

December 7, 2017

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

Dear Mr. Fitzpatrick:

**RE: North Bay at Lake Woodmoor, PUD Development Plan (PUDSP-16-004) 1<sup>st</sup> Review Response**

This letter responds to your January 4, 2017 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**

Letter of Intent

1. PUD Criteria No. 1 on page 4, references the depiction of medium density on the Tri-Lakes Area Concept Map and the proposed gross density of 3.87 du/ac. The plan does not identify what medium density is. How does that compare with the other densities in those areas? The better Master Plan justification is that, per the Tri-Lakes Plan, the Woodmoor subarea land use scenario, this development is consistent with and compatible with the existing adjacent townhome development. Highlight that the current plan proposes less density than what was previously approved. **Addressed.**
2. Include a statement in the discussion of Criteria No. 2 in the affirmative regarding public health safety and welfare such as the reduction of density, inclusion/provision of additional open space. Offers alternative housing design to reduce environmental footprint, etc.... (see purpose section of PUD regulations). **Addressed.**
3. Regarding Criteria No. 3, the site is not currently suitable for development due to floodplain, wetland, and shallow groundwater impacts. Revise the statement to identify these hazards and the proposed mitigation per the Entech report, specifically, CLOMR/LOMR finalization for floodplain, avoidance of wetland, and construction engineering and grading for the shallow groundwater. **Addressed.**

4. Revise the response to Criteria No. 4 to include the approximate and/or average size of the natural buffer to the east and provide a statement regarding the additional landscaping provided with this plan. **Addressed.**
5. Revise response to Criteria No. 7 to include the amount/percentage of open space provided and to identify the trails as being intended for public use to access Lake Woodmoor. **Addressed.**
6. Include the discussion of the modification requests in the response to Criteria No. 1. Modifications are needed to authorize the use of private roads in the PUD, smaller road cross section for the private road (private roads are required to meet County standards which required 28' pavement width), and for the depiction of lots within the floodplain. **Addressed.**
7. Revise the preliminary plan Criteria No. 6 to include the discussion from comment no. 3 above, or refer to that discussion. **Addressed.**
8. Revise response to preliminary plan Criteria No. 7 to include grading and erosion control plan, construction drawings for stormwater facilities. The reader may never see the drainage report. **Addressed.**
9. Revise response to Criteria No. 9.2 to state the plan was designed to minimize cost of transportation and utility infrastructure improvements. **Addressed.**

#### PUD Development Plan

1. Change all departmental references from "DSD/Development Services" to "Planning and Community Development Department". **Amended.**
2. Include the general provisions, applicability, adoption, relationship to County regulations, enforcement, conflict, maximum level of development, and project tracking statements to the PUD cover sheet per the attached reference procedure. **Added.**
3. Any accessory uses and/or special uses should be identified on the development plan, otherwise they will be prohibited by omission. **Added.**
4. PUD modifications are needed for the use of private roads, to authorize the use of a different cross section for the private road (private roads are required to meet County road standards), and to authorize the depiction of lots within the floodplain. A section is needed to identify the proposed modifications. A cross section of the private road detail should be provided on the PUD. **Added. The CLOMR authorizes the amendment of the floodplain so a PUD modification is not required for the lots within the floodplain.**
5. The floodplain as it exists and as intended to be amended should be depicted on the plan. Due to legibility concerns a separate sheet is encouraged. **Exhibit provided.**
6. Assign a lot number to all lots in the development area. Include a "Lot Number" for the proposed common area. **Added. Common areas are tracts, not lots.**
7. Provide a typical detail to illustrate the required setbacks for covered porches. **Added.**
8. The landscape plan identifies prohibited plantings in the sight triangles. Please revise to relocate outside of the sight triangles. **Revised.**
9. Include a parking table. **Added.**
10. Consider the adequacy of the proposed guest parking. Guest parking in townhome developments is absorbed quickly by guests and/or as tenants "third parking space". **There is sufficient parking to accommodate residents and guest parking. Each unit has a 2 car garage**

and the HOA covenants will require that these be kept available for parking. There are also 26 off-street parking bays and lots 15 and 16 have 2 car driveways.

## Engineering Division

### PUD Development Plan

1. Show/label the existing FEMA floodplain and floodway. **Provided on a separate sheet.**
2. Add a note stating the proposed floodway is not applicable until the LOMR becomes effective. **Added.**
3. Update the road classification for Deer Creek Road and Burning Oak Way to "Rural Local". **Added.**
4. Per ECM Table 2-5 the minimum intersection spacing is 330 ft. Adjust the layout to meet criteria or submit a deviation request. **A deviation request has been submitted.**
5. Include a typical roadway cross section detail for the proposed private road. Private roadways shall be built to public road standards (LDC Section 8.4.4.E) or provide a statement in the PUD Development plan citing the reason for any modifications to the ECM (LDC 4.2.6.F). The following does not meet county criteria: permanent hammerhead turnaround (ECM Section 2.3.8), minimum centerline radius (ECM Table 2-7), roadway cross section (ECM Section 2.2.4.B), and vertical curve (ECM Section 2.3.4). Be advised, the County Engineer's recommendation is for the private road to meet the horizontal and vertical design standards. **Added.**
6. Include a typical retaining wall cross section detail (identify the horizontal offset between tiers) and add a note stating that a building permit is required for sections of the retaining wall that are greater than 4 feet in height. **Added.**
7. Change the title for sheet 3 to "Preliminary Grading" and remove all temporary BMPs and the EPC standard GEC notes. BMPs will be identified on the Grading and Erosion Control Plan. **Revised.**
8. In sheet 5, update plant location along Deer Creek Road so that plants/objects with heights that are more than 30 inches above the edge of pavement are not within the 30-mph sight triangle. **Amended.**
9. Note on the PUD whether or not on street parking is permitted. Due to the width of the road the fire department will have to approve if on street parking is proposed. **Added. No on-street parking is permitted.**
10. Show and label the existing access easement on the west side that connects to the proposed road. **Added.**

### Traffic Impact Study

1. Expand on the 2040 background traffic section (pg 3) including any pertinent exhibits or supporting calculations to show how the 2040 numbers were obtained. Example: what was the trip generation potential used and where are the vacant parcels noted in the paragraph. **This has been added to the updated report as requested.**
2. Show the lane configuration graphics on the Synchro output to verify the modeling matches the physical configuration. **This has been added to the updated report as requested.**
3. Identify how the ADT on the roads were calculated. **This has been added to the updated report as requested.**

Drainage Report

See engineering comments in the final plat application (PCD Project No. SF-16-021). **Noted**

Grading and Erosion Control Plan

See engineering comments in the final plat application (PCD Project No. SF-16-021). **Noted**

**PIKES PEAK REGIONAL BUILDING DEPARTMENT**

**Enumerations**

PUPSP: Road names have been approved through El Paso/Teller County E-911 street naming department.

Addressing will not start until the floodplain area is looked at to determine the overlay of the floodplain is accurate. If the area will need to shift to reconfigure. Contact [Keith@pprbd.org](mailto:Keith@pprbd.org) next week after January 3, 2017.

SP: If tract addressing is needed place (xxxx) where they will be utilized to be included on the Mylar for platting.

Enumerations/Floodplain will review the mylar prior to platting for address placement, road names, title block, Floodplain overlay & statement.

\$10.00 per lot & tract fee will be due at the time of the review of the mylar. If an address is not needed for a tract then no fee applies. Check should be made out to Regional Building Department. Paid directly to the Enumerations department.

A copy of the final recorded plat is required prior to plan submittal.

**Noted. These comments primarily relate to the Final Plat.**

**Floodplain**

FEMA approved CLOMR and LOMR must be in place prior to plating.

**Only a CLOMR is required prior to platting and this is now in place.**

This project has exposure to the floodplain and will require compliance with RBC 313 please contact Keith Curtis Floodplain Administrator [keith@pprbd.org](mailto:keith@pprbd.org) for Questions related to RBC 313. What is depicted as the "proposed Floodway" may not be depicted correctly. LOMR of the area completed August 1999, add 99-08-012P on the floodplain statement as well. Floodplain elevations have been determined and are not approximate. Please remove this statement from the floodplain.

**The floodway is different to the floodplain. The floodway is not changing. The approved CLOMR adjusts the floodplain to match the floodway.**

## EL PASO COUNTY PUBLIC HEALTH DEPARTMENT

- The proposed 28 unit townhome development will be provided water and wastewater services by Woodmoor Water and Sanitation District. There is a finding for sufficiency in terms of water quality for this Colorado Department of Public Health and Environment regulated public water system. (PWSID# CO0121950)
- The wastewater treatment facility has adequate capacity for the proposed development based upon a letter of commitment dated October 12, 2016, from the Woodmoor Water and Sanitation District's District Manager.
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.
- El Paso County Public Health encourages increased "walkability" by design within the development. Walkability includes planned connection of sidewalks and trails to surrounding developments. Walkability provides a means for increased activity of the residents, which studies show decrease the incidence of cardiovascular diseases and obesity levels of the general public.
- Earthmoving activity between 1 and 25 acres will require a Construction Activity Permit from El Paso County Public Health. <http://www.elpasocountyhealth.org/service/air-quality>

Noted.

## EL PASO COUNTY COMMUNITY SERVICES

### Environmental Services

The El Paso County Environmental Division has completed its review of the North Bay at Lake Woodmoor Final Plat. Our review consisted of the following items: wetlands, federal and state listed threatened or endangered species, general wildlife resources and noxious weeds.

1. The Environmental Division notes that the current site plan will impact 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.  
**An application for the Nationwide Permit 29 for Residential Developments construction in compliance with the Pre-Construction Notification (PCN) requirements of the Clean Water Act and County requirements was submitted to the U.S. Army Corps of Engineers (USCOE) on April 18, 2017 and was approved on June 19,2017. A copy is attached to this resubmittal.**
2. The project may interfere with mule deer 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.

**As noted in Ecos' Wildlife Report, the highest quality habitats will be preserved in open space areas and additional habitats will be created in the floodway.**

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.

The required approvals have been or will be obtained prior to project commencement.

## **Parks**

The Planning Division of the Community Services Department has reviewed the development applications for North Bay at Lake Woodmoor PUD Development Plan/Preliminary Plan and Final Plat and has the following comments of behalf of El Paso County Parks. This application will be presented to the Park Advisory Board on January 11, 2017.

The project site is located northeast of Monument, just north of Lake Woodmoor near the intersection of Deer Creek Road and Woodmoor Drive. The property consists of 7.23 acres, with 28 residential townhome lots and 5 tracts and is currently zoned R-4, however, a PUD Development Plan/Preliminary Plan rezone is being processed concurrently.

The 2013 El Paso County Parks Master Plan shows no regional trails running through or directly adjacent to the proposed subdivision. The proposed Jackson Creek Regional Trail, Cherry Creek Regional Trail, and Highway 105 Bicycle Route are all located 0.75 mile south of the property, while the existing New Santa Fe Regional Trail is located 0.75 mile to the west of the property. North Bay at Lake Woodmoor does not lie within any candidate open space area.

The North Bay at Lake Woodmoor PUD Development Plan/Preliminary Plan shows 4.55 acres of open space/landscape area, thus providing for 63% open space within the development. As no trail easements dedications are necessary for this filing, Parks staff recommends fees in lieu of land for regional and urban park purposes in the amounts shown below.

### Recommended Motion (PUD Development Plan / Preliminary Plan):

Recommend to the Planning Commission and the Board of County Commissioners that the approval of North Bay at Lake Woodmoor PUD Development Plan / Preliminary Plan include the following conditions: require fees in lieu of land dedication for regional park purposes in the amount of \$11,396 and urban park fees in the amount of \$7,196.

### Recommended Motion (Final Plat):

Recommend to the Planning Commission and the Board of County Commissioners that the approval of North Bay at Lake Woodmoor Final Plat include the following conditions: require fees in lieu of land dedication for regional park purposes in the amount of \$11,396 and urban park fees in the amount of \$7,196.

**Noted.**

## **EL PASO/TELLER E-911**

No action is needed. Road names are reserved for this project. **Noted.**

## **EL PASO COUNTY CONSERVATION DISTRICT**

We have no comments at this time. **Noted.**

## **TOWN OF MONUMENT**

No comment. **Noted.**

## **MOUNTAIN VIEW ELECTRIC ASSOCIATION**

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. **Noted.**

MVEA requests a blanket utility easement in order to give flexibility to both MVEA and the developer with the design of this housing complex and the infrastructure of the electric service. The blanket utility easement needs to include open space, drainage and landscape to allow for the design to all townhomes in order to serve. **Provided.**

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 and a review of easements will be required in order to serve. **Noted.**

## **COLORADO GEOLOGICAL SURVEY**

The Colorado Geological Survey has reviewed the North Bay at Lake Woodmoor development referral. The applicant proposes to divide 7.23 acres to create 28 townhome lots at the north end of Woodmoor Lake near the intersection of Woodmoor Drive and Deer Creek Road in Monument, Colorado. As indicated in the letter of intent, the site is located between two existing developments: "The Cove at Woodmoor" condominiums and the "Lake Woodmoor" residential neighborhood.

Included with this referral were the request for CGS review (12/06/16), development application form, letter of intent (N.E.S., Inc. 11, 20126), "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation" report (CTL Thompson, Inc. Project CS 18589-115, 9/29/2016), "Natural Features, Wetland, Wildfire, Noxious Weeds & Wildlife" report (ecosystem services, LLC., project 2016-11-1, 9/1/2016), and "PUD Development Plan" drawings (12 sheets; N.E.S., Inc., 11/15/16).

CTL Thompson identified the following anticipated geologic hazards and constraints to development: expansive soil and bedrock, shallow groundwater, flooding, erosion, shallow bedrock, regional seismicity, and naturally-occurring radioactive materials. CGS agrees that this list represents the possible geologic hazards and constraints at the site and has the following additional comments:

**Shallow groundwater.** CTL Thompson reported encountering groundwater at depths ranging from 8 to 28 feet below ground during drilling and 3 to 10 feet below ground surface 5 days after drilling. Groundwater levels fluctuate seasonally, and water levels commonly rise post-development due to construction of impermeable ground cover and landscape irrigation. CTL Thompson stated (p. 6) that their measurements were collected in the early spring months when groundwater and lake levels are "typically just starting to rise", suggesting that even shallower water levels should be anticipated. The

maximum depth of the lowermost floor levels of habitable space *must* be located at least three feet, preferably five feet, above shallowest anticipated groundwater levels. CTL Thompson suggests (p. 10) that perched groundwater conditions can be mitigated by installing drain systems around below-grade spaces. However, individual foundation perimeter drains are only intended to handle small amounts of intermittent, perched water, and are not to be used to mitigate a persistent shallow groundwater conditions such as those suggested by the water levels observed by CTL Thompson during and after drilling. **Because of the extremely shallow observed groundwater levels, and the possibility for groundwater to rise further during the wet season, full-depth basements should not be considered feasible on this site.**

**Flooding and bedrock erosion.** As noted by CTL Thompson, a mapped FEMA 100-year floodplain crosses through the site. The CTL Thompson report and the PUD Development Plan drawings indicate that the existing floodplain will be channelized to create an engineered floodway through the center of the property. Additionally, the PUD Development Plan drawings show retaining walls along several stretches of the proposed floodway. As noted by CTL Thompson (p. 9), soil and bedrock at the site are susceptible to wind and water erosion; in particular, as pointed out in the documentation for the Geologic Map of the Monument Quadrangle (Thorson and Madole, 2003), the Dawson Sandstone (TKda5) can be friable and easily eroded on weathered outcrops. If present and left unprotected during extreme flooding events, weathered bedrock exposed along the outside bend of the floodway could be subject to lateral erosion potentially undermining the proposed retaining walls and/or nearby parts of the developed area. CTL Thompson noted that they did not observe weathered lenses in their borings, but it is unclear what the conditions are along the edge of the proposed floodway. The possible presence of erodible weathered bedrock along the edges of the proposed floodway should be evaluated; additional erosion control measures should be designed as necessary by a qualified professional and implemented to reduce potential erosion of weathered bedrock during flood events.

CTL Thompson makes appropriate *preliminary* recommendations regarding grading, foundations, floor systems, surface and subsurface drainage, construction-related erosion control, pavements, irrigation, etc. Additional lot-specific soils and foundation investigations should be performed to refine foundation, floor, pavement, utility, and subsurface drainage recommendations.

**Noted. No basements proposed. Regional Building Department requires lot-specific soils reports.**

## **COLORADO PARKS AND WILDLIFE**

Colorado Parks and Wildlife (CPW) has reviewed the PUD development plan and final plat for the North Bay townhomes at Woodmoor Lake in El Paso County. CPW staff has visited the site and offers the following comments for your consideration.

The proposed development area is relatively small, with fragmented riparian habitat and few existing trees. The vegetation is comprised mainly of short grass prairie species. This habitat type will sustain numerous wildlife species including deer, coyote, fox, raptors, songbirds and numerous small mammals. The site has had previous earth moving activities on it and shows signs of disturbance.

CPW recommends consultation with the Army Corp of Engineers to ensure compliance with the Clean Water Act due to the identification of possible jurisdictional wetlands on the site. CPW will comment on specific plans for wetland-related issues as part of that 404 permitting process but there are some



general recommendations to be considered during the development of the wetland mitigation plan prepared as part of Section 404 permitting.

We would request that all areas of disturbance and exposed soils above the ordinary high water mark be re-vegetated with a native seed mix. This will contribute to the replacement of lost riparian vegetation values and minimize establishment of noxious weeds. The placement of willow sprigs or bare root stock should also be considered along the banks, especially in those areas which have been disturbed. We recommend planting of vegetation along the bank to help reduce and control erosion and contribute to bank stability over the long term. The site should be monitored for a period of at least two growing seasons. Any stands of noxious weeds that become established should be controlled with appropriate mechanical and/or chemical methods suitable for the proposed location. CPW recommends using a clean fill material, if needed, that would be conducive to **growing** native vegetation that will help stabilize the banks. Non-native vegetation can overrun native vegetation and can become problematic. A seed mixture of native grasses is also recommended to provide a good support system in the soil.

US Fish and Wildlife Service should be consulted on any Federally-listed Endangered and Threatened Species that might be present at the location. CPW recommends consultation with the U.S. Fish and Wildlife Service when permitting any permanent or temporary activity within known or potentially occupied habitat Preble's meadow jumping mouse habitat.

There is suitable habitat on the site for nesting raptors and migratory birds. CPW recommends the use of preconstruction surveys to identify raptor nests within the project area and implement appropriate restrictions. CPW recommends adherence to the recommended buffer distances and timing stipulations identified in the attached document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors". Removal or relocation of any active raptor or migratory bird nest will require consultation with CPW and US Fish and Wildlife Service prior to disturbance. Both active and potential nest sites, winter night roosts should be considered when evaluating disturbance during construction.

CPW recommends the development and implementation of a noxious weed control plan for the site. There are several noxious weed species identified on site and the construction plans should include measures to prevent the spread of those weeds to adjacent areas. All disturbed soils should be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation is achieved.

The following is a list of general recommendations the CPW would like to be taken into consideration with the residential side of this development in order to avoid nuisance conflicts with wildlife. Many times these conditions can be enforced through the local Homeowner's Association or through covenants.

1. Pets should not be allowed to roam free and fences should be installed to decrease or eliminate this problem. Dogs and cats chase or prey on various wildlife species. One benefit to keeping animals under control is that they are less likely to bother other people, be in roadways or become prey for mountain lions, coyotes, foxes or owls.
2. Trash should be kept indoors until the morning of trash pickup. The CPW recommends using bear resistant trash containers. Bears, skunks, raccoons, and neighborhood dogs are attracted to garbage and do become habituated.

3. Feeding of all wildlife should be prohibited, with the exception of songbirds. The use of bird feeders, suet feeders, and hummingbird feeders are discouraged. However, if feeders are used, they should be placed so they are inaccessible to bears, raccoons or skunks and other wildlife species that might cause damage or threaten human safety. It is illegal to feed big game including deer, elk, antelope, moose, bear and lion.
4. Pets should be fed inside or if pets are fed outside, feeding should occur only for a specified period of time and food bowls returned afterwards to a secure site for storage. Pet food left outside attracts various wildlife species which in turn attracts predators.
5. When landscaping lots, it is strongly recommended that native vegetation be used that wildlife is less likely to be attracted to. Planting of trees and shrubs that are attractive to native ungulates should incorporate the use of materials that will prevent access and damage (fencing, tree guards, trunk guards, etc.).
6. Fences, other than those around the immediate domicile and serving to protect landscaped trees and shrubs, should be designed so as not to impair wildlife movements. Ornamental fences with sharp vertical points or projections extending beyond the top horizontal rail should be strongly discouraged in areas where deer and black bear are known to occur. This type of fencing typically ensnares deer by the hips when trying to squeeze through and impales animals attempting to go over the top. Wildlife friendly design recommendations can be provided upon request.
7. It is strongly encouraged that dog kennels have a top enclosure, regardless of the height of the kennel.
8. Barbecue grills should be placed in a secure area when not in use.

The 404 permit has been obtained. The ECOS Report addresses wildlife habitat, including PMJM, and also addresses noxious weed control. Many of the general recommendations are included in the HOA CC&Rs. The landscaping uses native species and no development or lot fences are proposed but fencing for pet enclosures may be allowed if requested by homeowner.

#### **COLORADO DAM SAFETY**

No development should be planned below the elevation of the dam crest for Lake Woodmoor Dam. This is to ensure no properties are inundated during the inflow design flood that could take reservoir to the level of the dam crest.

No development is planned below the elevation of the dam crest.

#### **NEPCO**

##### **General Comments:**

1. The Commissioner District notation on the Review Agency Comment Sheet incorrectly states that the development is in Commissioner District 2, it is in District 1.

This a Planning Department issue.

##### **Comments related to the PUD Development document:**

1. The density of the proposed development provides a smooth transition between the neighbors to the east and to the west. **Noted.**
2. Shoreditch Heights and Redbridge Point roads are depicted as private roads on page 2. Because the future is difficult to predict, are they going to be constructed to El Paso County specifications if the residents (future Homeowners Association members) request the County assume responsibility for their maintenance?  
**The private roads will be owned and maintained by the HOA in perpetuity. They are not constructed to County standards. The County will have no obligation to assume maintenance responsibly.**
3. The landscape plan as depicted on pages 5 and 6 of the PUD Development document is commendable. **Noted.**

The requested copies of all resubmittal documents are enclosed. If you have any questions please contact me at 719.471.0073 or [abarlow@nescolorado.com](mailto:abarlow@nescolorado.com).

Sincerely,



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