

RESPONSES TO LOI COMMENTS

File Number PPR2411, Parcel 5308000074

June 11, 2024

Comment #1:

Please explain why a TIS or a Memo is not needed for this project. Noted that if the project meets all the conditions outlined in ECM, Appendix B, section B1.2.D, then a TIS or Memo is not required. Please refer to the screenshot below for further details.

Response to Comment #1:

Link to El Paso County Engineering Criteria Manual - Transportation Impact Study Guidelines:

https://library.municode.com/co/el_paso_county/codes/engineering_criteria_manual?nodeId=ENCRMA_APXBTRIM_STGU_B.1GE

APPENDIX B, SECTION B1.2.D

D. No TIS Required. No TIS is required if all of the criteria below are satisfied:

- Vehicular Traffic: (1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10; (2) there are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways; (3) the increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends; (4) the change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property; (5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained; (6) no roadway or intersection in the immediate vicinity has a history of safety or accident problems; and (7) there is no change of land use with access to a State Highway.

In the zoning process, it was stated by Transportation that no TIS is required. According to ECM Appendix B, Section B1.2. B No TIS is required if the site meets all criteria of the section. The site meets all of these criteria in the following ways:

1. Less than 100 daily trip-end generation: Daily trip-end generation of this site varies since it is a seasonal business with seasonal staffing and client demand. Daily trip-end generation of this site is a **maximum of 80** (March – November) and a **maximum of 50** (December-February). This is the maximum daily trips in and out of the site (includes one “in” and one “out”, includes all employees and work vehicle trips). Monday-Friday.
2. No additional... intersections... No additional roadways are proposed.
3. The increase does not exceed.... As stated above the site generates a **maximum of 80** trips per day.
4. The change in the type of traffic... does not adversely affect.... The traffic generated is typically homogenous with the existing traffic types. Passenger vehicles are common on Utah Lane, California Drive and Nevada Lane, as well as heavier vehicles and trailers accessing properties deeper in the neighborhood, such as a pumpkin farm and a plant nursery.
5. Acceptable LOS on adjacent roadways... Adventure Way is a fully developed paved public road which services this neighborhood. At a **maximum of 80** trips per day to and from this site, the Level of Service should not be adversely affected, as the percentage of trips should be very minor according to Adventure Way’s original design criteria.
6. No safety issues... As far as can be ascertained, there are no high accident intersections near the site.
7. No change of land use... There is no state highway near this site.

Conclusion: Since all of the criteria above are satisfied, No TIS is required for this site.

It's worth mentioning here that although we do have legal access between Nevada Ln to/from Adventure Way (in a round-about fashion via California Dr. and Utah Ln.), we also have apparent access rights to use the entirety of Nevada Ln directly to Adventure Way. We have a strong position for prescriptive easement for the entirety of Nevada Ln and California Dr. since ourselves along with previous owners of 7280 Nevada Ln have relied on being able to use the full length of Nevada Ln (between California Dr. and Adventure Way) for well over 18 years of continuous open and obvious use without any form of objection including objections in the form of verbal communication, physical barriers (gates), No Trespassing signage, etc. This information is especially relevant since our neighbor to the north along both sides of Nevada Ln (Woodmen-Utah LLC – aka Vantage Homes) has recently notified us about plans they are making to **close-off** Nevada Ln which will allow them to expand the area of a future storage unit development (which will also require a Zoning Use Variance). Closing-off that portion of Nevada Ln would adversely impact our direct access of our North Nevada Ln. gate to/from Adventure Way. We and our neighbors are currently exploring the legality of a potential closure of that direct access.

Comment #2:

Please provide a brief discussion about the site's drainage and grading. Will it have adversely impact adjacent properties or stormwater runoff. if not, please state.

Response to Comment #2:

The county has determined that even though there is not any new construction planned on the site, the amount of disturbed area on our parcel has triggered the need for a stormwater detention pond engineered to release stormwater at or below historic rates for the location. Our civil engineer Olliver Watts PE has had several meetings with Hao Vo, PE and Glenn Reese PE from the El Paso County Stormwater Department to put together an appropriate grading and drainage design for our site. Our Drainage Report has been updated now with a stormwater detention pond. The grading on the property of site will drain toward the pond with the exceptions of the septic field area and Southeast corner of the parcel which do not have a special drainage requirements per EPC Stormwater. The pond will be maintained in accordance with the O&M Manual provided by the design engineer. The installation of the detention pond/grading system and responsible on-going system maintenance will ensure that adjacent properties and other sites downstream are protected from the negative effects of stormwater such as erosion, water quality, etc.