

February 15, 2022

Below is DPW comments to the latest submittal for PPR2133. DPW reviewed the updated *Letter of Intent*, the updated *Transportation Memorandum & Road Conditions Report*, and the *LSC Response to DPW Comments* document. The following five (5) items still require resolution with DPW comments and concerns outlined in blue below.

(1) – Pg 5 references the CDOT Access Permit Application “is attached.” This has not been provided and is required by the Development Agreement Item 3. Request developer to submit per agreement.

DPW Response: This form has been provided by the developer in Appendix B of *Gateway Trucking Trans Memorandum & Road Conditions Report* (dated 2 Feb 22). DPW has concerns with the *Total Count of Vehicles* (pg 1 of the provided CDOT Fm 137 in Appendix B). The form states 112 vehicles/day will utilize the access. Note, this does not align with the vehicle estimate from the new Transportation Memorandum. Moreover, DPW is not in agreement with this estimate which is outlined in our follow-up response to item (2).

(2) – Pg 12, 2nd paragraph states “LSC estimates that during peak season, when all 20 trucks are used for local projects, the site generates about 80 vehicle trips on the average weekday, with about half entering and half exiting the site during a 24-hr period.” Upon some cursory investigation via google maps satellite view, it appears the level of trucks/vehicles operating exceeds these estimates. Recommend developer and consultant provide and submit explanation on the attached satellite views.

DPW Response: In response to this concern, the developer and LSC reassert that the 80 vehicle trip estimate stands as accurate. The satellite views showing additional equipment was explained as additional equipment and not active trucks. DPW recommends with this yard currently active that actual data be used in the vehicle trip estimate. This can be accomplished through assimilation of actual trip data (if Gateway can provide) or by taking actual vehicle counts over a representative period (preferably by developer/LSC or if need be the County). Bottomline, both existing and maximum are presented as *estimates*. DPW asserts there is no need to give estimates if actuals are known and can be determined.

(3) – Pg 18, 4th bullet references a “geotechnical evaluation of the gravel roadway surface/structure is forthcoming.” Request developer provides a copy of this referenced Geotech evaluation.

DPW Response: Developer/LSC provided a surface assessment and a roadway/drainage condition in Appendix A and B respectively. Many assumptions were made from these assessments that factor into the cost estimate for upgrade of \$790,000. DPW requests the developer/LSC clearly defines this estimate, specifically what went into it and how that number was determined.

(4) – Pg 30, Section 9.1.1. *Short Term* provides recommendations for repair of deficiencies and cost estimate for “upgrade”, which correlates with the Developer requirement in Development Agreement Item 2.b). Request developer provides more detail and confirmation of infrastructure adequacy, as further mentioned on Pg 19-20, Section 6.3, 3rd bullet.

DPW Response: Response above to (3) addresses our remaining concern with determination of the cost estimate.

(5) – Pg 30, Section 9.1.2. *Long Term* provides proposed “applicant’s share” of 29%, which correlates with the Developer requirement in Development Agreement Item 2.c). Request developer resolves above item (2) and subsequently reevaluates or validates this proposed share.

With the developer reasserting the vehicle estimate of 80 veh/day as accurate, this 29% was determined by a simple division of estimated trips (numerator) “divided by” a maximum ADT estimate. DPW asserts that the “fair share” should not be based on solely predicted volume of total ADT. Majority of the vehicles operating on the Franceville Coalmine Road (beyond those generated by Gateway Trucking) are smaller POVs - - personally operated vehicles or cars/light trucks. Developer needs to propose a more accurate “fair share” given the effects of generated truck traffic. Proposing this share would decrease to 9% in the future with potential additional residential development, solidifies the need to address this “applicant share” beyond the terms of straight traffic numbers and a simple math equation.

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