



We believe it is not equitable for a development to have to pay multiple road impact fees. If this development were in the City of Fountain but gained access to El Paso County roadways, El Paso County would not be imposing road impact fees, and this is typical of agencies. If this project were in El Paso County along an El Paso County roadway, they would only be issued one road impact fee so it is not equitable to double up the road impact fees. We have never been involved with a project that received roadway impact fees from multiple agencies. Was the South Academy Highlands retail development to the south of the site or the hotel south of Walmart issued road impact fees from both City of Fountain and El Paso County? It is respectfully requested that the City of Fountain coordinate with El Paso County to appropriately assign road impact fees.

June 26, 2024

RE: P247 Multi-family Development Fishers Canyon: Thompson Thrift - City of Fountain Review Comments

Dear Mr. Weeks,

The City of Fountain has reviewed the submittal package posted on the El Paso County EDARP web site. Our comments pertain to the Letter of Intent and the Traffic Impact Study, as follows:

Letter of Intent

Even though the development is not within City of Fountain city limits, the development would need access to City streets. This triggers § 3.17.080 of City Code:

“3.17.080 Access to City Streets.

Any person seeking access to a City street pursuant to Chapter 10.16 of the Fountain Municipal Code to build on or develop property located outside the City of Fountain shall be required to enter into a Development Agreement that addresses the impacts of said access and proposed development on City of Fountain streets consistent with the fees established in this Chapter. All fees established by the Development Agreement shall be paid in accordance with the terms of the Development Agreement prior to the issuance of an access permit by the City Manager. Any increase in the amount or type of development served by the access that would result in a greater impact to a City street will require an amendment to the Development Agreement. The City Manager may close the access to the City street if the terms of the Development Agreement are violated. The City Council may waive the requirements for a Development Agreement and authorize the City Manager to issue an access permit pursuant to Chapter 10.16 if the impacts of the proposed development are addressed by a regional Transportation Impact Fee.”

Presumably, the fee paid to the County was to address the impacts on County roads. We require impact fees as a part of a development agreement to address the development’s impact on City roads. Generally, the best tool to determine development is the Transportation Impact Fee.

Our next step would be to work through that Development Agreement, which would include the impact fee. Let me know if you would like to move forward with that and I can loop in our

City Attorney, who could probably draft something up or at least send a template as a good starting point.

Traffic Impact Study

The Traffic Impact Study (TIS) must align with the Max Green Transportation Engineers' South Academy Highlands Traffic Study and Wilson and Company's detailed study of the Venetucci Boulevard and B Street Intersection. Appropriate growth factors for different roadway classifications must be used to forecast traffic volumes in 2023, 2025, and 2045. The South Academy Highland TIS should be used to verify trip generation, including both inbound and outbound trips. Lastly, the 4% project traffic contribution on B Street and Venetucci must be reevaluated, as Figure 4 of the TIS indicates a PM peak Volume of 116 instead of 5.

Acknowledged. Updated TIS provided to El Paso County.

Also, please refer to the attached Traffic Impact Study (pdf) which has comments in the document. **Acknowledged. Revisions made, and updated TIS submitted to El Paso County.**

Should you have any questions, please feel free to contact our office at 719-322-2000.

Respectfully,

Ben Sheets, P.E.
City Engineer

Cc: Todd Evans, Deputy City Manager
Kristy Martinez, City Planning Director
Troy Johnson, City Attorney
Abha Dwivedy, Deputy City Engineer