

**EL PASO COUNTY**  
  
**COLORADO**

**COMMISSIONERS:**  
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

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

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

**RE: Project File #: SP-20-003**  
**Project Name: Sterling Ranch Phase Two Preliminary Plan**  
**Parcel Nos.: 52330-00-012, 52330-00-013, 53000-00-173, and 53000-00-222**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
SR Land, LLC 8335 Vollmer Road, LLC Challenger Communities, LLC 20 Boulder Crescent Street, Suite, 102 Colorado Springs, CO 80903	N.E.S., Inc. 610 S Cascade Avenue, Suite 201 Colorado Springs, CO 80903

**Commissioner District: 1**

Planning Commission Hearing Date:	11/2/2021
Board of County Commissioners Hearing Date	11/9/2021

**EXECUTIVE SUMMARY**

A request by SR Land, LLC, 8335 Vollmer Road, LLC, and Challenger Communities, LLC, for approval of a preliminary plan to create 212 residential lots, one (1) tract which includes an existing lift station, one (1) future development tract, one (1) tract for future Marksheffel Road right-of-way, five (5) tracts for landscape, trails, drainage improvements, utilities, and open space, and rights-of-way. The four parcels, totaling



74.62 acres, are zoned RS-5000 (Residential Suburban), and I-3 (Heavy Industrial) and are located north of Woodmen Road, south of Vollmer Road and Dines Road, and are bisected by Sterling Ranch Road and are within Sections 4 and 33, Township 12 South, and Section 5, Township 13 South, Range 65 West of the 6th P.M. The property is located within the boundaries of the Falcon/Peyton Small Area Master Plan (2008). The property is within the CAD-O (Commercial Airport Overlay District) zoning overlay. More specifically, the property is not within an APZ Sub-zones (Accident Potential Zones).

The proposed Sterling Ranch Filing No. 2 final plat is consistent with the RS-5000 zoning district and the I-3 (Industrial) zoning district, and the approved Sterling Ranch Sketch Plan (PCD file no. SKP-07-007). The I-3 zoned portion of the development area is proposed to be a future development tract, a portion of a tract for detention and a tract for Marksheffel Road right-of-way. The existing lift-station owned by the Sterling Ranch Metropolitan District lies within the RS-5000 zoning district and is proposed to be a tract within the preliminary plan area.

The preliminary plan application meets the submittal and review criteria for a preliminary plan as well as the general development standards of Chapter 6, the preliminary plan review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the EI Paso County Land Development Code (2021).

Water and wastewater services will be provided by Sterling Ranch Metropolitan District. The applicants also request the Board of County Commissioners make a finding of water sufficiency in terms of quality, quantity, and dependability at the time of the preliminary plan approval. Approval by the Board of County Commissioners 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). The applicants are also requesting approval to perform pre-development site grading to include installation of wet utilities.

#### **A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION**

**Request:** A request by SR Land, LLC, 8335 Vollmer Road, LLC, and Challenger Communities, LLC, for approval of a preliminary plan to create 212 residential lots, one (1) tract which includes an existing lift station, one (1) future development tract, one (1) tract for future Marksheffel Road right-of-way, five (5) tracts for landscape, trails, drainage improvements, utilities, and open space. and rights-of-way.

**Waiver(s)/Deviation(s):** The applicants are not requesting any waiver(s) of the EI Paso County Land Development Code (2021) with this application. The applicants have received approval of the following deviation from the Engineering Criteria Manual (ECM) (2016):

1. A deviation from ECM Standard Drawing SD 2\_77 (sight distance triangle dimension) was approved to allow the sight distance easement on an urban local knuckle to account for a 15 mile per hour (MPH) design speed rather than the standard dimension based on a 25 MPH design speed.

ECM Standard Drawing SD 2\_77, Urban Local Knuckle, shows a sight distance triangle dimension of 40 feet on the side legs based on a 25 MPH design speed around a turn angle of 90 degrees. The deviation is to allow a sight distance triangle side leg dimension of 26 feet based on a 15 MPH design speed, which allows for a minimum stopping sight distance of 80 feet on turns greater than 90 degrees. The minimum stopping sight distance provided on the preliminary plan is 97 feet at Lot 189.

ECM Administrator Decision:

The proposed knuckle design is in compliance with ECM Standard Drawing SD 2\_77 and meets stopping sight distance requirements for a 15 MPH design speed, which is a typical speed for a vehicle making a turn through an angle greater than 90 degrees.

**Authorization to Sign:** There are no items requiring signature associated with this request.

## **B. PLANNING COMMISSION SUMMARY**

**Request Heard:** As a Consent item at the November 2, 2021 hearing.

**Recommendation:** Approval based on recommended conditions and notations.

**Waiver Recommendation:** N/A

**Vote:** 9 - 0

**Vote Rationale:** N/A

**Summary of Hearing:** The applicant was represented at the hearing and the PC Draft Minutes are attached.

**Legal Notice:** N/A

## **C. APPROVAL CRITERIA**

The Planning Commission and BOCC shall determine that the following criteria for approval outlined in Section 7.2.1 of the El Paso County Land Development Code (2019), have been met to approve a Preliminary Plan:

- 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 this 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 this Code;
- 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;
- 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)];
- 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;
- 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 this 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 this Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

**D. LOCATION**

North:	I-3 (Heavy Industrial)	Outdoor storage/vehicle repair
South:	RR-5 (Residential Rural)	Single-family residential
East:	RR-5 (Residential Rural)	Vacant
West:	RS-5000 (Residential Suburban)	Vacant

**E. BACKGROUND**

The Sterling Ranch Sketch Plan (PCD file no. SKP-07-007), consisting of 1,443.70 acres, was heard and approved by the Board of County Commissioners on November 18, 2008. The Sketch Plan includes 5,225 residential units, 56 acres of commercial development, 57 acres of dedicated school sites, 210 acres of parks and open space, and a 2-acre utility site. A five (5) year expiration date was imposed on the application, which was subsequently extended via approval by the Board of County Commissioners.

The service plan for Sterling Ranch Metropolitan Districts Nos. 1, 2, and 3 was heard and approved by the Board of County Commissioners on June 24, 2010. The Sterling Ranch Metropolitan District No. 1 will provide water and wastewater services aided by Meridian Service Metropolitan District via an intergovernmental agreement.

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

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

sketch plan and may require applicant to proceed forward with an amended sketch plan, which amended sketch plan process may or may not proceed simultaneously with a proposed rezoning and preliminary plan.”

Staff agreed with the action to remove Condition No. 2 to allow rezoning of the property to conventional single-family and commercial zoning with the understanding that it could still function in a manner that would preserve the open space acreage and density originally approved in the Sketch Plan. Open space tracts, which include trails, are shown throughout the requested preliminary plan. In addition, there is a condition on the Sketch Plan requiring inclusion of a buffer between development within the overall Sterling Ranch and the existing residential development to the south.

A map amendment (rezoning) of the property from RR-5 (Residential Rural) to RS-5000 (Residential Suburban) (PCD File No. P-15-001) was approved by the Board of County Commissioners on March 24, 2015. A condition of approval requiring a transition buffer along the southern property line was placed on the RS-5000 zoning. The condition states:

“Open space buffers shall be no less than what is graphically depicted on the October 2008 Amended Sketch Plan Map in subsequent rezoning and subdivision submittals. On the southern border no residence may be constructed within 100 feet, and an average building setback of 150 feet shall be maintained from the adjacent property lines.”

The requested preliminary plan includes: 212 single-family lots; five (5) tracts for open space, trail corridors, drainage; one (1) tract for Marksheffel Road; public right-of-way; one (1) future development tract; and one (1) tract for an existing lift station. A 20-foot buffer located adjacent to the industrially zoned property to the north is depicted on the preliminary plan and is proposed to include a trail corridor. A 50-foot buffer tract, which is also proposed to include a trail corridor, is depicted along the southern boundary line. Additionally, a 100-foot building setback line is also depicted within the lots that are adjacent to the 50-foot buffer tract.

Landscaping is not required under the Code within the RS-5000 zoning district; however, the applicant has provided a landscape plan with the Sterling Ranch Phase II preliminary plan.

A “1041” Permit for Areas and Activity of State Interest, Site Section and Construction of Major New Domestic Water and Sewage Treatment Systems and/or

Major Extension of Existing Domestic Water and Sewage Treatment Systems (PCD File no. AASI-15-003) authorized the siting of the lift station, water tanks, pump stations and associated water and wastewater infrastructure that serve the overall Sterling Ranch Development. The Permit was approved administratively by the Executive Director of the Planning and Community Development Department on February 25, 2016 acting as the Permit Authority. The subject preliminary plan proposes to create a 1.51-acre tract, which is intended to legalize the parcel upon which the existing lift station is located. No further development is proposed within the tract.

## **F. ANALYSIS**

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

This 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 (2019).

The property is also within the CAD-O (Commercial Airport Overlay District) zoning overlay. 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 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 comment that they did not have concerns with the proposed single-family development within the RS-5000 zoning district or the existing lift station within the I-3 zoning district and requested an aviation easement at the time of plat recordation. The property is not located within the APZ Sub-zone (Accident Potential Zone).

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 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 applicants have agreed to record the requested aviation easement against the property and an Airport Activity Notice and Disclosure is proposed to be recorded against the title of the property at the time of subsequent final plat(s) recordation.

## **2. Zoning Compliance**

The single-family development area of the property is zoned RS-5000. The RS-5000 zoning district is intended to accommodate single-family residential development. The density and dimensional standards of the RS-5000 zoning district are as follows:

- Minimum lot size – 5,000 square feet
- Setbacks – 25 feet from front and rear lot lines; 5 feet from side lot lines
- Maximum building height – 30 feet
- Width at front setback line – 50 feet
- Maximum lot coverage – 40 percent if two-story; 45 percent if single-story

The proposed preliminary plan is in compliance with the standards of the RS-5000 zoning district. Individual site plans will need to be submitted for review for each proposed single-family dwelling in order to ensure compliance with the applicable dimensional standards.

The I-3 zoning district is intended to accommodate manufacturing and industrial uses, which may include related outside storage of raw or finished materials. The density and dimensional standards of the I-3 zoning district are as follows:

- Minimum lot size – 1 acre
- Setbacks\* – 50 feet from front and rear lot lines; 30 feet from side lot lines
- Maximum building height – 40 feet
- Maximum lot coverage – 25 percent

\* Minimum building setback distance from any adjoining residential zoning district boundary is 175 feet. The PCD Director may allow a reduction in the setback where appropriate actions are taken including landscaping, fencing, berms or building design, or where the use can be limited to mitigate potential impacts.

The 3.56-acre future development tract zoned I-3 (Industrial) is not proposed for a specific land use at this time. It is anticipated that if development occurs in this



portion of the plan area, a requested map amendment from industrial zoning to commercial or multi-dwelling is likely, and applicable development applications will be required.

### **3. Policy Plan Analysis**

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County master plan. A finding of consistency with the El Paso County Policy Plan (1998) was made previously by the Board of County Commissioners with approval of The Sterling Ranch Sketch Plan (SKP-07-007) and the map amendment (rezoning) (P-15-001) from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). The proposed preliminary plan application is consistent with the prior approvals.

### **4. Small Area Plan Analysis**

The proposed Sterling Ranch Filing No. 2 preliminary plan is located within both the Black Forest Preservation Plan (1987) and the Falcon Peyton Small Area Master Plan (2008) planning areas. Findings of consistency with the Black Forest Preservation Plan and the Falcon Peyton Small Area Master Plan were made with the Sterling Ranch Sketch Plan (SKP-07-007) and the map amendment (rezoning) (P-15-001) from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). The proposed preliminary plan application is consistent with the prior approvals. The preliminary plan was submitted prior to the adoption of Your El Paso County Master Plan (2020); therefore, the Black Forest Preservation Plan (1987) and the Falcon Peyton Small Area Master Plan (2008) are still applicable.

### **5. Water Master Plan Analysis**

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

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

***Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.***

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

***Policy 5.2.2 – Recognize the water supply challenges and limitations inherent in each of the regional planning areas, with particular emphasis placed on Regional Planning Area 3 (Falcon), as a result of current reliance on non-renewable Denver Basin wells and the renewable, but limited and over-appropriated, Upper Black Squirrel Creek alluvium.***

The property is located within Planning Region 3 (Falcon Area) of the Plan and is within a future area of development. Region 3 is identified as potentially having issues regarding long term sustainable draw from the Denver Basin aquifer. The Plan identifies the current demands for Region 3 to be 4,494 acre-feet per year (AFY) with a current supply of 7,164 AFY (Figure 5.1). The demand in 2040 is projected to be 6,403 AFY with a projected supply of 7,921 AFY (Figure 5.2). At build-out in 2060, the demand for Region 3 is projected to be 8,307 AFY with a projected supply of 8,284 AFY, which means by 2060 there is anticipated to be a water supply deficit of 23 AFY (Figure 5.3, Table 5-2).

The property is served by the Sterling Ranch Metropolitan District. The District has committed to provide 75.719 acre-feet of water per year to serve the subdivision. The District has indicated adequate water supplies are available to serve the proposed subdivision. The applicants' water resources information was reviewed by State Water Engineer's Office, El Paso County Planning and Community Development staff, El Paso County Public Health, and the County Attorney's Office. A recommendation of sufficiency regarding water quantity and dependability was made by the County Attorney's Office on March 17, 2021. EPC Public Health made a finding of water quality sufficiency on July 19, 2021.

## **6. 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, was sent a referral and has no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits and floodplain deposits in the area of the subject parcels. A mineral rights

certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Staff did not identify any inconsistencies with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) during the review of the proposed preliminary plan application.

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

The applicants submitted a soil, geologic hazard study, titled, "Soil, Geology, and Geologic Hazard Study" prepared by Entech Engineering, dated May 4, 2021, in support of the preliminary plan application. The report concludes that seasonal and potentially seasonal shallow groundwater areas and surface waters exist within the western portions of the development area. The applicants have proposed to mitigate the hazard by proposing to collect and pipe the water to a detention pond south of the development area. In addition, the applicants have provided a hazard and constraint map and depicted the following note on the preliminary plan, sheet 17.

"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 Geohazard Evaluation Report prepared by Entech Engineering Inc., dated May 4, 2021. This report is held in the Sterling Ranch Phase 2 Preliminary Plan File (SP203) at the El Paso County Planning and Community Development Department:

- Artificial /Undocumented Fill: Areas in south east portion of site
- Hydrocompaction: Areas in south west portion of site in Tract E
- Potentially Expansive Soils: Sporadic
- Potentially Unstable Slopes: Steep slopes along Sand Creek Drainage
- Potential Seasonal Shallow Groundwater: within drainage swales along western portion of site
- Seasonal Shallow Groundwater at 7-9 Feet: Lots 109,111,135,145-147,173,174,180,181,183-188,195-197,207-208

In Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate an underground drainage system. Under drains

to be maintained by the District. No basements will be allowed on Lots 109, 111, 135, 145-147, 173, 174, 180, 181, 183-188, 195-197, 207-208 due to areas of Seasonal Shallow Groundwater.”

## **2. Wildlife**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The U.S. Fish and Wildlife Service provided a letter indicating no concern with the proposed development.

## **3. Floodplain**

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

## **4. Drainage and Erosion**

The proposed subdivision is located within the Sand Creek drainage basin (FOFO4000), which was studied in 1996. This basin requires drainage and bridge fees to be paid at the time of final plat recording. The site generally drains from north to south toward the main tributary of Sand Creek, which ultimately outfalls into Fountain Creek. Conveyance of offsite runoff from the existing industrial lots north of the preliminary plan area will be provided through the Sterling Ranch development.

A Preliminary Drainage Report (PDR) was provided with the preliminary plan submittal. The PDR analysis and design indicates that the proposed development will not release developed runoff in excess of historic rates. The PDR concludes that “the proposed development will not adversely affect the offsite drainageways or surrounding development.”

The Sand Creek Drainage Basin Planning Study (DBPS) calls for the construction of a regional detention pond known as Pond 3 northwest of the intersection of Woodmen Road and Marksheffel Road, which has been completed by the City of Colorado Springs. The DBPS accounted for lower density development in the Sterling Ranch area than is currently proposed. New drainage detention criteria have been adopted by the City and the County, and new State permit requirements (discussed below) have been implemented requiring water quality treatment of runoff since the adoption of the DBPS and review of the Preliminary Drainage Report with the Sterling Ranch Preliminary

Plan in 2015. The Master Development Drainage Plan for Sterling Ranch (2018) (MDDP) was reviewed after the 2015 County adoption of Full Spectrum detention requirements, which addresses water quality treatment and the range of storm events from 2-year to 100-year runoff designs, and the State's adoption of water rights requirements for detention facilities (CRS §37-92-602(8)), but prior to State MS4 (municipal separate storm sewer system) permit and criteria updates. MS4 permit requirements regarding detention and water quality facilities include treatment of runoff before release to "surface waters of the state" (Sand Creek in this case), which were adopted into the ECM in 2019. The developer's consultants have designed facilities to comply with current detention and water quality requirements with this preliminary plan and the proposed drainage plan is in general conformance with the 2018 MDDP.

Improvements for the Sand Creek channel adjacent to the preliminary plan area will be required for the overall Sterling Ranch development at a later date in accordance with the subdivision improvements agreement for Sterling Ranch Filing No. 1. The proposed Pond W4 and Pond W5 storm drain improvements proposed to convey runoff from northwest of Vollmer Road and north of the Sterling Ranch Filing No. 2 final plat area through Sterling Ranch will be eligible to offset drainage basin fees, as recommended by the City-County Drainage Board in June 2021.

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 were submitted and reviewed with the preliminary plan for the pre-development grading request.

## **5. Transportation**

The Sterling Ranch Phase II preliminary plan area is located approximately 1,500 feet east of the intersection of Vollmer Road and the proposed extension of Marksheffel Road, along the north and south side of Sterling Ranch Road. Access to the development is proposed from two intersections on Sterling Ranch Road, a proposed Non-Residential Collector which is to be constructed with Sterling Ranch Filing No. 2 and dedicated to El Paso County. An additional tie-in to a Sterling Ranch Filing No. 2 local road at the northwest corner of the site is proposed to provide the second point of access to that portion of the site.

A traffic impact study (TIS), dated June 2021, was provided with the Phase II preliminary plan and Sterling Ranch Filing No. 2 final plat submittals. Table 4 of

the TIS identifies required offsite roadway improvements and overall developer responsibilities toward those improvements.

Traffic generated from the 212 proposed dwelling units in this development is estimated to be 2,001 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 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.

Approximately 8,100 linear feet of Urban Local public roads are proposed to be constructed with this subdivision.

One deviation was requested and approved with the preliminary plan submittal as discussed in the Request/Waivers/Authorization section of this staff report, above.

## **H. SERVICES**

### **1. Water**

The subdivision will be served by the Sterling Ranch Metropolitan District.

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Water Engineer's Office has made a recommendation regarding a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office recommends a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a recommendation regarding a finding of sufficiency for water quality and has no outstanding comments.

### **2. Sanitation**

Sterling Ranch Metropolitan District has committed to provide wastewater service to the development. A wastewater line from Sterling Ranch connects into the Meridian Service Metropolitan District's wastewater treatment system pursuant to an intergovernmental agreement between the Sterling Ranch Metropolitan District and the Meridian Service Metropolitan District. El Paso County Public Health has made a favorable recommendation regarding wastewater disposal.

### **3. Emergency Services**

The development area is within the Black Forest Fire Protection District. The District was sent a referral and has provided no comments.

### **4. Utilities**

Electrical service will be provided by Mountain View Electric Association and natural gas service will be provided by Black Hills Energy. Both providers were sent a referral for the preliminary plan and have no outstanding comments.

### **5. Metropolitan Districts**

The site is within the Sterling Ranch Metropolitan District. Sterling Ranch Metropolitan District No. 1 will provide water and wastewater services aided by Meridian Service Metropolitan District via an intergovernmental agreement. Installation of roads within the rights-of-way, public and private drainage, and amenities within the tracts are to be constructed by the Sterling Ranch Metropolitan District No. 2. Sterling Ranch Metropolitan District No. 1 will maintain the rights-of-way and public improvements after Sterling Ranch Metropolitan District No. 2 completes construction until preliminary acceptance of the Sterling Ranch Filing No. 1 improvements by the County. Sterling Ranch Metropolitan District No. 1 will also own and maintain the private drainage facilities and other amenities within the tracts. Sterling Ranch Metropolitan District No. 3 will collect ad valorem (property) tax revenue in the amount of 35 mills for future commercial development; Sterling Ranch Metropolitan District No. 2 will collect ad valorem (property) tax revenue in the amount of 60 mills for future residential development, and both Districts will pay Sterling Ranch Metropolitan District No. 1 to own and maintain the tracts and private improvements within the future residential, commercial and lift station development areas.

### **6. Parks/Trails**

Fees in lieu of park land dedication will be due at the time of recording the subsequent final plat(s).

### **7. Schools**

The site is within the boundaries of the Academy District School District No. 20. The developer previously dedicated a 11.66-acre school site to El Paso County on behalf of the District with the Branding Iron at Sterling Ranch Filing No. 2 plat recordation. The District has indicated they are now requesting an alternative site due to a gas line encumbrance running through the previously dedicated site.

The District is currently discussing options with the developer for dedication of future school sites in the portion of the Sterling Sketch Plan that is within the District's boundaries.

**I. APPLICABLE RESOLUTIONS**

See Attached Resolution

**J. STATUS OF MAJOR ISSUES**

There are no major outstanding issues.

**K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019) staff recommends the following conditions and notations:

**CONDITIONS**

1. Applicable drainage and bridge fees shall be paid with each final plat.
2. Applicable school and park fees shall be paid with each final plat.
3. The 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, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. 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.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.



6. 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 Filing No. 2 and Sterling Ranch Phase 2 Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Sterling Ranch Phase Two Preliminary Plan area.

#### **NOTATIONS**

1. Preliminary plan approval does authorize future final plat filings to be approved administratively.
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.
3. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
4. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with the Sterling Ranch Filing No. 1 final plat (SF-16-13) as recorded at Reception No. 218061175 remain valid and apply to this preliminary plan, specifically regarding requirements for Sand Creek channel improvements.

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

The Planning and Community Development Department notified 34 adjoining property owners on October 18, 2021, for the Board of County Commissioners meeting. Responses will be provided at the hearing.

#### **M. ATTACHMENTS**

Vicinity Map

Letter of Intent

Preliminary Plan Drawing

County Attorney's Letter

State Engineer's Letter

EPC Public Health and Environment's Letter

Colorado Springs Airport Advisory Committee Comments and CAD-O Map

November 2, 2021 PC Draft Minutes

Planning Commission Resolution

Board of County Commissioners' Resolution

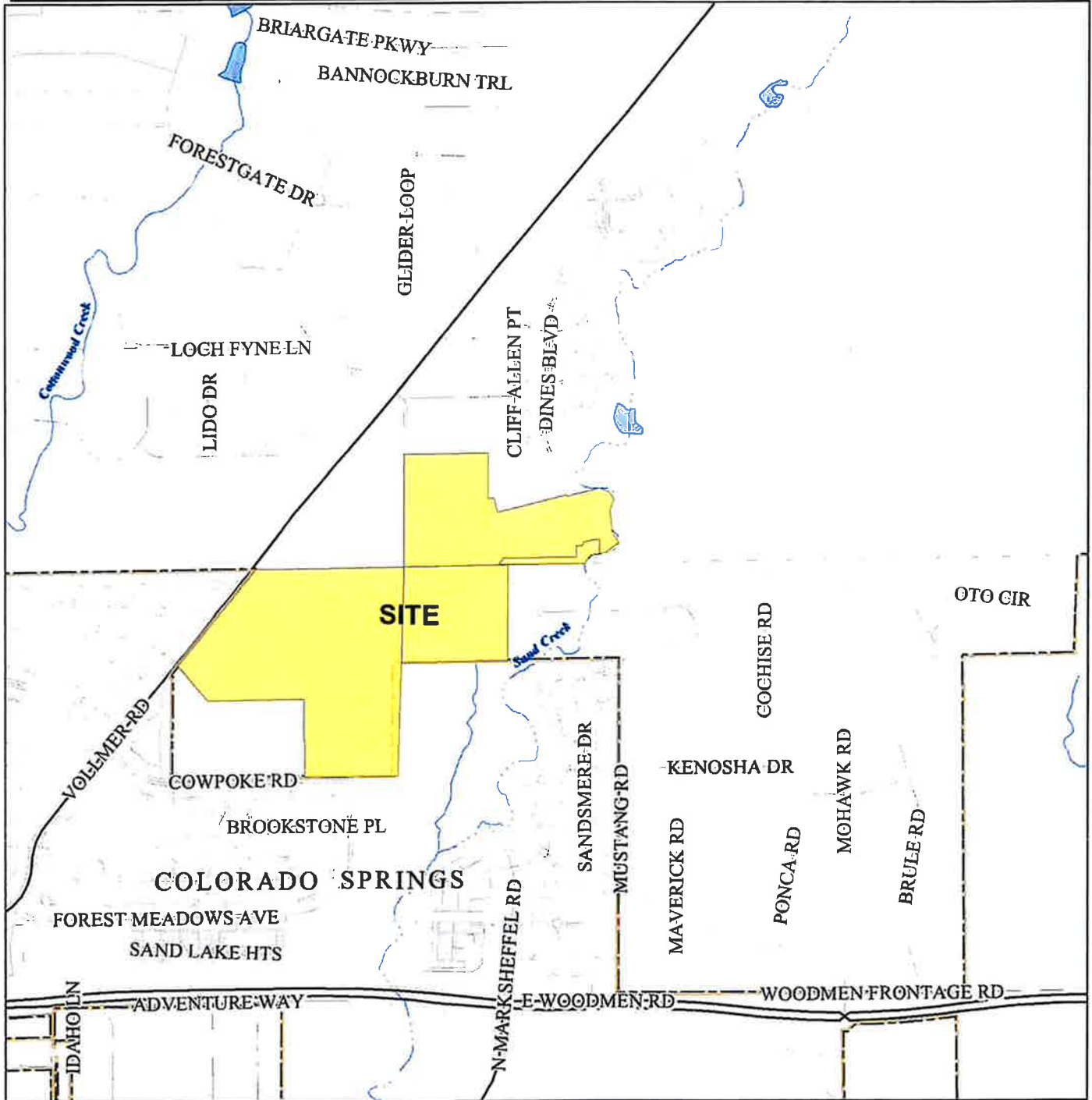
# El Paso County Parcel Information

PA	NAME
523	SR LAND LLC
523	CHALLENGER
530	CHALLENGER
530	8335 VOLLME

File Name:

Zone Map No.

Date:



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



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## STERLING RANCH PHASE 2 PRELIMINARY PLAN

### LETTER OF INTENT

~~JULY, 2020~~ **REVISED AUGUST 2021**

<b>OWNER/APPLICANT:</b> SR Land 20 Boulder Crescent St. Suite 102 Colorado Springs, CO. 80903	<b>OWNER:</b> Challenger Communities LLC. 8605 Explorer Dr. Suite 250 Colorado Springs, CO. 80920	<b>OWNER:</b> Vollmer Road LLC./Pioneer 5000 Northpark Dr. Colorado Springs, CO. 80918	<b>CONSULTANT:</b> N.E.S. Inc. 619 N. Cascade Ave. Suite 200 Colorado Springs, CO. 80903
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### REQUEST

SR Land, LLC. requests approval of the following applications:

1. A Preliminary Plan for Sterling Ranch Phase 2; a 212-unit single-family development on 74.62 acres, 8 tracts for landscaping, drainage, utilities, approximately 2.5-acre (Tract H) for future ROW, and approximately 3.9-acre (Tract F) site for future commercial.
2. A request for Early Grading and Metro District Improvements for the eastern portion of Phase 2 located south of Sterling Ranch Road upon staff approval of Preliminary Plan. (LDC Chapter 6.2.6 Pre-Development Site Grading)
3. A request for approval of a deviation to the knuckle design to reduce the sight distance triangle minimum dimension from 40 feet to 26 feet.
4. Administrative Approval of Final Plats.
5. A request for a finding of Water Sufficiency.

### LOCATION

Sterling Ranch Phase 2 is located generally in the southwest portion of Sterling Ranch along Sterling Ranch Road and east of Marksheffel Road. Phase 2 consists of the properties located north and south of Sterling Ranch Road and west of Sand Creek.





## PROJECT DESCRIPTION/CONTEXT

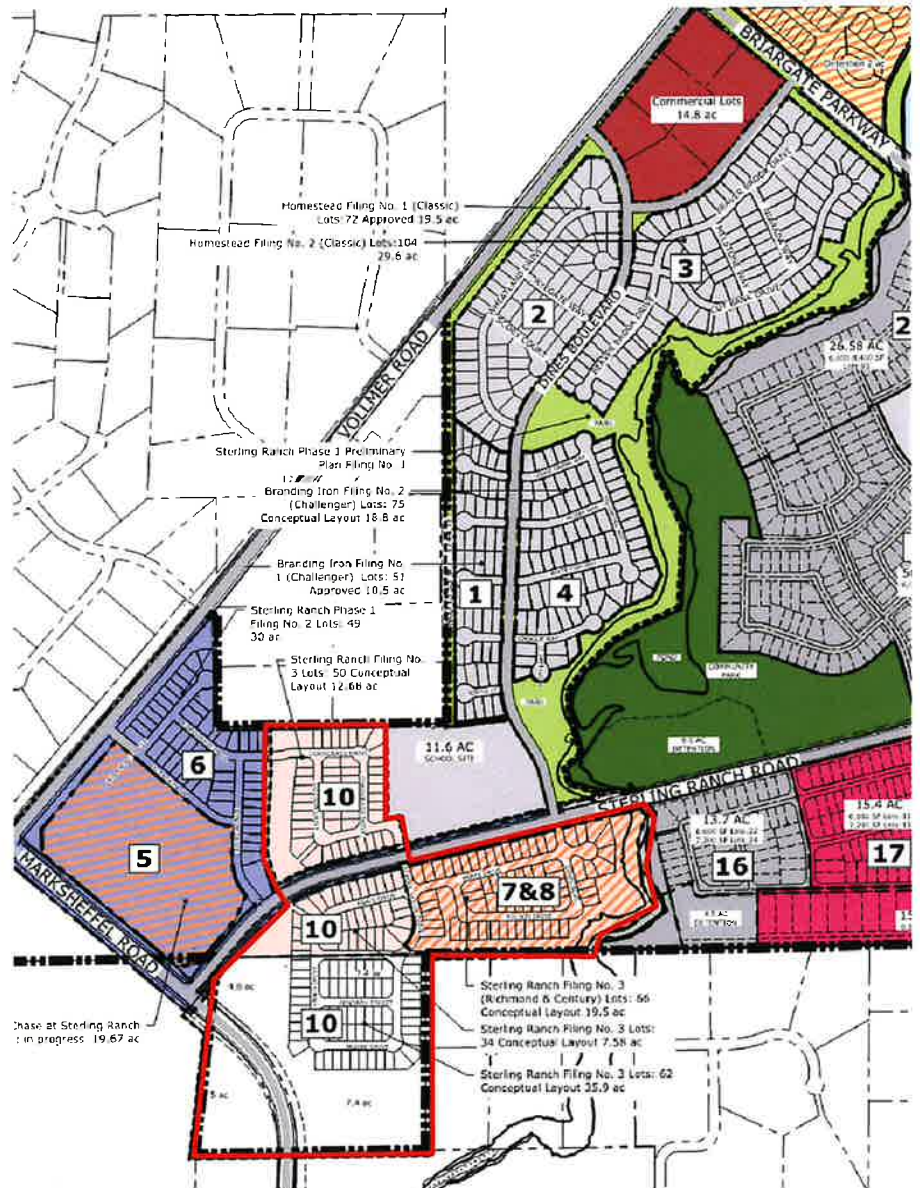
**Background:** The Sterling Ranch Sketch Plan for 5,225 dwelling units on 1,444 acres was approved November 13, 2008. A rezone of 243.14 acres from RR-5 and I-3 to RS-5000 was approved March 24, 2015. A Preliminary Plan for Phase 1 on 182.26 acres of the RS-5000 zoned parcel was approved May 26, 2015. A Final Plat for Sterling Ranch Filing No. 1 for 134.38 acres was approved February 13, 2018. Subsequently, 4 plats have been approved for Homestead Filings 1 & 2 and Branding Iron Filings 1 & 2, these plats are replats of larger tracts platted with Sterling Ranch Filing 1 and are within the Filing 1 boundary.

Sterling Ranch Filing No. 2 on 49.64 acres plats the remaining area of the approved Phase 1 Preliminary Plan that lies south and west of Filing No. 1. This completes the connection of Sterling Ranch Phase 1 to Vollmer Road via Marksheffel Road and Sterling Ranch Road. This plat is currently under review.

This request is for Sterling Ranch Phase 2 Preliminary Plan on 74.62 acres, which is the remaining part of the 243 acres zoned RS-5000, contains 212 single-family lots, eight tracts for landscaping, drainage, and utilities to be completed in multiple filings.

Currently, 302 lots are platted with the Homestead (Map #2 & 3) and Branding Iron Filings (Map #1 & 4), and 49 lots in Sterling Ranch Filing No. 2 (Map # 6) are currently under review by the County. The Phase 2 Preliminary Plan (Map # 7, 8, & 10) includes 212 lots. These six projects provide a total of 563 lots.

**Schools:** The Branding Iron Filing 2 Plat includes a site for an elementary school which is consistent with the Sketch Plan. Recent discussions with school district 20 indicate that they still have a need for the school site and that the 11.53 acres identified and the proposed location northwest of Sterling Ranch Road and Dines Boulevard is acceptable.



**Trails and Open Space:** The Preliminary Plan includes approximately 21 acres of interconnected trails and open space. Including Open Space along Sand Creek providing a regional trail connection. This system of trails and open space is intended to provide a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets. The 5 tracts containing trails and open space will be maintained by the Sterling Ranch Metropolitan District.

**Traffic:** A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entirety of the Phase One Preliminary Plan (*Sterling Ranch Phase One, Traffic Impact Analysis, February 2015*). A Traffic Impact Study (*Sterling Ranch Filing No. 2 and Sterling Ranch Phase 2 Traffic Impact Study, May 2021*) has been prepared in support of Filing No. 2 and Phase 2, which incorporates subsequent analysis related to Sterling Ranch Filing No. 1, Homestead at Sterling Ranch, Branding Iron at Sterling Ranch Filings, and Sterling Ranch Phase 2.

Filing No. 2 includes the construction of Marksheffel Road between Vollmer Road and Sterling Ranch Road, and Sterling Ranch Road will be constructed from Marksheffel Road to Dines Boulevard, thereby connecting it to the southern point of Filing No. 1. These connections are anticipated to be constructed in the spring of 2021. Previous Deviations were approved for intersection spacing between Marksheffel and Sterling Ranch Boulevard, for the inclusion of meandering sidewalks, and for the cross-section of Sterling Ranch Road. It is anticipated Marksheffel will be designed to the City of Colorado Springs cross section and eventually be owned and maintained by the City per an IGA currently being drafted. Access to Phase 2 is provided by three access points off of Sterling Ranch Road.

**Deviations:** A request for approval of a deviation to the knuckle design to reduce the sight distance triangle minimum dimension from 40 feet to 26 feet. Adherence to the standard would create excessively wide and deep lots inconsistent with the intent of the current urban-lot zoning. The deviation does not adversely impact the public. The traffic in the areas where the knuckles are proposed is minimal and the design is anticipated to have design speeds of less than 25 miles per hour.

**Drainage:** Detention facilities to be constructed with Sterling Ranch Filing No. 2 will serve this area. The drainage improvements associated with Phase 2 are consistent with the Master Development Drainage Plan and Preliminary Drainage Report for Sterling Ranch Phase One. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Sand Creek Drainage Basin Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual.

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

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

**Roads:** Road improvements for Sterling Ranch Road and Marksheffel Road are included in Sterling Ranch Filing 2. The Preliminary Plan interior roadways will be constructed as part of their respective filings.

**Geologic Hazards:** The site was found to be suitable for development with proper mitigation techniques. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Geohazard Evaluation Report prepared by Entech Engineering Inc., dated May 4, 2021. Wetlands have been identified to be mitigated as outlined in the Compensatory Mitigation Plan prepared by Bristlecone Ecology.

**Floodplain:** The eastern portion of this Preliminary Plan area, adjacent to Sand Creek, is mapped within Zone A of the FEMA Floodplain Map No. 08041C0533G, dated December 7, 2018. The remainder of the Preliminary Plan area is within Zone X, which is determined to be outside the 500-year floodplain. There are no lots shown within the floodplain.

**Wetlands:** The Sand Creek drainageway and jurisdictional wetlands were identified on the original 2008 Sketch Plan and preserved as a natural feature. The corridor is incorporated as part of the open space system and an extension of the Sand Creek Trail. This Phase of development will not impact the main Sand Creek Channel. The western tributary within the property will be lost. To mitigate the loss, the preferred method of mitigation is the watershed approach, as outlined in the Compensatory Mitigation Plan prepared by Bristlecone Ecology, dated June 2020. Which outlines the requirements for re-establishing the wetlands adjacent to the Sand Creek Channel.

**Wildlife:** Wildlife that has been viewed on the site and surrounding areas include prairie dogs, coyotes, pronghorn antelope, western meadowlarks, sparrow and several species of hawks including red tail. Prairie voles, mice and prairie dogs are the typical rodent population in the area. As development occurs within Sterling Ranch, care will be taken to minimize human and wildlife conflicts within reasonable limits.

**Wildfire:** The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a low wildfire hazard potential and no specific fire mitigation plans or other actions are necessary.

**Districts Serving the Property:**

- Academy School District 20
- Mountain View Electric
- City of Colorado Springs Utilities – Gas
- Black Forest Fire Protection District
- Sterling Ranch Metropolitan District No. 2
- El Paso County Conservation District
- Pikes Peak Library District

**PROJECT JUSTIFICATION**

The relevant County Plans for Sterling Ranch are the County Policy Plan, the Falcon-Peyton Small Area Plan, the Black Forest Preservation Plan, and the Water Master Plan. A detailed analysis of the

relationship of the Sterling Ranch Sketch Plan and the goals and objectives of these plans was previously provided with the Sketch Plan, and Zoning submittals with findings of consistency having been. These include the provision of adequate buffers and transitions from lower, rural density residential development, the provision of adequate urban services by Sterling Ranch Metropolitan District, an interconnected system of trails, open spaces and neighborhood parks, and the preservation of open space.

Sterling Ranch Phase 2 is consistent with the approved Sketch Plan and Zoning. As there have been no changes to the relevant County Plans since these approvals, the Preliminary Plan continues to be in compliance with the County Master Plan, the Black Forest Preservation Plan, and the Falcon-Peyton Small Area Plan as discussed below. The Phase 2 plan is consistent with the Water Master Plan and preserves the Sand Creek Greenway and has clustered development outside of the preservation area.

### **County Policy Plan**

The following County Policies are relevant to the requested Preliminary Plan:

- **Policy 6.1.11:** Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.
- **Policy 6.4.4:** Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undevelopable areas.
- **Policy 13.1.1:** Encourage a sufficient supply and choice of housing at varied price and rent levels through land development regulations.
- **Policy 13.1.2:** Support the provision of land use availability to meet the housing needs of county residents.

The project is consistent with the policies of the County Plan which encourages contiguous new development that is contiguous with existing residential and is incorporated as a buffer between varying densities and housing types. The plan provides for another option of housing densities and types. Buffers are provided in the form of tracts with landscaping and open space along the perimeter of the project. The plan provides for additional single-family lots for much needed housing in the County.

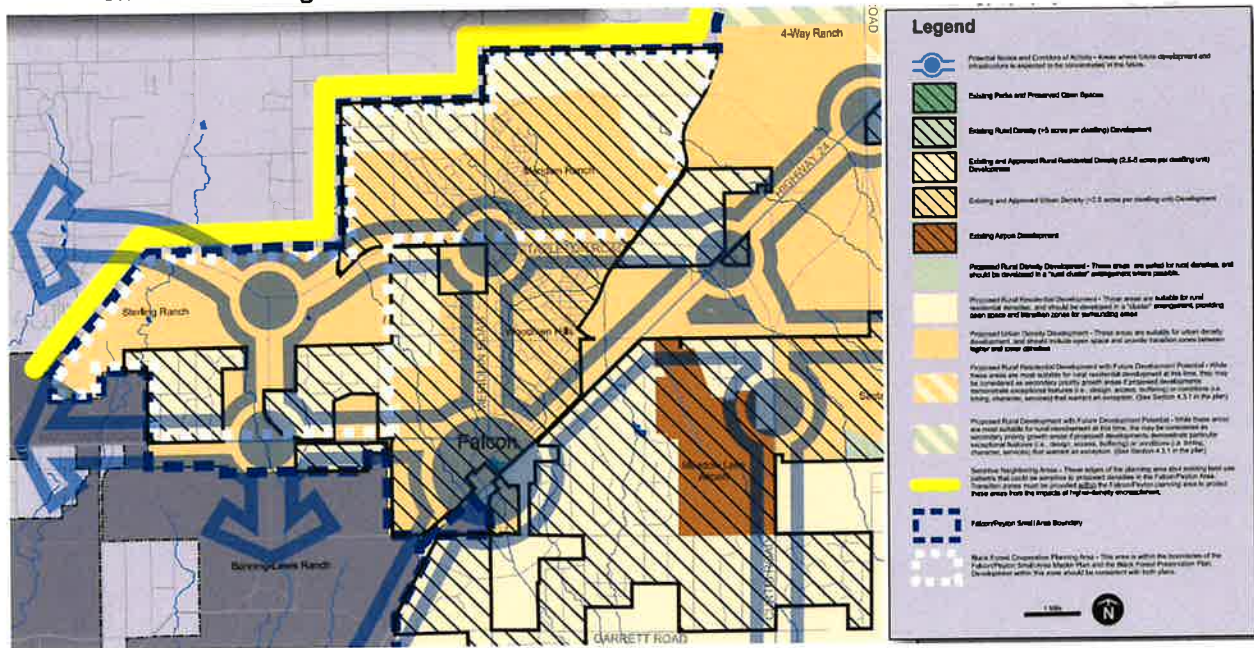
### **Falcon Peyton Small Area Plan**

The site is in an area identified as “Proposed Urban Density Development” specifically defined as an area suitable for urban density development. The proposed development directly supports this identification and the following goals and policies of the small area plan.

- 3.1.1 Provide a **balance of land uses** that respects existing and historical patterns while providing opportunities for future residents and businesses.
- 3.3.1 Encourage **diversity and variety in housing** types, sizes, locations, and prices to meet the needs of existing and new residents.
- 3.3.2 Promote **predictable growth** in the housing market that is consistent with the Small Area Master Plan.



- 3.3.4 Meet the **housing needs** of as many existing and new residents of differing ages, incomes, and desired living accommodations.



**Black Forest Preservation Plan**

The Sterling Ranch Phase 2 area is located within the Southern Transitional Area also identified as the Cooperative Planning Area. Adequate services including water wastewater, electric, natural gas, roadways, and fire protection have been identified. The site provides an additional housing option and appropriate densities to transition from the existing rural residential and the future development of the area.

**Water Master Plan**

- *Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
- *Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*
- *Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.*
- *Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.*
- *Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*
- *Goal 5.4 – Promote the long-term use of renewable water.*
- *Goal 5.5 – Identify any water supply issues early on in the land development process.*
- *Goal 6.0 – Require adequate water availability for proposed development.*
- *Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*
- *Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.*



Sterling Ranch Metro District has sufficient supply and infrastructure in the area to serve this development. The total current commitment of the existing Sterling Ranch water supply is 592.89 annual acre feet. The total Sterling commitments stand at 453.10 annual acre-feet.

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

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

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

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

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

In order to meet future demands, contractual arrangements have been made to obtain additional legal and physical supply including contracts with McCune Water SR Water LLC. And the Bar X Water. In addition to adding off-site sources, additional priority is to acquire and invest in additional renewable water supplies. Future supply has been contracted for and implementation is under way. A substantial amount of Not Non-tributary water is available on the Sterling Ranch site and is the purpose of a pending augmentation plan.

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

**Preliminary Plan Review Criteria Chapter 7.2.1.D.2.e**

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

Phase 2 lies within the Falcon-Peyton Small Area Plan identifying the area as proposed Urban Density Development and this is consistent. As stated previously, the Sketch Plan was thoroughly analyzed in its relationship to the County Plans and no changes have been made to these plans or the Phase 2 area. The project is consistent with the Water Master Plan as discussed previously.

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

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. Land use compatibility with this purpose is determined through zoning. This subdivision is consistent with the RS-5000 zoning and the approved Sketch Plan. The project is consistent with the code with the exception of the requested deviations to the knuckle design.

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

The subdivision design standards are met and the subdivision is consistent with the approved Sterling Ranch Sketch Plan.

**4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S. §30-28-133(6)(A)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE;**

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by Sterling Ranch Metropolitan District 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;**

Public sewage disposal is addressed in the Wastewater Treatment Report provided 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)];**

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. These matters are addressed in the Geohazard Evaluation Report prepared by Entech Engineering Inc., dated March 2, 2021. Wetlands have been identified to be mitigated as outlined in the Compensatory Mitigation Plan prepared by Bristlecone Ecology.

**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 Preliminary Drainage Report prepared by JR Engineering. The design of the detention pond, drainage improvements adhere to the requirements of the code, ECM, and State Law.

**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;**

The proposed location and design of public improvements provide adequate services and mitigate any effect. The proposed deviation to the knuckle design of the roadways meets the need and intent of the urban lot development. The deviation does not adversely affect safety or operations.

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

All lots will be accessible by new public streets that comply with the LDC and ECM except where deviations are requested to the radius and the site distance of the knuckles. Street names have been approved by El Paso–Teller County 911 Authority.

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

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

The Sand Creek drainageway and jurisdictional wetlands were identified on the original 2008 Sketch Plan and preserved as a natural feature. The corridor is incorporated as part of the open space system and an extension of the Sand Creek Trail east of this Phase 2 area. A 404 Permit was issued in 2016 authorizing work and channel improvements within the main stem of the Sand Creek and the development impact on the jurisdictional wetlands. Exposed bedrock was identified initially and is preserved within the Sand Creek Greenway.

- 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;**

Appropriate provisions are made in this regard in accordance with the Sketch Plan and surrounding area. Sidewalks are incorporated along the roadways for pedestrian connectivity. A County Regional Trail connection is provided along the east portion of the site along Sand Creek and provides pedestrian and bicycle connections to trails within Sterling Ranch and future trails to the south. A trail connection is shown along the north side of Sterling Ranch Road to connect the regional trail and the overall Sterling Ranch development. Local streets are accessed from a network of arterial roads and provide access to the individual lots. Sterling Ranch Metro District provides cost effective delivery of water and wastewater services.

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

As necessary, appropriate landscaping setbacks and/or buffers are provided as required by the LDC. This plan incorporates a 50-foot Landscape Buffer and a 100-foot minimum building setback along the southern boundary as specified on the Sterling Ranch Sketch Plan.

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

The Sand Creek drainageway and jurisdictional wetlands were identified on the original 2008 Sketch Plan and preserved as a natural feature. The corridor is incorporated as part of the open space system and an extension of the Sand Creek Trail. This Phase of development will not impact the main Sand Creek Channel. The western tributary within the property will be lost. To mitigate the loss, the preferred method of mitigation is the watershed approach, as outlined in the Compensatory Mitigation Plan prepared by Bristlecone Ecology, dated June 2020. Which outlines the requirements for re-establishing the wetlands adjacent to the Sand Creek Channel.

- 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;**

The Traffic Impact Study prepared by LSC identifies the improvements for the surrounding roadways. The report demonstrates no negative impact to existing conditions in the area. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on existing service 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;**

Water and sanitary sewer service are to be provided by Sterling Ranch Metropolitan District No. 2. Electric Service is provided by Mountain View Electric Association Inc. The site is entirely within Colorado Springs Utility territory for natural gas services. The required Will Serve letters are included with the submittal. Recreation opportunities are provided through trail connections and preserved open space along the Sand Creek Greenway.

**12. 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 Rescue Protection District. A Fire Protection Report and Fire Commitment Letter is included with this submittal.

**13. 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.



**ADJACENT OWNERS TABLE:**

Tract No.	Maping Address	City, State, Zip
1	201 BOLLER CREST DR. S.W. 102	COLORADO SPRINGS CO. 80901
2	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
3	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
4	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
5	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
6	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
7	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
8	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
9	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
10	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
11	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901
12	2005 KENNEDY DR. S.W.	COLORADO SPRINGS CO. 80901

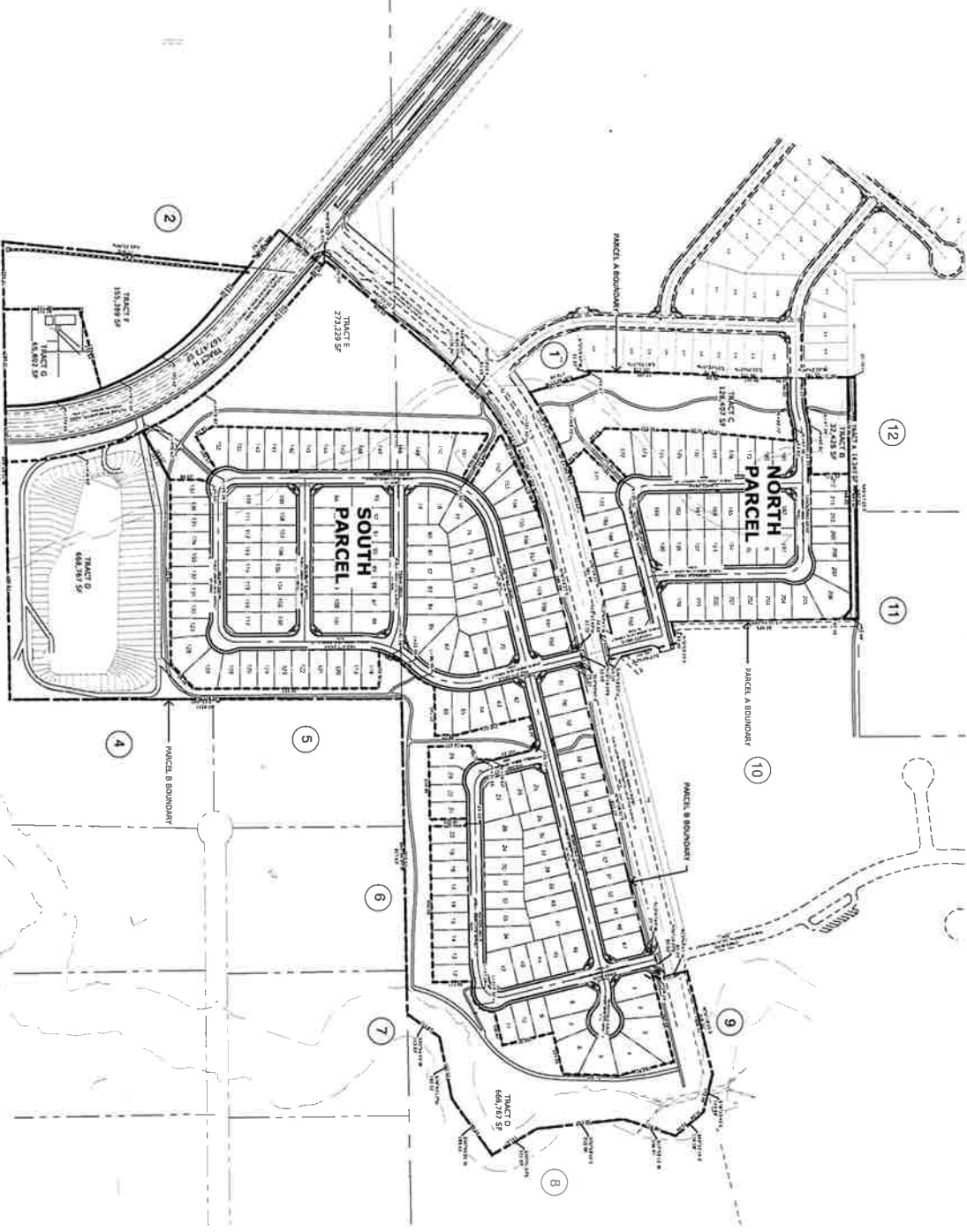
**TRACT USE CHART:**

Tract	Area (sq. ft.)	General Use/Restriction
A	1,111,111	Single-Family Residential
B	1,111,111	Single-Family Residential
C	1,111,111	Single-Family Residential
D	1,111,111	Single-Family Residential
E	1,111,111	Single-Family Residential
F	1,111,111	Single-Family Residential
G	1,111,111	Single-Family Residential
H	1,111,111	Single-Family Residential
I	1,111,111	Single-Family Residential
J	1,111,111	Single-Family Residential
K	1,111,111	Single-Family Residential
L	1,111,111	Single-Family Residential
M	1,111,111	Single-Family Residential
N	1,111,111	Single-Family Residential
O	1,111,111	Single-Family Residential
P	1,111,111	Single-Family Residential
Q	1,111,111	Single-Family Residential
R	1,111,111	Single-Family Residential
S	1,111,111	Single-Family Residential
T	1,111,111	Single-Family Residential
U	1,111,111	Single-Family Residential
V	1,111,111	Single-Family Residential
W	1,111,111	Single-Family Residential
X	1,111,111	Single-Family Residential
Y	1,111,111	Single-Family Residential
Z	1,111,111	Single-Family Residential

**STERLING RANCH PHASE TWO**

**PRELIMINARY PLAN**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 13 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 15, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



**NES**  
 Land Planning  
 Landmark  
 Architecture  
 Urban Design

N.E.S. Inc.  
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 Colorado Springs, CO 80903  
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 Fax: 719.471.0184  
 www.neslandco.com  
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**STERLING RANCH PHASE 2 PRELIMINARY PLAN**  
 El Paso County, Colorado

**ENTITLEMENT**

DATE: 08/17/2012  
 PROJECT: 86600000  
 SHEET: 2 OF 17

**ADJACENT OWNERS & OVERALL SITE ENTITLEMENT**

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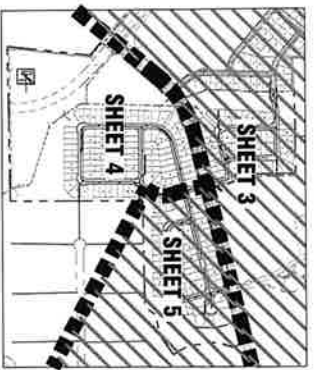
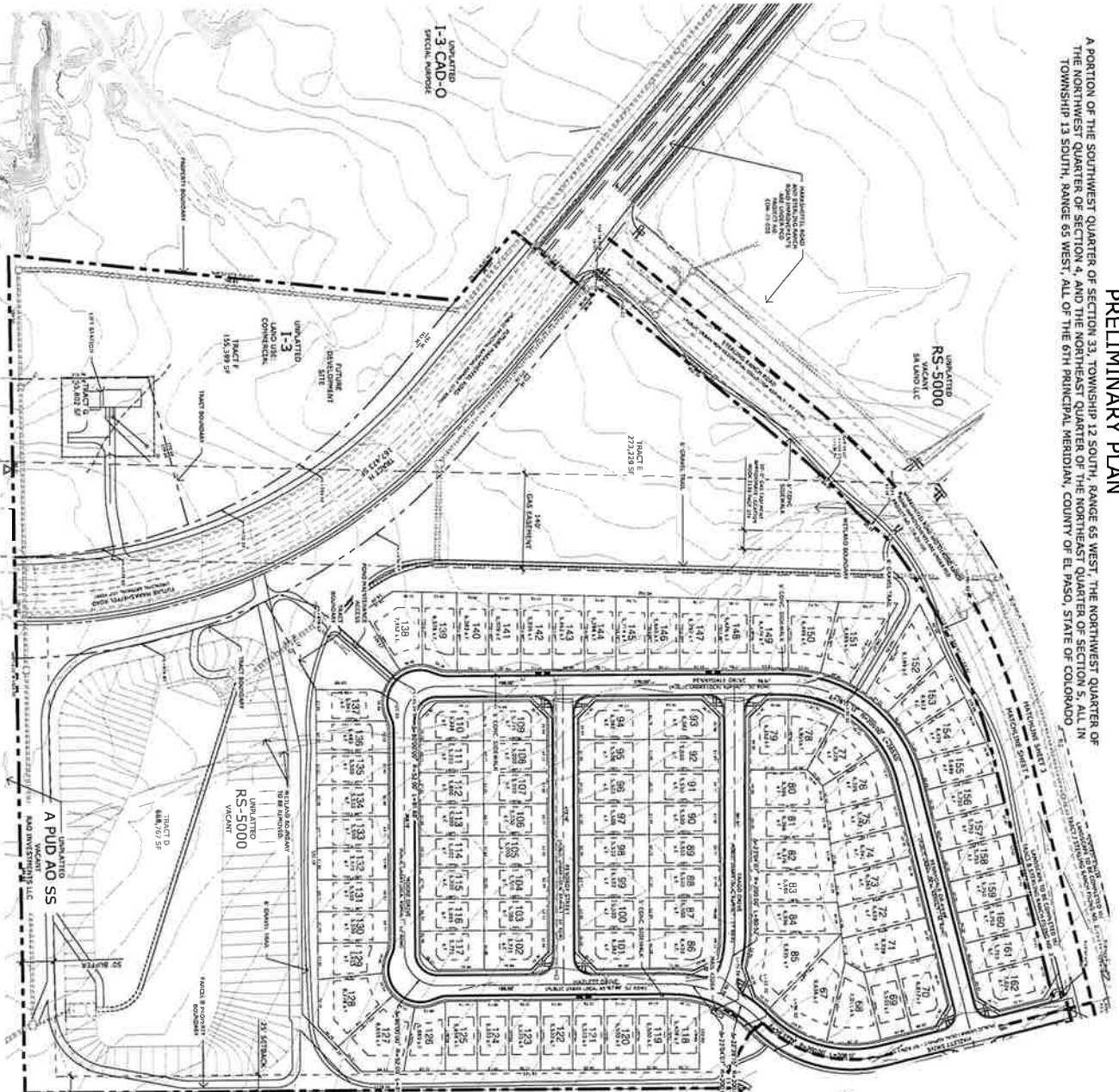




# STERLING RANCH PHASE TWO

## PRELIMINARY PLAN

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHWEST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



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 National Engineering Services  
 17th Street  
 El Paso, Texas 79901  
 www.nesusa.com

610 N. Guadalupe Avenue, Suite 200  
 El Paso, Texas 79901  
 TEL: 718.971.0072  
 FAX: 718.971.0803  
 www.nesusa.com

**STERLING RANCH PHASE 2**  
 PRELIMINARY PLAN  
 El Paso County, Colorado

DATE: 04.17.2012  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

**ENTITLEMENT**

**PRELIMINARY PLAN**

**4** OF 17



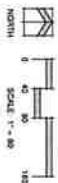
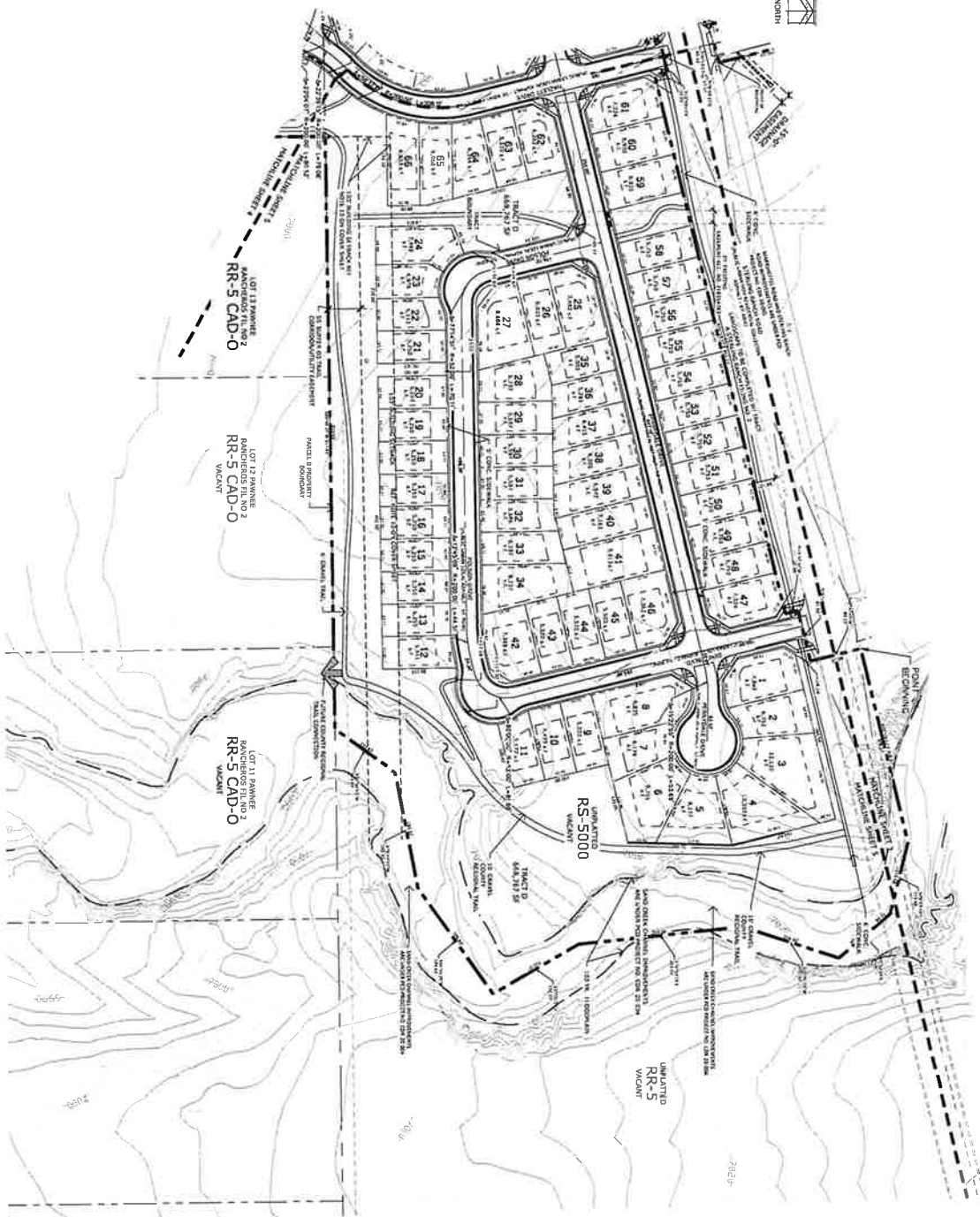
SHEET REFERENCE



# STERLING RANCH PHASE TWO

## PRELIMINARY PLAN

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



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619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903  
Tel: 719.471.0073  
Fax: 719.471.0167  
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STERLING RANCH PHASE 2 PRELIMINARY PLAN  
El Paso County, Colorado

DATE: 04.13.2010  
PROJECT NO: 8  
DRAWN BY: [Name]  
REVISION: [Number]

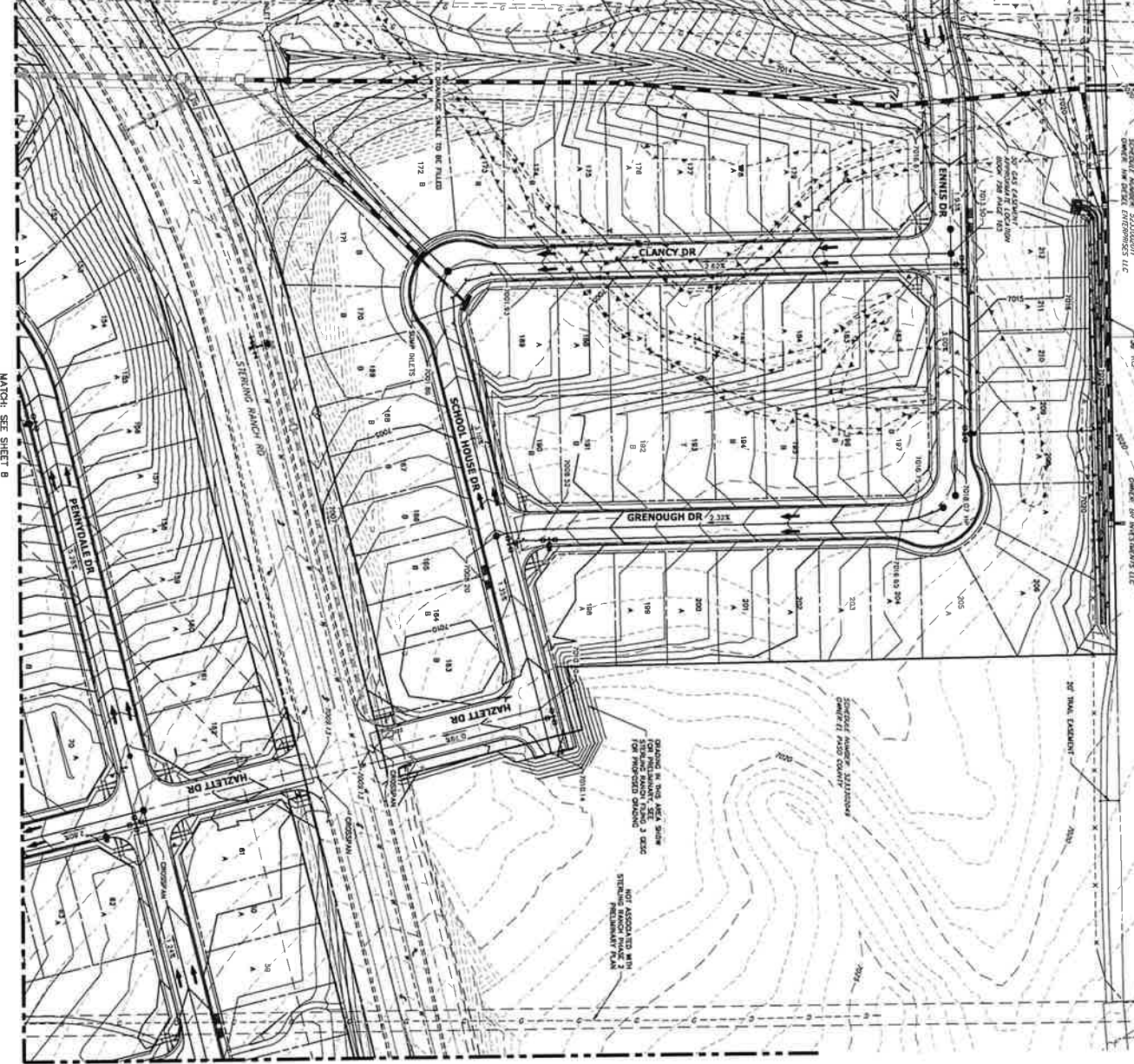
ENTITLEMENT

NO.	DATE	DESCRIPTION
01	04/13/2010	PRELIMINARY PLAN
02	04/13/2010	PRELIMINARY PLAN
03	04/13/2010	PRELIMINARY PLAN
04	04/13/2010	PRELIMINARY PLAN
05	04/13/2010	PRELIMINARY PLAN

PRELIMINARY PLAN

5  
5 of 17

MATCH: SEE SHEET B



MATCH: SEE SHEET 7

**LEGEND**

- EXISTING STONE CURB
- STONE CURB PROPOSED
- PROPOSED MOBILITY LINES
- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- EXISTING PRIORITY LINE
- ROW EXISTING
- ROW PROPOSED
- PROPOSED EASEMENT
- EXISTING EASEMENT
- MAINTENANCE EASEMENT
- 5% FINISH
- ORANGE DRAIN/CURB
- 5'
- 10'
- PROPOSED
- EXISTING
- 1100'
- 1100'

**LOT DRAINAGE TYPES AND SMALL DIRECTION**

TYPE A, TYPE B/C, TYPE D/E, TYPE F, TYPE G/H

BREAK POINT ELEV. (TP) DIRECTION OF FLOW (TP)

NOT TO SCALE

**KEY MAP**

SCALE: N/S

Know what's below. Call before you dig.

**811**

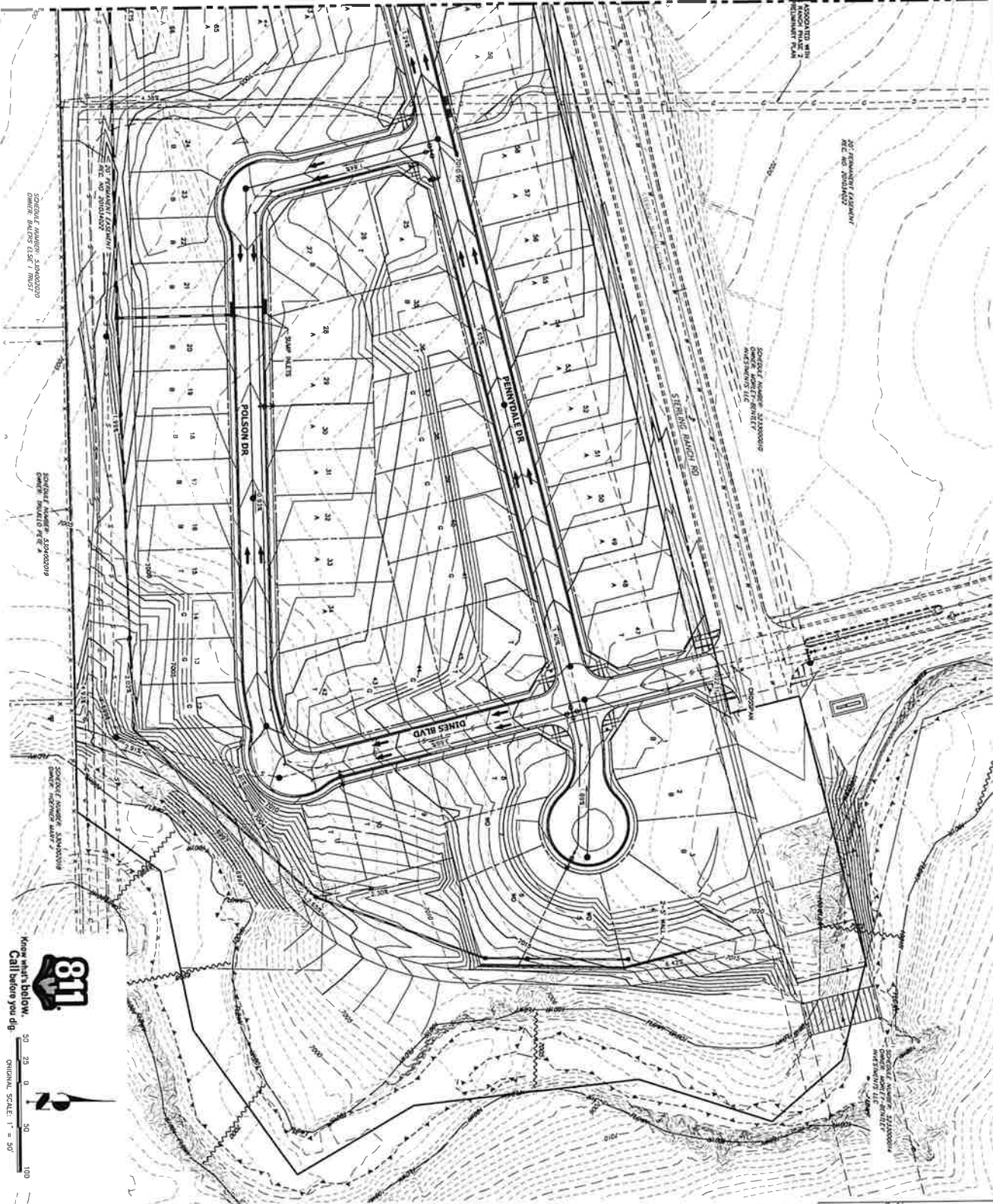
50 25 0 25 50 100

ORIGINAL SCALE: 1" = 50'

STERLING RANCH PHASE 2		BY DATE		<p><b>J-R ENGINEERING</b> A Western Company</p> <p>Centennial 303-740-6993 • Colorado Springs 719-590-2500 Fort Collins 970-471-9888 • www.jrengineering.com</p>	PREPARED FOR	<p>SR LAND, LLC 20 BOULDER CRESCENT SUITE 201 COLORADO SPRINGS, CO 80903 JAMES F. MORLEY (719) 471-1742</p>
PRELIMINARY GRADING PLAN		REVISION			APPROVED BY	
H-SCALE	1" = 50'	No.	DATE	DESIGNED BY	<p>UNLESS SUCH TIME AS APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, J-R ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.</p>	
V-SCALE	N/A	DATE	09/10/21	DRAWN BY		
DESIGNED BY	AAM	CHECKED BY	CJD	SHEET 6 OF 17		
DRAWN BY				JOB NO. 28188.02		



MATCH: SEE SHEET 6



811  
 Know what's below.  
 Call before you dig.

30 23 0 30 100  
 ORIGINAL SCALE: 1" = 50'

**LEGEND**

EXISTING STONE SCREEN  
 STORM SEWER PROPOSED  
 PROPOSED FLOW  
 PROPOSED PRIORITY LINES  
 PROPOSED SPECIALTY LANE  
 ROW EXISTING  
 R, EXISTING  
 SHERMANS EXISTING  
 DRAINAGE ACCESS & BARRIERS EXISTING  
 SLOTTED  
 SLOTTED  
 SLOTTED

EXISTING  
 PROPOSED

LOT DRAINAGE TYPES AND SMALL DIRECTION  
 NOT TO SCALE

TYPE A  
 TYPE B  
 TYPE B/C

KEY MAP  
 SCALE LINE

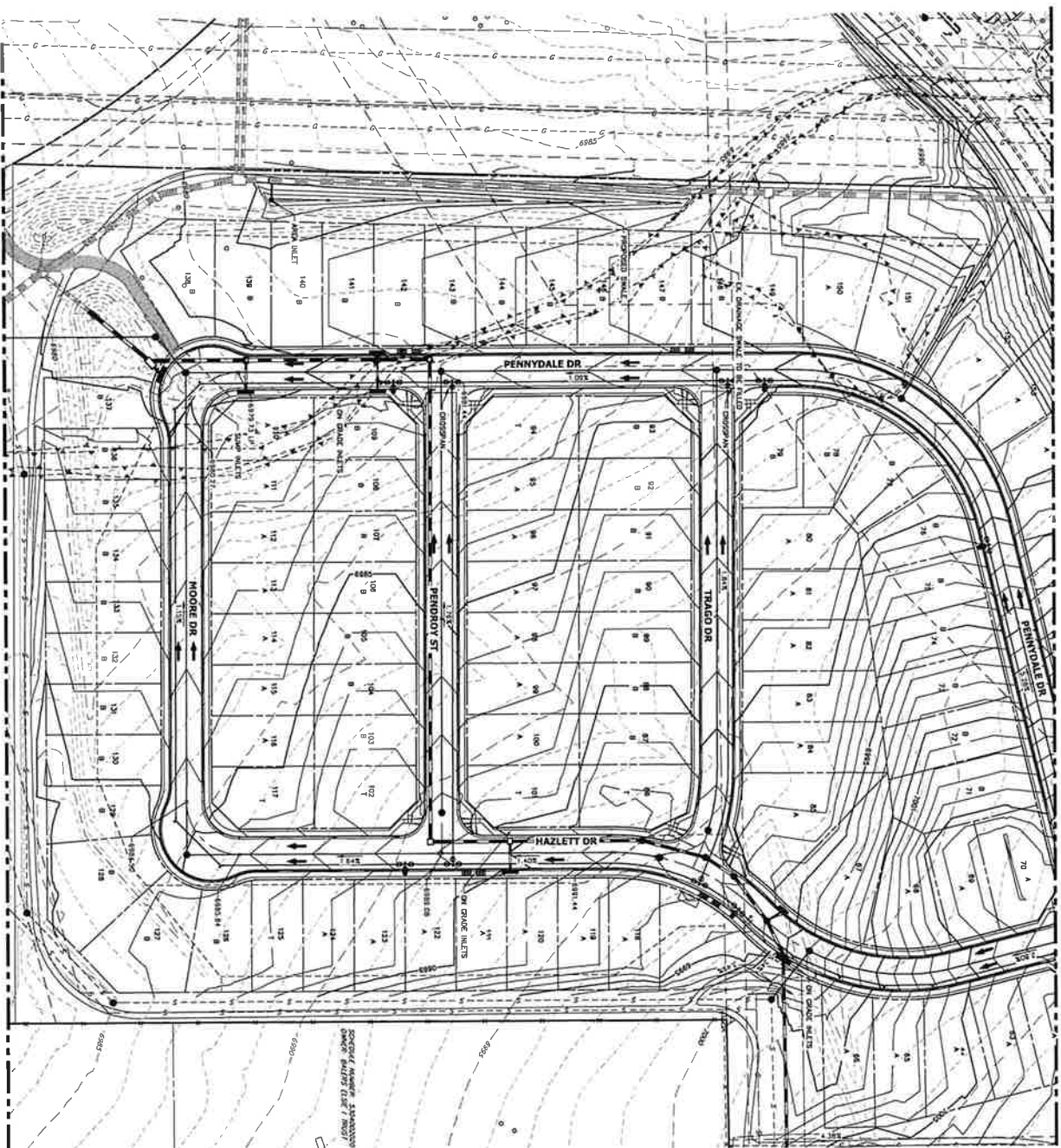
1" = 50'

BY DATE

REVISION

SS LAND, LLC  
 20 BOULDER CRESCENT  
 SUITE 201  
 COLORADO SPRINGS, CO 80903  
 JAMES F. MORLEY  
 (719) 471-1742

STRLING RANCH PHASE 2 PRELIMINARY GRADING PLAN	H-SCALE 1"=50' V-SCALE N/A DATE 09/10/21 DESIGNED BY AAM DRAWN BY C.J.D. CHECKED BY	No. REVISION BY DATE	PREPARED FOR SS LAND, LLC 20 BOULDER CRESCENT SUITE 201 COLORADO SPRINGS, CO 80903 JAMES F. MORLEY (719) 471-1742	UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION
	SHEET 7 OF 17 JRS NO. 28188.02	J-R ENGINEERING A Revlon Company Central 303-763-2888 • Colorado Springs 719-593-2500 Fort Collins 970-491-8865 • www.jrengineering.com	PREPARED FOR SS LAND, LLC 20 BOULDER CRESCENT SUITE 201 COLORADO SPRINGS, CO 80903 JAMES F. MORLEY (719) 471-1742	UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION



MATCH: SEE SHEET 6

MATCH: SEE SHEET 9

**LEGEND**

EXISTING STORM SEWER

STORM SEWER PROPOSED

PROPOSED PROPERTY LINES

PROPOSED SCHEMATIC

EXISTING PROPERTY LINE

NEW EXISTING

SCHEMATIC EXISTING

ORANGE ACCESS & MAINTENANCE EASEMENT

SITE FENCE

EXISTING

PROPOSED

NET

LOW POINT/HIGH POINT

FLOW DIRECTION & SLOPE

EXISTING FLOW DIRECTION

EXISTING FLOW DIRECTION

EXISTING FLOW DIRECTION

**LOT DRAINAGE TYPES AND SWALE DIRECTION**

NOT TO SCALE

TYPE A

TYPE T

TYPE B/C

BREAK POINT ELEV. (TP)

DIRECTION OF FLOW (FP)

TYPICAL LOT

TYPICAL WALKOUT LOT

TYPICAL LOT

TYPICAL WALKOUT LOT

**KEY MAP**

SR LAND, LLC

20 BOULDER CRESCENT

SUITE 201

COLORADO SPRINGS, CO 80903

JAMES F. MORLEY

(719) 471-1742

811

Know what's below.  
Call before you dig.

50 25 0 50 100

ORIGINAL SCALE: 1" = 50'

STERLING RANCH PHASE 2	H-SCALE	1"=50'	No.	REVISION	BY	DATE
	V-SCALE	N/A				
PRELIMINARY GRADING PLAN	DATE	09/10/21				
	DESIGNED BY	AAM				
	DRAWN BY	CJD				
	CHECKED BY					

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A Wharton Company

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PREPARED FOR

SR LAND, LLC

20 BOULDER CRESCENT

SUITE 201

COLORADO SPRINGS, CO 80903

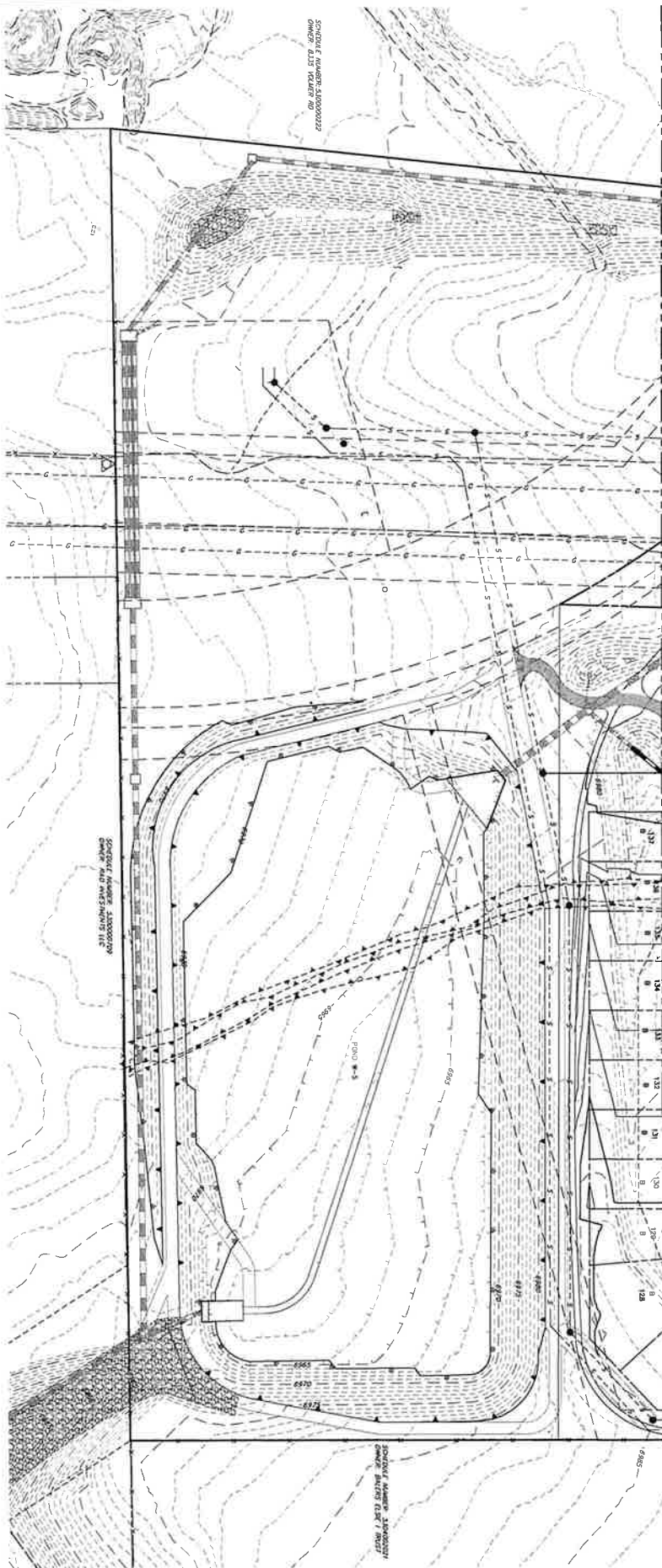
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SHEET 8 OF 17

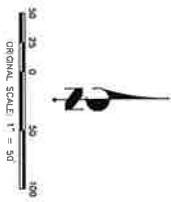
JOB NO. 25188.02



MATCH: SEE SHEET 7

**LEGEND**

	EXISTING STONE WALLS		L.P./I.P.
	STORM SEWER PROPOSED		LOT
	PROPOSED R.O.W.		LOT LINE
	PROPOSED DRIVEWAY LINES		LOT LINE DIRECTION & SLOPE
	PROPOSED SIDEWALK		FLOW DIRECTION ARROW
	PROPOSED UTILITY LINE		INDIRECT OVERHEAD DIRECTION
	EXISTING R.O.W.		PROPOSED SALT DOME
	EXISTING SIDEWALK		
	DRAINAGE ACCESS & MAINTENANCE EASEMENT		

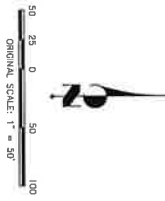
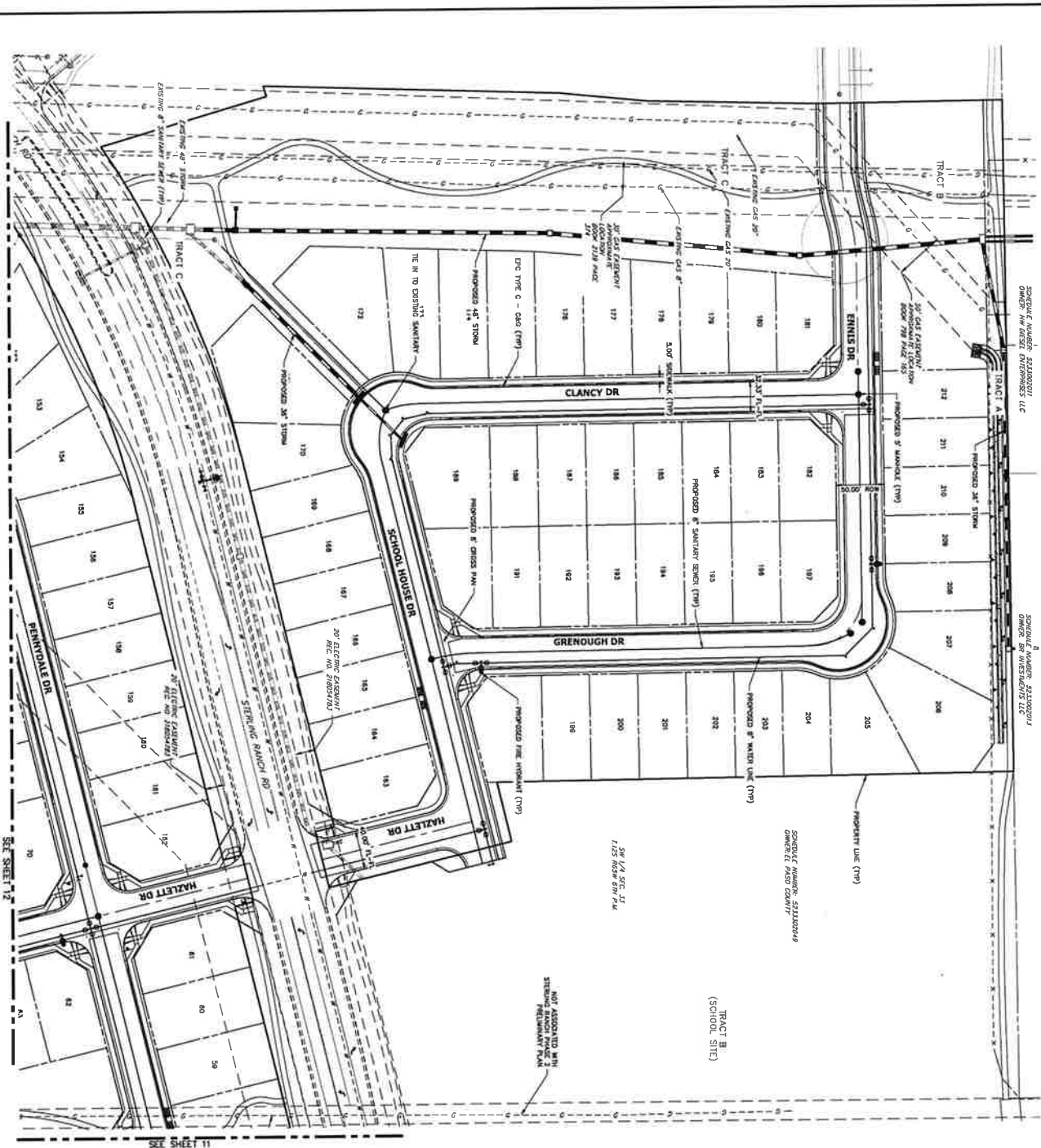


STERLING RANCH PHASE 2 PRELIMINARY GRADING PLAN	H-SCALE	1" = 50'	NO. REVISION	BY	DATE
	V-SCALE	N/A			
	DATE	09/10/21			
	DESIGNED BY	AAM			
	DRAWN BY	CJD			
	CHECKED BY				

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SHEET 10 OF 17  
JOB NO. 25186.02

STERLING RANCH PHASE 2  
PRELIMINARY UTILITY PLAN

NO.	REVISION	BY	DATE

H-SCALE 1"=50'  
 V-SCALE N/A  
 DATE 09/10/21  
 DESIGNED BY JRM  
 DRAWN BY JRM  
 CHECKED BY

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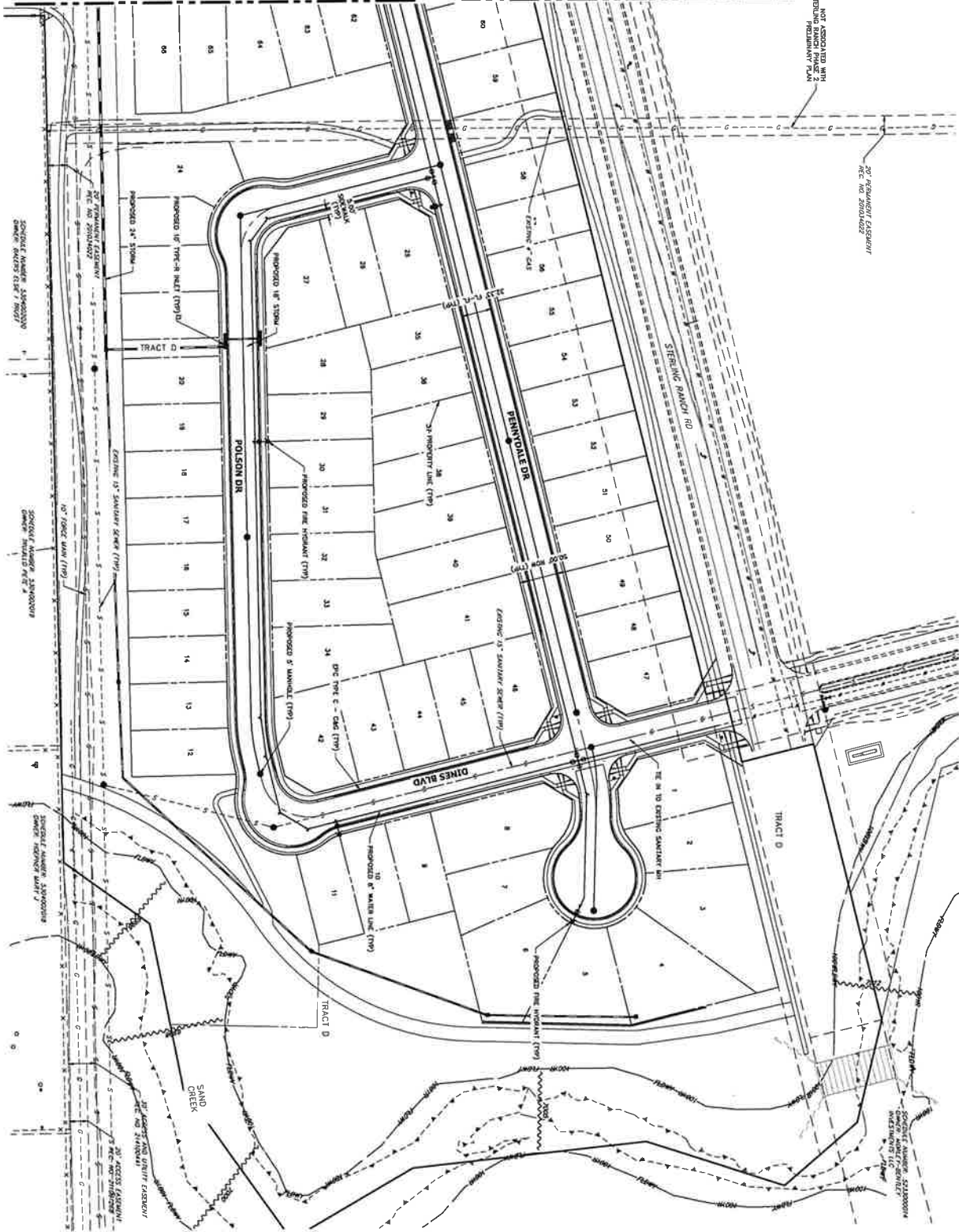
PREPARED FOR  
 SR LAND, LLC  
 20 BOULDER CRESCENT  
 SUITE 201  
 COLORADO SPRINGS, CO 80903  
 JAMES F. MORLEY  
 (719) 471-1742

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SEE SHEET 12

SEE SHEET 10



KEY MAP



811  
Know what's Below.  
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STERLING RANCH PHASE 2  
PRELIMINARY UTILITY PLAN

H-SCALE	V-SCALE	DATE	DESIGNED BY	DRAWN BY	CHECKED BY
1"=50'	N/A	09/10/21	JRM	JRM	

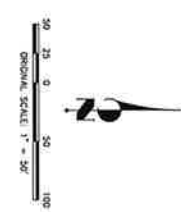
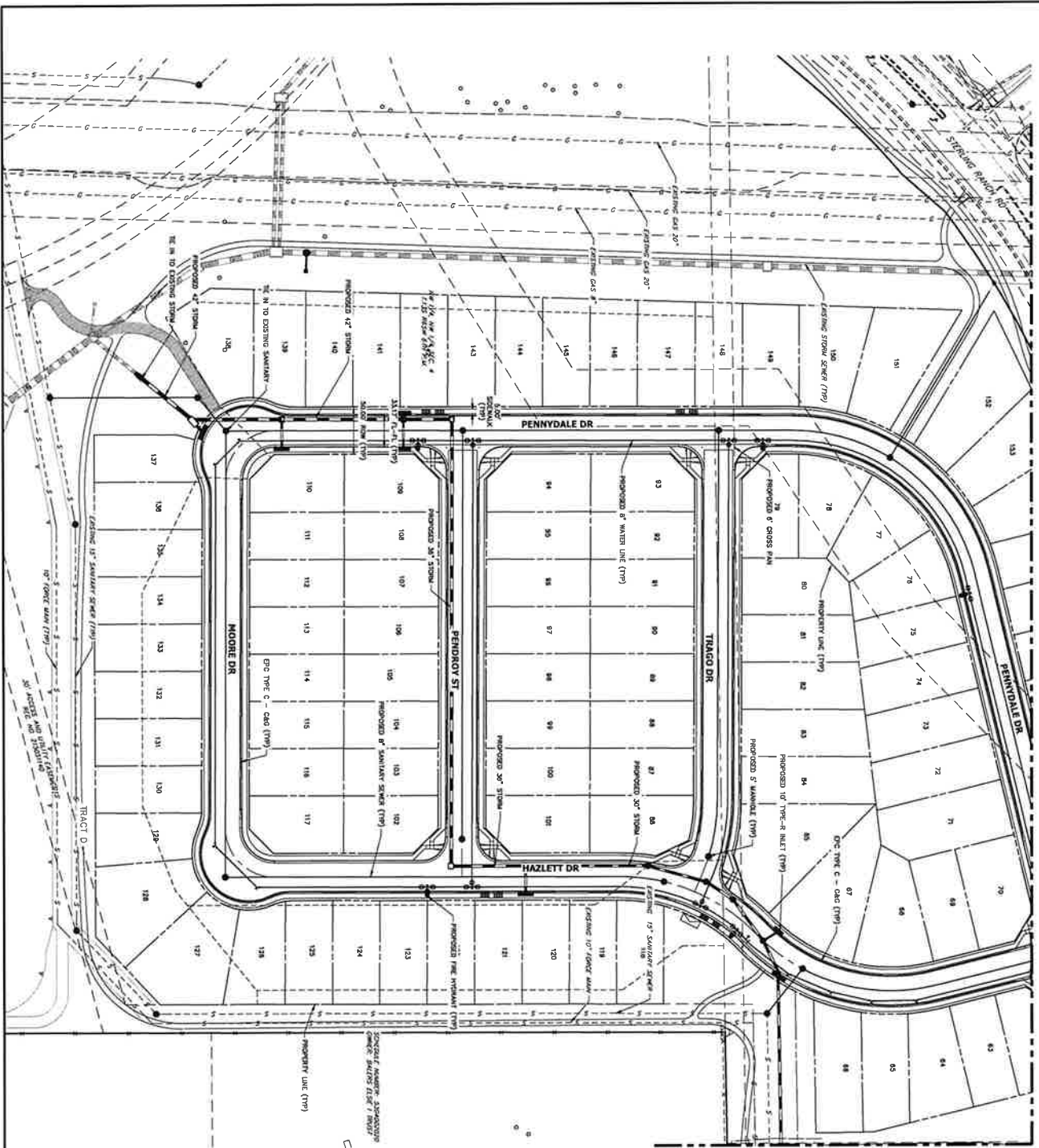
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SHEET 11 OF 17  
JOB NO. 25188.02





SHEET 12 OF 17 JOB NO. 2518A.02	STERLING RANCH PHASE 2		H-SCALE	1" = 50'	NO. REVISION	BY	DATE
	PRELIMINARY UTILITY PLAN		V-SCALE	N/A			
			DATE	09/10/21			
			DESIGNED BY	JRM			
			DRAWN BY	JRM			
			CHECKED BY				

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A Weidman Company  
Central 303-740-0303 • Colorado Springs 719-530-2500  
Fax 303-810-8988 • www.jrengineering.com

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20 BOULDER CRESCENT  
SUITE 201  
COLORADO SPRINGS, CO 80903  
JAMES F. MORLEY  
(719) 471-1742

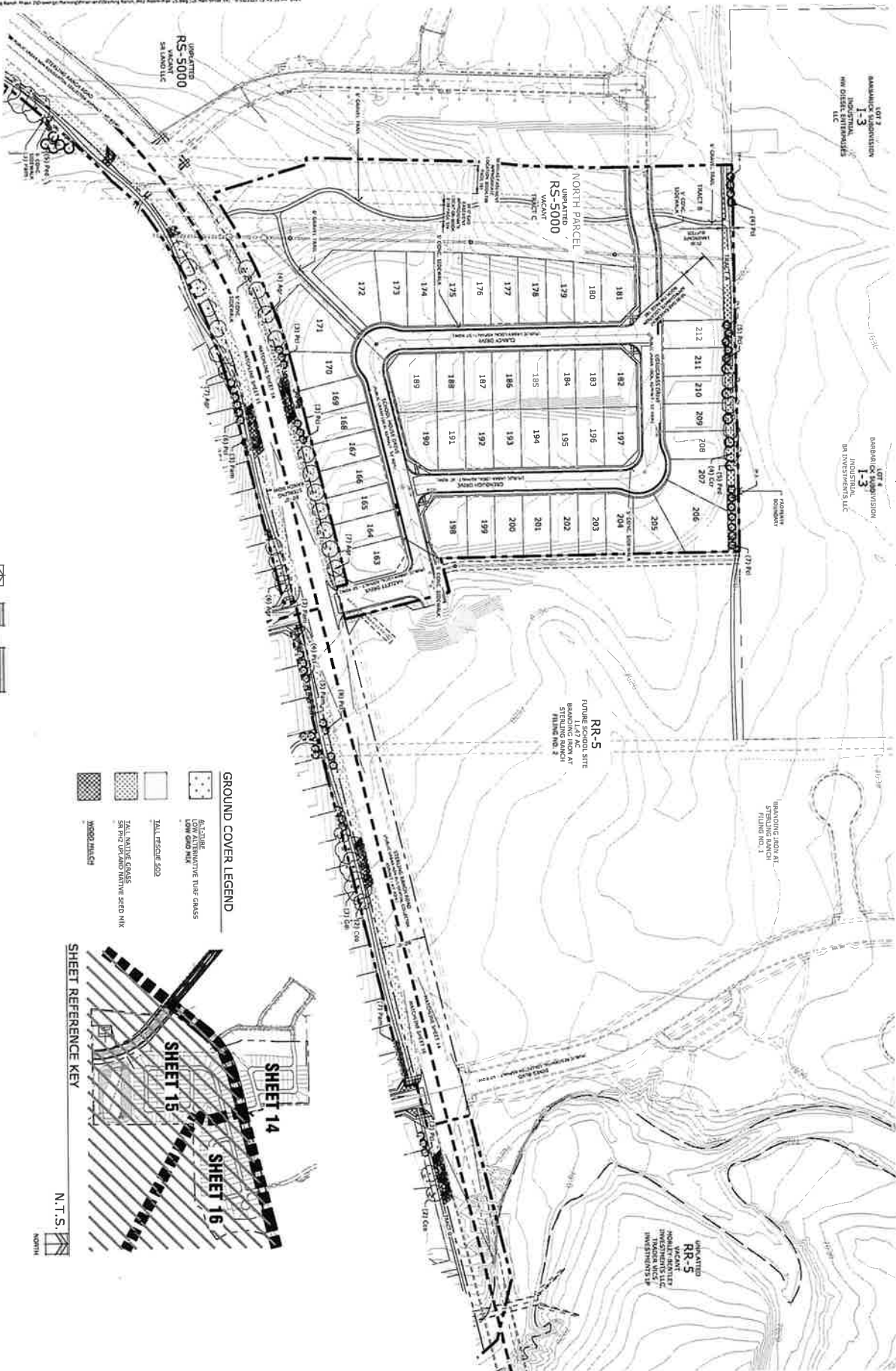
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# STERLING RANCH PHASE TWO

## PRELIMINARY PLAN

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



- GROUND COVER LEGEND**
- ALACHUA LOW ALTERNATIVE TURF GRASS
  - TALL FESCUE S02
  - TALL NATIVE GRASSES SPECIFIC UPLAND NATIVE SEED MIX
  - WOOD MULCH



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**STERLING RANCH PHASE 2**  
 PRELIMINARY PLAN  
 El Paso County, Colorado

**ENTITLEMENT**

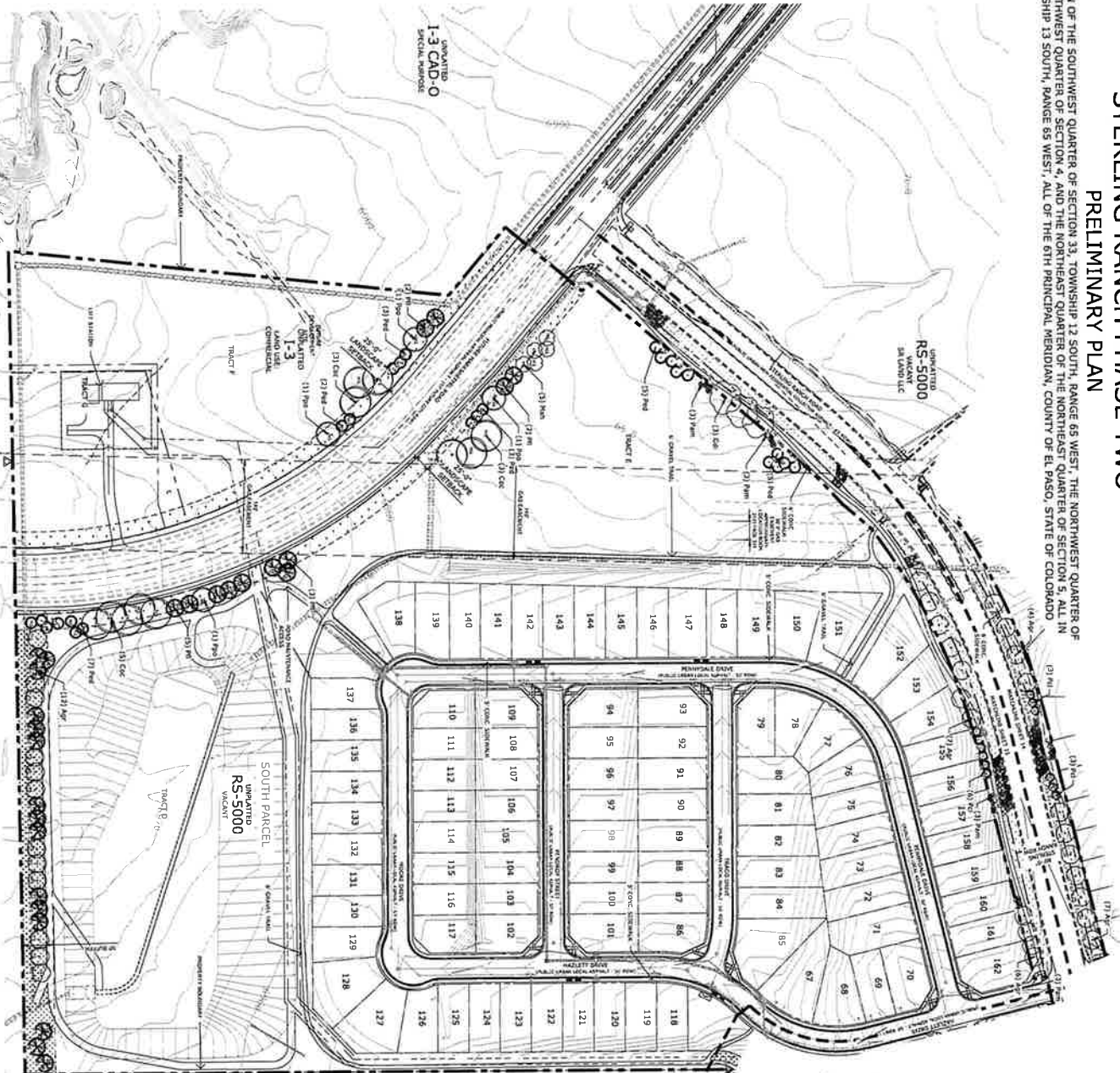
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07-17-2011	RS	CONCEPT
07-17-2011	RS	CONCEPT
07-17-2011	RS	CONCEPT
07-17-2011	RS	CONCEPT
07-17-2011	RS	CONCEPT

**LANDSCAPE PLAN**  
**14**  
 14 OF 17

# STERLING RANCH PHASE TWO

## PRELIMINARY PLAN

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHWEST QUARTER OF SECTION 5, THE NORTHWEST QUARTER OF SECTION 6, AND THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

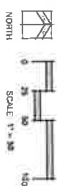


SHEET REFERENCE

N.T.S.

### GROUND COVER LEGEND

- TALL NATIVE GRASS
- TALL ORNAMENTAL
- LOW GRASS MIX
- TALL DECID. SOD
- TALL NATIVE GRASS 50% TALL ORNAMENTAL SEED MIX
- WOOD MULCH



NE & NE  
640 N. Cavalero Avenue, Suite 100  
Colorado Springs, CO 80903  
Tel: 719.471.0072  
Fax: 719.571.1500  
www.nbslandscape.com

**STERLING RANCH PHASE 2**  
PRELIMINARY PLAN

EL PASO COUNTY, COLORADO

DATE: 02.16.2022  
DRAWN BY: [Name]  
REVISION: [Number]

Land Planning  
Landscape Architecture  
Urban Design

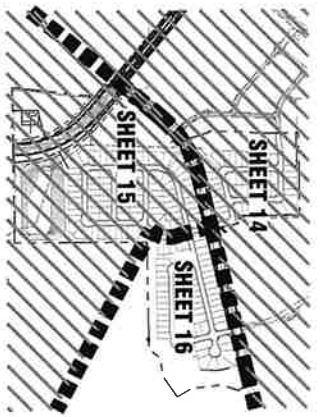
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ENTITLEMENT

DATE	REVISION
01.17.2021	REVISION 01
01.17.2021	REVISION 02
01.17.2021	REVISION 03
01.17.2021	REVISION 04
01.17.2021	REVISION 05
01.17.2021	REVISION 06
01.17.2021	REVISION 07
01.17.2021	REVISION 08
01.17.2021	REVISION 09
01.17.2021	REVISION 10
01.17.2021	REVISION 11
01.17.2021	REVISION 12
01.17.2021	REVISION 13
01.17.2021	REVISION 14

**15**  
15 OF 17

LANDSCAPE PLAN



**GROUND COVER LEGEND**

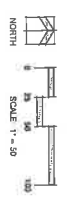
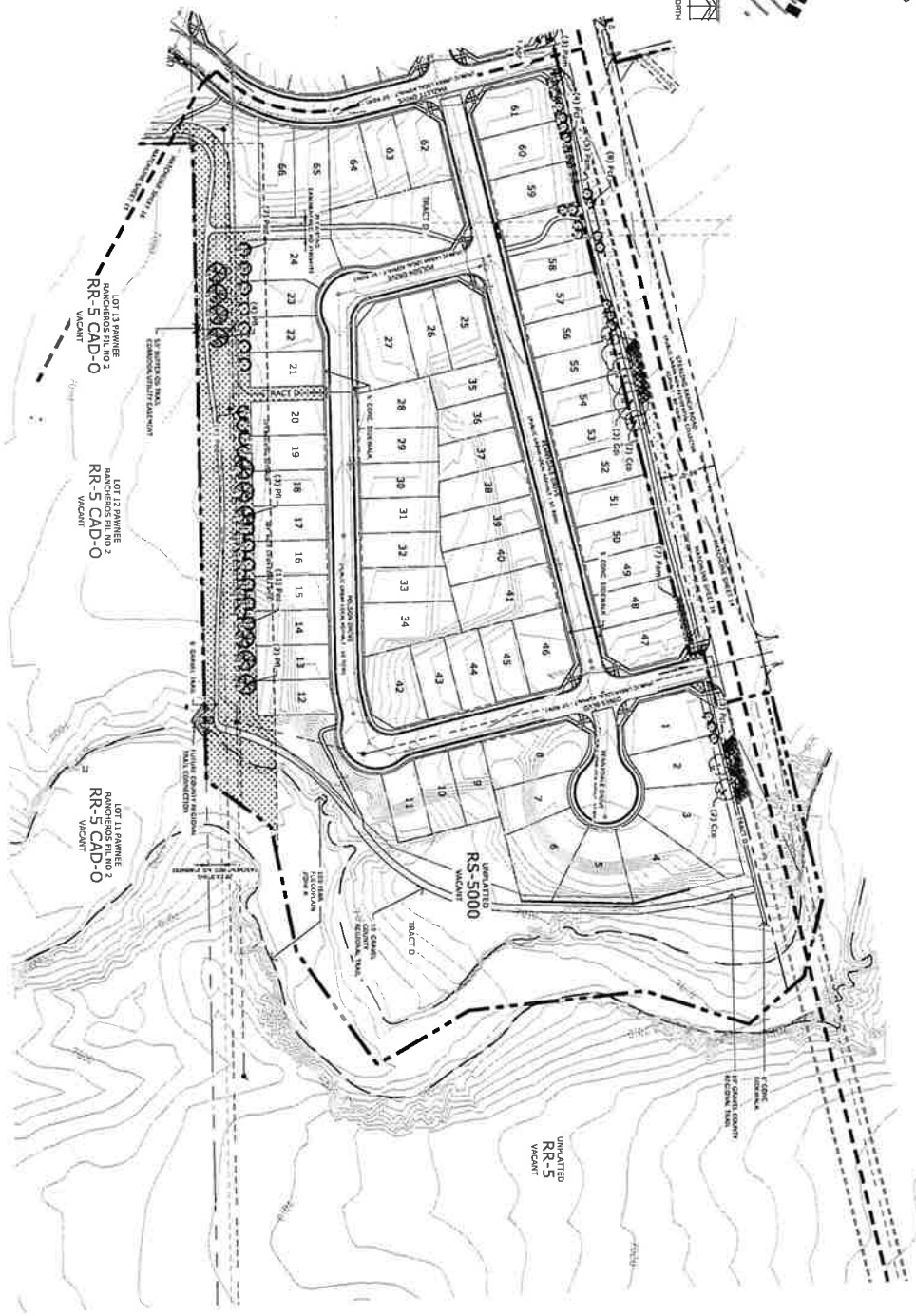
- ALTITUDE LOW AND M/N
- TALL RESOLVE SOO
- TALL NATIVE GRASS 55% P/R UNDAK NATIVE SEED MIX
- WOOD MULCH



**STERLING RANCH PHASE TWO**

**PRELIMINARY PLAN**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



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**STERLING RANCH PHASE 2**  
**PRELIMINARY PLAN**  
 BY PAUL COMPANY  
 LANDSCAPE ARCHITECTS

**ENTITLEMENT**

DATE: 01/12/2011  
 BY: PAUL COMPANY  
 FOR: 16 OF 17 SHEETS  
 PROJECT: STERLING RANCH PHASE 2  
 SHEET NO.: 16 OF 17

**LANDSCAPE PLAN**

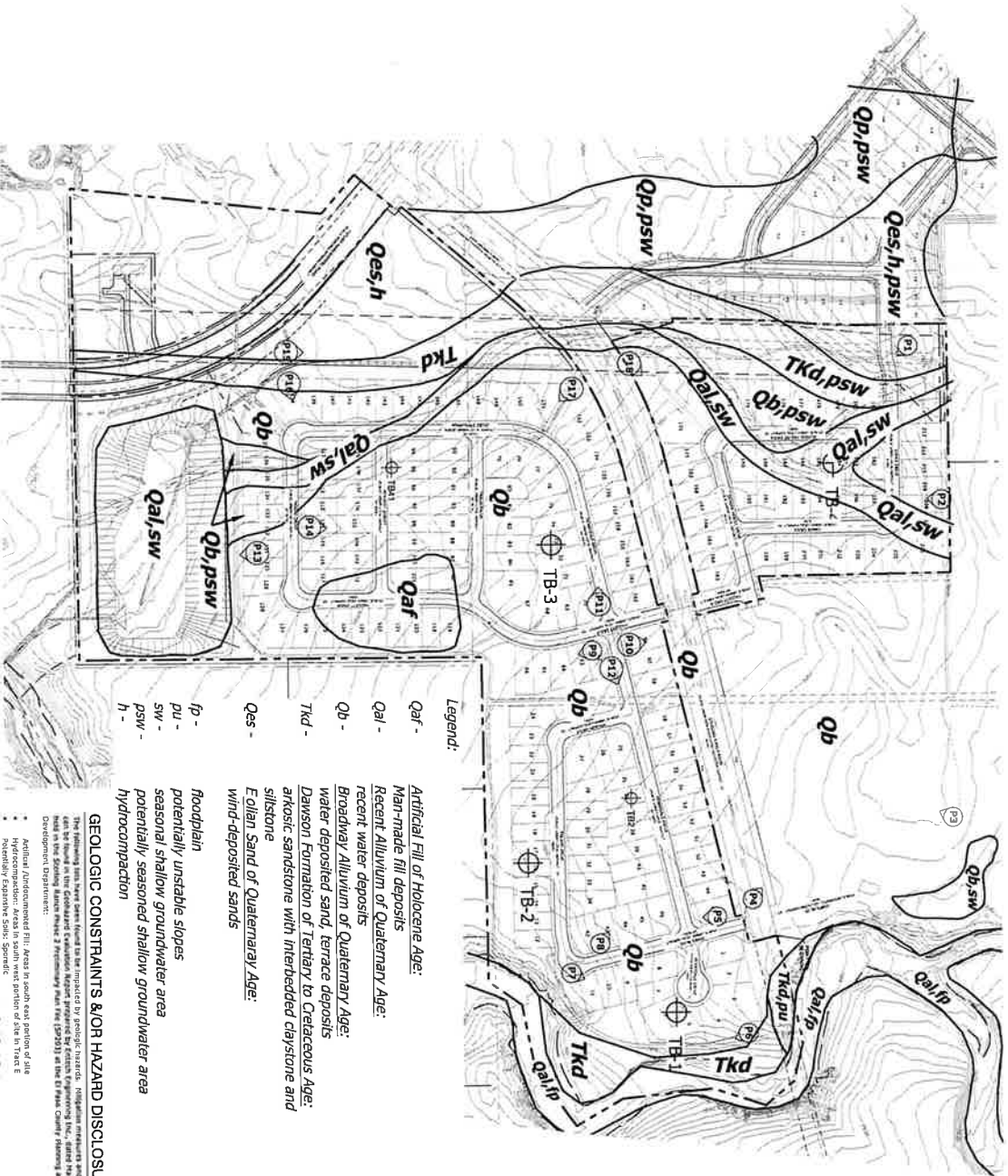
DATE: 01/12/2011  
 BY: PAUL COMPANY  
 FOR: 16 OF 17 SHEETS  
 PROJECT: STERLING RANCH PHASE 2  
 SHEET NO.: 16 OF 17

**16**  
 16 OF 17



# STERLING RANCH PHASE TWO PRELIMINARY PLAN

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



### Legend:

- Qaf - Artificial Fill of Holocene Age:
- Qal - Man-made fill deposits
- Qb - Recent Alluvium of Quaternary Age:
- Tkd - Recent water deposits
- Qes - Broadway Alluvium of Quaternary Age:
- Qp,psw - water deposited sand, terrace deposits
- Qa,sw - Dawson Formation of Tertiary to Cretaceous Age:
- Qa,sp - arkosic sandstone with interbedded claystone and siltstone
- Qa,fp - Eolian Sand of Quaternary Age:
- Qb,psw - wind-deposited sands
- fp - floodplain
- pu - potentially unstable slopes
- sw - seasonal shallow groundwater area
- psw - potentially seasonally shallow groundwater area
- h - hydrocompaction

### GEOLOGIC CONSTRAINTS &/OR HAZARD DISCLOSURE STATEMENT

The following text has been prepared by geologic hazards. Investigation regarding sand and a map of the subject area can be found in the geologic evaluation report prepared by Peter Thompson Inc., dated 10/14/2021. The report is available at the following URL: <https://www.peterthompsoninc.com/sterling-ranch-phase-two-geologic-evaluation-report>

Development Constraints:

- Artificially deposited fill: areas to south and north of site
- Potentially expansive soils: Sporadic
- Potentially expansive soils: Sporadic
- Seasonal shallow groundwater at 3' or less: Lands 10N,11S,12S,4E,14,17,21,25,10W,11W,12W,18W,18S,19W,22W,23W
- Seasonal shallow groundwater at 3' or less: Lands 10N,11S,12S,4E,14,17,21,25,10W,11W,12W,18W,18S,19W,22W,23W

In Areas of High Groundwater: Do not build foundations in the area, all foundations shall incorporate an underground water table monitoring system to be maintained by the District. No basements will be allowed on lots.

10N,11S,12S,4E,14,17,21,25,10W,11W,12W,18W,18S,19W,22W,23W, due to areas of Seasonal Shallow Groundwater.



Land Planning  
Landscape  
Architecture  
Urban Design

INES Inc.  
410 N. Quebec Avenue, Suite 200  
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Tel. 719.471.0073  
Fax. 719.471.0267  
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STERLING RANCH PHASE 2  
PRELIMINARY PLAN  
El Paso County, Colorado

DATE	BY	DESCRIPTION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION
03/11/2022	W. H. HARRIS	REVISION

ENTITLEMENT

SITE CONSTRAINTS EXHIBIT

17 OF 17



# EL PASO COUNTY

## OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

**Diana K. May, County Attorney**

### Assistant County Attorneys

Lori L. Seago  
Lisa A. Kirkman  
Steven A. Klaffky  
Peter A. Lichtman  
Mary Ritchie  
Bryan E. Schmid  
Nathan J. Whitney  
Michael J. Desmond  
Christopher M. Strider  
Terry A. Sample

March 17, 2021

SP-20-3 Sterling Ranch Phase II  
Preliminary Plan

Reviewed by: Lori L. Seago, Senior Assistant County Attorney  
Edi Anderson, Paralegal, ACP



### FINDINGS AND CONCLUSIONS:

1. This is a proposal by SR Land, LLC ("Applicant"), for a preliminary plan to subdivide approximately 74.6 +/- acres of land (the "Property") into 212 single-family residential lots, plus tracts for landscaping, drainage, utilities, future right-of-way, and future commercial sites. Applicant's Property is zoned RS-5000 CAD-O (Residential Suburban/Commercial Airport Overlay).

2. The Applicant has provided for the source of water to derive from a central water system – Sterling Ranch Metropolitan District No. 1 ("District"). As described in the Water Supply Information Summary ("WSIS"), the Applicant estimates its annual water requirements to serve 212 single family lots at 74.836 acre-feet annually (0.353 acre-feet per lot), plus commercial use for a lift station on 1.527 acres at 0.883 acre-feet, for a total of 75.719 acre-feet/year for the subdivision. The Applicant will need to provide a supply of 22,716 acre-feet of water (75.719 acre-feet/year x 300 years) to meet El Paso County's 300-year water supply requirement.

3. A *Water Resources Report for Sterling Ranch Phase II Preliminary Plan* by JDS-Hydro dated February 2021 ("*Report*"), details the source of the water supply for the District. A Water Resources Report was originally prepared in May of 2015 and has since been updated to include several addendums, additional service area, advancement of platting activities, and construction of the physical water system. The District's water supply will originate from Arapahoe and Laramie-Fox Hills aquifer wells, provided through 3 decrees granted in District Court Water Division 2: Case No. 86CW18, providing an allocation of 575 acre-feet per year (191.67 acre-feet per year for 300 years); Case No.

200 S. CASCADE AVENUE  
OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903  
FAX: (719) 520-6487

86CW19, providing an allocation of 539 acre-feet per year (179.67 acre-feet per year for 300 years); and Case No. 08CW113, providing an allocation of 0.4 acre-feet per year (0.13 acre-feet per year for 300 years). Therefore, the existing water supply on a 300-year basis available for the Sterling Ranch Subdivision Phases I and II is 371.47 acre-feet. *The Report concludes that the District “has adequate supply on a 300 year basis to meet all current commitments including Sterling Ranch Phase Two Preliminary Plan.”*

4. In a letter dated February 26, 2021, the District Board President committed to serve the Sterling Ranch Phase Two subdivision, stating the “Sterling Ranch Metropolitan District #1 will provide central water and sewer to the above named subdivision which includes approximately 212 single family lots and a lift station site. The annual water committed is 75.719 acre-feet/year ...”

5. In a letter dated August 24, 2020, the State Engineer’s Office reviewed the subdivision of 74.62 +/- acres, including 212 single family lots, a commercial lot, and 10 tracts for landscaping, drainage, and utilities. They reviewed the WSIS and District letter and confirmed water demand for the subdivision at 75.719 acre-feet/year. They further detailed the source of the District’s water supply

<b>Aquifer</b>	<b>Decree</b>	<b>Tributary Status</b>	<b>Volume (AF)</b>	<b>Annual Allocation 100 Year (AF Year)</b>	<b>Annual Allocation 300 Year (AF/Year)</b>
Laramie-Fox Hills	86CW19	NT	53,900	539	179.67
Laramie-Fox Hills	08CW113	NT	40	0.4	0.13
Arapahoe	86CW18	NT	57,500	575	191.67
<b>Total</b>			111,440	1,114.4	<b>371.47</b>

Based on the table above, the total Denver Basin water rights available to serve the entire Sterling Ranch subdivision, through Sterling Ranch Metropolitan District No. 1 are 371.47 acre-feet/year (for 300 years). The State Engineer noted that the May 2015 commitment for Sterling Ranch Phase I indicated that the “estimated water demand for the development would be 255.96 acre-feet/year, leaving approximately 115.51 acre-feet/year, which is greater than the annual estimated demand of 75.719 acre-feet/year for Sterling Ranch Phase II. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.” Pursuant to C.R.S. § 30-28-136(1)(h)(II), the State Engineer is of the opinion that the proposed water supply “is expected to be adequate and can be provided without injury to existing water rights.”

6. Section 8.4.7(B)(10)(g), of the El Paso County Land Development 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.

7. Analysis: Based on the information provided in the Water Supply Information Summary, the *Water Resources Report* dated February 2021, and the District's commitment to serve the Sterling Ranch Phase II preliminary plan in the amount of 75.719 acre-feet per year, it appears the proposed water supply will be sufficient to meet the needs of the proposal. The El Paso County Health Department may wish to confirm that the District is in compliance with water quality regulations.

8. Based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment to serve, and pursuant to the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability.

**REQUIREMENTS:**

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, any conditions, rules, regulations, limitations, and specifications set by the Sterling Ranch Metropolitan District No. 1.

cc: Kari Parsons, Planner III



June 10, 2021

Kari Parsons  
El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127  
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Sterling Ranch Phase II  
Revised Preliminary Plan  
Sec. 32, Twp. 12S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 25967

To Whom It May Concern:

We have received the submittal concerning the above referenced proposal create a subdivision in El Paso County. According to the materials, it appears the development consists of subdividing a 74.62 +/- acre tract of land into 212 single family lots, a commercial lot, and 10 tracts for landscaping, drainage, and utilities. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Sterling Ranch Metropolitan District No. 1 ("District"). The District provided an updated letter of commitment, dated February 26, 2021.

This office previously provided written comments, dated March 22, 2021, regarding the proposed development during the preliminary planning stage. The current referral does not change the water supply requirements for the subdivision; therefore, please refer to our previous comments attached to this letter.

Should you or the applicant have questions regarding any of the above, please feel free to contact me at this office.

Sincerely,

Kate Fuller, P.E.  
Water Resource Engineer

ec: Bill Tyner, Division 2 Engineer  
Doug Hollister, District 10 Water Commissioner





March 22, 2021

Kari Parsons  
El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127  
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Sterling Ranch Phase II  
Revised Preliminary Plan  
Sec. 32, Twp. 12S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
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This office previously provided written comments, dated August 24, 2020, regarding the proposed development during the preliminary planning stage. The current referral does not change the water supply requirements for the subdivision; therefore, please refer to our previous comments attached to this letter.

Should you or the applicant have questions regarding any of the above, please feel free to contact me at this office.

Sincerely,

Kate Fuller, P.E.  
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer  
Doug Hollister, District 10 Water Commissioner





August 24, 2020

Kari Parsons  
El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127  
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Sterling Ranch Phase II  
Revised Preliminary Plan  
Sec. 32, Twp. 12S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 25967

To Whom It May Concern:

We have received additional information for the above-referenced proposal to subdivide a 74.62 +/- acre tract of land into 212 single family lots, a commercial lot, and 10 tracts for landscaping, drainage, and utilities. This office previously provided comments regarding this subdivision on March 11, 2019; the comments provided herein shall supersede that previous letter. Future submittals will address an additional 66 single family lots on 19 acres. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Sterling Ranch Metropolitan District No. 1 ("District").

### Water Supply Demand

According to the Water Supply Information Sheet received by this office, the estimated water demand for the development is 74.836 acre-feet/year for 212 residential lots (0.35 acre-feet/year per residential lot), and 0.8830 acre-feet/year for commercial use in a lift station. The total estimated water demand is 75.719 acre-feet/year. The waste water will return to the District's central system.

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

### Source of Water Supply

The source of water for the proposed development is to be served by the Sterling Ranch Metropolitan District No. 1 ("District"). An updated letter of commitment dated July 20, 2020 from the District was provided with the referral materials. According to the submittal, the District will provide water from 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
Arapahoe	86CW18	NT	57,500	575	191.67
<b>Total</b>			<b>111,440</b>	<b>1,114.4</b>	<b>371.47</b>

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 1,114.4 acre-feet/year would be reduced to one third of that amount, or 371.47 acre-feet/year. The May 2015 commitment for Sterling Ranch Phase I indicated that the estimated water demand for the development would be 255.96 acre-feet/year, leaving approximately 115.51 acre-feet/year, which is greater than the annual estimated demand of 75.719 acre-feet/year for Sterling Ranch Phase II. 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*, attached, 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.

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 (none at this time) 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 feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.

Water Resource Engineer

ec: Bill Tyner, Division Engineer  
Doug Hollister, North Regional Team Lead



Prevent • Promote • Protect

Environmental Health Division  
1675 W. Garden of the Gods Road  
Suite 2044  
Colorado Springs, CO 80907  
(719) 578-3199 *phone*  
(719) 578-3188 *fax*  
[www.elpasocountyhealth.org](http://www.elpasocountyhealth.org)

### Sterling Ranch Filing No.2, SP-20-3

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

- **The proposed 75-acre 212-lot residential development will be provided water and wastewater by Sterling Ranch Metropolitan District No.1. The Colorado Department of Public Health and Environment (CDPHE) has assigned PWSID # CO0121724 to the District. There is a finding for water quality sufficiency for water obtained from Sterling Metropolitan District No. 1.**
- **There are Letters of Commitment to Serve water and wastewater to the project from Sterling Ranch Metropolitan District No. 1 dated 26Feb2021. Also reviewed were the water resources and wastewater reports submitted by JDS Hydro dated February 2021, that support the water and wastewater adequacy for the project.**
- **Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.**
- **Earthmoving activity in excess of one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for more information. 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>**
- **El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.**

**Mike McCarthy**  
El Paso County Public Health  
719-575-8602  
[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)  
10Apr2021

**Colorado Springs Airport Advisory Commission Meeting  
To Be Heard October 27, 2021  
Land Use Review Item #08**

<b>EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S):</b> SP203 <i>RESIDENTIAL/COMMERCIAL DEVELOPMENT PLAN</i>		<b>PARCEL #(S):</b> 5233000012, 5233000013, 5300000173, 5300000222
<b>DESCRIPTION:</b> 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.		
<b>CONSTRUCTION/ALTERATION OF MORE THAN 1 200 FEET ABOVE GROUND LEVEL?</b> No	<b>DISTANCE/DIRECTION FROM COS:</b> 8.7 miles northeast of Rwy 17R	
<b>TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT:</b> 30 feet above ground level; 7,040 feet above mean sea level	<b>COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED:</b> None	
<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***

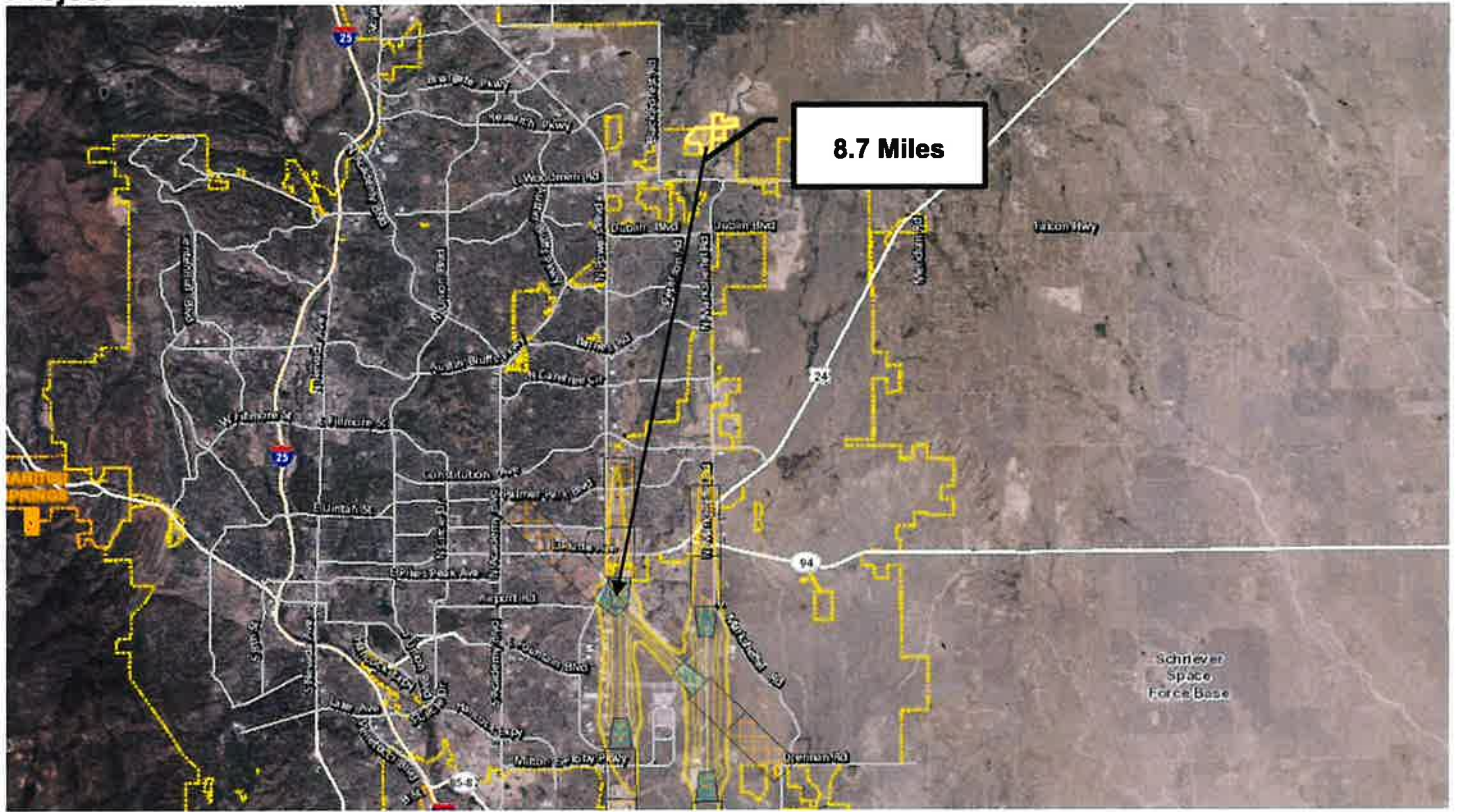
*Airport staff recommends **no objection** with the following conditions:*

- **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 Held October 27, 2021  
Land Use Review Item #08**

**Project location exhibit:**



PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting  
Tuesday, November 2, 2021  
El Paso County Planning and Community Development Department  
2880 International Circle, Colorado Springs, Colorado 80910

**SPECIAL HEARING**  
**9:00 a.m.**

**PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, JOAN LUCIA-TREESE, JAY CARLSON, ERIC MORAES, BRANDY MERRIAM, TIM TROWBRIDGE, AND SARAH BRITAIN JACK**

**PRESENT VIA ELECTRONIC MEANS AND VOTING: GRACE BLEA-NUNEZ**

**PRESENT AND NOT VOTING: BRYCE SCHUETTPELZ**

**ABSENT: BECKY FULLER**

**STAFF PRESENT: CRAIG DOSSEY, NINA RUIZ, DANIEL TORRES, JEFF RICE, CARLOS HERNANDEZ, MERCEDES RIVAS, GILBERT LAFORCE, ELIZABETH NIJKAMP (VIA REMOTE ACCESS), SPENCER PIRZADEH, KYLIE BAGLEY, EDWARD SCHOENHEIT, CHARLENE DURHAM, KARI PARSONS, ELENA KREBS, AND EL PASO COUNTY ATTORNEYS LORI SEAGO AND MARY RITCHIE**

**OTHERS SPEAKING AT THE HEARING: GRANT DEWEY**

**Report Items**

**1. A. Report Items -- Planning and Community Development Department -- Ms. Ruiz -- The following information was discussed:**

- a) The next scheduled Planning Commission meeting is for **Thursday, November 18, 2021 at 9:00 a.m.**
- b) **Mr. Dossey** gave an update on the year-to-date building permits and also provided an update of the Planning Commission agenda



items and action taken by the Board of County Commissioners since the last Planning Commission meeting.

- c) **Mr. Dossey** introduced **Mr. Carlos Hernandez, Mr. Edward Schoenheit, and Ms. Charlene Durham** as newly hired engineers for the department. He then introduced the newly hired planner III **Kylie Bagley** and the newly hired associate planner, **Spencer Pirzadeh**. Welcome everyone!

**B. Public Input on Items Not Listed on the Agenda – NONE**

**2. CONSENT ITEMS**

- A. **Approval of the Minutes – October 7, 2021**  
The minutes were unanimously approved as presented. (9-0)

**B. P-21-004**

**RIVAS**

**MAP AMENDMENT (REZONE)  
WATERVIEW NORTH RESIDENTIAL**

A request by CPR Entitlements LLC, and PHI Real Estate Services LLC, for approval of a map amendment (rezoning) of 23.54 acres from A-5 (Agricultural District) to RS-5000 (Residential Suburban District). The three (3) parcels are located northeast of the Bradley Road and South Powers Boulevard intersection and are within Section 9, Township 15 South, Range 65 West of the 6th P.M. (Parcel Nos. 55000-00-436, 55000-00-438, and 55000-00-439) (Commissioner District No. 4)

**Mr. Trowbridge-** Can staff show us the zoning in the area and discuss the comments about how it does not conform

**Mr. Dossey** – When we were looking at this area in terms of the Master Plan, we looked at this as if it does change we want to make sure that it is consistent with the airport overlay. It is not that we ignored the sketch plan when we created that place type. Recognize the presence of the airport. Before you today is an attempt to implement the sketch plan that was approved.

**Ms. Rivas** – Presented zoning information of the questioned parcel.

**Mr. Trowbridge**0 It wasn't clear to me that there was other residential in the vicinity. The airport overlay is a bit of a concern.

**Mr. Bailey** – IMany examples of places where mp identified for one use but it is appropriate for a variety of uses.

**Mr. Dossey** – existing approvals out there that aren't consistent with the master plan and that is ok. We are in a transitional period where previous approvals are out there..

**Mr. Moraes** – I thought we were going to use the sketch plan amendment that was approved back in July. I thought we talked about that once al

**Mr. Dossey** – It is based on when the application was made....there are things that are already done here.

**PC ACTION: LUCIA-TREESE MOVED/MORAES SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2B, P-21-004, FOR A MAP AMENDMENT (REZONE), FOR WATERVIEW NORTH RESIDENTIAL, UTILIZING RESOLUTION PAGE NO. 27, CITING 21-061, WITH FOUR (4) CONDITIONS AND TWO (2) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

**C. SP-20-003**

**PARSONS**

**PRELIMINARY PLAN  
STERLING RANCH PHASE II PRELIMINARY PLAN**

A request by SR Land, LLC, 8335 Vollmer Road, LLC, and Challenger Communities, LLC, for approval of a preliminary plan to create 212 residential lots. The four (4) parcels totaling 74.62 acres, are zoned RS-5000 (Residential Suburban) and I-3 (Heavy Industrial) and are located north of Woodmen Road, south of Vollmer Road and Dines Road, and are bisected by Sterling Ranch Road. The parcels are within Sections 4 and 33, Township 12 South, and Section 5, Township 13 South, Range 65 West of the 6th P.M. (Parcel Nos. 52330-00-012, 52330-00-013, 53000-00-173, and 53000-00-222) (Commissioner District No. 2)

**Ms. Merriam** – I have a question regarding the traffic study. I don't see anything that goes into a main artery. How far out does the traffic study go?

**Mr. Rice** – Our criteria is to analyze 5%...vollmer up to briargate and marksheffel. ..When we do a preliminary plan, they narrow down the impact of each final plat. Marksheffel and Volmer and improvements that would need to be done on Volmer...fifty lots. The City will take over maintenance on Vollmer Road.

**Ms. Merriam** – Using the human body as an example....when you have a complete new development, you put in that urban density...

**Mr. Rice** – There is less impact because of the larger roads. ...

**PC ACTION: MORAES MOVED/ LUCIA-TREESE SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2C, SP-20-003, FOR A PRELIMINARY PLAN FOR STERLING RANCH PHASE II, UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-059, WITH SIX (6) CONDITIONS AND FOUR (4) NOTATIONS, WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

**D. SP-20-010**

**PARSONS**

**PRELIMINARY PLAN  
BENT GRASS EAST COMMERCIAL FILING NO. 3**

A request by Land First, Inc., for approval of a preliminary plan to create six (6) commercial lots. The 5.05-acre parcel is zoned CS (Commercial Service) and is located at the southwest corner of the Meridian Park Drive and Bent Grass Meadows Drive intersection, approximately 350 feet west of Meridian Road, and is within Section 1, Township, 13 South, Range 65 West of the 6th P.M. (Parcel No. 53011-01-060) (Commissioner District No. 2)

**PC ACTION: TROWBRIDGE MOVED/BRITAIN JACK SECONDED FOR RECOMMENDED APPROVAL OF CONSENT ITEM NUMBER 2D, SP-20-010, FOR A PRELIMINARY PLAN FOR BENT GRASS EAST COMMERCIAL FILING NO. 3, UTILIZING RESOLUTION PAGE NO. 25, CITING, 21-060, WITH SIX (6) CONDITIONS AND THREE (3) NOTATIONS, ONE (1) WAIVER, WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

**Regular Items**

**3. VA-20-004**

**RUIZ**

**VARIANCE OF USE  
WESTERN MINING MUSEUM**

A request by the Western Museum of Mining & Industry for approval of a variance of use to allow a business event center. The 28.39-acre parcel is zoned RR-5 (Rural Residential) and is located at the southeast corner of the Interstate 25 and North Gate Boulevard Interchange and is within Section 7, Township 12 South, Range 66 West of the 6th P.M. (Parcel No. 62072-00-017) (Commissioner District No. 1)

**Ms. Ruiz** gave a brief overview of the project and then asked **Ms. Seago** to go over the review criteria for a Variance of Use, **Ms. Ruiz** then introduced the applicant, **Grant Dewey** to provide their presentation.

**Mr. Bailey** – Business center as a standard to use what they have been doing for a long time. Business center terminology is awkward here, shoehorn this application that we don't have criteria for...best make this work.

**Ms. Ruiz** – Idc authority for the director for similar use. Applicant could request a different...primary use would be just the business event center, but we thought it was important...under business event center that ....lio is fairly detailed about the activities.

**Mr. Bailey** – I just don't want to lose sight that this museum has been there for a long time...not a significant change from what they have been doing...

**Ms. Ruiz**- You are correct ....

**Mr. Bailey**- But the museum aspect isn....

**Mr. Carlson**- Will they continue to do the haunted mines?

**Ms. Ruiz**- The applicant will go over their proposed events in their application.

**Mr. Carlson** – What prompted the need for the application?

**Mr. Dewey** – Back in 2015 someone asked the museum to host ..

**Ms. Brittain Jack** – When you were doing an event, did you need to apply for a permit?

**Mr. Dewey** – For our own events no, but for those that were...

**Mr. Trowbridge** – Reading through several conditions and notations, number four caught my eye. **Mr. Dewey** – Numbers one through seven are familiar...number eight and beyond are relatively new, I just saw them yesterday. I haven't had enough time to process what they might mean. I think they may be more restrictive than necessary.

**Mr. Trowbridge** – There are a lot of restrictions about notifying different organizations a month in advance. I am wondering how much of a burden that places on you. I am a little concerned about some of these.

**Ms. Ruiz** – I wanted to address a few things that came up during the applicants presentation that aren't part of the staffs presentation. review here....

**Ms. Lucia-Treese** – My understanding is that this is not residential community concern, but rather a concern from the county?

**Ms. Ruiz** – So it came to our attention a couple of years ago that they were holding events a due to significant traffic concerns. Traffic was backed up..it was not because of anyone complaining. Conditions of approval.. the traffic study was not included in the staff packets but ...MR. Rice will present that in greater detail. There was a

question about submitting applications for each event. So we have the ability to...inappropriate to submit a temp use for each of these events, that is why we chose ...in the long run it will be better for him to submit one...it will cost less...

**Mr. Moraes** – ON that point, Idc carnival...three times a year. Bc of that ...he c an have it four times a year and be ok.

**Ms. Ruiz** – LOI for the most part ....c

**Ms. Ruiz** gave her full presentation to the Planning Commission. Her presentation is part of the public record.

**Mr. Rice** presented his engineering report/findings on behalf of **PCD**. His report is part of the public record.

**Mr. Bailey** – That is an important discussion to have.....this site is less than a mile by my house so I am very familiar with this. The impact of traffic...how does the museum ...is there any way to help them...

**Mr. Rice** – We reviewed what they had on their website and we recommended that they change their website to specify parking rather than saying parking wherever you want. ...you need to have an off...

**Mr. Rice** - ....we don't want to be put in a position ....

**Mr. Moraes** – What is the cut off? **Mr. Rice** – With these type of projects it is typically within a week. **Mr. Moraes**- I guess I would't want to see the blame put on the county.

**Ms. Seago** – Many of these approvals aren't issued by the county, as you can see they are issued by the city or by CDOT. The county....the applicant is encouraged to engage in this process well ahead of time if possible. If CDOT doesn't issue....that is out of the county's hands.

**Ms. Brittain Jack** – Does the applicant have to go to the city, cdot and the county for a permit?

**Mr. Rice** – If it is more than 250 visitiros that is for CDOT If it is under 250 the city doesn't have a huge concern.

**Ms. Brittain Jack** – so if the city and cdot says its ok then

**Mr. Risley** - ....

**Ms. Ruiz** – The requirements from CDOT would apply regardless if the county....what we are trying to do is ...that includes the impact to CDOT and the impact to the City of Colorado Springs. We also want to make sure the applicant is

fully aware of the steps...the applicant would still have to go ...but he wouldn't have the benefit ...

**Mr. Dewey-** have to apply for a special use...cdot has this requirement then they should come talk to me about it. ...

**Mr. Carlson-** You said you didn't receive a lot of these conditions within the last few days. Are you in a position to move forward with this? **Mr. Dewey-** I would rather have the time ...

**Ms. Ruiz** – These recommended conditions of approval have been in staff comments for quite a while.

**Mr. Rice** – We would require a temp use for every single project that would come in...

**Mr. Risley-** Essentially what we are doing here is legitimize something that has been here since...

**Mr. Rice** - .....as far as the event organizer....wer're trying to keep...

**Ms. Ruiz** – The museum doesn't....

**Ms. Brittain Jack** – Have any of the neighbors had complaints? Any public comment?

**Ms. Ruiz-** We haven't received any public comment at all.

**Ms. Lucia-Treese** – undo hardship on the applicant...generate some additional revenue that is needed to keep it in the county. I feel like there is an over reach here.

**Note for the record** – **The Chair called for a recess at 10:40, hearing reconvened at 11:15. Quorum is still in place.**

**Ms. Ruiz** – We were trying to save the applicant time and hassle but have determined that if they do all the work up front...we will eliminate conditions eight, nine, ten, and twelve...cdot and city coordination, as I mentioned before the applicant has to do that...they understand that. Condition Five does include CDOT as well

**Mr. Trowbridge-** Why doesn't it just say..

**Ms. Ruiz** - ...off site parking could be different...

**Mr. Dossey** – **There are two types of events that we need to address...conditions of approval address two different type of events...analysis of two ranges.**



Mr. Trowbridge- ...whats the difference btwn the two ranges?

**Mr. Bailey** - ....

**Mr. Dossey** - ...

**Mr. Dewey** – Simply those numbers are estimates I made to create some framework. I didn't find any thresholds from the city, county or cdot. We are sticking with them in a sense bec they are now in the TIS.

**Mr. Moraes** – I looked at previous variances of use and they always have the first condition...written here says that the variance is accordance with the applicants' letter of intent.

**Ms. Ruiz** – With this one we were a lot more specific, if you look at notation number one, it does state...(insert here) bc we have removed so many conditions of approval, if you would like to make a suggestion to add that one back in, staff has no problem...

**Mr. Moraes**

**Ms. Ruiz** – ....

**Mr. Moraes** – With how you are saying it , you...**Ms. Ruiz** - ....**Mr. Moraes** – if the use goes away for more than two years, the variance is discontinued, how does that work again with multiple uses?

**Ms. Ruiz**- That is in the LDC we just carry the language over to our resolutions. ...**Mr. Moraes** – lastly, ...merchandise that is made off of property that is sold there. Idk if that is something the applicant does....**Ms. Ruiz**- We would consider that part of the gift shop...accessory.

**Ms. Merriam**- I am still unclear with whether or not they need an approval per event. Signage for example is on the conditions, does every event need....

**Ms. Rui** – They wouldn't have to come back. The only time they will need to come back is if they expand or ....exceeding ...temporary use. The applicant doesn't ....they may have to go to CDOT and the City every single time, we don't know we cant speak for them, but for the county they do not.

**Mr. Dewey**- I want to thank the County staff..I expressed concern about the site plan, It is my hope it can be very minimal...we are open to the suggestion bc of that.

**IN FAVOR: NONE**

**IN OPPOSITION:**

## **DISCUSSION:**

Ms. Lucia-Treese – I am feeling much more comfortable...we had as members of this board. I am in favor.

**Mr. Carlson-** I just want to say I appreciate what you are doing for the community, and I am sorry you have to go through this after all these years....

**Mr. Moraes** – Do we want to include a condition of approval that talks about that they have to adhere to their letter of intent?

**Ms. LuciaTreese-** I think we have enough conditions and notations. I think that the applicant certainly understands the concerns of the board and the county.

**Mr. Bailey** – Generally I would like to see the language be the same for all of these, but I think the argument is that we have separate conditions that call out traffic, signaget, etc. ..want to adhere to the loi. IN this case I think what we have written here is sufficient. I am content with as it is written.

**Mr. Risley** – I apologize to staff about my comment about overreach. I do think where we ended up is much more reasonable and sustainable. Having grown up here I have seen what this museum represents for the community and I think it is an important part of our culture. ...burdensome process that you've had to go through here ...legitizime what you are doing.

**PC ACTION: LUCIA-TREESE MOVED/BRITAIN JACK SECONDED FOR RECOMMENDED APPROVAL OF REGULAR ITEM NUMBER 3, VA-20-004, FOR A VARIANCE OF USE FOR WESTERN MINING MUSEUM, UTILIZING RESOLUTION PAGE NO. 51, CITING, 21-062, WITH NINE (9) CONDITIONS, FOUR (4) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).**

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at [www.elpasoco.com](http://www.elpasoco.com) to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/ Planner processing the request.)

PRELIMINARY PLAN (RECOMMEND APPROVAL)

Commissioner Moraes moved that the following Resolution be adopted:

**BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF EL PASO  
STATE OF COLORADO  
RESOLUTION NO. SP-20-003  
Sterling Ranch Phase Two Preliminary Plan**

WHEREAS, SR Land, LLC, 8335 Vollmer Road, LLC, and Challenger Communities, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a preliminary plan for the proposed Sterling Ranch Phase Two Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on November 2, 2021; and

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

1. The application was properly submitted for consideration by the Planning Commission.
2. Proper posting, publication and public notice 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 subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is consistent with the purposes of the Land Development Code.

7. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.
8. Sufficiency: A conditional sufficient water supply has been acquired in terms of quantity, and dependability and water sufficient for water quality 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.
9. 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 Land Development Code.
10. 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.W. §30-28-133(6)(c)].
11. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. 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 Land Development Code and the Engineering Criteria Manual.
13. 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 encouraging 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 therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
14. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
15. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.

16. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. 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.
18. That the proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of the application for a preliminary plan of Sterling Ranch Phase Two

AND BE IT FURTHER RESOLVED that the Planning Commission recommends the following conditions and notation(s) be placed upon this approval:

**CONDITIONS**

1. Applicable drainage and bridge fees shall be paid with each final plat.
2. Applicable school and park fees shall be paid with each final plat.
3. 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, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. 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.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

6. 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 Filing No. 2 and Sterling Ranch Phase 2 Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Sterling Ranch Phase Two Preliminary Plan area.

**NOTATIONS**

1. Preliminary plan approval does authorize future final plat filings to be approved administratively.
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.
3. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
4. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with the Sterling Ranch Filing No. 1 final plat (SF-16-13) as recorded at Reception No. 218061175 remain valid and apply to this preliminary plan, specifically regarding requirements for Sand Creek channel improvements.

BE IT FURTHER RESOLVED that the Resolution and recommendations be forwarded to the El Paso County Board of County Commissioners.

Commissioner Lucia-Treese seconded the adoption of the foregoing Resolution.

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

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

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



DATED: November 2, 2021

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Brian Risley, Chair

## EXHIBIT A

### PROPERTY DESCRIPTION – SOUTH PARCEL

#### PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN

THENCE N76°27'59"W A DISTANCE OF 3,258.79 FEET, TO A POINT ON THE SOUTHERLY LINE OF STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714151 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 306.51 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) COURSES;

1. S76°13'42"E A DISTANCE OF 113.48 FEET;
2. S40°32'14"E A DISTANCE OF 104.08 FEET;
3. S17°59'13"W A DISTANCE OF 156.80 FEET;
4. S05°59'16"E A DISTANCE OF 253.00 FEET;
5. S30°01'27"E A DISTANCE OF 151.07 FEET;
6. S54°45'26"W A DISTANCE OF 199.63 FEET;

THENCE ON THE SOUTHEASTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 21705379 AND ITS EXTENSION, THE FOLLOWING TWO (2) COURSES:

1. S78°47'17"W A DISTANCE OF 182.32 FEET;
2. S35°56'43"W A DISTANCE OF 113.87 FEET, TO A POINT ON THE NORTHERLY LINE OF PAWNEE RANCHEROS FILING NO. 2 RECORDED IN PLAT BOOK U-2 AT PAGE 45;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID PAWNEE RANCHEROS FILING NO. 2, THE FOLLOWING TWO (2) COURSES:

1. S89°04'30"W A DISTANCE OF 910.63 FEET;
2. S00°13'07"W A DISTANCE OF 1,128.08 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID SOUTH LINE, S89°16'22"W A DISTANCE OF 1,321.55 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4;

THENCE ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, N06°22'37"E A DISTANCE OF 709.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;

THENCE ON SAID SOUTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 141.92 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N40°21'31"E A DISTANCE OF 160.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 16.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;

THENCE ON SAID SOUTHERLY EASEMENT LINE, THE FOLLOWING FIVE (5) COURSES:

1. N40°21'31"E A DISTANCE OF 402.59 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF NON-TANGENT;
3. N41°03'23"E A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S37°34'00"E, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF TANGENT;
5. N76°19'20"E A DISTANCE OF 386.99 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 50.00 FEET;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID SOUTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 852.10 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 80.00 FEET;

THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 80.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2,660,672 SQUARE FEET OR 61.0806 ACRES.

#### **PROPERTY DESCRIPTION – NORTH PARCEL**

##### **PROPERTY DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

21-059

THENCE N82°23'37"W A DISTANCE OF 4,105.23 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID SOUTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 60.00 FEET;

THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;

THENCE ON SAID NORTHERLY EASEMENT LINE, THE FOLLOWING TWO (2) COURSES:

1. S76°19'20"W A DISTANCE OF 381.99 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF NON-TANGENT;

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

1. N16°30'13"W A DISTANCE OF 179.19 FEET;
2. S73°29'47"W A DISTANCE OF 11.27 FEET;
3. N01°55'19"E A DISTANCE OF 307.22 FEET;
4. N05°37'53"E A DISTANCE OF 90.96 FEET;
5. N02°02'55"E A DISTANCE OF 130.48 FEET;
6. N00°42'35"W A DISTANCE OF 241.35 FEET, TO A POINT ON THE SOUTHERLY LINE OF AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE, N89°17'25"E A DISTANCE OF 697.50 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING THREE (3) COURSES:

1. S00°42'35"E A DISTANCE OF 539.36 FEET;
2. N76°19'20"E A DISTANCE OF 63.46 FEET;
3. S13°40'40"E A DISTANCE OF 195.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 589,966 SQUARE FEET OR 13.5437 ACRE

RESOLUTION NO. 21-

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

APPROVE PRELIMINARY PLAN FOR STERLING RANCH PHASE TWO  
(SP-20-003)

WHEREAS, SR Land, LLC, 8335 Vollmer Road, LLC, and Challenger Communities, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a preliminary plan for the Sterling Ranch Phase Two Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 2, 2021, upon which date the Planning Commission did by formal resolution recommend approval of the preliminary plan application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on November 9, 2021; and

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

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

5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. Sufficiency: 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. (Phase 1 Only)
9. 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 Land Development Code.
10. 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.W. §30-28-133(6)(c)].
11. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. 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 Land Development Code and the Engineering Criteria Manual.
13. 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 encouraging 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 therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

14. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
15. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
16. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. 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.
18. That the proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. That for the above-stated and other reasons, the proposed subdivision 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 Board of County Commissioners of El Paso County, Colorado, hereby approves the preliminary plan application for the Sterling Ranch Phase Two Subdivision;

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

**CONDITIONS**

1. Applicable drainage and bridge fees shall be paid with each final plat.
2. Applicable school and park fees shall be paid with each final plat.
3. The 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,

Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species

4. 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.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
6. 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 Filing No. 2 and Sterling Ranch Phase 2 Traffic Impact Study, as amended and pending approval, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Sterling Ranch Phase Two Preliminary Plan area.

#### **NOTATIONS**

1. Preliminary plan approval does authorize future final plat filings to be approved administratively.
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.
3. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
4. The provisions of the subdivision improvement agreement (SIA) approved in conjunction with the Sterling Ranch Filing No. 1 final plat (SF-16-13) as

recorded at Reception No. 218061175 remain valid and apply to this preliminary plan, specifically regarding requirements for Sand Creek channel improvements.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 9th day of November, 2021, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

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

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

EXHIBIT A

**PROPERTY DESCRIPTION – SOUTH PARCEL**

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST, ALL OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;  
THENCE N76°27'59"W A DISTANCE OF 3,258.79 FEET, TO A POINT ON THE SOUTHERLY LINE OF STERLING RANCH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714151 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE ON SAID SOUTHERLY LINE, N76°19'20"E A DISTANCE OF 306.51 FEET;  
THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) COURSES;

1. S76°13'42"E A DISTANCE OF 113.48 FEET;
2. S40°32'14"E A DISTANCE OF 104.08 FEET;
3. S17°59'13"W A DISTANCE OF 156.80 FEET;
4. S05°59'16"E A DISTANCE OF 253.00 FEET;
5. S30°01'27"E A DISTANCE OF 151.07 FEET;
6. S54°45'26"W A DISTANCE OF 199.63 FEET;

THENCE ON THE SOUTHEASTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 21705379 AND ITS EXTENSION, THE FOLLOWING TWO (2) COURSES:

1. S78°47'17"W A DISTANCE OF 182.32 FEET;
2. S35°56'43"W A DISTANCE OF 113.87 FEET, TO A POINT ON THE NORTHERLY LINE OF PAWNEE RANCHEROS FILING NO. 2 RECORDED IN PLAT BOOK U-2 AT PAGE 45;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID PAWNEE RANCHEROS FILING NO. 2, THE FOLLOWING TWO (2) COURSES:

1. S89°04'30"W A DISTANCE OF 910.63 FEET;
2. S00°13'07"W A DISTANCE OF 1,128.08 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON SAID SOUTH LINE, S89°16'22"W A DISTANCE OF 1,321.55 FEET, TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4;  
THENCE ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, N06°22'37"E A DISTANCE OF 709.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT ACCESS AND UTILITY EASEMENT RECORDED UNDER RECEPTION NO. 214100440;  
THENCE ON SAID SOUTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 141.92 FEET;  
THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N40°21'31"E A DISTANCE OF 160.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ACCESS AND UTILITY EASEMENT;  
THENCE ON SAID NORTHERLY EASEMENT LINE, N49°38'29"W A DISTANCE OF 16.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783;  
THENCE ON SAID SOUTHERLY EASEMENT LINE, THE FOLLOWING FIVE (5) COURSES:  
1. N40°21'31"E A DISTANCE OF 402.59 FEET, TO A POINT OF CURVE;  
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 930.00 FEET, A CENTRAL ANGLE OF 08°26'12" AND AN ARC LENGTH OF 136.94 FEET, TO A POINT OF NON-TANGENT;  
3. N41°03'23"E A DISTANCE OF 60.19 FEET, TO A POINT OF NON-TANGENT CURVE;  
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S37°34'00"E, HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 23°53'20" AND AN ARC LENGTH OF 391.92 FEET, TO A POINT OF TANGENT;  
5. N76°19'20"E A DISTANCE OF 386.99 FEET;  
THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;  
THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 50.00 FEET;  
THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, S13°40'40"E A DISTANCE OF 20.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT  
THENCE ON SAID SOUTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 852.10 FEET;  
THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;  
THENCE ON SAID NORTHERLY EASEMENT LINE, N76°19'20"E A DISTANCE OF 80.00 FEET;  
THENCE DEPARTING SAID NORTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 80.00 FEET, TO THE POINT OF BEGINNING.  
CONTAINING A CALCULATED AREA OF 2,660,672 SQUARE FEET OR 61.0806 ACRES.

**PROPERTY DESCRIPTION – NORTH PARCEL**

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTHWEST CORNER AND 2-1/2" ALUMINUM CAP STAMPED "LS 11624" AT THE SOUTH QUARTER CORNER, SAID LINE BEARING N89°14'14"E.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN;  
THENCE N82°23'37"W A DISTANCE OF 4,105.23 FEET, TO A POINT ON THE SOUTHERLY LINE OF THAT 20.00' ELECTRIC EASEMENT RECORDED UNDER RECEPTION NO. 218054783 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE CONTINUING ON SAID SOUTHERLY EASEMENT LINE, S76°19'20"W A DISTANCE OF 60.00 FEET;  
THENCE DEPARTING SAID SOUTHERLY EASEMENT LINE, N13°40'40"W A DISTANCE OF 20.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID 20.00' ELECTRIC EASEMENT;  
THENCE ON SAID NORTHERLY EASEMENT LINE, THE FOLLOWING TWO (2) COURSES:

1. S76°19'20"W A DISTANCE OF 381.99 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,060.00 FEET, A CENTRAL ANGLE OF 19°59'04" AND AN ARC LENGTH OF 369.72 FEET, TO A POINT OF NON-TANGENT;

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

1. N16°30'13"W A DISTANCE OF 179.19 FEET;
2. S73°29'47"W A DISTANCE OF 11.27 FEET;
3. N01°55'19"E A DISTANCE OF 307.22 FEET;
4. N05°37'53"E A DISTANCE OF 90.96 FEET;
5. N02°02'55"E A DISTANCE OF 130.48 FEET;
6. N00°42'35"W A DISTANCE OF 241.35 FEET, TO A POINT ON THE SOUTHERLY LINE OF AMENDED PLAT BARBARICK SUBDIVISION RECORDED UNDER RECEPTION NO. 217713910;

THENCE ON SAID SOUTHERLY LINE, N89°17'25"E A DISTANCE OF 697.50 FEET;  
THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING THREE (3) COURSES

1. S00°42'35"E A DISTANCE OF 539.36 FEET
2. N76°19'20"E A DISTANCE OF 63.46 FEET;
3. S13°40'40"E A DISTANCE OF 195.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 589,966 SQUARE FEET OR 13.5437 ACRES.