

## **WINSOME FILING NO.3 FINAL PLAT**

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

**JANUARY 2022; REVISED APRIL 2023**

#### **PROPERTY OWNER**

Winsome LLC  
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(719) 476-0800  
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#### **APPLICANT:**

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#### **CONSULTANT:**

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**TSN:** 5100000525, 5100000524, 5100000526

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#### **REQUEST**

Winsome LLC requests approval of a Final Plat for Winsome Filing No. 3, comprising 38 residential lots and 5 tracts on approximately 350 acres. A concurrent request for pre-development grading and utilities is submitted separately.

#### **SUPPORTING DOCUMENTS**

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

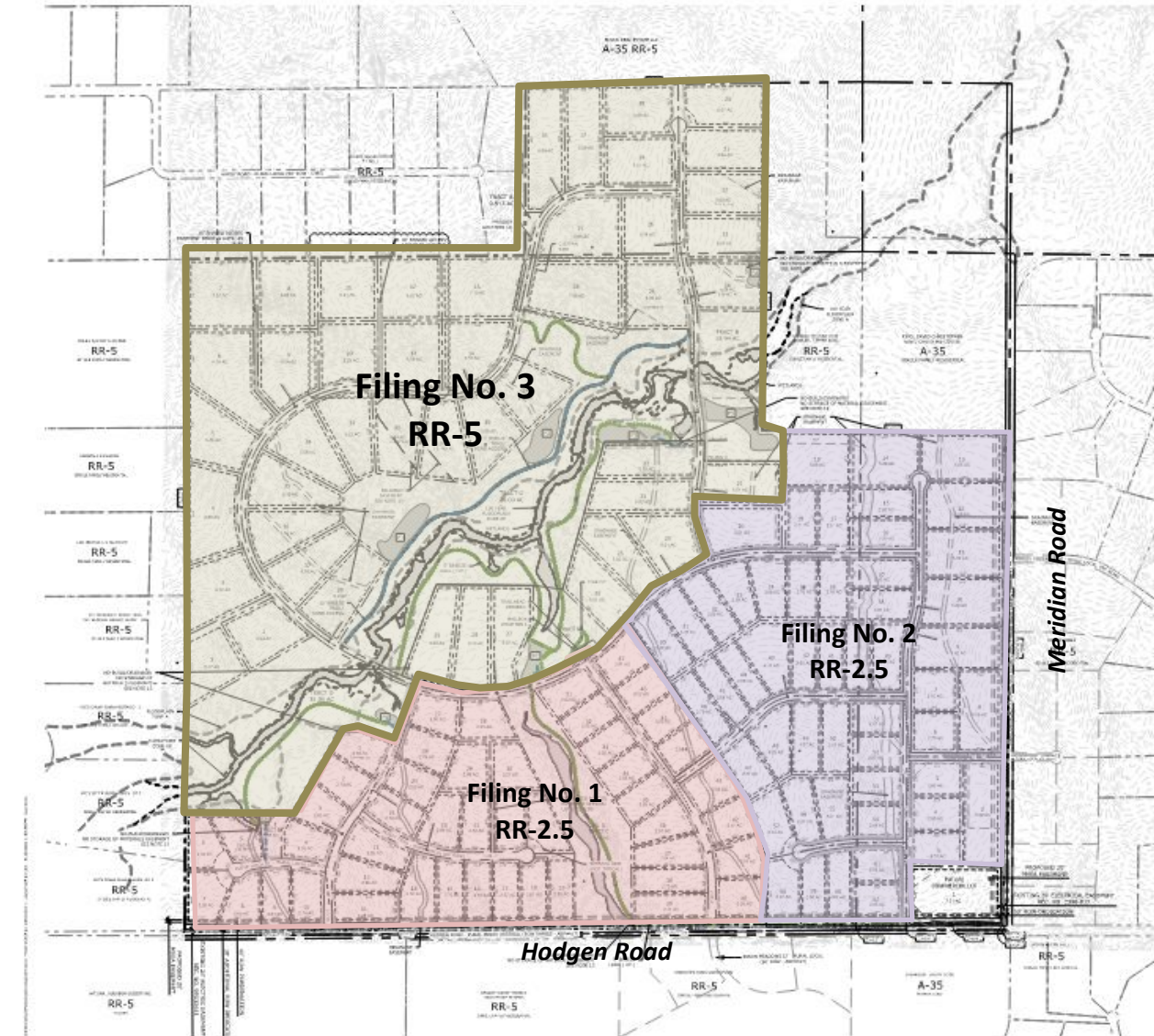
- Soils, Geology and OWTS Report prepared by Entech Engineering, Inc.
- Natural Features and Wetlands Report prepared by Ecosystem Services, LLC (ECOS)
- Wildland Fire & Hazard Mitigation Plan prepared by Ecosystem Services, LLC (ECOS)
- Water Resources and Wastewater Report prepared by Entech Engineering, 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. 3 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
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3. A Preliminary Plan for the Winsome subdivision, consisting of 143 single-family lots and one commercial lot on approximately 766.66 acres.  
On December 21, 2021, the Board of County Commissioners approved an amendment to the Winsome Preliminary Plan, which increased the total number of single-family residential lots from 143 to 146.



The properties surrounding Winsome Filing No. 3 include:

**North:** Country Squire Estates Filing No. 1, subdivision of similar rural density development.

**South:** Winsome Filing 1 and 2 subdivisions.

**East:** Part of the original McCune Ranch, divided into three 40-acre parcels.

**West:** Rural residential, generally 20-acre lots.

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 are compatible with the neighboring properties.

Winsome Filing No. 3 is the third 350-acre phase of the Winsome subdivision and is located immediately north of Filing No. 1. The 38 lots proposed in Filing No.3 are in the area that remained under the existing RR-5 zoning after the rezone of part of the property in 2019. The lots meet the minimum zoning standards set out in Table 5-4 of the Land Development Code for the RR-5 zone.

The original Preliminary Plan had 35 lots in Filing 3. A Preliminary Plan Amendment is currently under review, adding three additional lots to this area. This Filing 3 plat aligns with the Preliminary Plan Amendment.

#### **ACCESS AND TRAFFIC**

Access to the Winsome subdivision is from three full movement accesses off Hodgen Road and a full movement access off Meridian Road. Twinkling Star Lane and Alamar Way provide access to Filing 3 through the already approved Filings 1 and 2.

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. All required road improvements were included in Filings 1 and 2.

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

Lots 8 and 11 do not have direct access to a public street and has a shared access through the adjacent Lots 7 and 12. A waiver to this requirement of Chapter 8.4.3(C)(2)(e) of the Land Development Code was approved with the Preliminary Plan Amendment.

#### **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 3, tracts A-E provide 112 acres of open space containing trails, trail signage and 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 roadside ditches, culverts to convey stormwater under roads, swales, and three full-spectrum

detention ponds. Additionally, two box culvert crossings at Alamar Way and Twinkling Star Lane are proposed with this filing.

#### **UTILITIES**

Water: The Water Resources Report and Wastewater Disposal Report prepared by JDS Hydro indicate that water service will be provided by individual domestic wells for the 38 residential lots. The wells will be drilled into the Dawson Aquifer, which has an allocated 300-year supply for this development of 232.66 acre-feet annually per Water Decree No. 1692-BD. The 38 lots in Filing 3 will generate an annual demand of approximately 22.8 acre-feet per year. The combined total waster demand for Filings 1, 2 and 3 is 87.6 acre feet per year, for which there is more than 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.

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 are within lots. In Filing 3, the two box culvert crossings on Twinkling Star Lane and Alamar Way require a Nationwide Permit. The application has been submitted (NWP 29 Application prepared by Bristlecone Ecology) and is under review.

The site is mainly native prairie grassland, with a concentration of Ponderosa Pine trees in the northwest portion of Filing No. 3. 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 with 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 Homeowners Association will be responsible for weed control in the open space. With the individual lots, weed control will be the responsibility of the individual homeowner and will be enforced through covenants.

### **FLOODPLAIN**

The property is located within a designated FEMA Zone A floodplain with no BFEs as determined by the flood insurance rate map, community map number 0800590350G, effective date December 07, 2018. Draft model backed BFEs for this area have been developed as part of Phase 1 for the ongoing El Paso County, CO, Risk Map Project. The data has been reviewed and approved through FEMA's QA/QC process (May 11, 2022) and is currently in the MIP (case no. 19-08-0037s). No structures or fences are permitted within the designated floodplain. FEMA issued a CLOMR dated September 30, 2019 relating to the proposed creek crossings.

### **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 3 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 Homeowners 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. A no build easement is included across parts of lots 31 and 32 to address unstable slope conditions in this area.

The following lots may be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report: Soil, Geology, and Geologic Hazard Study-Winsome Filing No. 3 prepared by Entech Engineering, inc., revised February 15, 2023, in the file Winsome Filing no. 3 Final Plat, SF-229 available at the El Paso County services department:

- downslope creep - lots 7, 8, 10, 11
- potentially unstable slopes - lots 31, 32
- potentially seasonally high ground water - lots 1-6, 10-14, 22, 24, 25, 27-38

### **WILDFIRE HAZARD MITIGATION**

The treed areas within Filing 3 lie within an area mapped as High Hazard for wildfire. The previous 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 have set out standards for fire mitigation to ensure that this is a Firewise community and meets the County Development Standards for Fire Protection. Future fire mitigation will be the responsibility of 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;**

#### **Your EPC Master Plan**

The new County Master Plan denotes the site as a Rural Residential Placetype, which consists of predominantly single-family homes occupying 2.5 acres or more. The Filing No. 3 plat proposes lots of 5-acres or more, aligning with the master plan placetype. The site is located in an Area of Minimal Change on the Areas of Change map, where new development may occur on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments. The Filing No. 3 plat proposes 5-acre + lot development consistent with its RR-5 zoning and preserves the floodplain and wetland areas along West Kiowa Creek as open space. This is consistent with the rural character of the surrounding area and preserves the natural environment on the property. The northwestern edge of Filing 3 is within the Forested Area as identified in the Your EPC Master Plan Key Areas, where new development should be of a lower intensity to mitigate any impacts on the Forest. No roads or grading is proposed in the forested area and the lot layout has been designed to ensure maximum tree retention in this area.

The plat is consistent with Core Principle 1, Land Use and Development, which seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” in addition to goal 1.1, “ensure compatibility with established character and infrastructure capacity.” The plat proposes 5-acre lots which is consistent with the RR-5 zoning of the site and the rural residential character of the surrounding area.

It is also consistent with Goal 2, Housing & Communities, which seeks to “preserve the character of rural and environmentally sensitive areas”. The proposed road and lot layout preserves the environmentally sensitive areas associated with the creek. The site design works with the existing topography to best preserve vegetation and terrain by reducing over-lot grading.

#### **El Paso County Water Master Plan**

The subject property lies within the El Paso County Water Master Planning area, Region #4a. Expected buildout of the subject property is 38 residential lots, ranging from 4.998 to 8.343 acres. Demands for the entire subdivision are listed in Section 3.0 of the Water Resources Report for Winsome Filing No. 3 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. 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. 3 is in conformance with the Preliminary Plan Amendment, which added three additional lots to the approved 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 3 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 38 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 38 lots in Filing 3 will generate an annual demand of approximately 22.8 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.

- 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 three full-spectrum detention ponds.

- 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, in some limited cases via a joint driveway access and maintenance agreement.

- 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.

**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;**

No off-site improvement is identified for Filing 3.

**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 known mineral estate interests associated with this property.