



## PLANNING AND COMMUNITY DEVELOPMENT

CRAIG DOSSEY, EXECUTIVE DIRECTOR

3/13/18

**RESPONSE TO COMMENTS: March 23, 2018**

Thomas and Thomas  
Jason Alwine  
jalwine@ttplan.net

Dear Applicant and/or Consultant:

Subject: SF184 Meadow Brook Crossing Filing No. 2- Review 1

**The purpose of this letter is to provide you with the review agency responses to the above named development application that have been received to-date by Planning and Community Development.**

**You are encouraged to directly contact those agencies that did provide review comments if the comments require additional action by the applicant/applicant's representative. You are also encouraged to directly contact those agencies that did not provide review comments if such response is required by state statutes and the El Paso County Land Development Code.**

### EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

#### Planning

1. See Letter of Intent and Plat red lines  
**RESPONSE: LOI and Plat items revised per the redlines.**
2. Please fill in the avigation easement note on the plat. An Avigation Easement was recorded for this property on March 17, 2017 (Reception No. 217030936); also provide the notice and disclosure statement.  
**RESPONSE: Avigation easement note updated as requested.**

#### Engineering Department

1. Submit a Drainage Letter with updated drainage and bridge fee for Filing 2. Fee is based on the effective rate at the time of submittal. The updated calculation will be used in reconciling the final reimbursement/credit. 2018 Drainage and Bridge Fees for Sand Creek are \$17,197 and \$5,210 respectively. In the drainage letter include the DBPS Estimate, the

Engineer's Estimate (from Filing 1 FDR), and actual costs (from invoices submitted). To be used as support for why no drainage fees are due with Filing 2 recording.

**RESPONSE:** A drainage letter has been prepared and provided with the current drainage and bridge fee calculation.

#### **MOUNTAIN VIEW ELECTRIC ASSOCIATION INC**

This parcel is outside of Mountain View Electric Association territory. Thanks MVEA

**RESPONSE:** Noted, no action needed.

#### **ELPASO COUNTY ENVIRONMENTAL SERVICES**

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

1. El Paso County mapping indicates some ground disturbed areas may fall into Waters of the US. Additionally, there are identified features proposed in the East Fork of Sand Creek. The applicant shall provide documentation of consultation with the U.S. Army Corps of Engineers (USCOE) 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.

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.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7879.

**RESPONSE:** Attached is the letter from the Corps of Engineers indicating a permit verification for the work in the creek. The work in the creek started prior to October 2, 2017 and is complete.

#### **EL PASO COUNTY HELATH DEPARTMENT**

Please accept the following comments from El Paso County Public Health regarding the 4.46 acre, 35 lot residential development project referenced above:

- The residential development will be provided water and wastewater services by Cherokee Metropolitan District.
- There is a finding for sufficiency in terms of water quality for drinking water obtained from this Colorado Department of Public Health and Environment, Water Quality Control Division, regulated public water system. PWSID # CO0121125.
- Per the water and wastewater reports dated May 5, 2017, letter from Kiowa Engineering Corporation dated May 5, 2017, there is sufficient treatment capacity at the Cherokee Metropolitan Black Squirrel Water Reclamation Plant for the projected wastewater flows from the proposed development project.

- 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.
- Earthmoving activity in excess of one acre, but less than twenty-five acres, will require a Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for more information. If the earthmoving activity is in excess of twenty-five acres at one time, a Construction Activity Permit is required from Colorado Department of Public Health and Environment.
- The development site water quality area detention pond maintenance provider is encouraged to include mosquito control measures as a part of the maintenance program in an effort to help prevent West Nile Virus and protect public health.

Mike McCarthy, R.E.H.S.  
 El Paso County Public Health  
 719.575.8602  
[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)  
 28Feb2018

**RESPONSE:** Noted, no action needed.

#### **ELPASO COUNTY PARKS DEPARTMENT**

The Planning Division of the Community Services Department has reviewed the development application for Meadowbrook Crossing Filing No. 2 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 March 14, 2018.

Meadowbrook Crossing Filing No. 2 Final Plat consists of 35 single-family residential lots on 4.46 acres. The property is zoned RS-5000, and is located at the intersection of East Highway 24 and Meadowbrook Parkway.

The El Paso County Parks Master Plan (2013) shows no open space, park facilities, or trails directly impacted by or within the project area. The project site is located on the northwest side of Highway 24 East, near the intersection of Highway 94. The proposed Highway 94 Secondary Regional Trail and the proposed Highway 94 Bicycle Route begin at this intersection and travel east, away from the project site. Lastly, the Falcon/Garrett Road Candidate Open Space land is located .5 mile to the east of the project site.

The surrounding neighborhood does not offer any recreation facilities beyond a 9-hole golf course located .25 mile west of the project area and two elementary school playgrounds, each located .75 mile from the project site. Through early discussions, El Paso County Parks staff encouraged the developer to explore urban park options in the form of a pocket park or other recreational opportunities and provided information on the Urban Park Grant Program. The project is served by the Meadowbrook Metropolitan District, which could apply for an Urban

Park Grant to supplement the funding and construction of the dog park and other park amenities.

Open space dedication is not required under the El Paso County Land Development Code for subdivisions that are not under PUD zoning. However, at 15% of the total project area, the development's Preliminary Plan contains 224,294 square feet or 5.15 acres of open space. The plan does show a future dog park in Tract F whose development is contingent on available future funding and construction of a bridge across the East Fork of Sand Creek.

On June 14, 2017, the Park Advisory Board endorsed the Meadowbrook Crossing Preliminary Plan and Final Plat, which consisted of all 114 single-family residential lots, with approximately 11.4 acres of dedicated open space. Then on August 9, 2017, the Park Advisory Board endorsed a modified application for the Preliminary Plan and Filing No. 1 Final Plat. At that time, a FEMA Letter of Map Revision (LOMR) floodplain modification application was submitted for approval, and only 79 lots were included in Filing No. 1 Final Plat, with the remaining 35 lots to be platted at a later date as Filing No. 2. The reduction of total lots in Filing No. 1 Final Plat temporarily reduced the overall housing unit density to 2.45 units per acre, and at the time of the August 9th Park Advisory Board meeting, only regional park fees in the amount of \$32,153 were applied to Filing No. 1.

Because the approved 114-lot Preliminary Plan subjected the entire development to urban park fees, and approval of the FEMA LOMR application reintroduces the additional 35 lots of Filing No. 2, the overall housing unit density has been raised back to urban density requirements. Therefore, approval of Filing No. 2 Final Plat will be subject to payment of park fees for the entire development, minus those regional park fees paid through the recording of the 79 lots of Filing No. 1. As such, staff recommends fees in lieu of land dedication for regional park purposes in the amount of \$15,050 and urban park fees in the amount of \$31,008.

**Recommended Motion (Filing No. 2 Final Plat):**

"Recommend to the Planning Commission and Board of County Commissioners that approval of the Meadowbrook Crossing Filing No. 2 Final Plat include the following condition: require fees in lieu of land dedication for regional park purposes in the amount of \$15,050 and urban park fees in the amount of \$31,008."

Please let me know if you have any questions or concerns.

Sincerely,

Ross A. Williams  
Park Planner  
Planning Division  
Community Services Department  
rosswilliams@elpasoco.com

**RESPONSE: Noted, no action needed at this time.**

## **CHEROKEE METRO DISTRICT**

This development is within the Cherokee Metropolitan District service boundary and the developer is aware of the separate review process for the District --- Jonathon Smith

**RESPONSE:** Noted, no action needed.

## **911 AUTHORITY –EL PASO/TELLER COUNTY**

All street names previously approved. No other comments for 911 at this time. Thank you Justin

**RESPONSE:** Noted, no action needed.

## **PIKES PEAK REGIONAL BUILDING DEPARTMENT**

Regarding a request for approval of a final plat for Meadowbrook Crossing Filing No. 2, Enumerations has the following comments: 1. Addresses for this plat have been provided to the developer and should appear in the appropriate locations. 2. Prior to recording, Enumerations will review the mylar for addressing, title block, street names and floodplain statement. An Enumerations fee of \$10 per lot/tract addressed will be due at the time of mylar review. 3. Provide a copy of the final recorded plat to Enumerations for our records. Enumerations will not approve any building plans submitted for this development without a copy of the final recorded plat in our records. Floodplain has the following comments: 1. As stated in the letter of intent, Floodplain cannot approve the mylar for recording until the effective date of the LOMR which is currently in process. Contact Floodplain Administrator Keith Curtis (keith@pprbd.org, 719-327-2898) with any questions or concerns regarding the floodplain issues associated with this development. Brent Johnson Enumerations Plans Examiner Pikes Peak Regional Building Department O: 719-327-2888 E: brent@pprbd.org W: pprbd.org

**RESPONSE:** Noted, no action needed at this time.

## **COLORADO SPRINGS AIRPORT ADVISORY COMMISSION**

Airport staff recommends no objection with the following conditions:

- An Avigation Easement was recorded for this property on March 17, 2017 (Reception No. 217030936); no further action is required.
- A portion of the proposed development is within the Accident Potential Zone 2 (APZ-2) subzone of the Commercial Airport Overlay District, as adopted by El Paso County. The proposed use associated with this development (residential) appears to be permissible in the APZ-2 subzone.
- Although it appears that the property will be located outside of the 65 DNL noise contour, due to a portion of the property being within the APZ-2 subzone, it is recommended that a notification should be issued to inform residents that they are located in the APZ-2 and are within an approach corridor to a main runway at the Colorado Springs Airport.
- Based on elevation data, the applicant will need to file Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" for any future development at this site, including temporary construction equipment, and provide FAA documentation to the Airport before the commencement of construction activities.
- More information about the airspace evaluation submittal process is available on the FAA's Obstruction Evaluation/Airport Airspace Analysis website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

**RESPONSE:** Noted, no action needed.

---

**Due to the number of comments and necessary revisions to the plan(s) an additional detailed review will be necessary. Please address the comments as listed above. A detailed letter needs to accompany the revisions to allow for an expeditious re-review timeframe. The letter should include each comment listed above and, immediately thereafter, include a response from the applicant addressing the comment.**

**If any review agency has an issue that needs resolution or requires a revision, you will need to provide the necessary documents, drawings, etc., to the Planning and Community Development Department in the form of a resubmittal. The Planning and Community Development Department will then forward the resubmitted items directly to the appropriate review agency. If you have any questions pertaining to specific agency comments please contact the appropriate agency directly.**

**PLEASE NOTE: The application cannot be scheduled for public hearing until and unless a final response has been received by Planning and Community Development from those agencies that are required (pursuant to state statute and the El Paso County Land Development Code) to provide such response (i.e.- State Engineer's Office, County Attorney's Office, County Health Department, etc).**

In order to be considered for the Planning Commission hearing, all outstanding issues must be resolved. Please contact me if you would like to schedule a meeting with myself or the multi-disciplinary team.

When all the comments have been addressed and corrections made please upload the required documents as requested.

If you have any questions feel free to contact me at 520-6306.

Best Regards,  
Kari Parsons

El Paso County Planning and Community Development Department

cc: Gilbert LaForceP.E., Engineering  
File: SF184