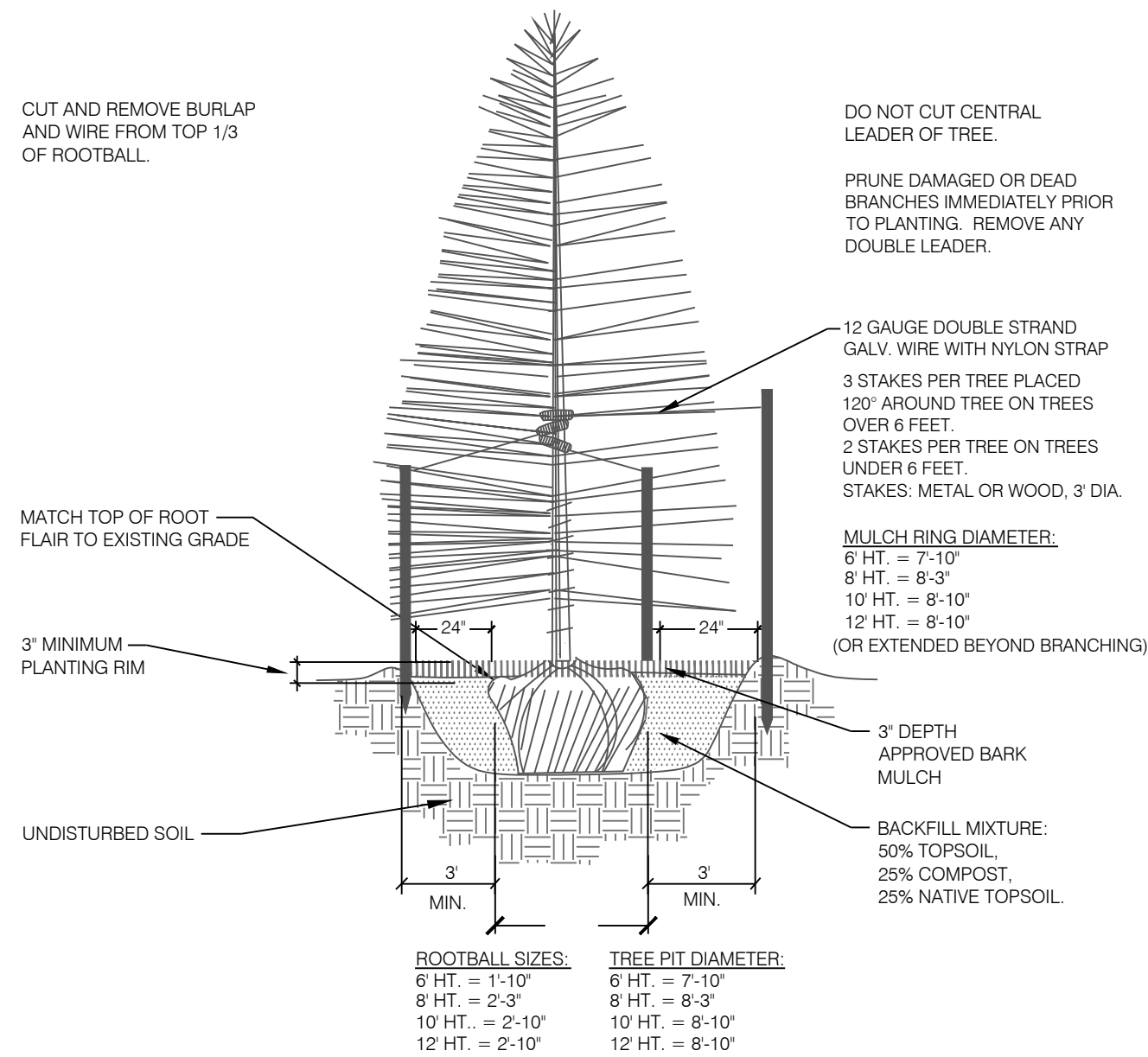
### 1 DECIDUOUS TREE PLANTING DETAIL

SCALE: NOT TO SCALE



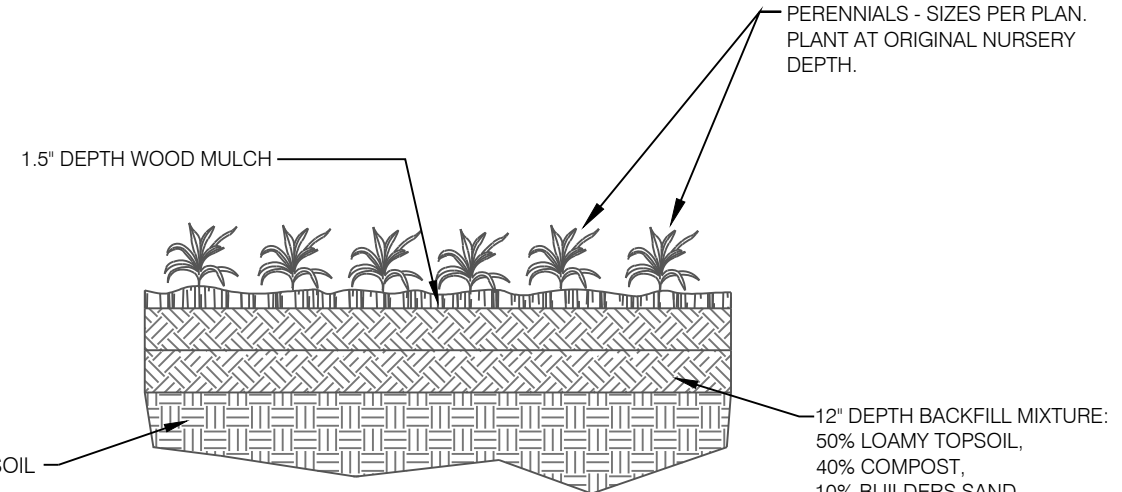
### 3 SHRUB PLANTING DETAIL

SCALE: NOT TO SCALE



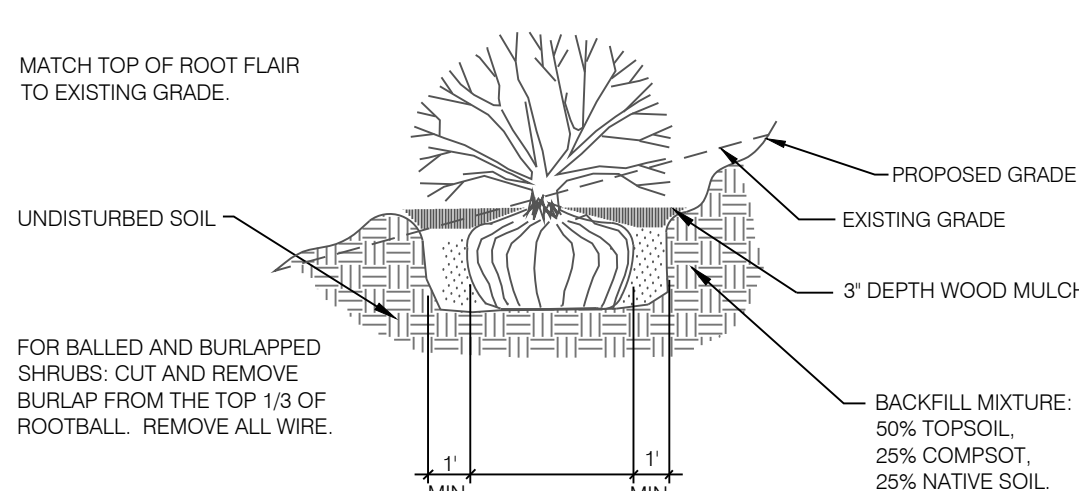
### 2 CONIFEROUS TREE PLANTING DETAIL

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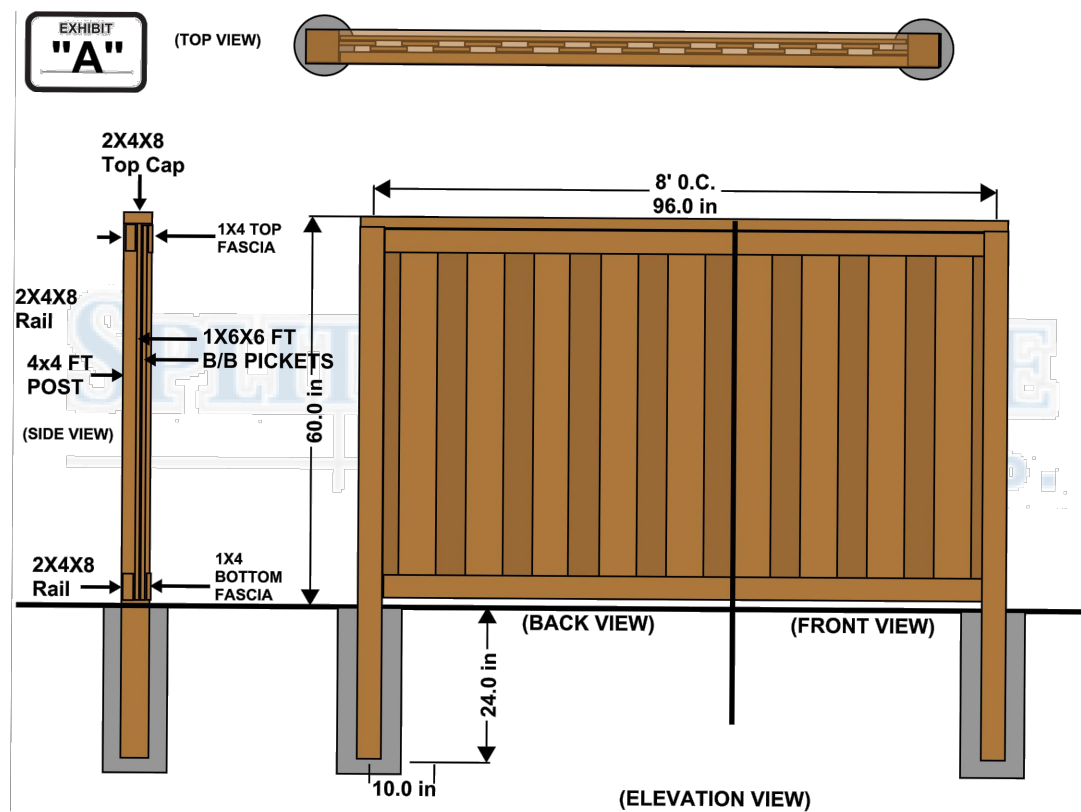
### 4 PERENNIAL / GROUND COVER PLANTING

SCALE: NOT TO SCALE



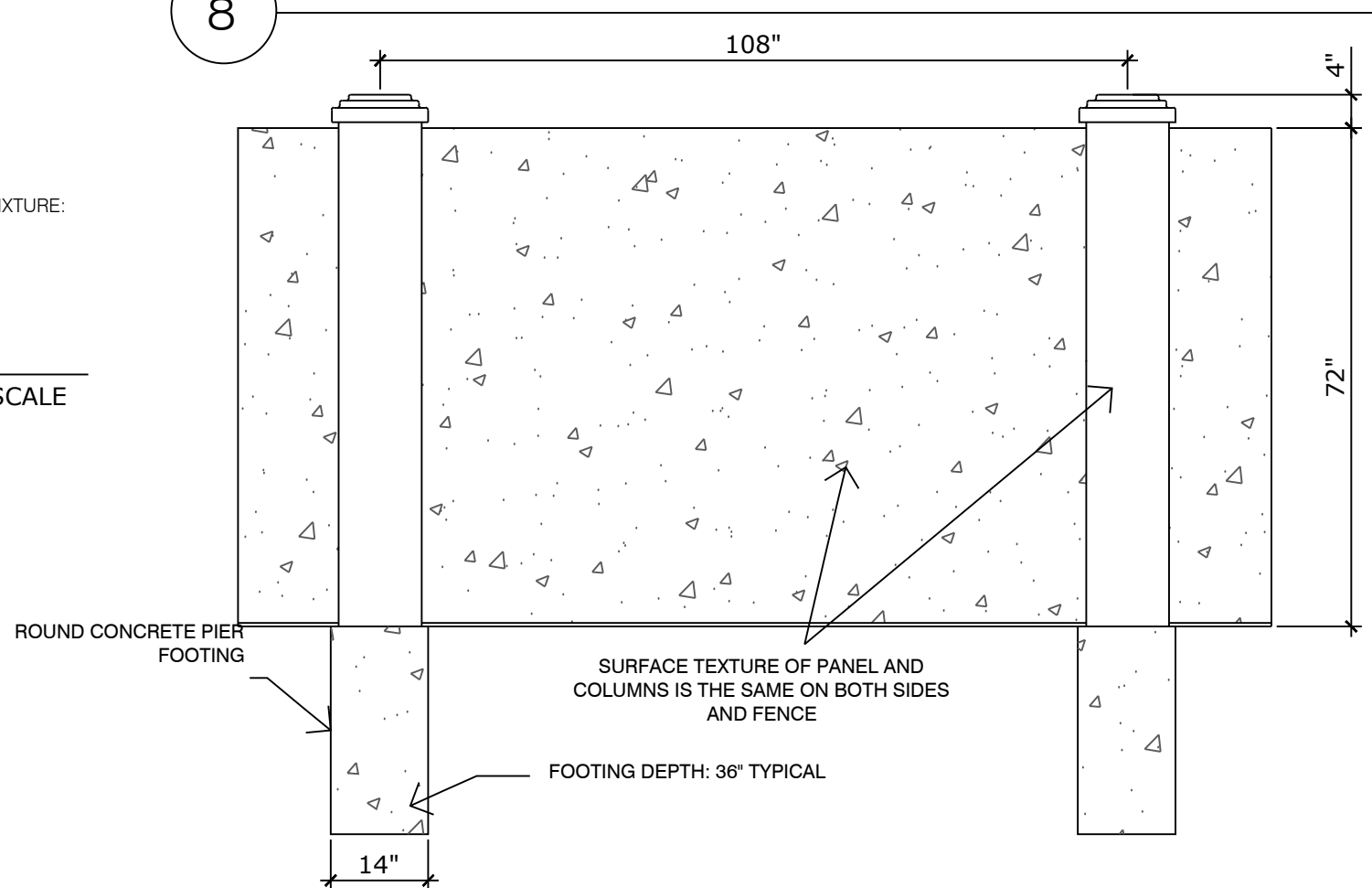
### 5 SHRUB PLACEMENT ON SLOPES

SCALE: NOT TO SCALE



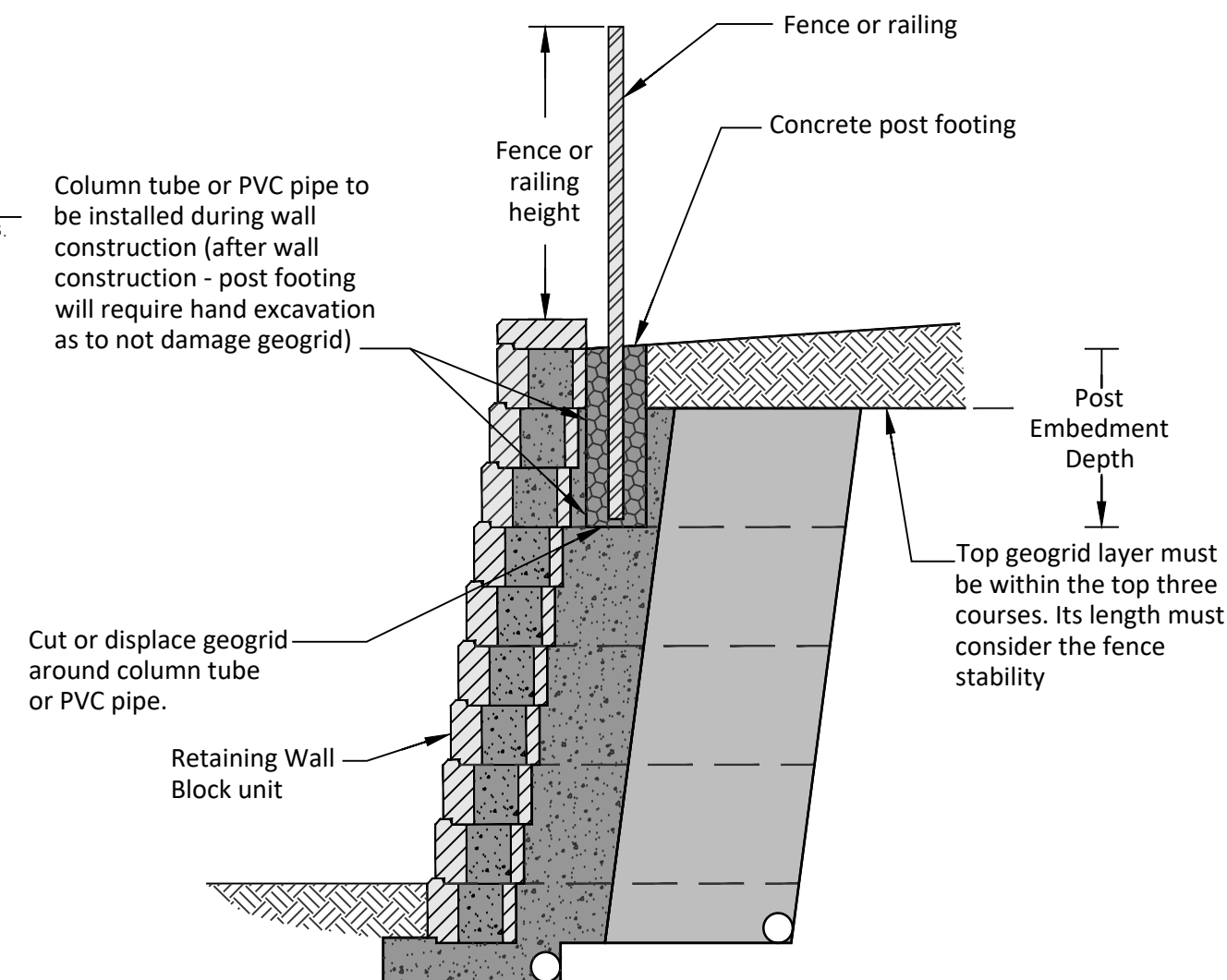
### 8 5' CEDAR FENCE

N.T.S.



### 6 6' CONCRETE BLOCK NOISE WALL

SCALE: NOT TO SCALE

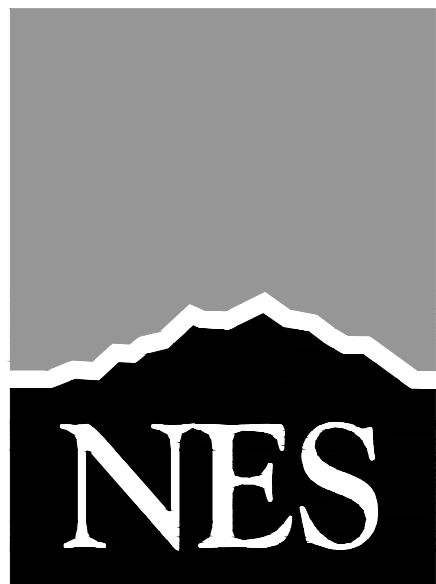


This drawing is for reference only to communicate design intent. Determination of the suitability and/or manner of use of any details contained in this document will be the sole responsibility of the structural engineer. Final project designs, including all construction details, shall be prepared by a licensed professional engineer using the actual conditions of the proposed site.

### 7 RETAINING WALL WITH FENCE

1/2" = 1'-0"

DETAIL FILE



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

Tel. 719.471.0073  
Fax 719.471.0267

www.nescolorado.com

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## Copper Chase at Sterling Ranch

8335 Vollmer Road

DATE: 03.25.2022  
PROJECT MGR: B. Swenson  
PREPARED BY: J. Smith

### Entitlement

DATE:	BY:	DESCRIPTION:
07.21.2022	B.H.	PER COUNTY COMMENT
05.12.2023	J.S./A.L.	PER COUNTY COMMENT
08.07.2023	J.S./A.L.	PER COUNTY COMMENT

### Landscape Notes & Details

6

6 OF 10

PUDSP 22-002



EL PASO COUNTY, COLORADO  
THE E 1/2 SE 1/4 OF SECTION 32 AND THE S 1/2 SW 1/4 OF SECTION 33, TOWNSHIP 12 SOUTH,  
THE NE 1/4 OF NE 1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH  
**PUD DEVELOPMENT/PRELIMINARY PLAN**

# PUD DEVELOPMENT/PRELIMINARY PLAN



8335 Vollmer Road

## Entitlement

## Landscape Plan

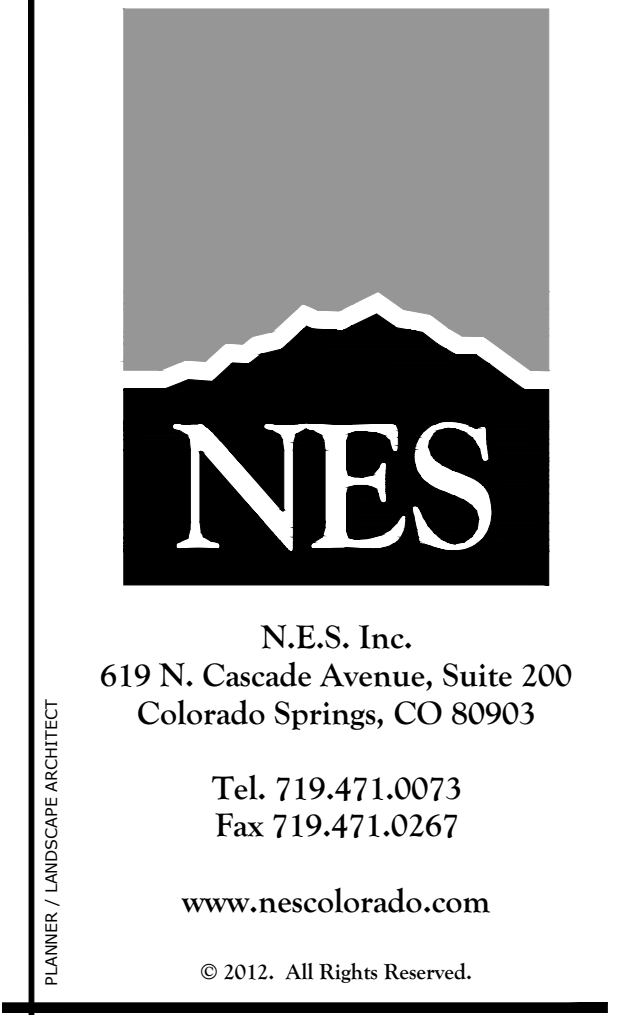
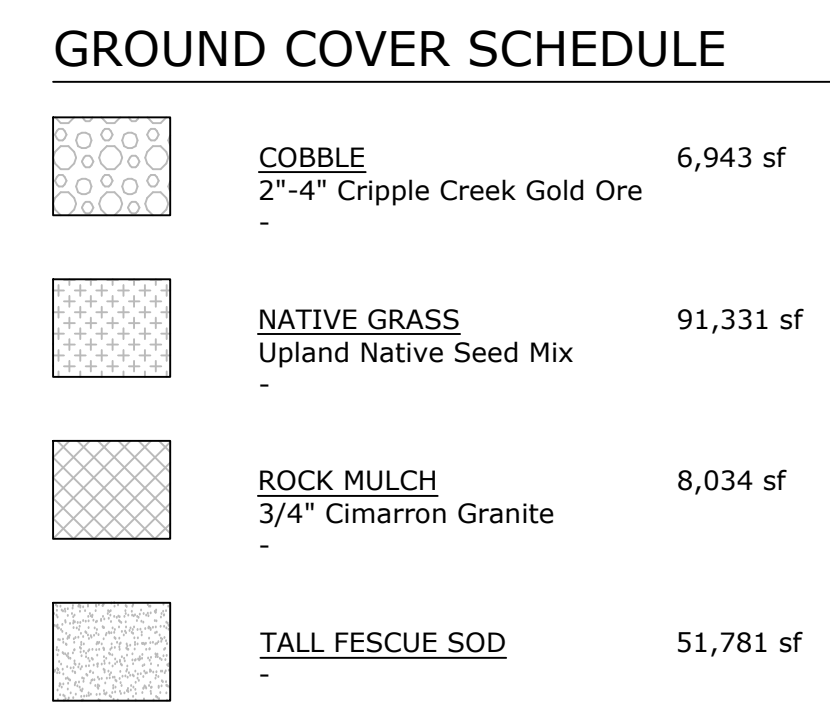
7 OF 10

PUDSP 22-002



EL PASO COUNTY, COLORADO A PORTION OF THE E 1/2 SE 1/4 OF SECTION 32 AND THE S 1/2 SW 1/4 OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, AND THE NE 1/4 OF NE 1/4 OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST, BOTH OF THE 6TH P.M.

**PUD DEVELOPMENT/PRELIMINARY PLAN**



8335 Vollmer Road

PROJECT INFO	DATE:	03.25.2022
	PROJECT MGR:	B. Swenson
	PREPARED BY:	J. Smith

Entitlement

DATE:	BY:	DESCRIPTION:
07.21.2022	B.H.	PER COUNTY COMMENT
05.12.2023	J.S./A.L.	PER COUNTY COMMENT
07.14.2023	J.S./A.L.	PER COUNTY COMMENT

## Landscape Plan

8

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PUDSP 22-002



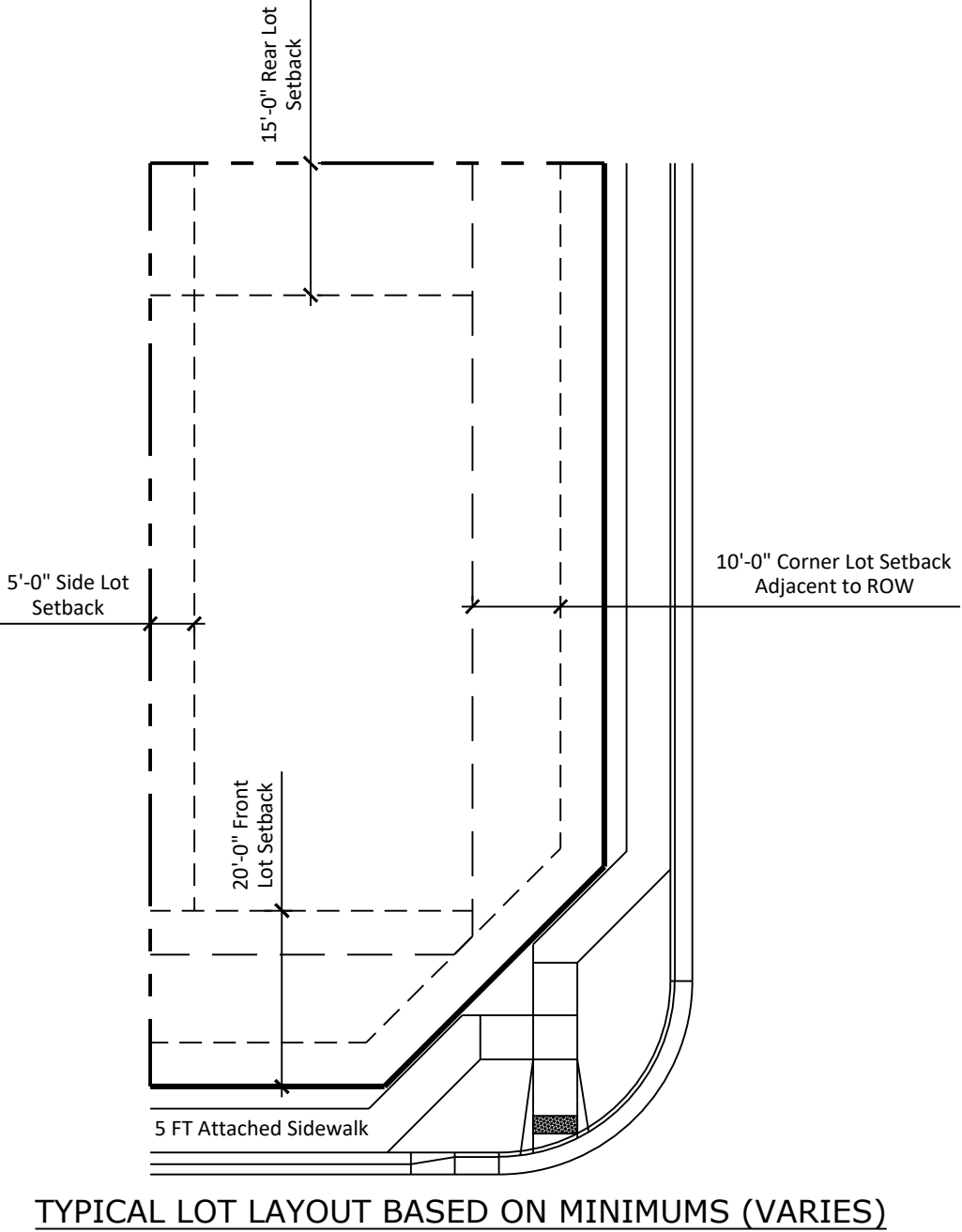
challenge\Copper Chase at Sterling Ranch Drawings\Planning\Develop\Copper Chase PUD.dwg [Tracts-9] 8/8/2023 8:18:00 AM Jennifer Shagin

TRACT TABLE

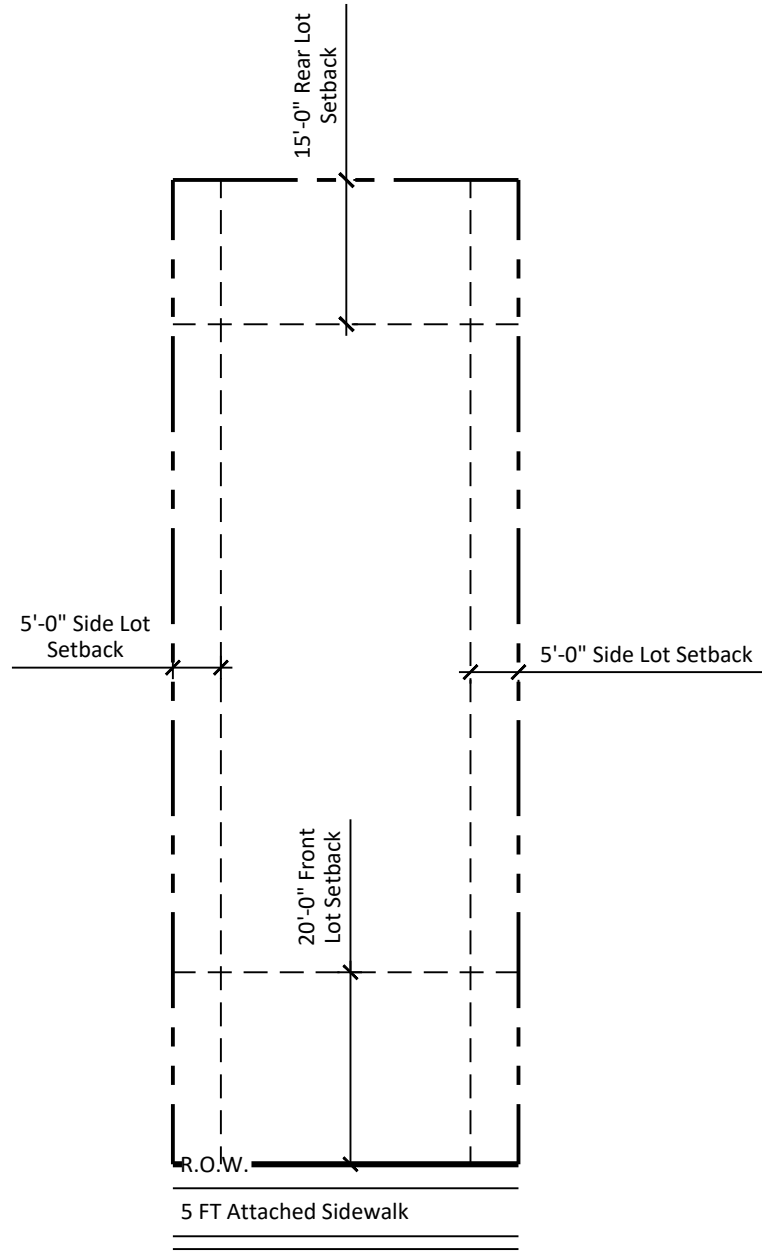
Tract	Area (SF)	Area (AC)	Use	Ownership/Maintenance
A	13595	0.31	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
B	19935	0.46	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
C	12270	0.28	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
D	1955	0.04	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
E	21337	0.49	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
F	2925	0.07	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
G	12624	0.29	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
H	60347	1.39	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
I	7218	0.17	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
J	6303	0.14	Landscape, Utilities, Mail Boxes	Sterling Ranch Metro District
Total Tract Area:		3.64		

ADJACENT OWNERS

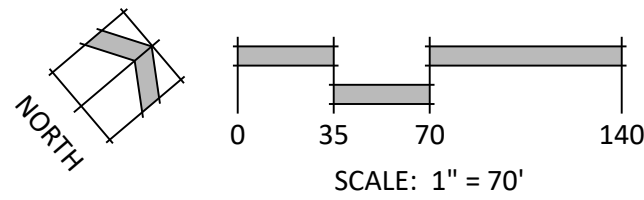
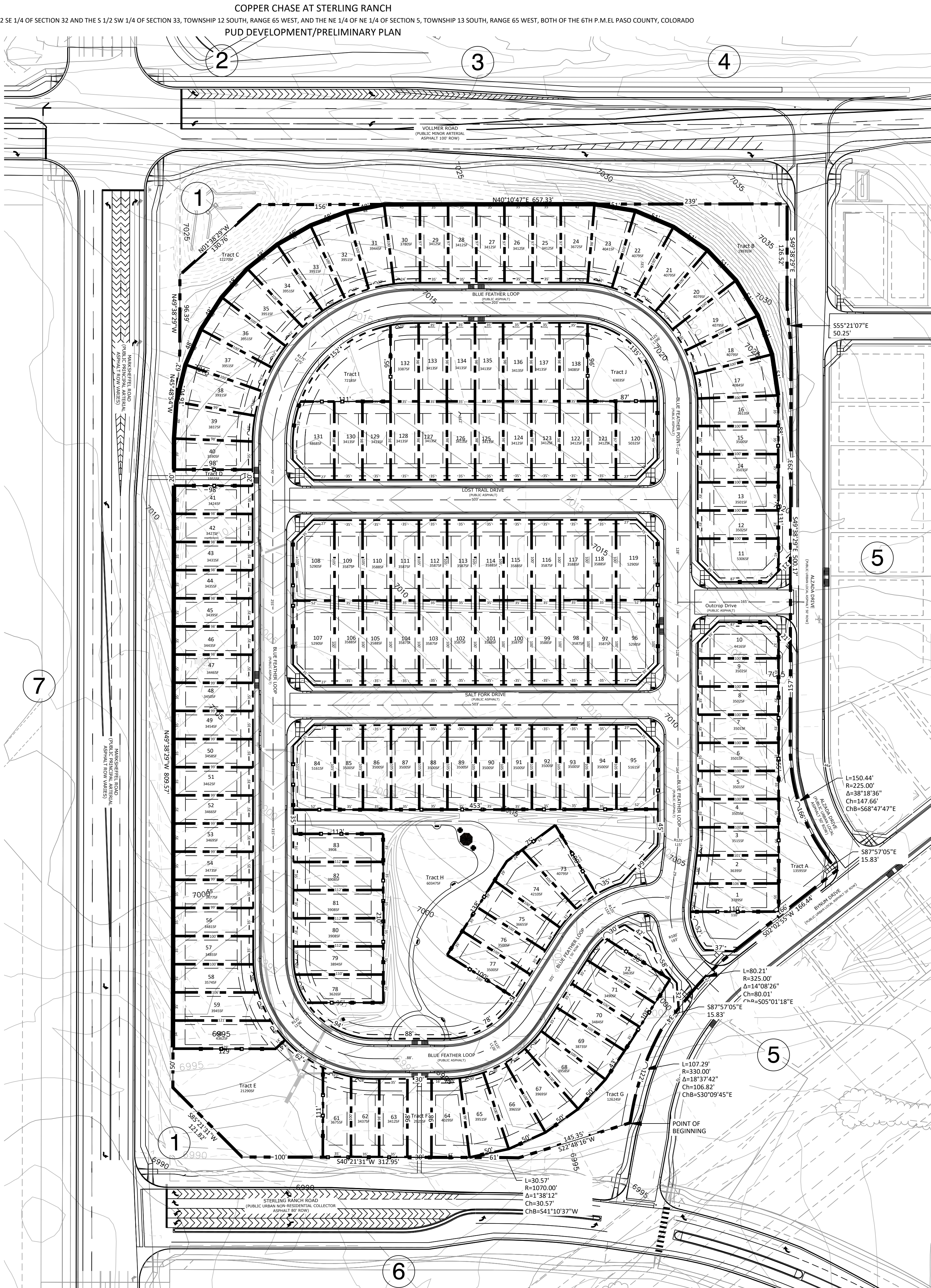
	Name	Mailing Address	City, State, Zip
1	SR LAND LLC	20 BOULDER CRESCENT ST STE 102	COLORADO SPRINGS CO, 80903
2	EL PASO COUNTY	200 S CASCADE AVE	COLORADO SPRINGS CO, 80903
3	TYRONE & CECILIA SMITH	6145 PADRE CT	COLORADO SPRINGS, CO 80922
4	ALBINO FLETES & SANDRA HIGUERA REBOLLAR	9225 BEN TIRРАН CT	COLORADO SPRINGS CO, 80908
5	SR LAND LLC	20 BOULDER CRESCENT ST STE 102	COLORADO SPRINGS CO, 80903
6	SR LAND LLC	20 BOULDER CRESCENT ST STE 102	COLORADO SPRINGS CO, 80903
7	SR LAND LLC	20 BOULDER CRESCENT ST STE 102	COLORADO SPRINGS CO, 80903



TYPICAL LOT LAYOUT BASED ON MINIMUMS (VARIES)



TYPICAL CORNER LOT LAYOUT ADJACENT TO ROW  
BASED ON MINIMUMS (VARIES)



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

Tel. 719.471.0073  
Fax 719.471.0267

www.nescolorado.com

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IN ASSOCIATION WITH

Copper Chase  
at Sterling  
Ranch

8335 Vollmer Road

DATE: 03.25.2022  
PROJECT MGR: B. Swenson  
PREPARED BY: B. Halsten

Entitlement

DATE: 07.21.2022 BY: B.H. DESCRIPTION: PER COUNTY COMMENT  
05.12.2023 J.S./A.L. PER COUNTY COMMENT  
08.07.2023 J.S./A.L. PER COUNTY COMMENT

Tract Exhibit

9

9 OF 10

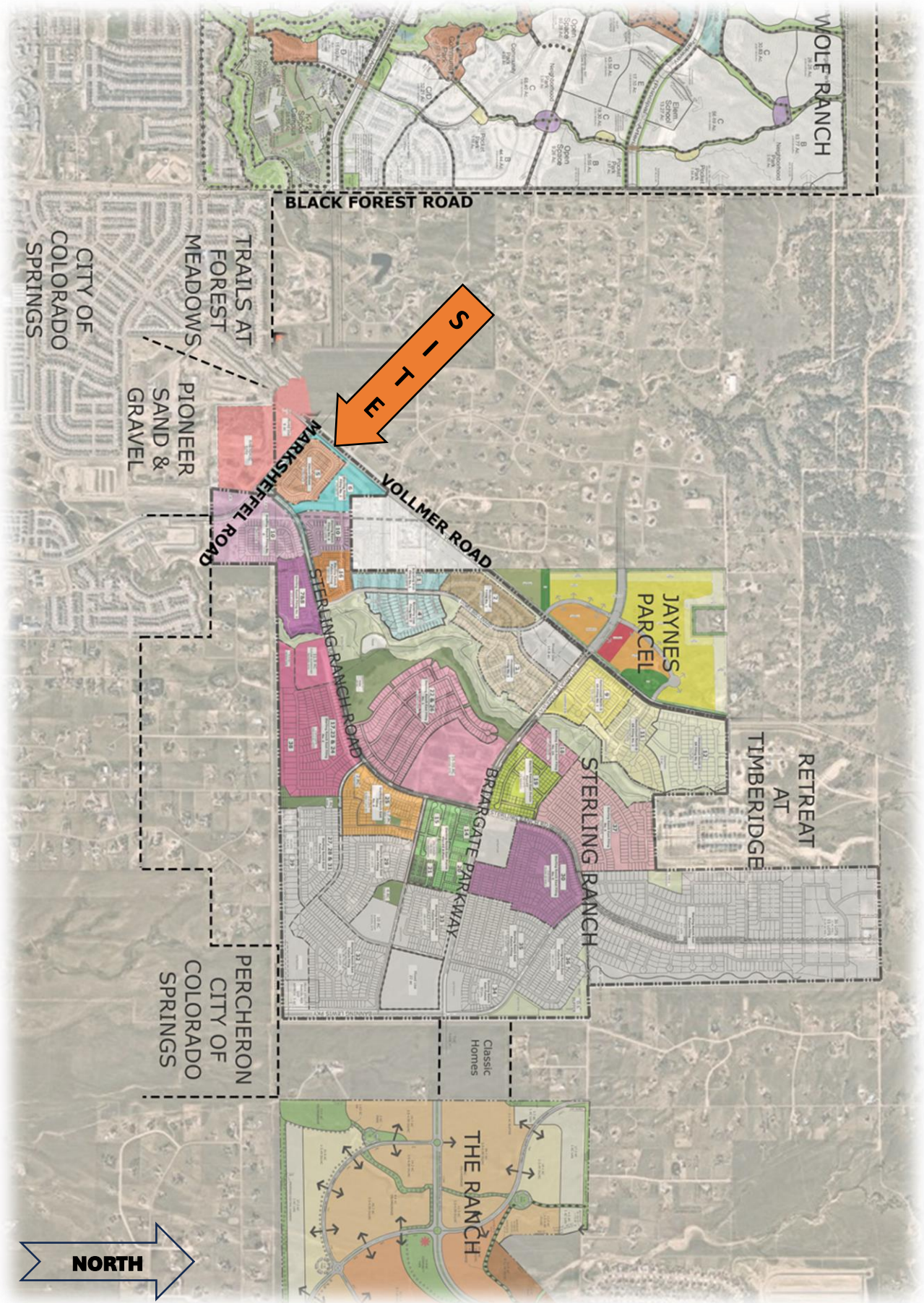
PUDSP 22-002



BOCC Report Packet  
Page 63 of 80



# Sterling Ranch Context Map



**SEE ATTACHED FOR PREVIOUS REVIEW**

**Colorado Springs Airport Advisory Commission Meeting  
To Be Heard April 27, 2022  
Land Use Review Item #14**

<b>EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S):</b> PUDSP222 <b>RESIDENTIAL DEVELOPMENT PLAN AND REZONE</b>		<b>PARCEL #(S):</b> 5200000364, 5300000222, 5233000013, 5300000173
<b>DESCRIPTION:</b>  Request by N.E.S. Inc. on behalf of Challenger Communities for approval of Copper Chase at Sterling Ranch for a development plan and rezone. The plan includes 138 Single Family lots. The rezone consists of rezoning from RS-5000 (Residential Suburban) to PUD (Planned Unit Development) and consists of approx. 20 acres. The site is located The property is located southeast of the intersection of Vollmer Road and the proposed extension of Marksheffel Road north of Woodmen Road.  <i><b>Review Note:</b> A development plan for Sterling Ranch was previously reviewed with recommended conditions by the Commission in October 2021.</i>		
<b>CONSTRUCTION/ALTERATION OF MORE THAN 200 FEET ABOVE GROUND LEVEL?</b>  No	<b>DISTANCE/DIRECTION FROM COS:</b>  9.2 miles northeast of RWY 17R	
<b>TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT:</b>  30 feet above ground level; 7060 feet above mean sea level	<b>COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED:</b>  None	
<b>ATTACHMENTS:</b> <a href="https://epcdevplanreview.com/Public/ProjectDetails/168236">https://epcdevplanreview.com/Public/ProjectDetails/168236</a> CLICK ON PUD DEVELOPMENT PLAN DRAWING UNDER DOCUMENTS LIST		

**STAFF RECOMMENDATION/CONDITIONS OF APPROVAL**

***Subject to Airport Advisory Commission Action***

*Airport staff recommends **no objection** with the following conditions:*

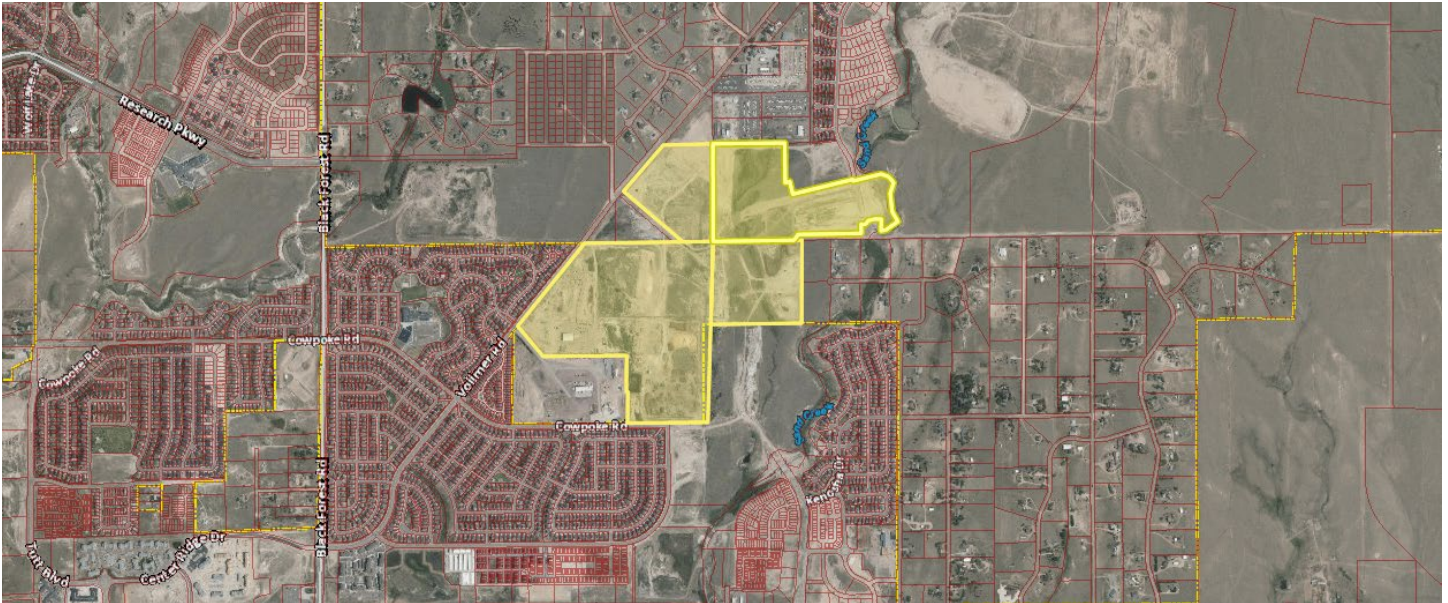
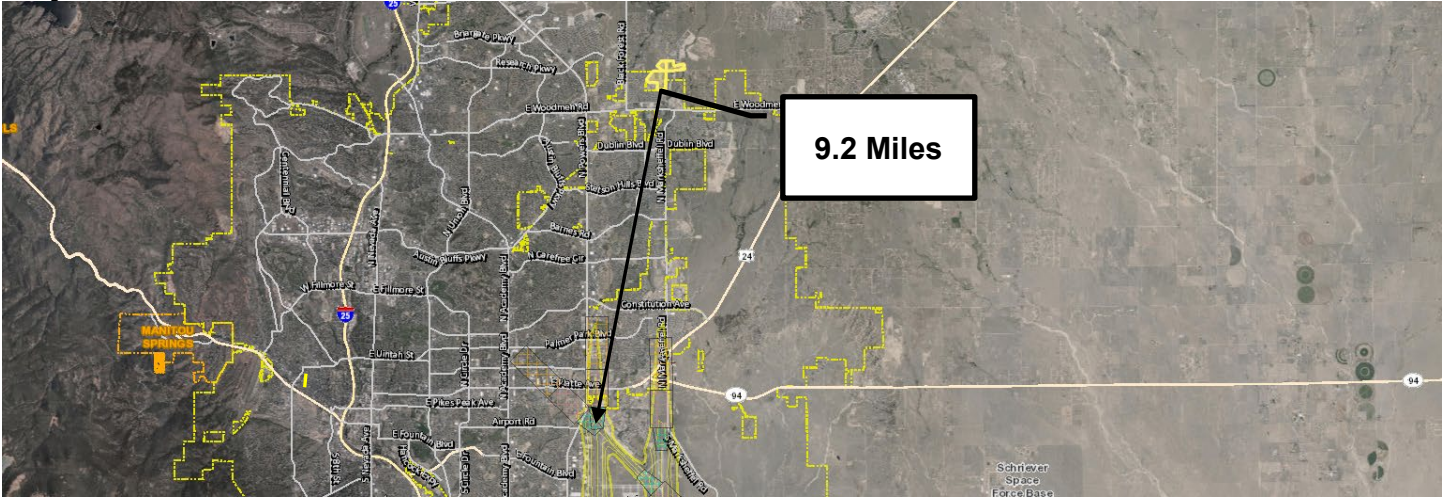
- **Avigation Easement:** An avigation easement is requested or provide proof of previous recording (book/page or reception number) for parcel.
- **Airport Acknowledgment:** Upon accepting residency within Copper Chase at Sterling Ranch, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Copper Chase at Sterling Ranch lies within an Airport Overlay Zone and is located less than 9.2 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- **FAA Form 7460-1 Airspace Evaluation:** If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities. FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).



**SEE ATTACHED FOR PREVIOUS REVIEW**

**Colorado Springs Airport Advisory Commission Meeting  
To Be Heard April 27, 2022  
Land Use Review Item #14**

**Project location exhibit:**



**Colorado Springs Airport Advisory Commission Meeting**  
**To Be Heard October 27, 2021**  
**Land Use Review Item #10**

<b>EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S):</b> <p style="text-align: center;">SP203</p> <p><b><i>RESIDENTIAL/COMMERCIAL DEVELOPMENT PLAN</i></b></p>	<b>PARCEL #(S):</b> <p style="text-align: center;">5233000012,  5233000013,  5300000173,  5300000222</p>
<b>DESCRIPTION:</b> <p>Request by N.E.S. Inc., on behalf of Challenger Communities LLC for approval of a Preliminary Plan for Sterling Ranch Phase 2. The plan includes a 212-unit single-family development and tracts for landscaping, drainage, utilities, future ROW, and approximately 3.9-acres (Tract F) site for future commercial. The property is zoned RS-5000 (Residential Suburban) and consists of 74.62 acres. The property is located northeast of Black Forest Road and Marksheffel Road.</p>	
<b>CONSTRUCTION/ALTERATION OF MORE THAN 1 200 FEET ABOVE GROUND LEVEL?</b> <p style="text-align: center;">No</p>	<b>DISTANCE/DIRECTION FROM COS:</b> <p style="text-align: center;">8.7 miles northeast of Rwy 17R</p>
<b>TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT:</b> <p style="text-align: center;">30 feet above ground level; 7,040 feet above mean sea level</p>	<b>COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED:</b> <p style="text-align: center;">None</p>
<b>ATTACHMENTS:</b> <a href="https://epcdevplanreview.com/Public/ProjectDetails/162868">https://epcdevplanreview.com/Public/ProjectDetails/162868</a> CLICK ON VIEW PRELIMINARY PLAN DRAWINGS UNDER DOCUMENTS LIST	

**STAFF RECOMMENDATION/CONDITIONS OF APPROVAL**

***Subject to Airport Advisory Commission Action***

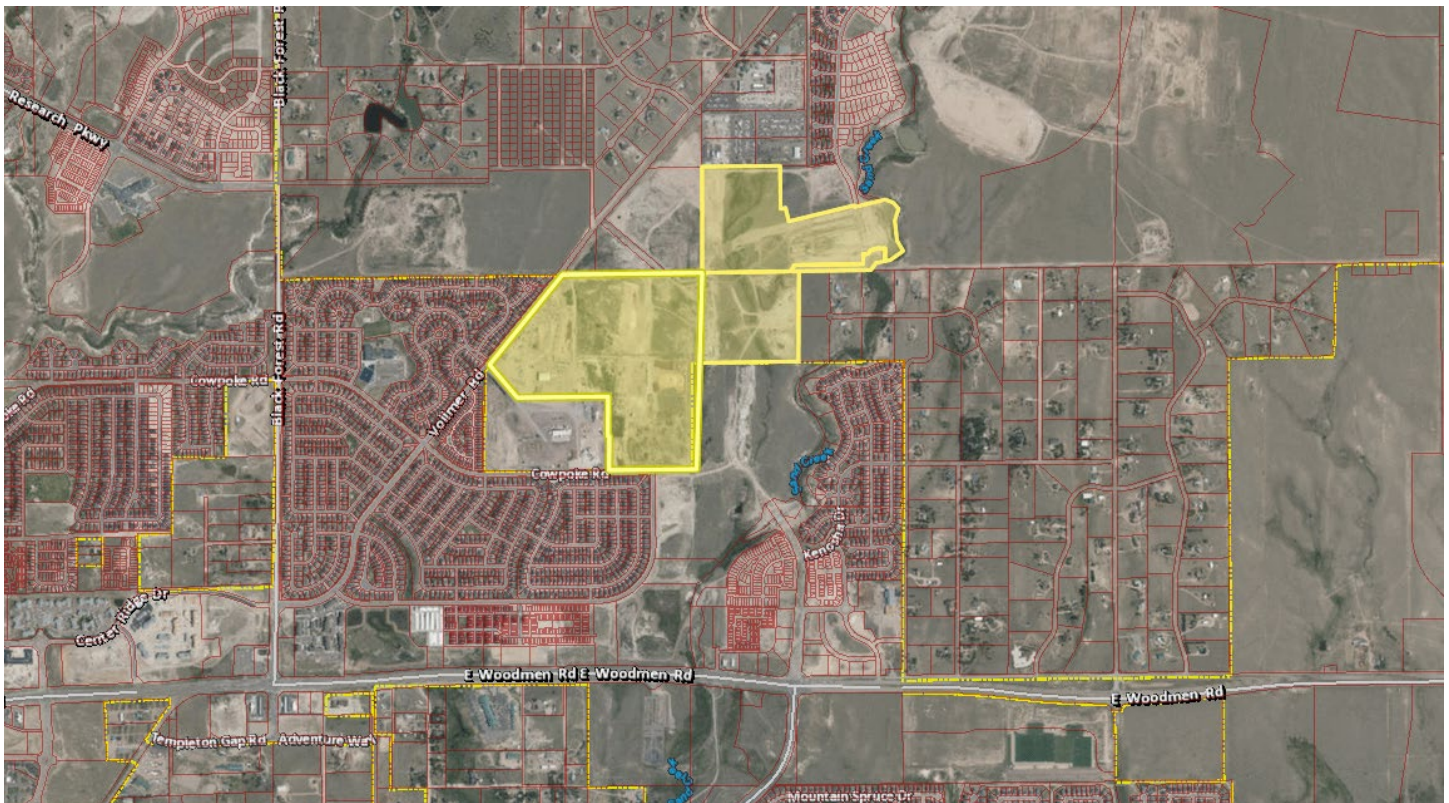
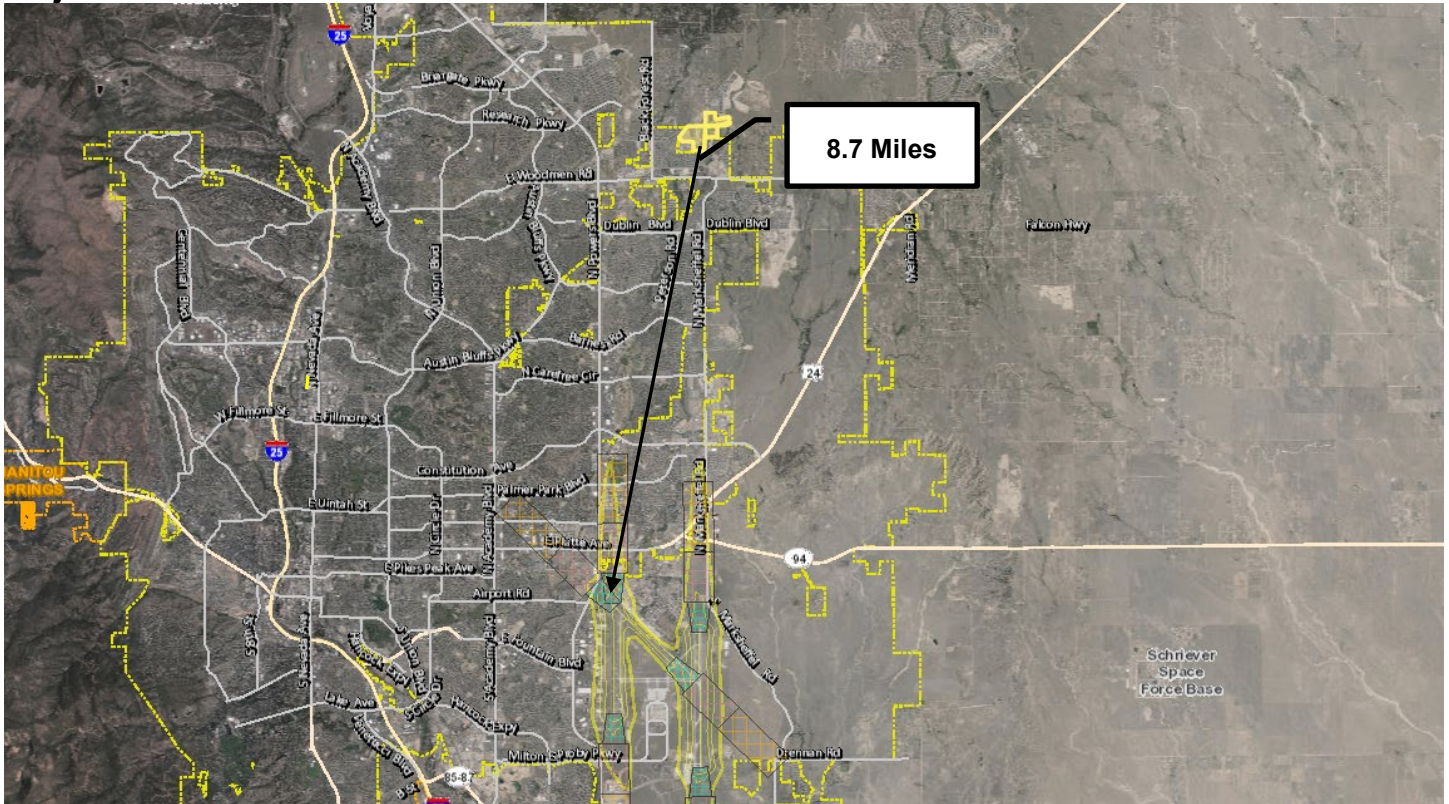
*Airport staff recommends **no objection** with the following conditions:*

- **Avigation Easement:** An avigation easement is requested or provide proof of previous recording (book/page or reception number).
- **Airport Acknowledgement:** Upon accepting residency within Sterling Ranch, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Sterling Ranch lies within an Airport Overlay Zone and is located less than 9 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- **FAA Form 7460-1:** If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities. FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).



Colorado Springs Airport Advisory Commission Meeting  
To Be Heard October 27, 2021  
Land Use Review Item #10

Project location exhibit:







November 17, 2022

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

RE: Copper Chase at Sterling Ranch Filing No. 1  
Preliminary Plan  
Sec. 33, Twp. 12S, Rng. 65W, Sixth P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 26053

Dear Ms. Parsons,

We have received revised information regarding the above-referenced submittal to divide a 19.674 +/- acre tract of land (Tract G, Sterling Ranch Filing No. 1) into 138 single-family lots, which are to be located within the Sterling Ranch Phase I Preliminary Plan for which this office most recently provided comments dated March 19, 2015. The 138 single-family lots are a portion of the 457 residential lots and 6 commercial lots in the Sterling Ranch Phase I Preliminary Plan. The proposed source of water supply and wastewater disposal is to be served by the Falcon Area Water and Wastewater Authority (FAWWA) pursuant to an intergovernmental agreement with Sterling Ranch Metropolitan District No. 2. This office previously provided comments regarding this referral on March 27, 2019 and April 25, 2022. The comments included herein shall supersede those prior comments.

### **Water Supply Demand**

According to the revised Water Supply Information Summary, the estimated water demand for the development is 52.13 acre-feet/year. This corresponds to 48.71 acre-feet/year for 138 residential lots (0.35 acre-feet/year per residential lot), and 3.42 acre-feet/year for the irrigation of half of a 1.368 acre park (2.50 acre-feet/acre).

### **Source of Water Supply**

The source of water for the proposed development is to be served by the Falcon Area Water and Wastewater Authority ("FAWWA"). A revised letter of commitment for 50.45 acre-feet/year dated December 17, 2021 from Sterling Ranch Metropolitan Districts (predecessor to FAWWA) was provided with the referral materials. This office recommends that FAWWA provide an updated letter of commitment that specifies a committed supply of 52.13 acre-feet/year to the proposed development prior to a final approval. According to the submittal, the District will provide water from Denver, Arapahoe and Laramie-Fox Hills aquifer wells to a central system utilizing the water rights shown in Table 1, below.



**Table 1 - Denver Basin Ground Water Rights**

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

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

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

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

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

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

#### **Additional Comments**

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

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

### **State Engineer's Office Opinion**

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

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

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

Our opinion is qualified by the following:

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

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

Should you or the applicant have questions regarding any of the above, please contact Kate Fuller of this office.

Sincerely,



Kate Fuller, P.E.  
Water Resource Engineer

ec: Bill Tyner, Division 2 Engineer  
Jacob Olson, District 10 Water Commissioner

## County Attorney

**Kenneth R. Hodges, County Attorney**  
719-520-6485  
Centennial Hall  
200 S. Cascade, Suite 150  
Colorado Springs, CO 80903  
www.ElPasoCo.com

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

June 15, 2023

PUDSP-22-2      Copper Chase at Sterling Ranch  
Preliminary Plan

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

### **WATER SUPPLY REVIEW AND RECOMMENDATIONS**

#### Project Description

1. This is a Preliminary Plan proposal by N.E.S. ("Applicant"), to subdivide an approximately 19.65 +/- acre tract of land into 138 single-family lots. The property is zoned RS-5000 (Residential Suburban) but desire to rezone to PUD (Planned Unit Development).

#### Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the Applicant estimated its annual water needs to serve this subdivision at 52.13 acre-feet/year. This calculation was based on the District's annual acre-feet single-family equivalent of 0.35 acre-feet which results in an annual water demand of 48.71 acre-feet for residential use, plus irrigation of 3.42 acres, for a total water demand of 52.13 acre-feet/year for Copper Chase at Sterling Ranch PUDSP. Based on these figures, the Applicant must provide a supply of 15,639 acre-feet of water (52.13 acre-feet/year x 300 years) to meet the County's 300-year water supply requirement for the subdivision.

#### Proposed Water Supply

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

#### **ASSISTANT COUNTY ATTORNEYS**

NATHAN J. WHITNEY  
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY  
TERRY A. SAMPLE

LORI L. SEAGO  
DOREY L. SPOTTS

BRYAN E. SCHMID  
STEVEN W. MARTYN

known as the McCune, Bar X, and Shamrock water rights. The *Report* indicates that the current developed physical supply is 1901.83 annual acre-feet/300 years. The total water commitment is currently at 864.19 acre-feet/300 years. “This leaves a net excess of currently available water of 1037.64 AF/300 years....”

4. FAWWA provided a letter of commitment for Copper Chase at Sterling Ranch dated March 22, 2023, in which the District committed to providing water service for the 138 single family residential lots plus irrigation of park landscaping, for an annual water requirement of 52.13 acre-feet/year.

#### State Engineer’s Office Opinion

5. In a letter dated November 17, 2022, the State Engineer’s Office reviewed the application to subdivide the 19.674 +/- acres into 138 single-family lots. The State Engineer stated that “[t]he source of water for the proposed development is to be served by the Falcon Area Water and Wastewater Authority (“FAWWA”).” Further, the State Engineer stated that “[p]ursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is expected to be adequate and can be provided without injury to existing water rights.” The Engineer further advised that their opinion that the water can be provided without injury is based on the determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach is greater than the annual amount of water required to supply existing water commitments and the estimated demands of the proposed subdivision.

#### Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Copper Chase at Sterling Ranch PUDSP is 52.13 acre-feet per year for a total demand of 15,639 acre-feet for the subdivision for 300 years, to be supplied by FAWWA. **Based on the District’s available water supply of approximately 1037.64 annual acre-feet, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Copper Chase at Sterling Ranch PUDSP.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney’s Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated October 2022, the *Falcon Area Water and Wastewater Authority* letter dated March 22, 2023, and the *State Engineer Office’s Opinion* dated November 17, 2022. The recommendations herein are based on the information contained in such documents and on compliance with the requirements

set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

**REQUIREMENTS:**

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Kari Parsons, Senior Planner

### **Copper Chase at Sterling Ranch 1, PUDSP-22-2**

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

- The proposed 138-residential lot, 19.6-acre, project will be provided water and wastewater services through Sterling Ranch Metropolitan District. Letters of Commitment to Serve Water and Wastewater from Sterling Ranch Metropolitan Districts dated 17Dec2021, were submitted confirming services to the project. Per the JDS-Hydro 17Dec2021, Wastewater Report-Copper Chase at Sterling Ranch, interim wastewater treatment services will be provided by Colorado Springs Utilities per a previously approved service agreement.
- A finding for sufficiency in terms of water quality for this Colorado Department of Public Health and Environment, Water Quality Control Division, approved water system is made. The Colorado Department of Public Health and Environment has assigned PWSID # CO0121724.
- Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to:  
<https://www.colorado.gov/pacific/cdphe/general-air-permits>
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and specifically the El Paso County area, have higher radon levels than other areas of the country.
- El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walkability features help reduce obesity and associated heart diseases.
- Water quality basins must have mosquito control responsibilities included as a part of the construction design and maintenance plan to help control mosquito breeding habitat and minimize the potential for West Nile Virus.

Mike McCarthy  
El Paso County Public Health  
719.332-5771  
[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)



COMMISSIONERS:  
CAMI BREMER (CHAIR)  
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS  
STAN VANDERWERF  
LONGINOS GONZALEZ, JR.

## DEPARTMENT OF PARKS AND COMMUNITY SERVICES

May 23, 2023

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

**Subject: Copper Chase at Sterling Ranch PUD Development Plan and Preliminary Plan, Review #4 (PUDSP-22-002)**

Hello Kari,

The Park Planning Division of the Parks and Community Services Department has reviewed the Copper Chase at Sterling Ranch PUD Development Plan and Preliminary Plan, Submittal #4 (including the original submittal review in March 2019) and has no additional comments and recommendations of behalf of El Paso County Parks. Staff is pleased with the applicant's inclusion of the centrally located 1.4-acre neighborhood park and accompanying concrete trail system. Access to the nearby Sand Creek Primary Regional Trail will be easily accomplished through the meandering sidewalk system along Marksheffel and Sterling Ranch Roads. This development application and the following comments and recommendations were presented to and endorsed by the Park Advisory Board on May 11, 2022:

*"This is a request for endorsement by N.E.S., Inc. on behalf of SR Land, LLC, for approval of Copper Chase at Sterling Ranch PUD Development Plan and Preliminary Plan, which includes 138 single-family residential lots on 19.65 acres. The Park Advisory Board previously endorsed the Copper Chase at Sterling Ranch PUD Preliminary Plan on March 13, 2019, however, the applicant has made major modifications to the plan and has resubmitted the application under a new file number. Previously included as Tract E in Sterling Ranch Filing No. 2 Final Plat, the property is now being submitted separately, and is currently zoned RR-5 and RS-5000 with a concurrent rezone to PUD. The property is located along Vollmer Road, near its intersection with the future extension of Marksheffel Road.*

*The 2013 El Paso County Parks Master Plan shows a branch of the Sand Creek Regional Trail impacted by this project. This branch, located along a proposed extension of Marksheffel Boulevard, will connect the primary alignment of the Sand Creek Regional Trail, located immediately east and adjacent the property along Sand Creek, to City of Colorado Springs trails located to the west of the project site. Furthermore, the proposed Vollmer Road Bicycle Route is located immediately west of the project location. A dedicated public right-of-way already exists along the aforementioned bicycle route, so no easement requests are necessary at that location; however, the applicant is advised that multi-modal transportation options will be developed within the right-of-way in the future. The property is not located within any candidate open space land.*



*The current application shows 3.64 acres (18.5%) of open space, dedicated to landscaping, utilities, and public open space with park amenities, with an interconnected trail and sidewalk system that affords the residents easy access to the surrounding neighborhood, as well as to the western and main branches of the Sand Creek Regional Trail. The applicant's Letter of Intent, while correctly outlining recreational opportunities within the overall Sterling Ranch development, incorrectly states that no trails are impacted by Copper Chase at Sterling Ranch. As previously noted above, a western branch of the Sand Creek Regional Trail is impacted by the project. Staff recommends that the applicant update the Letter of Intent to reflect the impact.*

*When the Copper Chase at Sterling Ranch PUD Preliminary Plan was endorsed by the Park Advisory Board in 2019, staff recommended that the developer install a 5-foot wide gravel trail adjacent to the sidewalk on the proposed extension of Marksheffel Road on the street side to accommodate equestrians who may be accessing the Sand Creek Regional Trail from locations to the west, as well as dedicate to El Paso County a 25-foot wide trail easement for public access and maintenance of the trail.*

*Since that time, a Final Plat, Letter of Intent, and Landscape Plans for Sterling Ranch Filing No. 2 were resubmitted and updated to reflect a revised street cross-section for Marksheffel Road. This section of road, east of Vollmer Road and southeasterly to the City of Colorado Springs, is under consideration for acceptance by the City of Colorado Springs, and therefore, the street and adjacent sidewalk plans have been updated to City engineering and traffic standards.*

*With the inclusion of a detached meandering sidewalk and landscaping along the north side of Marksheffel Road, as well as a lack of planned gravel-surfaced City trails to the west of Vollmer Road, El Paso County Parks no longer requires a 25' trail easement or 5-foot wide adjacent gravel trail along this section of Marksheffel Road. The planned sidewalks will suffice for pedestrian movement along this stretch of road, serving as the local connection to the proposed Sand Creek Primary Regional Trail. When the Sand Creek Regional Trail is constructed at a later time, El Paso County Parks may request that the installation of trail signage be allowed along these sidewalks in an effort to direct residents to the regional trail corridor.*

*As no park land or trail easement dedications are recommended for this application, El Paso County Parks staff recommends regional and urban park fees in lieu of land dedication. A Park Lands Agreement would be considered due to the inclusion of the aforementioned recreational amenities.*

**Recommended Motion (PUD Development Plan and Preliminary Plan):**

*The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving the Copper Chase at Sterling Ranch PUD Development Plan and Preliminary Plan: fees in lieu of land dedication for regional park purposes in the amount of \$63,480 and urban park purposes in the amount of \$40,020 will be required at time of the recording of the forthcoming Final Plat(s). A Park Lands Agreement may be an acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the forthcoming Final Plat(s)."*



Please let me know if you have any questions or concerns.













Sincerely,



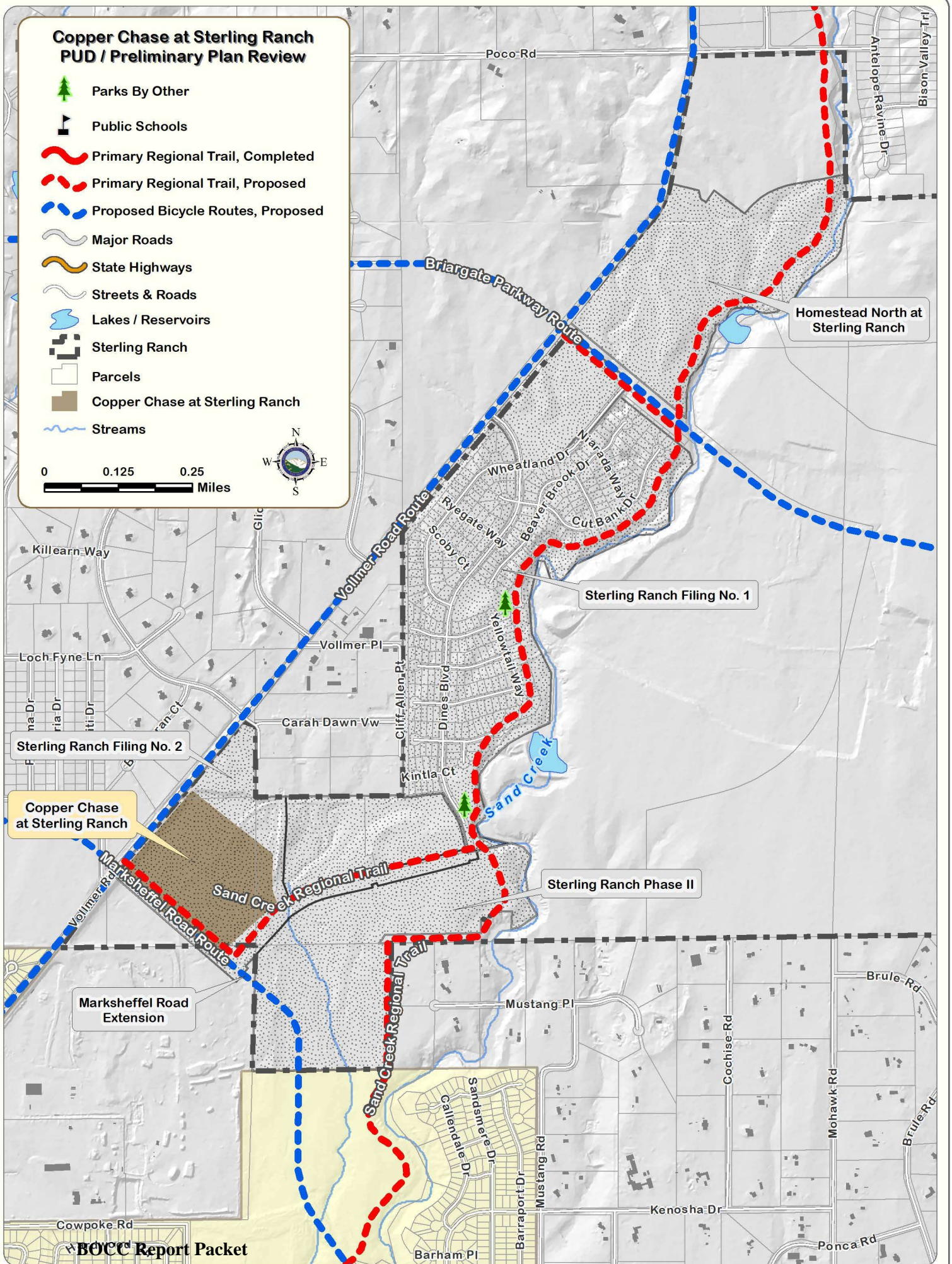
Ross A. Williams  
Park Planner  
Park Planning Division  
Parks and Community Services Department  
[rosswilliams@elpasoco.com](mailto:rosswilliams@elpasoco.com)



# **Copper Chase at Sterling Ranch PUD / Preliminary Plan Review**

-  Parks By Other
-  Public Schools
-  Primary Regional Trail, Completed
-  Primary Regional Trail, Proposed
-  Proposed Bicycle Routes, Proposed
-  Major Roads
-  State Highways
-  Streets & Roads
-  Lakes / Reservoirs
-  Sterling Ranch
-  Parcels
-  Copper Chase at Sterling Ranch
-  Streams

0 0.125 0.25  
Miles





Development  
Application  
Permit  
Review



COMMUNITY SERVICES DEPARTMENT

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

May 11, 2022

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

Name:	Copper Chase at Sterling Ranch PUD/Preliminary Plan	Application Type:	PUD / Prelim Plan
PCD Reference #:	PUDSP-22-002	Total Acreage:	19.65
		Total # of Dwelling Units:	138
Applicant / Owner:	Owner's Representative:	Dwelling Units Per 2.5 Acres:	17.56
SR Land, LLC / Morley Bentley	N.E.S., Inc.	Regional Park Area:	2
20 Boulder Crescent	Andrea Barlow	Urban Park Area:	2
Suite 102	619 North Cascade Avenue, Suite 200	Existing Zoning Code:	RS-5000
Colorado Springs, CO 80903	Colorado Springs, CO 80903	Proposed Zoning Code:	PUD

REGIONAL AND URBAN PARK DEDICATION AND FEE REQUIREMENTS

Regional Park land dedication shall be 7.76 acres of park land per 1,000 projected residents, while Urban Park land dedication shall be 4 acres of park land per 1,000 projected residents. The number of projected residents shall be based on 2.5 residents per dwelling unit.		The EPC Land Development Code defines urban density as land development of higher density and intensity which is characteristically provided with services of an urban nature. This category of development includes residential uses with densities of more than one dwelling unit per 2.5 acres.	
<b>LAND REQUIREMENTS</b>		Urban Density ( $\geq 1$ Dwelling Unit Per 2.5 Acres): <b>YES</b>	
Regional Park Area: 2		Urban Park Area: 2	
0.0194 Acres x 138 Dwelling Units = 2.677		Neighborhood:	0.00375 Acres x 138 Dwelling Units = 0.52
Total Regional Park Acres: 2.677		Community:	0.00625 Acres x 138 Dwelling Units = 0.86
		Total Urban Park Acres: 1.38	
<b>FEE REQUIREMENTS</b>			
Regional Park Area: 2		Urban Park Area: 2	
\$460 / Dwelling Unit x 138 Dwelling Units = \$63,480		Neighborhood:	\$114 / Dwelling Unit x 138 Dwelling Units = \$15,732
Total Regional Park Fees: \$63,480		Community:	\$176 / Dwelling Unit x 138 Dwelling Units = \$24,288
		Total Urban Park Fees: \$40,020	

ADDITIONAL RECOMMENDATIONS

Staff Recommendation:	The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving the Copper Chase at Sterling Ranch PUD Development Plan and Preliminary Plan: fees in lieu of land dedication for regional park purposes in the amount of \$63,480 and urban park purposes in the amount of \$40,020 will be required at time of the recording of the forthcoming Final Plat(s). A Park Lands Agreement may be an acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the forthcoming Final Plat(s).
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Park Advisory Board Recommendation:

RESOLUTION NO. 23-

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

APPROVAL OF PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN  
COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN (PUDSP222)

WHEREAS, Challenger Communities, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone property located within the unincorporated area of the County and more particularly described in Exhibit A, which is attached hereto and incorporated by reference, from the RS-5000 (Residential Suburban) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, in accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended) (hereinafter "Code"), A PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality, dependability, and quantity; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on September 21, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the subject Planned Unit Development and Preliminary Plan; and

WHEREAS, a public hearing was held by this Board on October 12, 2023; and

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

1. The application was properly submitted for consideration by the Board of County Commissioners.
2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and Board of County Commissioners of El Paso County.
3. The hearings before the Planning Commission and Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Code.

5. The application is in general conformity with the El Paso County Master Plan.
6. 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.
7. 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.
8. 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.
9. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
10. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. 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.
13. 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.
14. 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.
15. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.

17. The proposed subdivision is in general conformance with the goals, objectives, and policies of the El Paso County Master Plan.
18. The subdivision is consistent with the purposes of the Code.
19. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.
20. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
21. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of the Code.
22. 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)].
23. Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of the Code and the El Paso County Engineering Criteria Manual (hereinafter "ECM") are provided by the design.
24. 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.
25. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM.
26. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

27. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
28. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
29. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.
30. For the above-stated and other reasons, the proposed zoning is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RS-5000 (Residential Suburban) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that in accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), the Board of County Commissioners hereby approves the Copper Chase at Sterling Ranch PUD Development Plan as a Preliminary Plan.

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

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan and development guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any final plat approvals.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay



traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations dated June 15, 2023, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
9. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
10. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 4 of the Sterling Ranch Sketch Plan Amendment Master TIS, to be verified with an updated traffic impact analysis or memorandum as appropriate with the final. Updated traffic signal analyses for the intersections of concern in the TIS shall be provided upon buildout of Copper Chase at Sterling Ranch. Any resulting design and construction requirements shall be provided by the developer at that time.

#### NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the preliminary plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.

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

DONE THIS 12 day of October 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
County Clerk & Recorder

EXHIBIT A

LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 32, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4, SW 1/4) OF SECTION 33, T12S, R65W OF THE 6<sup>TH</sup> P.M., AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 5, T13S, R65W OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, BEING TRACT E, "STERLING RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 222714894 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE.

SAID PARCEL CONTAINS 856,016 SQUARE FEET (19.651 ACRES, MORE OR LESS).