



December 20, 2019

El Paso County
Development Services Department
2880 International Circle
Colorado Springs, CO 80910

Attn: Kari Parsons
Project Manager / Planner II

Re: *Sanctuary of Peace PUDSP-19-002 – Review 2*
MVE Project No. 61087

Dear Ms. Parsons:

M.V.E., Inc. has prepared the following response to comments contained in the EDARP system for Review #1. Revised submittal materials are enclosed as needed.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Planning

- **PUD Preliminary Plan Drawing redlines were received. The drawings have been revised to address the comments and the PUDSP checklist items as needed. Revised drawings are resubmitted through the County's EDARP system.**
- **The Letter of Intent redline was received. The document has been revised to address the comments as needed. The revised letter is resubmitted through the County's EDARP system.**
- **The PUD Modification Request redline was received. The document has been revised to address the comments as needed. The revised letter is resubmitted through the County's EDARP system.**

*Does the water report allocated usage include the 4 bedrooms within the community center? **yes, that is included.***

*Provide the locations of the wastewater systems; these should be in a stand alone tract or easement. How will homeowners obtain permission to address a personal home blockage? **Wastewater systems have been added to sheet 4. The applicant will provide an easement on the entirety of each tract to the HOA for ownership and maintenance of the wastewater systems. The HOA will maintain all portions of the wastewater systems which are located exterior to any unit and such is noted on sheet 1.***

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Provide the Cistern location and detail on the PUDSP Plan that the fire district is requiring. Identify in the notes who is maintain and installing the cistern Identify the cistern as an allowable use in the development standards. **The cistern location has been added to the plan and noted on sheet 1.**

Engineering

Final Drainage Report

1. *Resolved. :*
2. *Resolved*
3. *See electronic redline comments*
4. *Unresolved: Call out the existing and proposed grading for the proposed housing development. Grading for the proposed housing units south of the new road still needs to be identified on the plan. **As we discussed on the phone, the area south of the roadway is not to receive grading. The homes will be constructed on the site at the existing grades with excavation for residential foundations only.***
5. *Resolved.*

Letter of intent.

1. *Resolved, Deviations for ECM criteria for the proposed private road that will not be waived by the PUD SP will need to be submitted at the Final Plat stage of this project. **Noted.***
2. *The proposed private road requires a waiver in accordance with LDC Section 8.4.4.E. Certain design standards may be relaxed for private roads, subject to approval by the County. Standards subject to deviation under the waiver request may only include the following: **Included in Letter of Intent***
 - a. *reduction of right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities; **Included in Letter of Intent***
 - b. *reduction of design speed where it is unlikely the road will be needed for use by the general public; **Included in Letter of Intent***
 - c. *reduction in standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made; **Included in Letter of Intent***
 - d. *variation in maximum and minimum block lengths. **Included in Letter of Intent***
 - e. *maximum grade. **Included in Letter of Intent***

*Identify any deviations proposed. Any deviations from criteria not allowed under the waiver require a deviation request. The maintenance entity and funding mechanism needs to be addressed in the private road waiver request. **Included in Letter of Intent***

Grading and Erosion Control

1. *Resolved, new checklist reviewed comments provided on both the plan and the checklist. .*
2. *Resolved.*

3. *Partially resolved*
4. *Resolved*
5. *Redline comments provided on the plan..***Redline comments are addressed**

Associated submittals to accompany Grading and Erosion Control

1. *Partially resolved, please provide the following item per the July 2019 ECM updates.*
*Provide the new PBMP Applicability Form, which can be found at: **Provided***
<https://planningdevelopment.elpasoco.com/wp-content/uploads/Engineering/EngineeringDocuments/PBMP-Applicability-Form.docx>.
2. *Additionally, please note the following instructions that accompany the GEC and SWMP checklists, these checklists were reviewed and comments made. **Provided***
3. *Instructions: **Provided***
4. *Complete and upload the attached SWMP and GEC Checklist (from the recent update to the ECM). **Provided***

*GEC and SWMP Checklist instructions: **All Noted***

1. *The applicant shall insert into each box either of the following:*
 - a. *check mark or Y - this item has been addressed*
 - b. *N/A - This item does not apply to this project.*
2. *All checkboxes must be filled in. If necessary provide comments at the end of the checklist.*
3. *The review engineer will verify each item by inserting one of the following:*
 - a. *check mark or Y - This item has been adequately addressed or agree that it does not apply*
 - b. *N - This item has not been adequately addressed.*
4. *A copy of the checklist will be returned to the applicant.*
5. *The checklist will be required to be updated and returned with the resubmittal.*

• The engineering document redlines (Drainage Report, GEC Plans, SWMP, Soils & Geology Report, Traffic Memo, Checklists) were received. The documents was revised as required and the comments are discussed in the section below. Revised documents are resubmitted through the County's EDARP system.

*SWMP Checklist caveat: **Noted***

For "N/A". A statement or note is required specifying exactly why a checklist item is not applicable

Traffic Impact Study

1. *Unresolved, Awaiting comments from The Colorado Department of Transportation. Efforts have been made to contact CDOT and obtain comments. CDOT has not responded*
2. *Unresolved, the report identified both a site distance issue and a substandard roadway issue. The report needs to identify recommended improvements. Comments are addressed and a response letter is provided by LSC*

Development plan Preliminary plan

1. *Resolved.*
2. *One comment provided on the preliminary plan. Addressed*
3. *Unresolved, Applicant needs to clarify what the Waiver of LDC Section 8.4.4.E. does and what deviations to the ECM that will need to be processed in addition to the Waiver during the Final platting process. This needs to be clarified. Callout the deviations needed in support of the proposed waiver of the requirement to provide public streets. Provide details of the proposed private streets. Added table to cover sheet and road cross section.*
4. *Unresolved, Provide proposed contours of the housing development proposed the southern portion contours were not shown on the plan. Added existing contours as requested and we spoke regarding no grading is proposed on the south side of the roadway.*
5. *Resolved.*

Attachments/Electronic Files Addressed

1. *Drainage report redlines.*
2. *Grading and Erosion Control Plans redlines.*
3. *Financial Assurance estimate redlines*
4. *SWMP redlines*
5. *GEC SWMP checklist redlines*
6. *Traffic impact study redlines.*
7. *Preliminary Plan.*
8. *Engineering final submittals checklist.*

COUNTY ATTORNEY COMMENTS

1. You have submitted the template PDB-BMP Agreement that provides for Owner maintenance of the tract(s) upon which the detention facilities will be constructed. Your documents also indicate, however, that the intent is for the HOA to maintain them. If the applicant retains ownership of the tracts, then it is the applicant that will be responsible to the County for maintenance of the detention facilities, and it is the applicant that the County will look to for reimbursement if they aren't maintained and the County has to come in and do some repair work. If the applicant wishes the HOA to be responsible to the County, then the detention pond tracts must ultimately be conveyed to the HOA, and the Owner-HOA template

*Agreement must be used. Please confirm which approach you wish to take. The Agreement currently submitted has not yet been reviewed in detail. **The Tracts will be owned by Applicant. The Applicant will sign the PDB-BMP Agreement and be responsible to the County.***

- 2. I do not recommend the form of emergency access agreement you have submitted. They make no provision for construction and maintenance of improvements. They also grant the general public access to the easement area, thus granting the public certain rights on the burdened properties. - **The easement agreements have been modified, executed and recorded. The easements are included in the new submittal.***

BLACK FOREST LAND USE COMMITTEE

The Black Forest Land Use Committee has reviewed this proposal and has coordinated with NEPCO regarding inputs to PCD since the proposed development is in the Tri-Lakes Comprehensive Plan. If this development were in the Black Forest planning area, 26 homes would be more than permitted on A-5 and RR-5 zoned property. However, many of the conservation efforts in this proposal reduce the impact to the point where the 26 homes would be very close to the impact of individual homes on larger acreages and even less considering that 46 acres of forest will remain undeveloped. The Land Use Committee does not see this as setting a precedent for more dense development but rather a rational view of the extreme conservation efforts of the Benet Hill Monastery.

*The Land Use Committee would like to recommend that a deed restriction be recorded by the Benet Hill Monastery that would prohibit any further development on this 50-acre parcel as a legal protection for the remaining 46 acres.- **The owners are committed to preparing a residential community that has limited impact where the residents can enjoy in close proximity the preserved areas the natural environment within the site. Out of respect for the land and desire to maintain the beauty they recognize, the owners they have taken steps to make the future proposal of changes to site very difficult. Furthermore, any future land development proposals put forth would be subject to approval according to the Land Development Code in the same manner as any other parcel in the County.***

NEPCO

- 1. We are pleased that Benet Hill Monastery has continued to work with neighbors, the local community, and El Paso County Planning to ensure all concerns are satisfied. **Noted.***
- 2. The tradeoff between a zoning change from RR-5 to PUD small lots seems reasonable in order to conserve the huge open space surrounding a small residential footprint. **Noted.***
- 3. The Traffic Impact Study does concern us in raising a long-term LOS from D to E, especially for more senior drivers who are turning onto Highway 83 from Benet Lane. In addition, this study contains an error regarding the Trip Generation edition used for the report (see Page 3 versus Table 5). **Noted.***

EL PASO COUNTY PUBLIC HEALTH DEPARTMENT

*The proposed development will have an onsite well and water treatment facility. The water system must meet the design criteria, rules and regulations of the Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division (WQCD) for a community water system. **Noted.***

- *There isn't a finding for sufficiency in terms of water quality for drinking water for this proposed development currently. No samples have been submitted to El Paso County Public Health for review. Samples may be taken from a surrounding well meeting the requirements outlined in Chapter 8 of the El Paso County Land Development Code, or from the proposed new well. If the new well is sampled for the El Paso County water quality sufficiency finding, then it is recommended to coordinate this process with CDPHE to possibly minimize duplicating the sampling process. **Water Quality testing data has been added to the Water Resources Report.***
- *Wastewater treatment for the development is proposed to be by high-level treatment, onsite wastewater treatment systems (OWTS) and Water Quality Policy #6 established by the WQCD for locating multiple systems on one lot. A 12Sept2019 OWTS – Site Evaluation for Sanctuary of Peace, Filing No. 1, Project No. 61087 Report, submitted by MVE, Inc., and a 285 Engineering OWTS Design Report dated 18June2018, were reviewed that explain the wastewater plan in detail. Details included in the report are:*
 - o *Explanation of the relationship between the separate ownerships of the Sanctuary of Peace property (southern property) and the Benet Hill Monastery property (northern property).*
 - o *The clustered lots layout for the proposed 26-residential lots and 1-community club house lot with 4-bedrooms.*
 - o *The well and OWTS locations and the corresponding zones of influencing mapping showing how minimum setbacks from various OWTS and water system components will be maintained.*
 - o *Detailed wastewater flow calculations and treatment processes.*
 - o *Soil tests locations and results completed on the site.*
- *Note: The 285 Engineering, 18June2018, OWTS design shows the proposed well zone of influence circle with a radius of 50', but must be 100' minimum, and 8' of additional distance for each 100 gallons of wastewater flow over 1,000 gallons; therefore, the radius for the proposed well must be 140' from the zone of influence from the closest soil treatment area (appears to be soil treatment area 3). **200 ft zone of influence around each soil treatment area is shown on the plans. The well is outside the zone of influence.***
- *Each of the 4 OWTS's proposed must have a new permit from El Paso County Public Health. **Noted.***
- *Earthmoving activity in excess of one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/constructionactivity-application> for more information. Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to: <https://www.colorado.gov/pacific/cdphe/general-air-permits> **Noted.***
- *Radon resistant construction building techniques/practices are encouraged in this area. The EPA has determined that Colorado, and specifically the El Paso County area, have higher radon levels than other areas of the country. **Noted.***

Please review the attached revised submittal materials and contact us if there are any questions.

Very truly yours,

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Sanctuary of Peace PUDSP-19-002 - Review 2

December 20, 2019

Page 7

M.V.E., Inc.

A handwritten signature in black ink, appearing to read "David R. Gorman", is written over a light gray rectangular background.

David R. Gorman, P.E.

DRG:cwg

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