

EL PASO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

July 9, 2019

McCune Ranch LLC
PO Box 36 Arrowhead Drive
Elbert, CO 80106

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

RE: Winsome – Preliminary Plan – (SP-18-006)

This is to inform you that the above-reference request for approval of preliminary plan was heard and a recommendation for approval was made by the El Paso County Board of County Commissioners on July 9, 2019, at which time an approval was made for 766.66 acres to create 143 single family residential lots with an overall density of one dwelling unit per five (5) acres, one 7.88 acre commercial lot, 151.238 acres of open space, drainage tracts, and rights-of-way. The applicant has submitted two concurrent rezoning applications to rezone different portions of the property from the RR-5 (Residential Rural) zoning district to the CC (Commercial Community) and RR-2.5 (Residential Rural) zoning districts, and the remaining acreage is proposed to remain zoned RR-5(Residential Rural). If the concurrently proposed rezoning requests are approved, then the preliminary plan area will consist of the following zoning districts: CC (7.88 acres), RR-2.5 (350.26 acres), and RR-5 (408.52 acres). The property is located at the northwest corner of the Hodgen Road and Meridian Road intersection and is within Sections 13, 19, and 24, Township 11 South, Range 65 West of the 6th P.M. The property is located within the Black Forest Preservation Plan (1987). (Parcel No. 51000-00-439)

This approval is subject to the following:

CONDITIONS

1. Applicable traffic, drainage and bridge fees shall be paid with each final plat.

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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, the Colorado Division of Wildlife; Colorado Department of Transportation; U.S. Army Corps of Engineers; and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
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 18-471), 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.

NOTATIONS

1. 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.
2. The 2016 Major Transportation Corridors Plan Update identifies a 2040 Roadway improvement project along the frontage of Hodgen Road (Project ID U6) from an unimproved County road to a Rural Minor Arterial. The extent of improvements shall be determined with the final plat application.

WAIVERS

The applicant has requested the following waivers of the El Paso County Land Development Code (2019):

- Waiver of Section 8.4.3(C)(2)(e) requiring lots to have direct access from a public roadway. Lots 44 and 92 are proposed to gain access from a shared access agreement instead of direct lot access. The applicant has provided the following justification for the requested waiver:

“The requested waiver will help protect existing topography and natural features by avoiding unnecessary extension of public roads.”
- Waiver of Section 6.3.3(C)(2)(d) requiring a turnaround where a driveway exceeds 300 feet. The driveways that will serve lots 44, 45, 50, 92, and 93 will exceed 300 feet, with the longest being at least 770 feet in length. The applicant has provided the following justification for the requested waiver:

“The requested waiver will help protect existing topography and natural features by not expanding the driveway area more than necessary to provide adequate access.”

Per Section 7.3.3 of the Code:

A waiver from standards shall be approved only upon the finding, based upon the evidence presented in each specific case, that:

- The waiver does not have the effect of nullifying the intent and purpose of this Code;
- The waiver will not result in the need for additional subsequent waivers;
- The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
- The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;
- A particular non-economical hardship to the owner would result from a strict application of this Code;
- The waiver will not in any manner vary the zoning provisions of this Code; and
- The proposed waiver is not contrary to any provision of the Master Plan.

The requested waivers only apply to five of the 144 proposed lots. Falcon Fire Protection Department has provided a letter of approval for the proposed driveways in excess of 300 feet and has not identified it to be a public safety issue. This property is unique in that the property is bisected by a floodplain/natural drainage way and there are undulating hills on the northern portion of the parcel. The requested waiver meets the criteria in Section 7.3.3 of the Code. Please see the applicant’s letter of intent for their stated justification and analysis of the above criteria.

The applicant has requested the following deviations of the El Paso County Engineering Criteria Manual (2016):

- Deviation from the standards of Section 2.3.2 requiring one-quarter mile (1,320 feet) intersection spacing on Hodgen Road which is classified as a rural minor arterial. The applicant has submitted a deviation requesting 780 feet intersection spacing between Early Light Drive and Meridian Road due to topographical constraint. The applicant has cited the varying topography along Hodgen Road as a constraint that would limit sight distances as justification in support of the requested deviation. The deviation request has been approved by County staff, which effectively allows the intersection to be located at the crest of a hill along Hodgen Road where the intersection sight distance can meet criteria.

This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nina'.

Nina Ruiz, Planner III

File No. SP-18-006