

October 14, 2024

El Paso County Planning & Community Development
Attn: Kylie Bagley, Planner
2880 International Circle
Colorado Springs, CO 80910
719-373-8562 direct

**RE: Letter of Intent & Justification Statement
Windermere Filing No. 2, Parcel Nos. 53294-16-011
Preliminary Plan Amendment**

Dear Ms. Bagley,

Please accept this letter of intent and the enclosed supplemental material as Kimley-Horn's application and request for approval of an amendment to the Preliminary Plan for Windermere, on behalf of James Todd Stephens, Eagle Development Company, YES Antelope Ridge, LLC, and JTS Family Trust to be developed as a mixed-density residential property. The previously approved Preliminary Plan proposed 203 single-family lots on the approximately 55.58-acre site. This amendment proposes to convert 40 single-family lots to a multi-family lot for up to 150 dwelling units. The amended Preliminary Plan area will consist of 163 single-family lots on 46.32 acres and up to 150 multi-family units on 9.26 acres. We request approval of this amendment to the Preliminary Plan which has been prepared in accordance with El Paso County criteria. Water sufficiency has been determined and administrative plat approval. No deviations or variances are requested at this time.

The site was considered for annexation to the City of Colorado Springs, however significant off-site utility connections required to make the project work in the City/CSU water, wastewater and electric services territory were not feasible.

Location

The site is located at the northwest corner of Marksheffel Road and North Carefree Circle. Antelope Ridge Drive forms the western boundary, and Chateau at Antelope Ridge subdivision lies to the north. The site contains the 9.13-acre, identified as Tract B, Windermere Filing No. 1.

Zoning / Land Use

The site is currently zoned for RS-5000 CAD-O (Residential Suburban / Commercial Airport District) and is currently undeveloped. The land to the west of the site is zoned as suburban RS-6000, and a PUD zoned subdivision lies to the north. The land to the south opposite N. Carefree Cir. is zoned RR-5 and owned by the City of Colorado Springs. The land to the east of Marksheffel Road is zoned R5/CR PIP2/CR SS AO and R1-6 PBC/CR PIP2/CR R5/CR SS AO for use as part of the Banning Lewis Ranch Master Plan with the City of Colorado Springs.

Existing Facilities

Sanitary Sewer is located at the east central portion of the site. Water mains are located in Antelope Ridge Drive. Existing electric and communication facilities are located on the site perimeter. A natural

gas main is located along Antelope Ridge Drive on the west end of the site. An existing detention facility at the north end of the project has already been temporarily capturing flows from the north. This pond is owned by Yes! Communities and will be expanded to meet current design criteria. The new pond is to be maintained by Windermere Metropolitan District. Coordination with the adjacent property owners is currently in progress.

Preliminary Plan

The project consists of 203 single family lots at a minimum of 5,000 s.f. each. These single family lots will be located in parcels currently zoned RS-5000. The gross density of the RS-5000 parcels will be a minimum of 3.6 units per acre to a maximum of 6.2 units per acre, according to RS-5000 zoning standards. There is a concurrent rezone application being submitted for the southernmost parcel in the preliminary plan area. This rezone proposes to convert 9.26 acres of RS-5000 zoning to RM30 in order to facilitate multi-family development. The project will be constructed in two phases.

Phase 1 consists of approximately 26 acres and includes 163 residential lots, a neighborhood park and a detention facility. The Tracts in Phase 1 are A, C, D, F and G (5 Tracts). These tracts are all used for landscape and public utilities & improvements. Tract A is also to be used for drainage and a private detention pond. Tract C is also to be used for a park, mail kiosks and drainage. Tract D and Tract F are also to be used for drainage.

Phase 2 will consist of approximately 9.13 acres and include up to 150 multi-family units and a detention facility.

Road ROW consists of approximately 7.46 acres and Tracts consist of approximately 8.55 acres. The detention facility in Phase 1 captures flows from the Chateau at Antelope Ridge subdivision to the north and from Pronghorn Meadows subdivision to the west. The existing facility is being replaced with an expanded pond of larger capacity meeting current drainage criteria to include a concrete trickle channel at the bottom, an outlet structure and pipe that will reduce the release of flows, and a reinforced spillway on the east side of the facility.

Criteria for Approval

- **The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;**

The site is captured in the Key Areas and Areas of Change within the “Your El Paso County” Master Plan:



Key Areas (The Enclaves)



Areas of Change (Transition)



Housing and Community Framework (Urban Residential/Priority Development)

The project site also falls within the noted “Housing and Community Framework” zone of the Master Plan’s Place-Type category. Based on these maps, the proposed zone change and proposed use is supported by the Master Plan. The site is identified as an Urban Residential use, in an area of proposed change and in an area of development.

The project will build on the framework of the existing and currently developing neighborhoods and will provide an appropriate transition in use between the single family residential and the adjacent corridors and light industrial uses.

While the site is within the annexation “Priority Zone”, access to the major City utilities is limited in this area. At this time, it is not cost effective to seek the needed extensions for water and wastewater while Cherokee Metro District continues to provide the local services.

Per section 7.2.1.D.2 in the Land Development Code, this project meets the following criteria:

- **The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.** The development is consistent with the intent of the Policy Plan as it is intended to provide additional housing at various densities in an urbanizing area. Annexation into the City of Colorado Springs was explored, but found to be cost prohibitive due to offsite utility extensions needed, wastewater in particular.
- **The subdivision is consistent with the purposes of this Code.** The stated purpose of the Code is to preserve the improve the public health, safety, and general welfare of the citizens and businesses of El Paso County. This development will provide additional housing options in the area in a location that is appropriate for higher density residential development.
- **The subdivision is in conformance with the subdivision design standards and any approved sketch plan.** There is no approved sketch plan for this property. The subdivision design standards are met.
- **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.** Cherokee Metropolitan District has a sufficient water supply to support this development. The raw water supplied to the District is generally of good quality. The quality of the water is monitored, and the District has been successful in complying with regulatory limits. (Water Resources Report, June 2020). See commitment letter from Cherokee Metropolitan District.
- **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.** Cherokee Metropolitan District will serve the project and has sufficient capacity. Public sewage disposal is addressed in the "Wastewater Report for Windermere" prepared by Drexel, Barrell & Co. See commitment letter from Cherokee Metropolitan District.
- **All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)].** The geologic hazards anticipated to affect this site are potentially seasonally high groundwater at lots 72-74 and Tract B, expansive soils, compressible soils, hard bedrock, floodplain and drainage areas, corrosive minerals, fill soils, proposed grading, erosion control, cuts and masses of fill and radon. The most significant geologic constraints to development recognized at this site are high groundwater and hard bedrock. The geologic conditions encountered at this site are relatively common to the immediate area and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development. See geotech reports by RMG, dated October 26, 2020 and March 30, 2022 for mitigation measures.
- **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.** Drainage improvements are addressed in the Preliminary Drainage Report and in the grading and erosion control plans prepared by Drexel Barrell, Inc. Detention and water quality are provided on site and meets the DCM criteria.

- **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.** Public infrastructure is to be constructed with the development to include roads, drainage and utilities and are adequate to serve and mitigate the demand produced by 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.** Legal access to the site is provided off of existing Antelope Ridge Dr., a collector roadway, and via public roads within the development.
- **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;** There are no natural physical features on the site. Open space is provided throughout the development including approximately 8.55 acres.
 - (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 provision is made in this regard given the context of the site and surrounding area. The plan was designed to minimize cost of transportation and utility infrastructure improvements.
 - (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;** Landscaping is included to buffer the development from adjacent uses where appropriate. The development provides a transition between the smaller single-family lots to the north and commercial uses to the south.
 - (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design;** There are no identified environmentally sensitive areas on the project site.
 - (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.** The Traffic Report prepared by LSC Transportation Consultants requires that Antelope Ridge be restriped to provide a southbound left-turn lane for each of the two site access points and that a northbound right turn land be added to the northern access point. Once improved as such, the proposed access points will function within acceptable traffic engineering parameters. The reports relating to water supply, wastewater treatment, and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.
- **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 Cherokee Metropolitan District. Mountain View Electric Association Inc. and Colorado Springs Utilities will provide electric and natural gas services to the subdivision respectively. Falcon Fire Protection District will provide fire protection and emergency services. A neighborhood park will be provided as a tract within the subdivision.

- **The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code.** The site lies within the Falcon Fire Protection District.
- **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 for R5-5000 and RM-30 zoning.

Traffic / Access / Noise

It is requested the Windermere Subdivision be placed in the 10 mill Traffic Improvement District.

The Windermere subdivision is accessed via two full-movement access points from Antelope Ridge Drive on the west side of the subdivision. The southern access lines up with the existing intersection with Pronghorn Circle, approximately 540 feet north of North Carefree Circle. The north access point will be approximately 770 feet north of the southern access point.

A Traffic Analysis prepared by LSC Transportation Consultants Inc. shows that all site access points will operate at satisfactory levels of service as stop-sign-controlled intersections based on the projected short term and 2040 total traffic volumes. The intersection of North Carefree Circle & Antelope Ridge does not currently operate at an acceptable level of service for the southbound left-turn AM peak flow. Warrants for a signal however, are not currently met. Warrants for a signal are anticipated to be met by, but not before 2040. See the TIS for further explanation. The proposed road improvements required for site development will be restriping on Antelope Ridge to provide southbound left-turn lanes approaching each of the two site access points and adding a northbound right-turn lane at the north access. **No other offsite traffic improvements are proposed.**

LSC has also produced a noise study to analyze the impact of projected road traffic noise from traffic on Marksheffel Road and North Carefree Circle on the proposed residential development. The report concludes that the 2040 noise levels will exceed the 67 decibel req threshold in two places, and it is recommended that an 6-8 foot precast concrete panel noise fence be installed along the back of lots abutting Marksheffel Road. Further noise analysis will be completed at the final plat stage to determine whether the noise fence needs to be extended along N. Carefree Circle.

The developer agrees to provide escrow or direct contribution to the City of Colorado Springs for the future anticipated signal at the intersection of Marksheffel Rd and N. Carefree Circle. The developer will comply with the City's requirements at the final plat stage.

Utilities

Water and sanitary sewer services will be provided by Cherokee Metropolitan District. Electric and natural gas will be provided by Mountain View Electric Association Inc. and Colorado Springs Utilities (Gas) respectively. The communications provider will be contracted by the developer.

Schools

The project is located within Falcon District No. 49. Sand Creek High School and Evans Elementary School are located approximately ¾ mile to the west of the site, and Springs Ranch Elementary School is located approximately ¾ mile to the north west of the site. No land dedication is required at this time; fees in lieu of land are required.

Drainage

The site currently lies within the Sand Creek Drainage Basin. Drainage improvements will be constructed in accordance with the approved Final Drainage Report and Construction Documents as

applicable, including a sub-regional WQ/Detention pond on the north end of the site and a local WQ/Detention pond on the south end. The ponds will be graded at the time of pre-development overlot grading, as well as the installation of wet utilities. The detention ponds and onsite drainage shall be owned and maintained by the Sands Metropolitan District #4

Parks / Open Space

The 1.00 acre park to be constructed in Tract C will serve the entire development project. As the park is less than 3 acres, it does not qualify as an urban park for the purposes of meeting the dedication requirements as outlined in the El Paso County Parks and Open Space Standards in Section 8.5.3 of the Land Development Code. The fees per subdivision lot in lieu of park land dedication are \$116 for Urban Parks and \$467 for Regional Parks. The required fees in lieu for this project are:

	2020 Fees/dwelling unit	Total (440 dwelling units)
Urban Neighborhood	\$116	\$51,040
Urban Community	\$179	\$78,760
Regional	\$467	\$205,480
Total	\$744	\$335,280

Require fees in lieu of land for regional park purposes in the amount of \$205,480, and urban park purposes in the amount of \$58,464. Dedication of urban park improvements under a park lands agreement is an acceptable alternative to urban fees, provided that the agreement is approved by the County and executed prior to recording the final plat.

Metropolitan District

The property is located within the Cherokee Metropolitan District. Sands Metropolitan District #4 will be responsible for the stormwater detention pond and maintenance.

Deviation Requests

No deviations are requested at this time.

Contact Information

Kimley-Horn and Associates, Inc. and Drexel, Barrell & Co. represent Windsor Ridge Homes. Following is the contact information for all parties.

Owner/Developer:

Windsor Ridge Homes
 James Todd Stephens
 4164 Austin Bluffs Pkwy #36
 Colorado Springs, CO 80918
 719-499-6136 phone
 719-200-9594 cell
todd@windsorridgehomes.com

Owner:

Eagle Development Company
212 N. Wahsatch Ave., Suite #301
Colorado Springs, CO 80903
719-635-3200 phone
jmark@lanhuisco.com

Current North Pond Owner:

Yes Antelope Ridge, LLC
Craig Schellbach
5605 N. MacArthur Blvd, Suite 280
Irving, TX 75038
972-379-9616 phone
cschellbach@yescommunities.com

Planning Consultant:

Kimley-Horn and Associates, Inc.
Mr. Jim Houk, PLA, Associate
2 North Nevada Avenue, Suite 300
Colorado Springs, CO 80903
719-284-7280 phone
jim.houk@kimley-horn.com

Engineering Consultant:

Drexel, Barrell & Co.
Mr. Tim McConnell, P.E., Principal, Regional Manager
3 South 7th Street
Colorado Springs, CO 80905
719-260-0887 phone
719-260-8352 fax
tmccConnell@drexelbarrell.com

We trust you find our application for the Windermere Preliminary Plan Amendment acceptable. We look forward to working with the County in processing the application and submittal package. Please call if you have any questions or require any additional information.

Respectfully,



Kimley-Horn and Associates, Inc.

Jim Houk, PLA
Associate