

## **WINSOME FILING NO.1 FINAL PLAT**

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

#### **JANUARY 2020**

<b>PROPERTY OWNER</b>	<b>APPLICANT:</b>	<b>CONSULTANT:</b>
McCune Ranch LLC	Winsome LLC	N.E.S. Inc.
PO BOX 36 Arrowhead Dr.	1864 Woodmoor Dr, Ste 100	619 North Cascade Ave,
Elbert CO 80106	Monument, Colorado 80132	Colorado Springs, CO 80903

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#### **REQUEST**

Winsome LLC requests approval of a Final Plat for Winsome Filing No. 1, comprising 47 residential lots and 4 tracts.

#### **SUPPORTING DOCUMENTS**

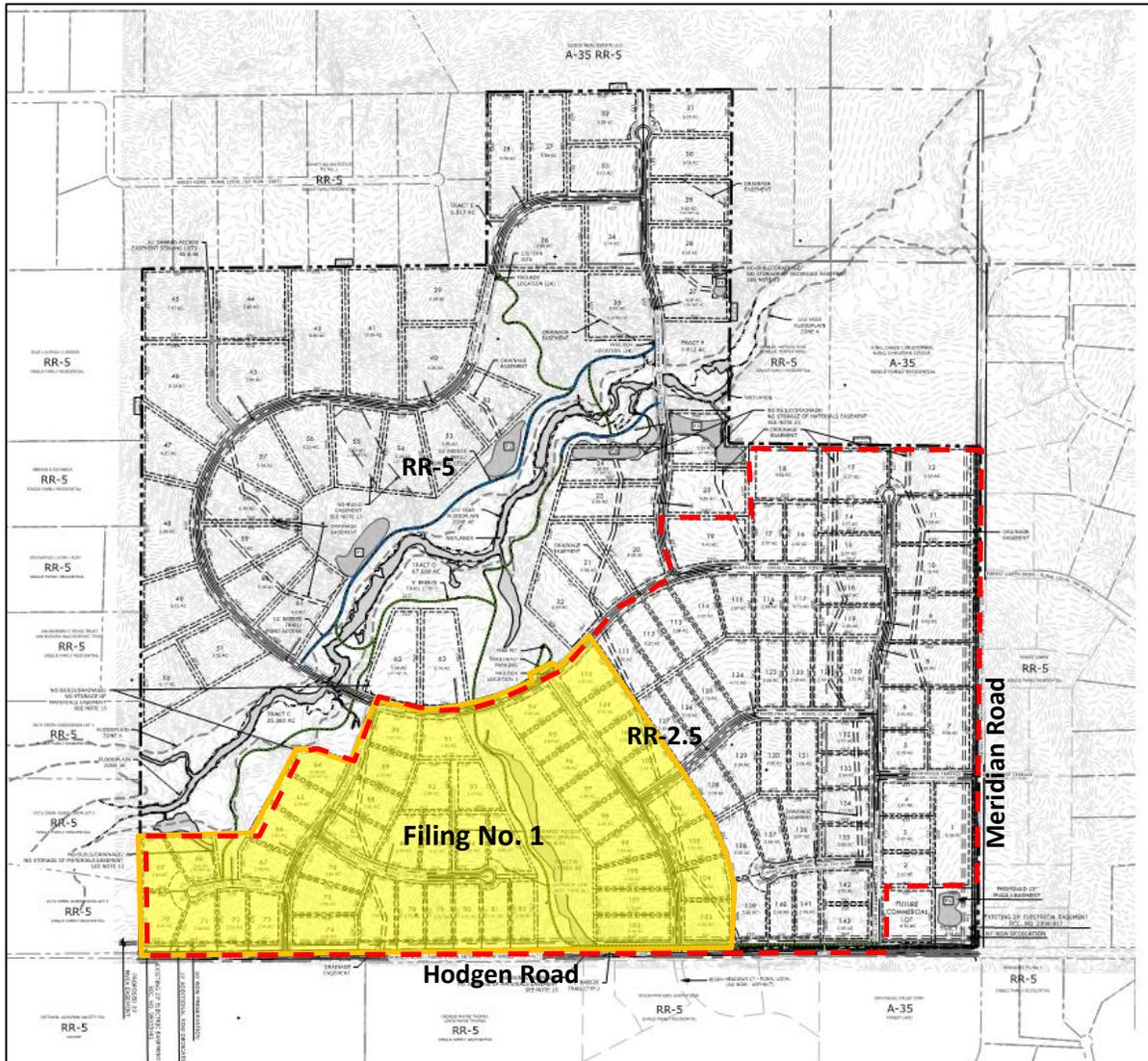
The following reports are submitted in support of this Preliminary Plan and are referenced in this Letter of Intent:

- 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 JDS Hydro Consulting, Inc.
- Final Drainage Report prepared by The Vertex Companies, Inc.
- Stormwater Management Plan prepared by The Vertex Companies, Inc.
- FEMA CLOMR Report prepared by The Vertex Companies, Inc.

#### **PROJECT DESCRIPTION**

Winsome Filing No. 1 is part of the 766-acre McCune Ranch property, which is 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 McCune Ranch 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.
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The properties surrounding Winsome Filing No. 1 include:

**North and East:** The remaining 602-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.

**West:** two 20-acre single-family residential lot, which include an overhead electric power line and associated 300-foot easement on the boundary with Winsome Filing No. 1.

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. 1 is the first 164.40-acre phase of the Winsome subdivision and is located immediately north of Hodgen Road. Filing No. 1 is wholly within the area that was rezoned to RR-2.5 in July 2019 and proposes 47 residential lots, all of which exceed 2.5 acres. 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-2.5	200 ft	25 ft	25 ft	15 ft	None	30 ft

### Access and Traffic

Two full movement accesses are proposed off Hodgen Road, which connect internally to form a loop through the first phase of development. 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 Hodgen 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 1 as an eastbound left-turn lane at the intersection of Hodgen Road and Winsome Way, which is the westernmost access point in Filing 1.

Access to Lot 29 (lot 92 on the Preliminary Plan) does not have direct access to a public street and has a shared access through the adjacent Lot 30 (lot 93 on the Preliminary Plan). A waiver to this requirement of Chapter 8.4.3(C)(2)(e) of the Land Development Code was approved with the Preliminary Plan. In conjunction a waiver was also approved for lot 30 (lot 93 of the Preliminary Plan) for the shared 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.

### 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.

Within Filing 1, tracts B, C & D provide 19.8 acres of open space, trails and drainage. An additional Tract D is provided to site the mailboxes that will serve the first phase of development and to provide the trailhead parking area that will serve both the mailboxes and the future trail system throughout the Winsome Subdivision.

### Drainage

The Final Drainage Report prepared by Vertex 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 1, one full-spectrum detention pond and two water quality ponds are to be constructed to support the first phase of development. The two water quality ponds are located within Filing 1 and the detention pond is located to the north outside the Filing 1 area. Five road crossing culverts are also proposed in Filing 1, 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 47 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 47 lots in Filing 1 will generate an annual demand of approximately 28.20 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 are within lots. There are no such preservation areas in Filing 1 and none of the proposed streets or culverts in Filing 1 will impact wetland areas.

The site is mainly native prairie grassland, with a concentration of Ponderosa Pine trees in the eastern portion of Filing No. 1. of the property and along the southern boundary. Much of this treed area is to be retained within an open space tract. 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 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 1.

### **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 1 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 1 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 1 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. 1 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. 1 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.

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

Winsome Filing No. 1 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 1 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 47 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 47 lots in Filing 1 will generate an annual demand of approximately 28.20 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 Vertex 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 1, one full-spectrum detention pond and two water quality ponds are to be constructed to support the first phase of development. The two water quality ponds are located within Filing 1 and the detention pond is located to the north outside the Filing 1 area. Five road crossing culverts are also proposed in Filing 1, 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 except Lot 29 have direct access to public right-of-way. Access to Lot 29 is via a shared access easement through the adjacent Lot 30. A waiver to this requirement of Chapter 8.4.3(C)(2)(e) of the Land Development Code was approved with the Preliminary Plan.

**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 first development Phase through the Preliminary Plan process was the need for an eastbound left-turn lane at the intersection of Hodgen Road and Winsome Way. This is to be installed with Filing 1.

**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.