

December 14, 2017

Nina Ruiz,
Planner II
El Paso County Planning & Community Development,
2880 International Circle, Suite 110,
Colorado Springs,
CO 80910

Dear Ms. Ruiz:

RE: Claremont Commercial Filing No.2, Preliminary Plan, SP-17-004 - 1st Review Response

This letter responds to your May 8, 2017 review letter relating to the above referenced project. Responses to review comments are shown in **red** below.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Please see redlines. **Redlines addressed.**
2. The item cannot be scheduled for hearing until a recommendation of sufficiency from the State Water Engineer and County Attorney has been made. **Noted.**

Engineering Division

See Redlines. **Redlines addressed and responses attached to EDARP.**

EL PASO COUNTY PUBLIC HEALTH

Please accept the following comments from El Paso County Public Health regarding the project referenced above:

- 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 central water supply. The water system is assigned the PWSID# CO-0121125 from the Colorado Department of Public Health and Environment.
- There is sufficient wastewater treatment capacity at the Cherokee Water and Sanitation District wastewater treatment facility to treat the projected wastewater flows from this proposed 13.72 acre 16 lot commercial development project.

- The graded site must have a current El Paso County Public Health, Construction Activity Permit. Go to <http://www.elpasocountyhealth.org/service/air-quality> for information on your permit status, or to renew the permit.
- Mosquito control must be included in the maintenance agreement of the detention pond planned for Tract A.
- 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.
- El Paso County Public Health requires interior finish plans to be submitted for review and approval if the operation is an El Paso County Public Health regulated facility such as a retail food establishment, auto body paint shop, or other such facility.

Comments noted.

COMMUNITY SERVICES DEPARTMENT

Environmental

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.

We have reviewed the submittal and have no comments at this time.

The applicant is hereby on notice that the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service have regulatory jurisdiction over wetland and threatened and endangered species issues, respectively. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable county, state, and federal laws and regulations, including, but not limited to, the Clean Water Act, Endangered Species Act, Migratory Bird Treaty Act, Colorado Noxious Weed Act and El Paso County Weed Management Plan.

Comments noted.

Parks

The El Paso County Parks Master Plan (2013) shows no open space, park facilities, or trails intersected by or within the project area. The project site is located on the northwest side of Highway 24 East, at the intersection of Marksheffel Road. The proposed Marksheffel Road Bicycle Route is located adjacent to the property. A dedicated public right-of-way already exists along the aforementioned bicycle route, so no easement requests are necessary at that location; however, the applicant is advised that multi-modal transportation options will be developed within the rights-of-way in the future.

Parks recommends that the applicant consult the City of Colorado Springs Parks staff, since the City is actively working on potential trail connections in this area. Dave Dietemeyer would be a good contact there.

The Board of County Commissioners has not elected to require park fees for commercial subdivisions, so none are recommended at this time.

These comments are being provided administratively, as this application does not require Park Advisory Board consideration.

Comments noted.

COLORADO SPRINGS UTILITIES

Utility Comments (electric, gas, water, wastewater)

Action Items:

Preliminary Plat Comments:

1. The existing underground electrical line traversing through proposed Lots 9, 10, 11, 12, 13, 14 and Tract A will need a 20ft easement (10ft on both sides of the electric utility line). **Easements added as requested**
2. Each lot requires a 5ft side-lot easement and a 7ft rear-lot easement. Please call out/label accordingly. **Easements added as requested**
3. Lots that border a street 50ft or less in width (i.e. El Jefe Lane, Mogul Drive, and Rey Pez Street) require a front lot easement of 5ft on the street side of the lot. **Easements added as requested**
4. Ensure that all structures, to include retaining walls, are a minimum of 15ft away from existing utility lines. This may require adjustment of site grading. **Easements have been added and revisions to the pond have made to ensure that existing utilities are protected.**
5. If Tract A will potentially be used for private utility lines in the future, recommend including language regarding Tract A being open for private utility use in the Notes section. **Added**
6. Please include the party who will maintain Tract A in the Notes section, Item #5. **Added**
7. Once required easements or any proposed easements have been included please insert the following statement in the notes section in order to be granted an easement-by-plat:
 - a. "All easements that are dedicated hereon for public utility purposes shall be subject to those terms and conditions as specified in the instrument recorded at Reception Number 212112548 of the records of El Paso County, Colorado." **Added.**

Information Items:

1. Please contact Utilities Development Services (UDS) for an estimate of development charges, fees, Recovery Agreement Charges or other utility related costs that may apply to this development (719-668-8111).
 - o In instances where metered water and/or wastewater connections existed on the property, please contact UDS to discuss distribution of Water and/or Wastewater Development Charges to eligible lots.

2. When new water meters are proposed to serve the project or additional demand added to existing water meters, a [Commercial Water Meter Sizing Form](#) will be required to be submitted to Springs Utilities prior to Service Contract issuance and plan set approval.
3. Springs Utilities requires an Application for Gas and Electric Line Extension to be submitted along with a Load Data form or an Application for Gas Service Line Approval and/or Application for Elevated Pressure Approval prior to electric and natural gas system design for service to the project. Refer to the [Springs Utilities Line Extension and Service Standards](#) or contact Field Engineering at 719-668-4985.
4. Springs Utilities may require an extension contract and payment of contributions-in-aid of construction (or a Revenue Guarantee Contract) for the extension of electric facilities needed to serve the development. With regard to natural gas extensions, Springs Utilities may require an extension contract and advance payment for the estimated costs to construct the necessary gas extensions.
5. Improvements, structures and trees must not be located directly over or within 6 feet of any underground gas or electric distribution facilities and shall not violate any provision of the National Electric Safety Code (NESC) or any applicable natural gas regulations or Springs Utilities' policies.
6. Improvements, structures and trees shall not be located under any overhead utility facility, shall not violate NESC clearances, and shall not impair access or the ability to maintain utility facilities.
7. Landscaping shall be designed to provide the required clearances for utility facilities, to allow continuous access for utility equipment, and to minimize conflicts with such facilities.
8. Springs Utilities requires wastewater and water construction drawings when new wastewater and water facilities are proposed. Plans can be submitted electronically to UDS via www.csu.org.

Noted.

PIKES PEAK REGIONAL BUILDING DEPARTMENT

1. Is there an intent for how many buildings per lot? This will affect addressing tremendously. Please give us all the information you can so move forward with the addressing. **One building per lot. Addresses will be requested at Final Plat.**
2. The list of approved street names has been sent to Enumerations.

STANDARD DP COMMENTS: For tract and lot addressing place (xxxx) where they intend to be utilized. Contact Enumerations for addressing. Amy@pprbd.org or Brent@pprbd.org

MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.

A portion of this commercial property is within MVEA certificated service area. MVEA will serve this area according to our existing extension policy. Connection requirements may include provisions for necessary line extensions and or other system improvements, and payment of all fees under MVEA line extension policy. Information concerning these requirements can be obtained by contacting the Engineering Department of MVEA.

MVEA will require utility easements determined necessary by MVEA to install new facilities and for relocation of existing facilities that are currently in place. The expense of relocation of existing electric facilities will be at the expense of the applicant. MVEA requests platting of existing MVEA facilities with easement on the plat.

Comments noted.

COLORADO SPRINGS AIRPORT

Airport staff recommends **no objection** with the following conditions:

- An Airport Activity Notice and Disclosure or Avigation Easement is requested or provide proof of previous recording (book/page or reception number).
- Based on elevation data contained in the submittal, the Airport requests that the applicant file Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" for any new vertical 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>).
- 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 (commercial/industrial) appears to be permissible in the APZ-2 subzone.
- The development is within the ADNL Airport Noise subzone of the Commercial Airport Overlay District, as adopted by El Paso County. The proposed use appears to be compatible within the 65 DNL noise contour; however, if any portion of the proposed structure will be used as an office, the applicant should demonstrate intent to comply with the indoor noise reduction requirement outlined in Section 4.3.1 of the El Paso County Land Development Code.

Comments noted.

COLORADO PARKS AND WILDLIFE

Colorado Parks and Wildlife (CPW) is in receipt of the above referenced permit application and is familiar with the site. Based both on the location and type of action that has been taken CPW believes impacts to the wildlife resource to be negligible. We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager, Benjamin Meier, should you have any questions or require additional information at 719-227- 5231 or via email at benjamin.meier@state.co.us.

Comments noted.

The requested copies of all resubmittal documents have been uploaded to EDARP. If you have any questions, please contact me at 719.471.0073 or abarlow@nescolorado.com.

Sincerely,



Andrea Barlow, AICP

Principal

N.E.S. Inc.