

January 29, 2018

Kari Parsons
El Paso County Planning and Community Development Department

Subject: TimberRidge Planned Unit Development (PUD-17-003) **Review 4**
Application has been redesigned with this review.

The purpose of this letter is to provide you with a response to staff and agency comments found in your letter of January 9, 2018. Responses to comments are shown in **RED** below the comment.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Please see redlines on electronic documents. The color green reflects planning, and the color blue reflects engineering comments.

Please review the outside agency comments in EDARP. Comments received may not be included in this letter at the time the letter is uploaded.

General Comments- **Review 4 (a re-design)**

- 1. The 2 deviation requests as identified in the LOI have been approved with conditions. Please see the uploaded deviations in EDARP (public view). Conditions of approval will be added to the staff report. **Noted.****
- 2. Application does not have the parcel numbers attached or listed. Application is missing all the land owners' signatures. **See revised application form.****
- 3. Phasing Plan was not uploaded. Please address the phasing and include phasing of the open space. Number of preliminary plans and locations should be included. It may be logical to establish a well and on-site sanitary lot preliminary plan verses a central service provider to lots preliminary plan. **A separate Phasing Plan drawing has been uploaded.****
- 4. Legal Description was not depicted on the boundary line work of the PUD. Please label distance and bearings on boundary of the PUD. **Boundary information added.****
- 5. The zone map boundary does not match the PUD. Zone map includes the lakes. Verify parcel numbers and owners on map please. Depict distances and bearings on the Zone map and PUD plan map. **Zone Map has been revised.****
- 6. Provide the natural gas commitment letter. Another report was uploaded in its**

place. **Natural Gas commitment letter is included in resubmittal documents.**

7. *Note the boundary and parcel numbers on the Wildfire Hazard Mitigation Map Please. The boundary includes land not included; however, analysis outside of the proposed PUD does not impact the study. No change needed to document. **Noted.***
8. *The landscape plan uploaded is not a landscape plan but rather a land suitability analysis. Please upload the landscape plan for Vollmer Road and Arroya (a roadway classified greater than a local residential). A PUD modification is required if no landscape is proposed. Further noted in red lines. **A Landscape Plan has been added to the PUD Plan as Sheet 4.***
9. *The open space requirements have not been met; a PUD modification is required. Further noted in red lines. **Based on the calculations below, the open space requirement is met.***

Calculation of Open Space. The TimberRidge PUD has 19.8 acres of open space within the Sand Creek Greenway. In addition, 1 acre of open space is within three tracts along Arroya Lane, and 10% of the requirement is permitted to be in drainage tracts or 2.6 acres. There are 4.05 acres of open space in water quality tracts. The PUD regulations for TimberRidge require a 100 foot setback along a significant portion of Vollmer Road, essentially creating a public open space/visual corridor along the road. This area totals 4.4 acres in size and is permitted by Code (2.2.6(E) (8) (c), which states “...private residential ...lot areas shall not be included in open space calculation unless the open space areas located on private lots are subject to open space...restrictions.” The total amount of open space is therefore 27.6 acres or 10.5% of the entire PUD. $(19.6 + 1.0 + 2.6 + 4.4 = 27.6 \text{ acres of open space})$

10. *The PUD will not establish sign Code regulations. The Code will be the governing criteria. BOA's will be required for dimensional variances IF the signs do not meet the Code. Add development note to PUD Guidelines.*
11. *Development Guidelines need clarification- see red lines on PUD plan. **Comments have been addressed.***
12. *Further Geology constraints and concerns will be addressed at the preliminary plan in detail. Lot area, buildable area and no build areas may change with further evaluation at the preliminary plan stage. **Noted.***
13. *Reminder* Notice to Mineral Right Holders shall be sent out prior to PC hearing. **Noted.***

Letter of Intent

1. Resolved
2. Resolved
3. Resolved
4. Resolved
5. Staff does not agree that the southern and eastern density is compatible with the current

RR-5 (Residential Rural) Zoning District nor the approved sketch plan which feathers from 5 acre lots, to 2.5 acre lots to one acre lots to half acre lots in this area in addition to a 50' buffer. Staff encourages a similar buffer and density along the south and eastern boundaries to meet compatibility with density and to establish a transition from the surrounding RR-5 zoning district. **Staff will identify concerns with compatibility in staff report. Please note, Jim Morley does not intend to change density in adjacent Sterling Ranch; however, he is ok with the buffer you have provided per an email received 9/20/17. Noted.**

6. Review 4 LOI -Please see uploaded red lines of LOI. LOI has been revised.

7. Eastern boundary is still lacking a transition from the current RR-5 zoning and the approved SKP. Staff may discuss in staff report. It is Staffs understanding there is no objection from property owner to the East. Noted.

PUD Plan

Review 4 -See uploaded red lines of PUD plan. PUD Plan has been revised.

Engineering Division

See uploaded comments

Planning and Community Development (PCD)-Engineering reviews plans and reports to ensure general conformance with El Paso County standards and criteria. The project engineer is responsible for compliance with all applicable criteria, including other governmental regulations. Notwithstanding anything depicted in the plans in words or graphic representation, all design and construction related to roads, storm drainage and erosion control shall conform to the standards and requirements of the most recent version of the relevant adopted El Paso County standards, including the Land Development Code (LDC), the Engineering Criteria Manual (ECM), the Drainage Criteria Manual (DCM), and the Drainage Criteria Manual Volume 2 (DCM2). Any deviations from regulations and standards must be requested, and approved by the ECM Administrator, in writing. Any modifications necessary to meet overlooked criteria after-the-fact will be entirely the developer's responsibility to rectify.

The comments include unresolved previous comments and new comments resulting from the re-submittal in **bold italic**. All previous comments that have been resolved have been noted or deleted. A written response to all comments is required for review of the re-submittal.

PUD DP / General

1. Ensure that all street centerline radii, intersection spacing, roundabout size, required tangent lengths, etc. meet criteria. Without dimension labels these cannot be verified. Approval of the PUD development plan does not imply approval of any substandard design features that have not been specifically addressed.
 - a. Resolved
 - b. Resolved
 - c. Individual lot access onto Vollmer Road requires a deviation (access to an arterial road). Proposed lots R-11 and R-12 should obtain access at Arroyo Lane. The deviation request has been received but needs clarification. Describe the specific drainage and topographical features that preclude access from another point along Wildflower Road or the extension of Arroya Lane to the west.

Partially resolved; the deviation request needs to be revised to state that the shared access will be temporary until the time that the subject parcel develops, at which time access to these two lots will be taken from the north (or some other location). If this revision is not made, the deviation is not supportable. A revised deviation has been submitted.

- d. Cul-de-sac design needs to meet ECM Section 2.3.8. Snow storage areas/easements need to be provided for cul-de-sacs and roads adjacent to or within adjacent property. Partially resolved; response references a letter from the adjoining property owner stating that easements will be provided. This will be further addressed at the Preliminary Plan and Final Plat stages. **Noted.**
- e. **Add required dimensions to the revised areas. Revised areas have dimensions added.**
2. Include existing easement purposes in labels or notes. Show all easements listed in the title work. **Partially resolved; label the easement purposes/uses. Unresolved. Easements have been labeled.**
3. Resolved
4. Regarding the alignment of Vollmer Road intersections:
 - a. **Resolved**
 - b. The Decoto project has submitted an Early Assistance application that is not consistent with the TimberRidge PUD; **Note:** coordination is necessary. **Noted.**
5. Note: easements to other entities that overlap with future public road rights-of-way will need to be vacated/terminated at the time of platting of the rights-of-way. Documentation of separate vacation/termination documents will need to be provided showing no encumbrances on proposed rights-of-way at that time. **Noted.**
6. **Resolved**

Transportation / Traffic Impact Study

1. Resolved
2. Regarding road design deviations and waivers:
 - a. Provide the exhibits for the proposed median cross-section. Partially resolved; Staff did not realize that the deviation request had been revised until after the County Engineer's review of the previous version; approval of the previous deviation request was based on turn lanes being provided. This discrepancy needs to be addressed. **Unresolved; address whether or not a left turn lane will be provided at Nature Refuge Road. The updated traffic impact analysis includes analysis of the access points on Arroya Lane including the intersection of Arroya/Nature Refuge Road. A left-hand turn lane will not be required at this intersection.**
 - b. Resolved
 - c. Note: The County Engineer will provide recommendations regarding PUD modifications involving ECM criteria.
 - d. **See PUD DP Comment 1.c., above. The updated traffic impact analysis and deviation requests have been updated to state the shared access to Vollmer Road for proposed lots 11 and 12 will be temporary until the time that Tract A develops.**
3. Regarding the proposed Arroya lane right-of-way, the existing access easement will need to be revised or extinguished in the area underlying the proposed ROW prior to County acceptance of the public improvements.
4. **See electronic redlines on the TIS. The updated traffic impact study addresses all comments in the electronic redlines.**

MDDP / Drainage Plans

1. Resolved
2. Ponds B and C need further adjustment to meet required 5-year release times. If final detention pond sizing and detailed design affects the PUD lot lines, a PUD amendment may be required. Partially resolved; the ponds will need fine tuning in regard to 10-year release rates with the Preliminary Drainage Report.
3. Resolved
4. Note: A wetlands mitigation map will be required at the subdivision stage showing the proposed/required locations of mitigation (replacement areas).
5. Resolved
6. ***Per ECM I.7.1.B and I.7.2.A (Step 3) all sites requiring stormwater quantity detention, shall address stormwater quality by providing the WQCV. Since this project is providing detention, WQCV shall be included. Also, because Sand Creek is considered "State Waters", the last paragraph of I.7.1.B needs to be fully addressed if WQCV is not proposed. Revisited to include WQCV.***
7. ***Note: The method of accommodating offsite flows from the east will need to be addressed in detail with the Preliminary Drainage Report(s). Additional onsite and/or offsite easements may be required. Noted.***

EL PASO COUNTY PARKS

See uploaded comments

ENVIRONMENTAL

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

1. .Potentially jurisdictional aquatic features have been identified on the site and the U.S. Army Corps of Engineers (USCOE) letter dated July 20, 2017 indicates that a permit may be required for the project. The project proponent has indicated that the USACOE permit will be addressed at the platting stage of the development which is acceptable. A completed permit shall be provided to the Planning and Community Development Department prior to project commencement if ground-disturbing activities will occur in wetland areas. 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.
2. The letter dated May 15, 2017 from the U.S. Fish and Wildlife Service (USFWS) indicates that it is unlikely the project will result in the take of listed species but that it may have minor adverse impacts to listed species that may occur in or near the project area. The USFWS provides a series of conservation recommendations which we strongly recommend be incorporated/followed during the pre-construction, implementation and post-construction phases of the project. 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.

3. The letter dated May 4, 2017 from Colorado Parks and Wildlife provides numerous Best Management Practices (BMPs) and recommendations related to wildlife/natural areas on the property. We strongly recommend that these BMPs and recommendations be incorporated/followed during the pre-construction, implementation and post-construction phases of the project. Additionally, the project proponent has indicated that wildlife protection measures will be addressed through covenants.
4. The Noxious Weed Management Plan (Plan) dated July 7, 2017 provides a basic plan for addressing noxious weeds on the property. This Plan should also include more specific information regarding the species and infestation locations present on the property. 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.
5. ***In the report dated December 5, 2017, Core Consultants provides several recommendations regarding addressing natural resources issue including performing raptor nest and breeding bird surveys prior to the start of construction, performing noxious weed surveys and treatments prior to undertaking ground disturbing activities, orienting drainage crossings to avoid impacts to riparian habitat and performing surveys for fox dens prior to ground disturbances. Following these recommendations is suggested in order to insure compliance with applicable laws and regulations. Noted. To be addressed with the Preliminary 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.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7845.

EL PASO COUNTY ATTORNEY'S OFFICE

Comment: Water review to follow discussions/implementation of special district-IGA and receipt of State Engineer review letter.

NORTHERN EPC COALITION OF COMMUNITY ORGANIZATION, INC.

Reference: The Retreat at Timber Ridge

NEPCO is providing the collective input from its membership that includes 8,600 homeowners, 41 HOAs and 18,000 registered voters within and around the Tri-Lakes area. 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 and land use 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. **NEPCO was invited to the 1/16/18 Neighborhood Meeting so that this organization can gain an understanding of this project.**

NEPCO's comments related to densities in The Retreat at Timber Ridge

1. NEPCO has serious concerns about development of this size residing in "rural" El Paso County. Assuming a density of .806 homes per acre on 263 acres, and again assuming 4 persons per household, that yields a population of approximately 850. This development will reside just north of the Sterling Ranch Development that plans to have 5,500 residential units (4 members per household = 22,000 residents) as well as 56 ac of commercial space. The combination of these two developments will put incredible pressure on the infrastructure supporting this area including roads, water and sewer systems. The potential rezoning of these tracts of land will authorize a planned 212 homes according to the Letter of Intent (205 homes according to the Dec 4, 2017 letter to Kari Parsons from NES and the Traffic Impact Study) versus 53 homes under the current RR-5 zoning, a four-fold increase.

a. The math in the Letter of Intent "Introduction" is confusing.

Initial acreage owned 514

Four 35 ac parcels sold -140

Additional two 50 ac parcels sold -100

Add back one 35 ac parcels 35 (Phase E)

Total 309 ac---not 263 ac

b. The Letter of Intent states that there are 263 ac in this application.

2. It is encouraging to see the Developer reducing the overall density for the development with the introduction of 2.5 ac lots in Phases B and E and additional 1 ac lots in Phase C. This represents a vastly improved transition from the RR-5 lots to the north and the urban densities to the south. Utilizing the Sand Creek Greenway/Open Space as a natural barrier between the distinctly different densities in the development is the optimal solution for the area.

NEPCO's comments related to water supplies in The Retreat at Timber Ridge

1. NEPCO is concerned about a new Metropolitan District, effectively an administrative agency/pass through organization proposing water from a rapidly declining source.

a. The Retreat at Timber Ridge Metro District plans to purchase water from the Sterling Ranch Metro District who purchases water from Woodman Hills Metro District which has 15 wells in the Denver Basin Aquifers and 2 wells in the Upper Black Squirrel Alluvial (shallow) Aquifer-i.e. no renewable sources. <http://schoolerandassociates.com/wp-content/uploads/2016/12/SterlingRanch-MetroDist-Nos-1-3-2010-ServicePlan.pdf> (page 12). Metro Districts are a reality in rural developments, but they are inherently inefficient, and we are witnessing more of these "administrative" Districts that exist only as pass-through entities, adding a layer of administration but few additional services.

i. Under the El Paso County Policy Plan, 10.2.3 and 10.2.4, the goal is to maximize water supply options and economies through the pooling of resources and to encourage the linking of systems among water providers to provide the highest assurance of available service.

1. The intent of this Policy Plan is to encourage interconnectivity thereby providing backup capability in cases of emergencies, not routine operations.

ii. The Retreat at Timber Ridge development creates a whole new Metropolitan district to provide services and then states that these requirements are “met by the proposed IGA between Sterling Ranch Metropolitan District and the proposed Retreat at Timber Ridge Metropolitan District.”

b. Woodman Hills Metro District has 7 existing Intergovernmental Agreements (IGAs) with other Districts. The Pikes Peak Regional Water Authority Area 3 Preliminary Engineering Report, publicly released this past summer, sounds the alarm about relying on non-renewable water sources and yet we have another pair of developments stating that there is sufficient water for 20,000 plus new residents depending on the underlying aquifers (though some of the water is pumped from wells considerably outside their service area along County Line Road).

i. The Executive Summary of the **Area 3 Preliminary Engineering Report** states *“Area 3 is the northern project area, and its entities rely heavily on Denver Basin groundwater supplies. Due to declining well pressures, this study assumed that by the year 2035, Denver Basin wells in the area will only be able to economically pump 35% of their current production. And by 2050, Denver Basin water will no longer be economically feasible to pump.”* (page ES-1)

ii. Further it states; *“To supply the Area 3 participants with needed renewable water by the year 2050, the projected future demand of 8,592 acre-feet per year (AFY) minus the current renewable supplies of 209 AFY, equals a deficit of 8,383 AFY of water that needs to be acquired for Area 3.”* (page ES-1)

iii. The Area 3 Report is referring to the same diminishing, non-renewable water sources the Developer is requesting approval for in this development proposal.

iv. According to the Neighborhood Meeting Summary, the water provided by the water district(s) “will come from the deep aquifers: Arapahoe and Laramie-Fox Hills.” This represents thousands of new homes relying on a diminishing source of water that could become unaffordable within 15 years, let alone the 300-year requirement levied by El Paso County.

b. Will there be a requirement that those homes in The Retreat at Timber Ridge that are not connected to the water district (large lots), mine their water from these same deeper aquifers? Or are they allowed to pull water from the Dawson or Denver aquifers?

Transportation/Access Concerns

1. The **Traffic Impact Study** has been improved over the previous iteration in that it now includes the additional traffic that will be generated by the Sterling Ranch Development, Phase 1 in the 2020 background traffic.
2. The proposed road system has inadequacies related to supporting the number of new residents. **Good subdivision design REQUIRES that access be provided to adjacent unplatted lands.**
 - a. **Arroya Lane** terminates in a dead end

- b. **Aspen Valley Road** terminates in a dead-end
 - c. **Elk Antler Lane** terminates in a dead-end
 - d. **Bison Valley Trail** terminates in a dead-end
 - e. The discussion about **Briargate Parkway** connecting Black Forest Road and Vollmer Road is premature. Though the project is listed on the 2040 Major Transportation Corridor Plan (2040 MTCP) the project is not funded in the current **Pikes Peak Rural Transportation Authority A List Capital projects**, that means no funding for construction until after 2024. There will be funding for the **Stapleton Drive/Briargate Parkway Corridor Study** before 2024.
3. These roads rely on the Sterling Ranch development for connectivity-an event not under the control of this Developer. **Vollmer Road** is the only route either into or out of this development.
 4. A critically important document in the Traffic Impact Study is **Table 3, Roadway Improvements, Retreat at Timber Ridge**. This is a future looking compilation of the requirements to adequately address traffic generated by this development and the Sterling Ranch development and stipulates what is needed, why it is needed, how it should be accomplished and who should pay for improvements.

NEPCO's general comments related to The Retreat at Timber Ridge

1. The planting of pines on the berms is a laudable idea to shield the residents from traffic along Vollmer Road. Given the nature of pines in this area (they can be so small as to hide nothing and a sizeable number often die within a few years of planting), will there be a minimum height or girth of these pine trees and will they be replaced if they die before build-out?
 - a. The Landscaping Plan is silent on these issues.
2. Who will be maintaining the trails in this development? The **Cover Sheet Tract Table** states that for **Tract F**, there will a16.308 ac of Regional and Local trails. On page 3 of the **Letter of Intent**, it states that the proposed major trails will be constructed by the developer, placed in an easement, and maintained by El Paso County. Page 10 states much the same. According to the **Maintenance Agreement**,
 - a. *"El Paso County will own and maintain the multi-use trail easement, and will own and maintain the open space parks should dedication be accepted.*
 - b. *A Metropolitan District will own and maintain the open space, drainage and water quality facilities, common areas, trails, landscape areas and buffer tracts."*
 - c. What is the distinction between "multi-use trail" and "trails" above?
3. A letter from owners of the neighboring 35-acre parcel while generally supportive references the addition of fire hydrants at least in the periphery of this development. However, the **Wildland Fire & Hazard Mitigation Plan** states that *"At present, there is no readily available water supply for ground suppression fire resources. The local fire protection districts will need to haul water into the site during a fire. The subdivision will be supplied with water by the Sterling Metropolitan District in the future."* We can find no references to, or guarantees of, future fire hydrants in other documents.
 - a. Excerpt from the **Wildland Fire & Hazard Mitigation Plan**:

“At the present time, the Black Forest Fire/Rescue Fire Protection District has the following resources:

1 – Type 1 Engines: 500 gallons’ total

4 – Type 3 Engines: 1,750 gallons’ total

3 – Water Haulers - 6,000 gallons’ total

*There are two full-time staff members at Station 1 whose primary responsibility is medical emergencies. **The primary resource for fire suppression is volunteer firefighters and has a wide range of response time and availability.**” [Emphasis added]*

- b. The fact that fire suppression is the primary responsibility of volunteers means that any fire, wildland, grass or structure, will require a mutual aid assist from other fire districts even after fire hydrants are available in the development.
4. The **Detail Plans, Signs & Lighting** is deferred to Final Plat.
- a. Will dark-sky compliant lighting be used/required in this development?

NEPCO’s final comments:

- 1. NEPCO has concerns about large residential developments in unincorporated El Paso County. Especially developments that rely on non-renewable water sources. Urban densities and large developments, measured in thousands of people, should be supported by urban (renewable) water and sewer systems. When the water runs out the residents will be paying large sums to connect the Colorado Springs Utilities-no one likes that kind of surprise. The Developer will have no defense; they were warned before they turned the first shovel of dirt that the water would run out within a generation. **Water quantity is a Plat issue.**
- 2. Further, if El Paso County is to say that it 'plans' for future development, then its 'plans' should have some specific limits. If for water the limit is 300-year supply, then a development 'plan' that clearly does not have a 300-year supply should be rejected outright. Voters don't want their existing homes left waterless-for the temporary benefit of people who don't even live here yet-after current County staff have retired. Voters/taxpayers want defensible, compliant decisions now. **Water findings are required at the Plat stage. Without the findings, plats cannot be approved.**
- 3. High-density residential developments stress “rural” transportation infrastructure. The land was designated RR-5 as a reasonable density given the capabilities of rural Colorado land to support residential uses. Transitioning from 1 home per 5 ac to 1 home per .8 acres (thanks to some larger lots in Phase 1 that skew the ratio upward) is beyond what the land or the transportation infrastructure can support. **The Traffic Study submitted with this application identifies the improvements required to support the proposed use.**

Thank you for the opportunity afforded NEPCO to engage in this process to work with the El Paso County to ensure we have planned responsible growth.

Water issues will be addressed with the subdivision stage of development as required by Code. Transportation impacts are addressed in several stages, including by the Countywide Transportation Fee.

Thomas M. Vierzba
Vice President,
Chairman,
NEPCO Transportation and Land Use Committee

Larry Oliver
NEPCO President, NEPCO

BLACK FOREST FIRE PROTECTION DISTRICT

Comment 4: Based on internal studies (using national and local data and trends), BFFRPD has concluded that the impact of this development will increase district call volume by 11.7%. The majority of the emergency calls generated by this development will be responded to by station #1 apparatus/vehicles. BFFRPD has urgent replacement needs for the fire engine, brush truck and ambulance at station #1. (We excluded the water tender from our calculation based on the fact that the development will utilize a water system). The total projected financial impact of the development for off-setting the purchase of additional emergency response equipment is \$77,220 or \$164 per dwelling. Our most immediate need is the replacement of an ambulance (\$125,000), followed by an engine (\$450,000) and lastly a brush truck (\$100,000). We would like the opportunity to discuss and work with the developer to see if some assistance could be provided. **Noted. These Preliminary and Final Issues will be resolved with these applications.**

Respectfully,

Bryan J. Jack Fire Chief- BFFRPD

FALCON FIRE PROTECTION DISTRICT

This project is not within the boundaries of the Falcon Fire Protection District. No comments provided.

PIKES PEAK REGIONAL BUILDING DEPARTMENT

Enumerations: These comments refer to Final Plat items and will be addressed then.

Regarding a request for approval of a development plan for Retreat at Timber Ridge, Enumerations has the following comments: 1. The street name shown on the development plan as Antelope Ravine Drive was approved as Antelope Ravine Avenue and the street shown as Aspen Valley Road was approved as Aspen Valley Parkway. Verify with Justin Annan at El Paso/Teller 911 (jannan@elpasoteller911.org) as to whether or not it makes a difference to him if the street suffixes are different than what was approved. 2. Provide a 100 Scale copy of the development plan to Enumerations for addressing. Indicate with (xxxx) the locations of all lots and tracts which will require addresses. It would also be extremely helpful to know what the extensions of Elk Antler Lane to the east and Bison Valley Trail to the south will look like in order to address these streets correctly. 3. Enumerations will have further comments as each phase is submitted for plat review. Floodplain has the following comments: 1. The floodplain area within this development is contained in tracts as required by Regional Building Code section RBC313.18.5. Contact Floodplain administrator Keith Curtis (keith@pprbd.org, 719-327-2898) with any questions or concerns regarding compliance with floodplain code. BRENT JOHNSON Enumerations Plans Examiner (719) 327-2888 www.pprbd.org

Floodplain

1. There is significant floodplain exposure in this development. Compliance with Regional Building Code section RBC313 is required. Contact Floodplain Administrator Keith Curtis (Keith@pprbd.org, 719-327-2898) with questions or concerns regarding compliance.
Noted.

BRENT JOHNSON Enumerations Plans Examiner

719) 327-2888 www.pprbd.org

COLORADO PARKS AND WILDLIFE

Colorado Parks and Wildlife (CPW) has reviewed the plans for the retreat at Timber Ridge near on Vollmer Road and Poco Road. The area included within the Development boundaries will sustain numerous wildlife species including deer, elk, pronghorn, turkey, black bear, mountain lion, coyote, fox, raptors, songbirds, and numerous small mammals. CPW makes the following recommendations.

CPW recommends consultation with the Army Corps 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.

CPW further recommends crossing riparian corridors and streams at a perpendicular angle, in order to reduce impacts to natural resources, as well as spanning the corridors with structures located outside the riparian and stream zone. CPW recommends avoiding treed areas of cottonwood and willow, as these areas provide bird and wildlife habitat. During construction, stream crossing by construction vehicles should be avoided. CPW requests that any new service roads that are proposed for construction in conjunction with the project avoid crossing creeks or stream beds to avoid impacts

to wildlife and habitat. If any new access or maintenance roads will be constructed that cross stream habitat, CPW would like to be consulted on best management practices and options for construction to minimize impacts. A construction design for any new or reconstructed riparian crossing that actively minimizes barriers to fish passage at all water levels and mitigates any existing barriers where possible would minimize the negative impact of the project on native fish species.

CPW recommends the following Best Management Practices when working in or near aquatic habitats.

- Drainages should be crossed perpendicular to the flow of the stream
- Use existing road crossings and existing stream crossings for vehicles and other construction equipment instead of building new roads and stream crossings
- The width of construction should be minimized within the 100-year floodplain,
- Stream bank, wetland restoration/improvement should be performed, where necessary
- Vehicle and equipment crossing of creeks/streams should be made in locations that will cause the least erosion of banks and sedimentation.

As for more general construction protocols, CPW recommends low speeds for construction vehicles to avoid wildlife collisions. Where new roads are required, CPW recommends that these single-purpose roads are gated to reduce traffic disruptions to wildlife. If any temporary (e.g., construction) or permanent fencing is proposed, CPW recommends that it is the wildlife-friendly fencing that allows young to cross, and does not include high-tensile hogwire.

CPW recommends the development and implementation of a noxious weed control plan for the site. All disturbed soils should be monitored for noxious weeds and noxious weeds should be actively controlled until native plant revegetation and reclamation is achieved. Care should be taken to avoid the spread of noxious weeds, and all construction equipment should be cleaned prior to leaving the site. A noxious weed management plan should be developed prior to any disturbance of the site. CPW recommends that all landscaping in the developed area should be comprised of native species. Using native species with high food and cover values in an open space area is beneficial to wildlife. This can encourage wildlife to concentrate in areas that minimize human conflicts and optimize wildlife watching opportunities. Native plant species can also provide an aesthetically pleasing landscape that requires little maintenance, and are frequently more drought-tolerant than non-native species

CPW recommends a 100 foot buffer zone be permanently placed around the creeks and ponds. If a trail is constructed near the creek or ponds, it should be a minimum of 100 feet from the edge. This buffer zone will offer wildlife utilizing the creek and ponds less disturbance by development and decrease the likelihood of human and wildlife encounters. The existing native riparian vegetation around the creeks, the ponds and in the drainage ways should be kept intact for wildlife habitat and to increase ground stabilization.

Trails would provide excellent opportunities for wildlife viewing. However, if trails are placed too close to areas utilized by wildlife it creates disturbances resulting in reduced wildlife viewing opportunities. CPW recommends constructing trails on the outer edges of open space areas. This minimizes wildlife disturbance and creates increased wildlife viewing opportunities. Trails near creeks and drainage areas should cross perpendicular rather than run parallel to these critical wildlife habitat areas. Crossings should occur in areas that have the least usage by wildlife in order to have minimal impacts on wildlife.

There is suitable habitat for nesting raptors and migratory birds along the trail route. CPW recommends the use of pre-construction 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".

Care should be taken to avoid the destruction of active dens and nests while constructing structures, ponds, and trails. Possible dens or nests should be monitored for species activity. CPW would be concerned if trees and snags were removed for the development. The main concern with removal of trees is that these trees may be currently occupied or historic nest sites. Please take care to avoid removal of trees with occupied nests. For raptors, an active nest is any nest that is frequented or occupied by a raptor during the breeding season or which has been active in any of the five previous breeding seasons. Many raptors use alternate nests in various years; therefore, a nest may be active even if it is not occupied in a given year. 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.

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 Preble's meadow jumping mouse habitat.

Fences can cause many problems for wildlife, including death, entanglements, and barriers to movements. CPW recommends the developers consult our publication *Hanophy, Wendy* "Fencing with Wildlife in mind." *CPW.state.co.us. 2009* when considering the design of fences within the development. The publication is available on our website and we would be happy to provide a link to the PDF specifically. The use of privacy fencing, chain link fencing, and other exclusionary fencing should be at least 6 feet high and should be restricted to the immediate area surrounding the buildings or within the designated building envelope and should not be used as a method to designate boundaries of larger lot sizes (> 1 acre). Fencing outside the immediate building envelope or area surrounding the buildings on larger lots within the known range of elk, deer and pronghorn should be a maximum top height of 42" with at least 12" spacing between the top two wires or rails and a bottom wire or rail at least 16" above the ground to allow passage of juvenile animals and pronghorn antelope. It is also recommended that the top and bottom wires be a twisted barbless type or smooth wire or rail construction. Construction of ornamental wrought iron fencing with closely spaced vertical bars (<12") and sharp projections extending beyond the top horizontal bar should be strongly discouraged in areas where deer, elk, and black bear are known to occur. This type of fencing typically ensnares deer and elk by the hips when trying to squeeze through and impales animals attempting to go over the top. It should be noted that it is very distressing to find wildlife in or impaled on fences.

Due to the potential presence of black bears in the Development, CPW recommends several measures to reduce the potential for human bear conflicts. First, we recommend that the owner invests in bear-proof trash containers. Trash containers should be stored in the garage or in a solid locked storage shed until the morning of trash collection during those months when bears are most active (April – November). Another possible alternative would be the use of a centralized and securely fenced trash collection site with the use of bear proof dumpsters that employees, customers, and the trash service provider would have access to. This would

eliminate the need for individual trash cans. Second, residents and food vendors should also keep their barbecues and any food locked away in the garage or a secure building. Finally, we would recommend that the use of bird feeders and hummingbird feeders be discouraged, during the months mentioned above, since they also attract black bears. However, if feeders are used, they should be placed so they are inaccessible to black bears, raccoons, skunks, deer and other wildlife species that might cause damage or threaten human safety. A copy of a brochure entitled, "living with wildlife in bear country" is available for reference upon request from CPW.

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.

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.

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.

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.

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.

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.).

It is strongly encouraged that dog kennels have a top enclosure, regardless of the height of the kennel. **Comments are noted and will be addressed in future more detailed submittals.**

CPW appreciates being given the opportunity to comment. Please feel free to contact District Wildlife Manager Benjamin Meier at 719-227-5231 or Benjamin.meier@state.co.us should you have any questions or require additional information.

MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC

See uploaded Comments **Requirements noted.**

BLACK FOREST LAND USE COMMITTEE

See uploaded Comments **Anticipate new comments. We will respond when received.**

BLACK FOREST TRAILS ASSOCIATION

See uploaded Comments **Noted.**

COLORADO GEOLOGICAL SURVEY

Colorado Geological Survey has reviewed the Retreat @ TimberRidge PUD resubmittal. I understand the applicant now proposes 212 residential lots on approximately 300 acres located in the area of Vollmer Road and Arroya Lane. The available referral documents include a revised Letter of Intent (November 2017), a set of three PUD Development Plans (NES, revised December 4, 2017), a revised Soil, Geology, Geologic Hazard, and Wastewater Study, The Retreat at Timber Ridge (Entech Engineering, December 1, 2017), and other documents.

The currently proposed Retreat @ Timber Ridge PUD submittal represents a reduction in density from that previously reviewed by CGS. The site does not contain, nor is it exposed to, any identified geologic hazards that would preclude the proposed residential use and density. **CGS therefore has no objection to approval of the PUD as proposed. Noted.**

Entech's report contains a valid descriptions of the site's geology, surface and subsurface conditions and engineering properties, and potential development constraints. I agree that the site is suitable for the proposed development, provided Entech's recommendations are strictly adhered to regarding additional characterization and mitigation of: shallow groundwater and perched water; erosion, downslope creep and potentially unstable slope areas; artificial fill; loose, low density, potentially low strength and/or collapsible soils; and expansive soils and bedrock. Specifically:

Shallow groundwater and basement feasibility. Entech notes evidence of seasonally shallow groundwater at depths of 7 feet in November 2017 test pits 3 and 5, corresponding to the area of, at a minimum, proposed lots R-18 to R-23, and water was observed at 5 feet in test boring 2, located close to Sand Creek approximately behind currently proposed lots 147-148. Entech maps areas of seasonal shallow water (sw) and potential seasonal shallow water (psw) in many areas of the site, generally corresponding to Sand Creek and smaller drainages. It does not appear that there is a widespread shallow groundwater condition that would preclude full-depth basement construction on most proposed lots. Entech states (page 7), "Builders and planners should be cognizant of the potential for the occurrence of such subsurface water features during construction on-site and deal with each individual problem as necessary at the time of

construction." This *may* be a valid strategy for mitigating instances of thin, discontinuous water-bearing sand and gravel lenses and intermittent perched water conditions, but **additional investigation and analysis are recommended to confirm the feasibility of below-grade construction on lots where basements are proposed adjacent to Sand Creek and in Entech's observed shallow groundwater areas. Noted.**

Lowermost floor levels *must* be located at least three feet above maximum anticipated groundwater levels, to reduce the risk of water infiltration into below-grade spaces, and damp, mold-conducive conditions.

Full-depth basement construction should therefore not be allowed where shallowest seasonal water levels are less than about 11 feet below the ground surface (more if basement heights greater than 8 ft. are planned). Individual foundation perimeter drains are intended to handle small amounts of intermittent, perched water, and are *not* to be used to mitigate a persistent shallow groundwater condition.

Erosion setback. No lots appear to encroach on the mapped Sand Creek flood hazard zone. However, CGS recommends a conservative building setback from flood zone boundaries and Entech's mapped potentially unstable slopes (Entech's Figure 7) to reduce hazards associated not just with rising floodwaters but also erosion, scour, and local slope failures. The setback should be determined based on site-specific analysis of topography and soil erosion properties, and should be specifically identified on the plat as non-buildable. **Noted.**

Other geotechnical constraints. Entech provides appropriate mitigation strategies for use where artificial fill, loose, low density, potentially low strength and/or collapsible soils, and expansive soils and bedrock are present. Lot specific, design-level geotechnical investigations including drilling, sampling, lab testing and analysis will be needed, once building locations are identified, to determine groundwater levels, and to characterize soil and bedrock engineering properties such as density, strength, swell and consolidation potential, and bearing capacity at and below approximate foundation bearing depths. This information is needed to determine maximum bearing and minimum dead-load pressures, and to develop final design criteria for foundations, floor systems, pavements, and subsurface drainage. **Noted.**

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,
Jill Carlson, C.E.G.
Engineering Geologist

COLORADO STATE FOREST SERVICE

The Wildfire Hazard & Mitigation Report submitted for this project is sufficient to identify the wildfire hazards and provides sound recommendations to reduce those hazards.

If the report is followed by the developer and the future home owners, no other actions are necessary for final approval by the Colorado State Forest Service. **Noted.**

Respectfully,

Larry Long
District Forester
719/687-2921
larry.long@colostate.edu

ACADEMY DISTRICT 20

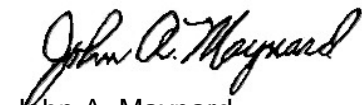
Academy School District has received information regarding the project referenced above from Lewis-Palmer School District 38. A portion of the proposed development is in Academy District 20 and not District 38.

Academy District 20 is requesting fees in lieu of land dedication for all residential development that is located in District 20 within the Retreat at Timber Ridge per existing El Paso County Code.

Noted.

Please contact our office if you need additional information.

Sincerely,

A handwritten signature in black ink, reading "John A. Maynard". The signature is written in a cursive, flowing style.

John A. Maynard
Planning Director