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## **WINSOME FILING NO.2 FINAL PLAT**

### ***LETTER OF INTENT***

**JUNE 2021**

<b>PROPERTY OWNER</b>	<b>APPLICANT:</b>	<b>CONSULTANT:</b>
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Winsome LLC

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N.E.S. Inc.

1864 Woodmoor Dr, Ste 100  
Monument, Colorado 80132

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Monument, Colorado 80132

619 North Cascade Ave,  
Colorado Springs, CO 80903

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### **REQUEST**

Winsome LLC requests approval of a Final Plat for Winsome Filing No. 2, comprising 61 residential lots, 1 commercial lot, and 2 tracts on 254 acres.

### **SUPPORTING DOCUMENTS**

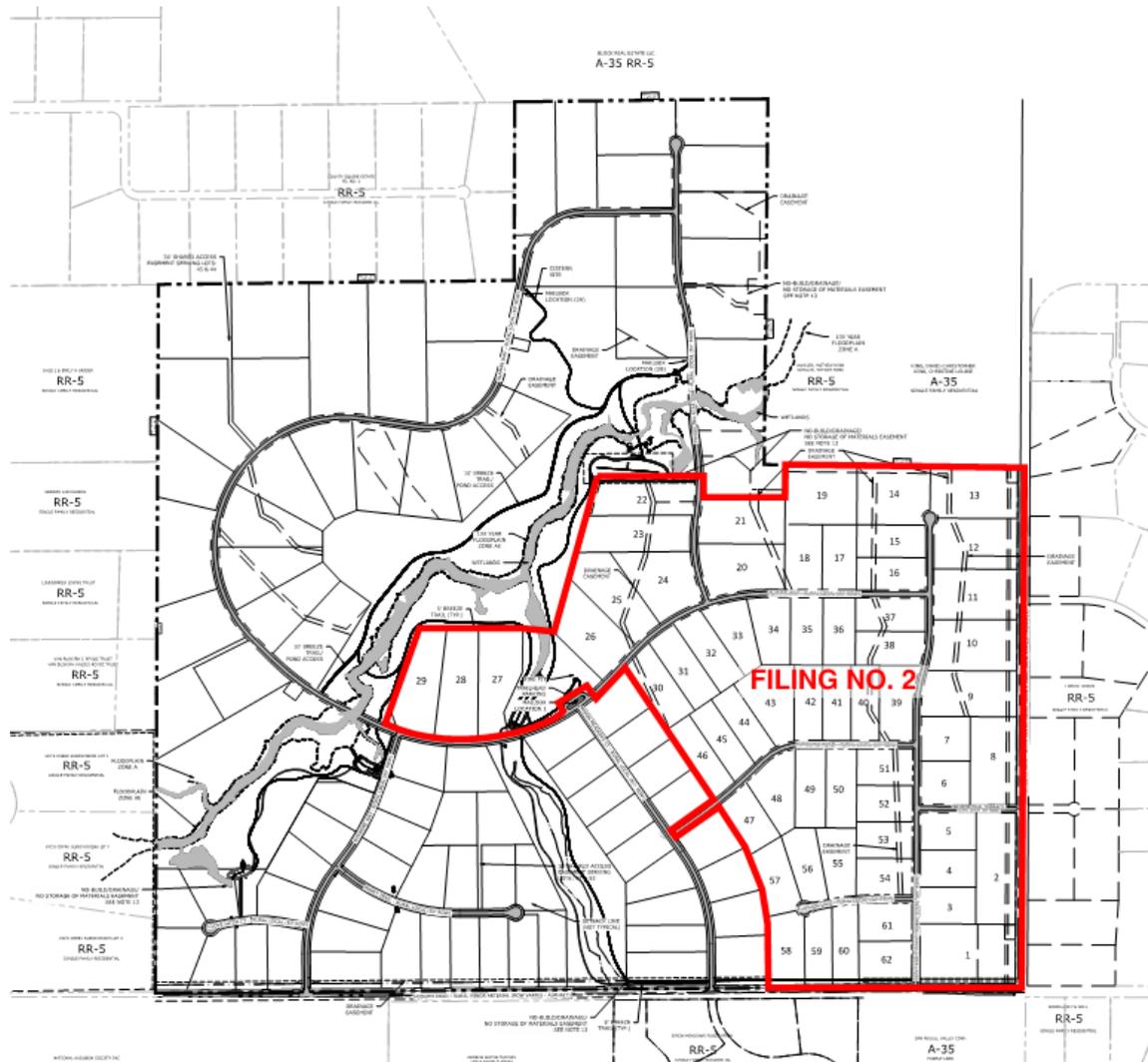
The following reports are submitted in support of this Final Plat and are referenced in this Letter of Intent:

- Traffic Impact Study prepared by Kellar Engineering
- Soils, Geology and OWTS Report prepared by Entech Engineering, Inc.
- Natural Features and Wetlands Report prepared by Ecosystem Services, LLC (ECOS)
- Wildland Fire & Hazard Mitigation Plan prepared by Ecosystem Services, LLC (ECOS)
- Water Resources and Wastewater Report prepared by Entech Engineering, Inc.
- Final Drainage Report prepared by Kimley Horn.
- Stormwater Management Plan prepared by Kimley Horn.
- FEMA CLOMR Report prepared by Kimley Horn.

### **PROJECT DESCRIPTION**

Winsome Filing No. 2 is part of the 766-acre Winsome subdivision (formerly McCune Ranch) located northwest of the intersection of Hodgen Road and Meridian Road in northeast El Paso County. On July 9 2019, the Board of County Commissioners approved multiple applications to rezone and preliminary plan the Winsome property, as follows

1. A rezone of 350 acres from RR-5 (Residential Rural, 5-Acre Lots) and A-35 (Agricultural, 35-acre lots) to RR-2.5 (Residential Rural, 2.5 acre lots);
2. A rezone of 7.9 acres from A-35 (Agricultural, 35-acre lots) to CC (Commercial Community); and
3. A Preliminary Plan for the Winsome subdivision, consisting of 143 single-family lots and one commercial lot on approximately 766.66 acres.



The properties surrounding Winsome Filing No. 2 include:

- North:** The remaining 350-acres of the planned Winsome subdivision of similar rural density development.
- South:** The seven lot Bison Meadows 5-acre lot subdivision; a 35-acre single-family residential parcel; and undeveloped agricultural/forest land.
- East:** The Forest Green 5-acre lot subdivision.
- West:** The Winsome Filing 1 subdivision (Approved January 26 2021).

Through the approval of the Preliminary Plan it was concluded by County Staff, the Planning Commission, and the Board of County Commissioners that the density, lot sizes and transitions in lot sizes proposed for the Winsome subdivision was compatible with the neighboring properties.

Winsome Filing No. 2 is the second 254-acre phase of the Winsome subdivision and is located immediately north of Hodgen Road. The 61 lots proposed in Filing No.2 are wholly within the area that was rezoned to RR-2.5 in July 2019. The lots meet the minimum zoning standards set out in Table 5-4 of the Land Development Code for the RR-2.5 zone as follows:

Zone	Min. Lot Frontage	Min. Front Setback	Min. Rear Setback	Min. Side Setback	Max. Lot Coverage	Max. Building Height
RR-5	200 ft	25 ft	25 ft	15 ft	None	30ft
RR-2.5	200 ft	25 ft	25 ft	25 ft	None	30 ft
CC	None	25 ft	25 ft	25 ft	None	40 ft

Filing 2 also includes the 7.9-acre lot that was rezoned to CC in July 2019. This lot meets the minimum standards of the CC zone.

### Access and Traffic

One full movement access is proposed off Hodgen Road adjacent to the commercial site, which will require turn lane improvements. A second full movement access is proposed off of Meridian Road to align with Woodridge Terrace across the street. This provides the two points of access required by Chapter 8.4.4.D of the Land Development Code. Tract A provides the additional right-of-way dedication required for Meridian Road to realize its classification as two-lane rural minor arterial on the County's 2040 Major Transportation Corridors Plan (MTCP).

The Traffic Impact Study (TIS) prepared by Kellar Engineering assesses the trips generated by the proposed development in the context of 2020 short-term and 2045 long-term background traffic. The TIS identifies the road improvements required for Filing 2 as an eastbound left-turn lane at the intersection of Hodgen Road and Early Light Drive.

This filing will not be entering into a PID, and road impact fees will be paid at time of recording.

### Open Space and Trails

The overall Winsome subdivision proposes 151-acres as open space to preserve the natural resource of the West Kiowa Creek and its associated floodplain and wetlands and to preserve existing vegetation. This open space will also provide recreational opportunities for the residents of the proposed subdivision and surrounding neighborhoods. A network of looping trails is proposed through the open spaces, connecting with the internal rural local roads to provide multiple access points. All open space tracts will be owned and maintained by the Winsome Metropolitan District.

Within Filing 2, tract B provides 6.86 acres of open space containing trails, trail signage, a community fire pit, and filing 1 drainage facilities.

All open space tracts in this filing will be owned and maintained by the Winsome Metropolitan District.

### Drainage

The Final Drainage Report prepared by Kimley Horn examines the existing drainage characteristics of the site and any required improvements in accordance with the requirements of the LDC and ECM. The proposed Winsome Subdivision is part of the West Kiowa Creek Drainage Basin, with Kiowa Creek flowing from the southwest to the northeast across the property. Proposed drainage infrastructure includes road side ditches, culverts to convey stormwater under roads, swales, and six full-spectrum detention ponds.

As this is a phased development, detention ponds will be installed to maintain flow rates below historic levels at each phase of the project. To achieve this, some ponds will be built and put on line that are outside the boundary area for any given phase. For Filing 2, two full-spectrum detention ponds are to be constructed to support the second phase of development. One full spectrum detention pond is located on the southern end of Lot 2, and the second will be located North of lot 21 outside of the Filing 2 area . Seven road crossing culverts are also proposed in Filing 2, designed to accommodate 100% of the 5-year storm.

### **Utilities**

Water: The Water Resources and Wastewater Report prepared by JDS Hydro indicates that water service will be provided by individual domestic wells for the 61 residential lots. The wells will be drilled into the Dawson Aquifer. Water rights in the Dawson Aquifer of 232.50 acre-feet annually were allocated in Water Decree No. 1692-BD and will be transferred to the McCune Ranch development following the completion of a water contract between McCune Ranch and PT McCune, LLC. The 61 lots in Filing 2 will generate an annual demand of approximately 36.60 acre-feet, for which there is sufficient capacity in the Dawson aquifer. Replacement water required to augment depletions from the Dawson aquifer will be available through return flows from the OWTS septic fields. A replacement water plan has been reviewed and published by the State Water Engineer.

The single commercial lot will generate an annual demand of approximately 5.0 acre-feet, for which there is sufficient capacity in the Dawson aquifer. Replacement water required to augment depletions from the Dawson aquifer will be available through return flows from the OWTS septic fields. A replacement water plan has been reviewed and published by the State Water Engineer.

Wastewater: Wastewater service will be provided by onsite wastewater treatment systems (OWTS). Entech's OWTS Report concludes that the property is generally suitable for OWTS and that contamination of surface and subsurface water sources should not occur provided the systems are installed according to El Paso County and State guidelines. Figure 8 of the report identifies potential sites for OWTS locations on each lot and where OWTS would not be suitable.

Gas: Gas Service will be provided by Black Hills Energy and a Will Serve letter is provided.

Electric: Electric Service will be provided by Mountain View Electric Association and a Will Serve letter is provided.

### **Natural Features**

The ECOS Natural Features Report prepared for the Preliminary Plan assessed the topography, vegetation, wetlands and wildlife. The only constraint imposed on the Winsome development as a result of this assessment is the requirement for "no build"/preservation easements where the wetlands

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are within lots. There are no such preservation areas in Filing 2 and none of the proposed streets or culverts in Filing 2 will impact wetland areas.

The site is mainly native prairie grassland, with a concentration of Ponderosa Pine trees in the southern portion of Filing No. 2. There is the potential to improve the vegetation with the proposed noxious weed management plan and native plant restoration outlined in the ECOS Natural Features Report.

### **Noxious Weeds**

The noxious weeds on the site are mainly contained within the proposed open space areas. ECOS provided a noxious weed management plan within the Natural Features Report, which recommends weed control prior to and during construction to eliminate existing weeds and to prevent introducing new weeds. Following construction, the Metropolitan District and/or Home Owners Association will be responsible for weed control in the open space. With the individual lots, weed control will be the responsibility of the individual home owner and will be enforced through covenants.

### **Floodplain**

Portions of the site adjacent to the West Kiowa Creek are mapped within Zone A of the FEMA Floodplain Map No. 08041CO350G, dated December 7, 2018. Zone A indicates that Base Flood Elevations have not been determined. A floodplain boundary has been assessed by Vertex and the proposed floodplain is subject to verification by FEMA through the CLOMR/LOMR process. The proposed floodplain is contained mostly within the open space areas and does not impact any lots within Filing 2.

### **Wildlife**

The ECOS report indicates that the site currently provides good habitat for a variety of wildlife. Birds are the most common wildlife, with mammals in the treed areas and reptiles and amphibians in and around the creek. The extensive area of open space proposed for the subdivision and within Filing 2 will provide a wide upland buffer for wildlife along the creek and the large lot configuration will minimize impact on wildlife. There will be low to no impact on protected species. The noxious weed management plan and recommended native plant revegetation will improve the wildlife habitat. Post and rail fencing is proposed on the perimeter of the subdivision and similar fencing will be the standard for the individual lots, which will be enforced by the Metro District and/or Home Owners Association.

### **Soils and Geology**

The Soils and Geology Report prepared by Entech identifies the geologic conditions that occur intermittently on the property, including artificial fill, loose or collapsible soils, expansive soils, slope stability, downslope creep, floodplain and potential high ground water. Many of these constraints are within the open space area and the floodplain is wholly within the open space. The report indicates that these conditions can be mitigated through proper engineering design and construction techniques, including special foundation design and subsurface drains.

### **Wildfire Hazard Mitigation**

The treed areas within Filing 2 lie within an area mapped as High Hazard for wildfire. The current owners of the property undertook fire mitigation in 2013 and 2015, which included thinning trees, removing ladder fuels and modifying stand structure. The covenants for the subdivision will set out standards for fire mitigation to ensure that this is a Firewise community and meets the County Development Standards for Fire Protection. Additional fire mitigation may be required on the individual

lots to bring them into compliance with these standards. The location and type of new landscaping on individual lots will also be controlled to minimize wildfire risks. The Wildland Fire & Hazard Mitigation Plan prepared by ECOS provides more detail on the potential wildfire fuels on the property and suggested mitigation measures.

## PROJECT JUSTIFICATION

The Final Plat is consistent with the approval criteria in Section 7.2.1.D.3.f of the LDC as follows:

### 1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

The Master Plan comprises the County Policy Plan and Black Forest Preservation Plan. The overall Winsome subdivision was fully analyzed in the context of the Master Plan policies with the approved Preliminary Plan and was found to be in compliance. As Filing 2 is consistent with the lot and open space configuration on the Preliminary Plan, it should also be found to be in compliance with the Master Plan.

Winsome Filing No. 2 conforms with the policies of the County Plan as the proposed 2.5-acre rural residential lots are compatible with the adjacent previously developed areas and will add significantly to the amenities and rural character of the area by preserving a substantial area of natural open space with public access. The proposed subdivision is located within Area 8 of the Black Forest Preservation Plan, where large lot residential development consistent with existing subdivisions is encouraged. Residential Goal 3A of the Plan seeks to perpetuate the rural residential character of the Black Forest. Subsequent policies that support this goal encourage clustered development to preserve open space and protect natural features, with a 5-acre overall density and a minimum lot size of 2.5-acres. Winsome Filing No. 2 includes 2.5-acre rural residential lots and a substantial area of accessible open space, which is consistent with the residential goals of the Preservation Plan.

The following County Polices are relevant to the requested Final Plat:

*Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.*

*Policy 6.1.13: Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.*

*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 6.4.6: Allow for the accommodation of necessary supporting commercial uses within or in proximity to rural residential areas in a manner that preserves the rural character of these areas.*

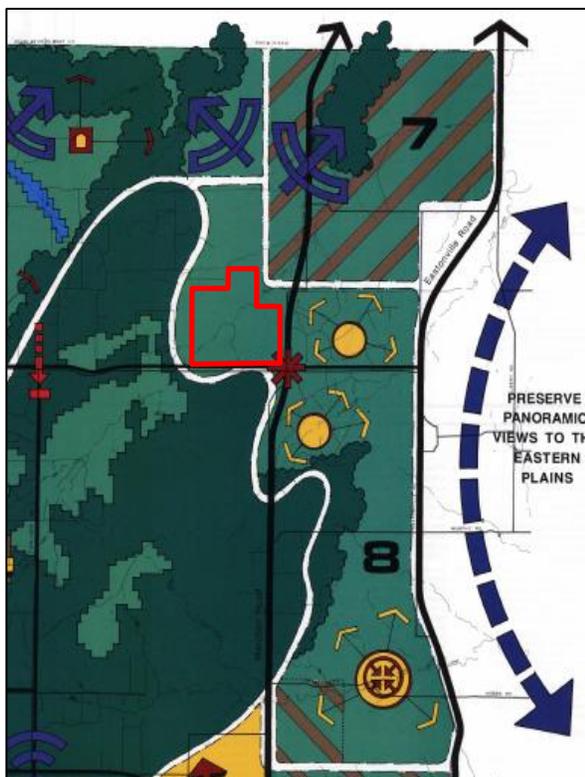
*Policy 6.5.1: Allow for the location of limited supporting commercial uses at locations convenient to serve the needs of rural County residents provided that the requisite level of services are available or will be available in a timely fashion.*

The proposed development is consistent with the policies of the County Plan that encourage rural residential development in locations contiguous to existing rural residential subdivisions and that include clustering concepts to conserve open space and natural features. Compatibility is defined as “a state in which two things are able to exist or occur together without problems or conflict.” It does not mean that the two things have to be identical. The proposed rural residential development with lots ranging from 2.5 to 10-acres at a 5-acre lot density is compatible with the adjacent previously developed areas as it will not create any notable change in the rural residential character of the area or result in any problems or conflicts. On the contrary, the project will add significantly to the amenities and rural character of the area by preserving a substantial area of natural open space with public access.

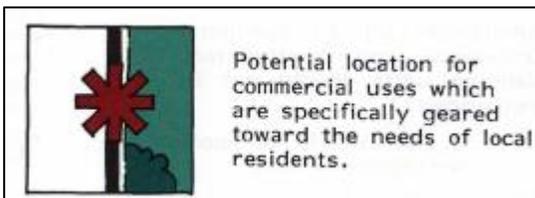
Notwithstanding the Applicant’s opinion that this project is compatible with the surrounding area, the County Plan defines land use buffering as “the effective incorporation of open space, natural features, rights-of-way, phased gradations of densities, or use of screening with vegetation or topography, to either transition between potentially incompatible uses or to define or distinguish developed areas.” This project includes phased gradation of densities by bordering the development to the north, east and west with 5-acres lots. It also uses open space and natural features to transition internally between the 5-acre and 2.5-acre zoning. The extensive Hodgen Road right-of-way also provides a buffer to the development to the south.

The proposed commercial zone will accommodate uses that support the surrounding residential areas in a convenient and accessible location at the intersection of two proposed minor arterial roads, which is consistent with the policies of the County Plan referred to above.

### Black Forest Preservation Plan



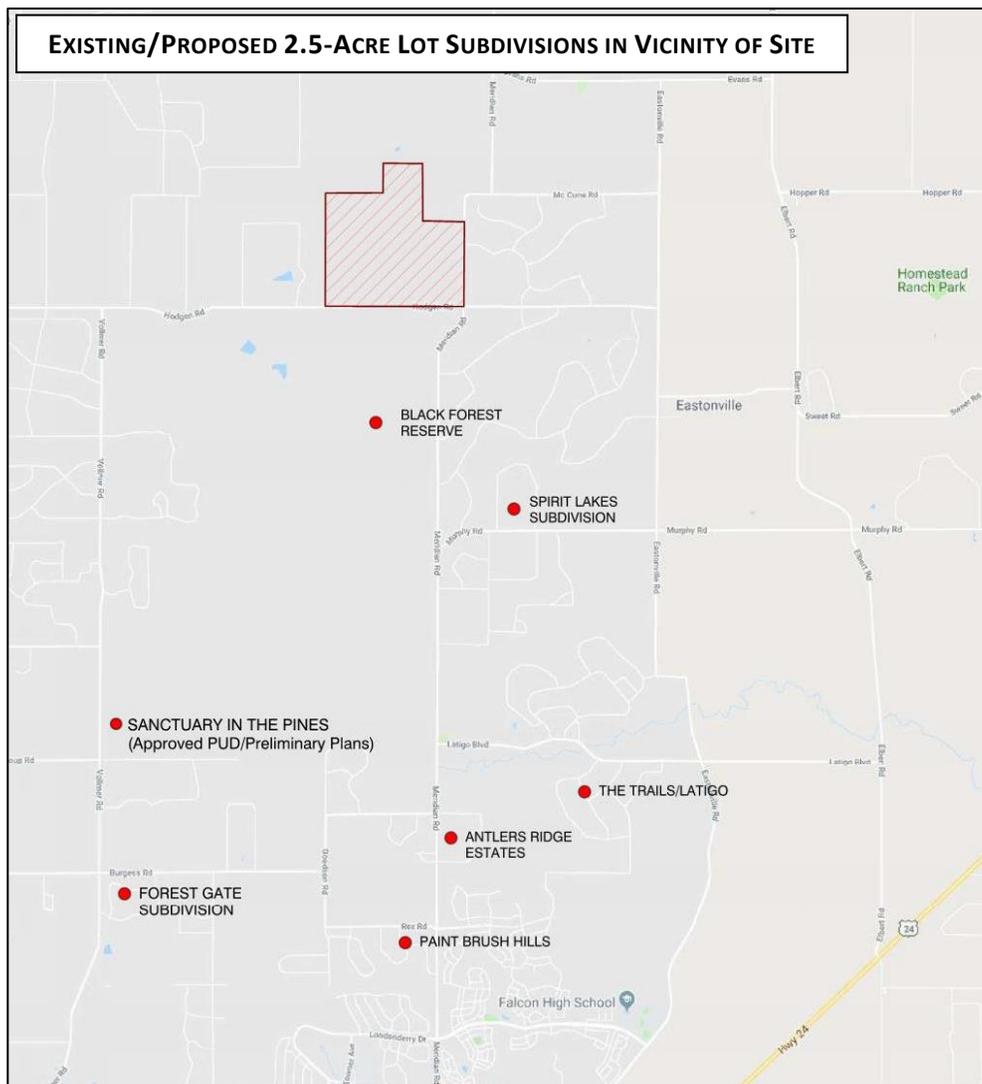
### EXTRACTS FORM THE BLACK FOREST PRESERVATION PLAN



- 8 Meridian-Eastoville Corridor**
- Large lot residential development that is consistent with existing subdivisions should be encouraged.
  - Currently unzoned areas should be zoned A-4 (Agricultural).
  - Commercial development should be limited to the nodes designated for this unit.
  - Meridian Road should be considered as a potential major north-south transportation corridor, and adequate right-of-way should be protected.

McCune Ranch is located within the area covered by the Black Forest Preservation Plan (BFPP). The site is within Area 8, where large lot residential development consistent with existing subdivisions is encouraged. Residential Goal 3A of the Plan seeks to perpetuate the rural residential character of the Black Forest. The subsequent policies that support this goal encourage clustered development to preserve open space and protect natural features, with a 5-acre overall density and a minimum lot size of 2.5-acres.

In this regard, it is relevant to note that within Area 8 and the adjacent Black Forest area, there are a number of existing and proposed 2.5-acre subdivisions that have been approved since the adoption of the BFPP in the context of these objectives of the plan. The plan below identifies the location of these 2.5-acre subdivisions, which have been found to be “consistent with existing subdivisions”. Many of these 2.5-acre lot subdivisions were also approved on the basis of the clustering concept in the BFPP. The proposed Winsome subdivision, with 2.5 to 10-acre rural residential lots and a substantial area of accessible open space, is equally consistent with the residential goals of the Preservation Plan, with existing subdivisions, and with approved subdivisions elsewhere in the Plan area.



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The northwest corner of Hodgen Road and Meridian Road is identified in the Plan as a potential location for neighborhood serving commercial. Commercial Goal 4A allows for limited commercial development that supports the Black Forest Planning Area. The policies that support this goal aim to limit commercial activities to those that accommodate the needs of local residents, are limited in scope and scale, and are compatible with the visual character of the area. The proposed rezoning to CC is consistent with the potential neighborhood location identified in the Plan and will be limited to uses that are appropriate for a rural neighborhood center and are compatible with the area in scale, scope, and visual appearance.

#### EL PASO COUNTY WATER MASTER PLANNING ELEMENTS

The subject property lies within the El Paso County Water Master Planning area, Region #2. Expected buildout of the subject property is sixty-one (61) residential lots, ranging from 2.564 acres to 5.590 acres in size, and one (1) commercial lot at 2.755 acres. Demands for the entire subdivision are listed in Section 3.0 of the Water Resources Report for Winsome Filing No. 2 prepared by JDS-Hydro Consultants, Inc.

Per El Paso County criteria, the 300-year supply of water for the subject property appears to be more than adequate for full buildout, which would include both the 2040 and 2060 scenarios. However, the proposed supply in the Dawson aquifer is based on non-renewable sources. If needed beyond the 300-year supply in the Dawson formation, the subdivision has water rights in the Denver aquifer. Remaining rights in the Denver, Arapahoe, and Laramie Fox-Hills are subject to sale to Sterling Ranch Metropolitan District. Please refer to the water cases shown in Appendix C and replacement plans shown in Appendix D. of the Water Resources Report. The closest source for a potential interconnect is the Park Forest Water District – approximately 3.5 miles to the southwest. It is not anticipated (and Park Forest Water District has not been contacted) that an interconnect is needed or warranted. The subject property has adequate water supply to meet the needs of the proposed subdivision on a 300-year basis.

#### **2. The subdivision is in substantial conformance with the approved preliminary plan;**

Winsome Filing No. 2 is entirely in conformance with the lot and open space configuration on the Preliminary Plan.

#### **3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;**

Winsome Filing 2 is consistent with the subdivision design standards and regulations, other than the two waivers that were approved with the Preliminary Plan. All necessary studies, plans, reports and supporting material have been submitted. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- adequate provision for traffic, drainage, open space, recreation and parks;
- provision of properly designed roads to provide for safe and convenient vehicular circulation and identification of required road improvements;
- adequate provision for water, sewer and other utilities;

- Ensuring that structures will harmonize with the physical characteristics of the site;
- Ensuring that land is divided into lots that are of adequate size and configuration for the purpose for which they are intended to be used; and
- Protecting the natural resources, considering the natural vegetation.

**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;**

Water service will be provided by individual domestic wells for the 61 residential lots. The wells will be drilled into the Dawson Aquifer. Water rights in the Dawson Aquifer of 232.50 acre-feet annually were allocated in Water Decree No. 1692-BD and will be transferred to the McCune Ranch development following the completion of a water contract between McCune Ranch and PT McCune, LLC. The 61 lots in Filing 2 will generate an annual demand of approximately 36.60 acre-feet, for which there is sufficient capacity in the Dawson aquifer. Replacement water required to augment depletions from the Dawson aquifer will be available through return flows from the OWTS septic fields. A replacement water plan has been reviewed and published by the State Water Engineer.

**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;**

Wastewater service will be provided by onsite wastewater treatment systems (OWTS). Entech's OWTS Report concludes that the property is generally suitable for OWTS and that contamination of surface and subsurface water sources should not occur provided the systems are installed according to El Paso County and State guidelines. Figure 8 of the report identifies potential sites for OWTS locations on each lot and where OWTS would not be suitable.

**6. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];**

The Soils and Geology Report prepared by Entech identifies the geologic conditions that occur intermittently on the property, including artificial fill, loose or collapsible soils, expansive soils, slope stability, downslope creep, floodplain and potential high ground water. Many of these constraints are within the open space area and the floodplain is wholly within the open space. The report indicates that these conditions can be mitigated through proper engineering design and construction techniques, including special foundation design and subsurface drains.

**7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;**

The Final Drainage Report prepared by Kimley Horn analyses the existing drainage characteristics of the site and any required improvements in accordance with the requirements of the LDC and ECM. The proposed Winsome Subdivision is part of the West Kiowa Creek Drainage Basin with Kiowa

Creek flowing from the southwest to the northeast across the property. Proposed drainage infrastructure includes road side ditches, culverts to convey stormwater under roads, swales, and six full-spectrum detention ponds.

As this is a phased development, detention ponds will be installed to maintain flow rates below historic levels at each phase of the project. To achieve this, some ponds will be built and put on line that are outside the boundary area for any given phase. For Filing 2, two full-spectrum detention ponds are to be constructed to support the second phase of development. One full spectrum detention pond is located on the southern end of Lot 2, and the second will be located North of lot 21 outside of the Filing 2 area . Seven road crossing culverts are also proposed in Filing 2, designed to accommodate 100% of the 5-year storm.

**8. Legal and physical access is 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 have direct access to public right-of-way.

**9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;**

All necessary services are available to the subdivision and will serve letters form all utility providers have been submitted. The site will be served by well and septic as described above. Mountain View Electric and Black Hills Energy will provide electric and natural gas services as stated in the Will Serve letters included in this submittal. The subdivision will be adequately served by public streets and substantial areas of open space and recreational trails are provided.

**10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;**

The Falcon Fire Protection District has adequate capacity to provide fire protection to the proposed subdivision. A Fire Protection Report and a Will Serve letter from the Fire Chief is included with this submittal. In conjunction with the Preliminary Plan, a waiver was approved for lot 30 for a driveway to exceed 300 feet without a turnouts or turnaround, as required by Chapter 6.3.3(c)(j) of the Land Development Code. This waiver was reviewed and supported by the Falcon Fire Chief.

**11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;**

The only off-site improvements identified for this second phase through the Preliminary Plan process was the need for an eastbound left-turn lane at the intersection of Hodgen Road and Early Light Drive. This is to be installed with Filing 2.

**12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;**

All public improvements are to be constructed or financially guaranteed through the SIA. Cash in lieu of regional park and school land provision will be paid on recordation of the Final Plat.

**13. The subdivision meets other applicable sections of Chapter 6 and 8; and**

The subdivision meets all applicable sections of Chapter 6 and 8, subject to the waivers approved with the Preliminary Plan, which were justified in the context of preserving the existing topography and natural features on the site.

**14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision.**

There are no know mineral estate interests associated with this property.