

January 18, 2019

Nina Ruiz,  
Planner /Project Manager,  
El Paso County Development Services Department,  
2880 International Circle, Suite 110,  
Colorado Springs,  
CO 80910

Dear Ms. Ruiz:

**RE: Winsome (f.k.a. McCune Ranch) Residential, RR-2.5 Rezone (P-18-006) – 1st Review Response**

This letter responds to your November 13, 2018 review letter relating to the above referenced project. Responses to review comments are shown in **RED** below.

**EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

**Current Planning**

Application

1. Please select only 1 application type. **Addressed.**
2. Please revise the request to reflect the application type selected(REMOVE ITEMS 2 AND 3). **Addressed.**
3. The owner should sign the application form. **Addressed.**

Letter of Intent

1. Please consider revising the letter of intent to discuss if there is any transitional areas/buffers between the existing 5+ acre rural residential development and A-35 agricultural development and the proposed development. If added, it should be added to criteria #3 (renumbered). **Addressed.**
2. Please consider including an analysis on criteria #1 pertaining to if there has been a <https://epcdevplanreview.com/Projects/SendSubmission/110704>substantial change in the character of the neighborhood since the last was last zoned. **We are not aware that there has been a material change in the character of the area since the original zoning.**

General

1. If the rezoning request is approved, all future development will need to comply with the RR-2.5 zoning district. **Noted.**
2. Additional redlines and comments will be provided upon completion of the PCD Engineer division review. **Received and addressed.**

3. Please review the numbering in the letter of intent, it appears as though there may be errors.  
**Addressed.**

### **Engineering Department**

Review 1 comment to the zoning map will be uploaded by the project manager. **Received and addressed.**

### **FALCON FIRE PROTECTION DISTRICT**

Falcon Fire has reviewed this request for residential rezone for McCune Ranch and has no objections to the request. **Noted.**

### **ELPASO COUNTY ATTORNEY'S OFFICE**

No comments from County Attorney's Office at this time. **Noted.**

### **ELPASO COUNTY PARKS DEPARTMENT**

The Planning Division of the Community Services Department has reviewed McCune Ranch Preliminary Plan, Commercial Rezone, and Rezone, and has the following preliminary comments of behalf of El Paso County Parks. This application will be presented to the Park Advisory Board November 14, 2018.

McCune Ranch is a 143 single-family residential lot development totaling 766.66 acres, with a minimum lot size of 2.5 acres. The property also contains one 7.9-acre commercial lot. The property is located northwest of the intersection of Hodgen Road and Meridian Road, and is located within the Black Forest Preservation Plan area. The applicant is concurrently seeking a rezone from RR-5 and A-35 to RR-5 and RR-2.5.

The 2013 El Paso County Parks Master Plan shows the proposed Hodgen Road and Meridian Road Bicycle Routes located immediately adjacent the southern and eastern boundaries of the property, respectively. Dedicated public right-of-ways already exist along the aforementioned bicycle routes, so no trail easement requests are necessary in those locations; however, the applicant is advised that multi-modal transportation options may be developed within the rights-of-way in the future. The Pinerias Open Space is located 2 miles south of the property, while the existing and proposed sections of the Palmer Divide Regional Trail (Woodlake Trail) are located approximately 0.75 mile southeast of the property.

The Open Space Master Plan of the Parks Master Plan shows the Black Forest South Candidate Open Space encompassing the southern half of the project site. Natural resource values include montane ponderosa pine forests intermixed with permanent and intermittent wetlands and woodland prairie communities, serving as habitats for native, relict, and various rare plant species. The project would not be in conflict with the plan, as long as its development does not adversely affect the surrounding existing environment.

The McCune Ranch Preliminary Plan includes 149-acres of open space, almost 20% of the property, which is proposed to preserve the floodplain and wetlands of the West Kiowa Creek, as well as providing recreational opportunities for the residents of the proposed subdivision and surrounding

neighborhoods. A network of looping 8' breeze trails is proposed through the open spaces, connecting with the internal rural local roads to provide multiple access points. Early discussions indicated that the applicant was willing to dedicate the open space and trails to El Paso County Parks, however, acquisition of the property and construction of the trails were not identified as either a high priority open space acquisition or vital regional trail connection in the Parks Master Plan. Therefore, the open space and trails will be owned and maintained by the proposed Metropolitan District.

As no park land or trail easements dedications are necessary for this filing, El Paso County Parks staff recommends fees in lieu of land for regional park purposes in the amount of \$61,490, due at time of the recording of the forthcoming final plat(s). Regional park fees will only be accessed on the 143 residential lots, as the El Paso County Board of County Commissioners has not elected to require park fees on proposed commercial property.

**Recommended Motion (Preliminary Plan):**

*"Recommend to the Planning Commission and Board of County Commissioners that approval of the McCune Ranch Preliminary Plan and Rezone include the following condition: fees in lieu of land dedication for regional park purposes in the amount of \$61,490 will be required at time of the recording of the forthcoming final plat(s)."*

Noted.

**ELPASO COUNTY ENVIRONMENTAL SERVICES**

The El Paso County Environmental Division has completed its review of the McCune Ranch Rezone P186. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

The Letter of Intent references a Natural Features and Wetlands Report and a Noxious Weed Management Plan. These documents shall be provided to the Planning and Community Development Department prior to project commencement.

1. The project will result in impacts to jurisdictional wetlands. A completed U.S. Army Corps of Engineers (USCOE) permit shall be provided to the Planning and Community Development Department prior to project commencement. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including, but not limited to, the Clean Water Act. **Noted. It is anticipated that wetland impact will be less the 0.5 acres and covered by Nationwide Permit 29.**
2. Documentation from the U.S. Fish and Wildlife Service (USFWS) shall be provided to the Planning and Community Development Department prior to project commencement where the project will result in ground disturbing activity in habitat occupied or potentially occupied by threatened or endangered species and/or where development will occur within 300 feet of the centerline of a stream or within 300 feet of the 100 year floodplain, whichever is greater. The applicant is hereby on notice that the USFWS has regulatory jurisdiction over threatened and endangered species and migratory birds, respectively. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to, the

Endangered Species Act and the Migratory Bird Treaty Act. **The submitted Natural Features and Wetland Report prepared by ECOS indicates that the likelihood of impact to threatened or endangered species on the site is low to none.**

3. The project will impact wildlife habitat. Information regarding wildlife protection measures shall be provided including fencing requirements, garbage containment, and riparian/wetland protection/buffer zones, as appropriate. Information can be obtained from Colorado Parks and Wildlife.
4. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to the Colorado Noxious Weed Act and the El Paso County Weed Management Plan.

It is strongly recommended that the applicant obtain the necessary approvals from all federal, state and county agencies as a part of their planning process.

**All necessary federal, state and county approvals will be obtained.**

#### **NORTHERN EPC COALITION OF COMMUNITY ORGANIZATIONS, INC. (NEPCO)**

##### **Reference: McCune Ranch Rezone**

NEPCO is providing the collective input from its membership that includes 8,600 homeowners, 42 HOAs and 18,600 registered voters within and around Monument. The purpose of NEPCO, a volunteer coalition of Homeowner Associations in northern El Paso County, is to promote a community environment in which a high quality of life can be sustained for constituent associations, their members and families in northern El Paso County. We collectively address growth, land use and water issues with El Paso County Planners and the Town of Monument, as well as addressing HOA issues of common interest among the members. NEPCO achieves this by taking necessary steps to protect the property rights of the members, encouraging the beautification and planned development and maintenance of northern El Paso County.

##### **General Concerns/Questions related to the McCune Ranch Rezone:**

1. Every residential lot near the development is zoned RR-5. This development proposal desires to designate approximately half of the land to RR-2.5 and add a commercial element directly across the road from a section that is designated A-35 and RR-5. Is that sound planning? Does it violate the norm by not having the lot transition occur within the development not at its periphery?
  - a. Preliminary Plan drawings show the size of the lots. Why can't the developer place all the lots that are less than 5-acre internal to the development rather than have them abut neighboring lots of current RR-5 owners? Recommend that lots 68, 69, 71, and 72 located in the SW portion of the development, which are all smaller than 5 acres, be re-configured to larger lots. Likewise, recommend that lots 7-12 in the NE and lots 73-81 and 101-105 in the south be re-configured to at least 5 acre lots.

**Amendments have been made to the plan to provide 5-acre lots adjacent to the existing 5-acre lots on the eastern side of the development. In the SW corner there is a substantial electric easement that acts as a buffer to the larger lots to the west.**

2. Roads within the development are 24 feet wide with 2-foot shoulders. The plan does not depict any widening at the locations for community mailboxes. The residents will need to stop in the lane of traffic to get their mail. A poor plan that will result in accidents, perhaps an oversight that can be corrected with the next iteration of documents.  
**A parking area is provided adjacent to the southern mail box location, which will also function as parking for the use of the trails in the subdivision. The rural local street cross-section allows for on street parking.**
3. The owners of this land plan to sell most (and possibly all) of its water below the Dawson aquifer to the Sterling Ranch Metropolitan District. NEPCO hopes the future buyers of lots know and/or are told this. Once the Dawson aquifer dries up, they, along with the rest of the residents of northern El Paso County will be without water.
  - a. From page 7 of the Water Report: "It is possible that the current property owner may "leave behind" 60 AF/YR of Denver aquifer water to assist with possible replacement purposes. However,...it is likely that the remainder of the allocated Denver Aquifer water will be sold also. Water from the two non-tributary formations associated with the property (Arapahoe and Laramie-Fox Hills) is being sold to another municipality and will not be used to serve the McCune Ranch Subdivision."
    - i. Again, from the Water Report: "There will be four (4) well sites on the McCune Ranch Subdivision property to obtain the non-tributary water outlined in Table 3-1 for transmission to the Sterling Ranch Development for municipal uses. In addition, there will also be several transmission lines from the well sites to deliver water to Sterling Ranch Metropolitan District Property. These transmission lines will not serve the McCune Ranch Subdivision."
    - ii. The well sites and transmission lines are not depicted on the Plat.  
**These facilities will be shown in the final plat.**
  - b. The house of water cards continues to be built. The Sterling Ranch development is urban densities in a rural infrastructure setting. They are taking water from under another new development to support more development than the land can support, another example of poor planning. While all other municipalities and Metropolitan Districts in northern El Paso County are searching for renewable water, the Sterling Ranch development is using non-renewable water that sucks the water from other homeowners in the northern part of the County.  
**N/A - this comment relates to Sterling Ranch.**
  - c. Requiring all lots to be designated RR-5 might be a reasonable middle ground to make it compatible with surrounding, established neighborhoods and help limit water usage.  
**Project proposes a 5-acre lot density, consistent with the Black Forest preservation plan, therefore water usage will be the same as RR-5 zoning would allow.**

#### **NEPCO Recommendations:**

1. NEPCO is pleased that the entire development will be Dark Sky compliant. **Noted.**
2. NEPCO has a significant concern about water usage in the County, this development adds to that concern. **There is sufficient water to serve this development, as explained in the Water Resources Report.**

3. Overall comment: Why are there so many more documents available in the public view of the McCune Ranch files than there are in the NEPCO Pending Review files? There are 17 documents in the NEPCO file (many are repeats) and there are 43 documents in the public file (some are repeats).

- a. Certainly, the Traffic Impact Study and the Water Report should be added to the Pending Review file as standard elements.

**This is a matter for EPC planning staff.**

4. Usage of SH 83 is going to reach higher levels of traffic ahead of all forecasts by state and county forecasts and unfortunately, improvements seem to be made once the problem is on top of us and people suffer through years of unwelcome delay. El Paso County is projected to reach 1 million residents within the next 10 years and SH83 represents one of only two routes between Denver and Colorado Springs. With construction on tap for I-25 beginning later this year, the traffic counts on SH 83 will rise rapidly.

**This is a matter for the County Engineer.**

#### **BLACK FOREST LAND USE COMMITTEE**

The Black Forest Land Use Committee finds this proposal to be in conformance with the Black Forest Preservation Plan. The Committee wishes to compliment the applicant for a well-planned development that preserves the rural, residential character of the Black Forest. Because of the public meeting on December 4th regarding the commercial parcel, the Committee wishes to reserve the final comments on the commercial parcel until after that meeting. We see positive and negative reasons for that commercial parcel and wish to get public input from neighbors before submitting the final recommendation for that parcel. **Noted.**

#### **MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.**

This area is within MVEA certificated service area. MVEA will serve this area according to our extension policy. Information concerning connection requirements, fees and upgrades under MVEA line extension policy can be obtained by contacting the Engineering Department of MVEA.

MVEA has no objection to the Commercial and Residential Rezones proposed for this approximately 766 acre parcel.

MVEA has existing facilities near and within this parcel of land. If there is any removal or relocation of facilities it will be at the expense of the applicant.

**Noted.**

#### **BLACK FOREST TRAILS ASSOCIATION**

Black Forest Trails Association (BFTA) sincerely appreciates the inclusion of a trails system in the initial proposal submitted by the developers of McCune Ranch. The integration of trails early in the design makes it easier to adjust to landowners' needs and will undoubtedly add value to the future resident's lifestyle. Outdoor living is a leading reason people cite for moving to Colorado, and Black Forest in particular.

BFTA has two suggestions that we feel will enhance the already excellent proposal. First, consider enjoining the trails in a “loop” instead of dead ending along the natural features. This could be either on the other side of the stream or along planned roadways. Studies have shown that users have greater experience and are more likely to use a loop trail versus an “out and in” trail. Second, we suggest including a small parking area somewhere in the open space. This would allow external users the opportunity to enjoy the trail system. Again, we applaud the developer’s effort in setting aside a significant portion of the land for green space, and trail development, and will continue to provide support as the project moves through the planning and development process.

A trail loop has been created using the trails through the open space and a widened shoulder on part of the internal loop road (Alamar Way). The ROW preservation area along Hodgen is also identified for trail use until it is needed by the County for road widening. A parking area is provided on Alamar Way adjacent to the mail boxes.

The requested resubmittal documents have been uploaded to EDARP. If you have any questions please contact me at 719.471.0073 or [abarlow@nescolorado.com](mailto:abarlow@nescolorado.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Barlow", with a stylized flourish at the end.

**Andrea Barlow, AICP**  
Principal  
N.E.S. Inc.