

February 9, 2018

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 – 2<sup>nd</sup> Review Response**

This letter responds to your January 16<sup>th</sup>, 2018 review letter relating to the above referenced project. Responses to review comments are shown in red below.

**EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT**

**Planning Division**

Preliminary Plan:

1. Please add the anticipated provider for water, sanitation, gas and electric. **Added.**
2. Please review the landscaping requirements found in Chapter 6 of the Land Development Code and amend the Meadowbrook Pkwy requirement. **As subsequently discussed, the Meadowbrook Parkway is an Non-Residential Collector and the identified 10' landscape setback is as required by the LDC.**

**Engineering Division**

Comment 1:

Comments resolved for the Preliminary Grading and Erosion Control Plan (GEC). Be advised: With the Final Plat the Grading and Erosion Control Plan shall be a standalone set with cover sheet and include all items listed in the GEC checklist in Appendix E of the ECM. The standalone GEC associated with the final plat shall include full construction details of the temporary and permanent BMPs. **Noted.**

Comment 2:

Redline comments on the following documents will be uploaded by the Project Manager: - Drainage Report - Traffic Study - Preliminary Plan Deviation Request is pending County Engineer's determination.

1. Show the Line of Sight at both intersections. If the line of sight crosses onto private property, a "Sight Distance Easement" shall be dedicated to provide the required sight distance. The easement shall be dedicated to the County. Maintenance of a sight distance easement shall be the responsibility of the property owner or the association unless otherwise approved by the County. See Table 2-21 of the ECM for Intersection Sight Distance criteria. **Added.**
2. Double check the Frontage of Lot 5 and 8 and whether or not there is sufficient access spacing from the curb return to the potential future driveway. See ECM Section 2.4.1.F.2. **The required 50 feet spacing on a local road to future driveway is available.**
3. Per ECM 2.3.3.F.3, A minimum 200' tangent length is required to separate all broken back curves.  
Unresolved. Revise or submit a deviation request. **Deviation request submitted.**
4. Provide a pedestrian ramp across Mogul Drive at the T-intersections. **Addressed.**
5. Add street name to both proposed and existing roads. **Added.**
6. Show and callout the proposed striping along Meadowbrook Parkway.  
Unresolved. **Added.**
7. Add and Highway 24 to note 7.  
Unresolved. **Added.**
8. Freeze proposed contours on the prelim plan for clarity. These are presented on the preliminary grading and erosion control plan (sheet 2 of 2). **Removed.**
9. On Urban cross section revise 5' Utility Easement and also note as Public Improvements Easement Granted to El Paso County. **Revised.**
10. Show the ABC and label the top as HMA on urban cross section detail. **Revised.**
11. Urban Cross section detail should Identify the sidewalk thickness. Per resolution 16-446 it stated: "Sidewalks within all other developments not located within the RS-5000 or RS-6000 zoning districts or within a PUD may be designed and constructed to a thickness of five inches (5") but may, at the developer's discretion, be reduced to a thickness no less than four inches (4"). **Revised.**
12. Be advice: The geotech report associated with the subsequent final plat application shall provide recommendations regarding the pond embankment structure. Whether on-site material is suitable as fill. See DCM 11.3.3. **Noted.**

#### **EL PASO COUNTY ATTONERY'S OFFICE**

Comment: District letter providing quantitative commitment will be needed.  
SEO letter still needed.

**Noted. A request has been made to the County that a finding of water sufficiency for this project be deferred to the approval of the first Final Plat at which time such a finding is a requirement.**

#### **EL PASO/TELLER COUNTY 911**

No action is needed for 911. All road names have been reserved. **Noted.**

#### **COMMUNITY SERVICES DEPARTMENT**

##### **Environmental**

The Environmental Division has no comment. **Noted.**

#### **COLORADO SPRINGS UTILITIES**

No further comments – Recommend Approval. **Noted.**

**PIKES PEAK REGIONAL BUILDING DEPARTMENT**

Regarding a request for approval of a preliminary plan for Claremont Commercial Filing No. 2, Enumerations has the following comments:

1. Per Regional Building Code section RBC312.8, addresses must appear on plats. Provide Enumerations with a large format copy of this development for addressing. Indicate with (xxxx), all locations where an address will be required. **This is not a Final Plat.**
2. All street names for this project have been approved. Show street names on the plan. **Added.**
3. Prior to recording, Enumerations will review the mylar for addressing, street names, title block and floodplain statement. An Enumerations fee of \$10 per lot/tract addressed will be due at that time. **Noted.**
4. Provide Enumerations a copy of the final recorded plat for our records. Enumerations will not approve any building plans submitted for this development without a copy of the final recorded plat in our records. **Noted.**

Floodplain has no comment of objection to this submittal. **Noted.**

**MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.**

Thank you for the opportunity to review the plans and comments for Claremont Commercial, Filing #2. Cathy Hansen-Lee Mountain View Electric Association **Noted.**

**COLORADO SPRINGS AIRPORT**

Airport staff has no additional comments beyond those provided in our original review of this item. **Noted.**

**CENTRAL MARKSHEFFEL METROPOLITAN DISTRICT**

Comment: In response to the proposed site for the Central Marksheffel Metropolitan District, the proposed does fall into the District and is subject to District Fees and Mill Levies. **Noted.**

**CHEROKEE METRO DISTRICT**

This development is within our District service boundary. N.E.S., Inc. has been notified about our development process that they will have to go through. **Noted.**

This development is within the service boundary of the Cherokee Metropolitan District. The District is awaiting the return of the development application so that the submittal review process may proceed. **This is a Preliminary Plan only and a development application will be submitted when water connection is required.**

**CENTRAL CO CONSERVATION DISTRICT**

The board of directors and District Conservationist have no comments at this time. **Noted.**

The Central Colorado Conservation District have no comments at this time. **Noted.**

**COLORADO DIVISION OF WATER RESOURCES**

We have received a referral concerning the above-referenced proposal to divide a 13.72 +/- acre tract of land into 16 lots. According to the submittal, the tract of land is described as Tract C, Claremont Business Park Filing No. 2, for which this office provided comments dated July 20, 2006, attached. Additionally, it appears this parcel was later included in Claremont Business Park Filing No. 3, which was proposed as a replat of Tract C, Claremont Business Park Filing No. 2 and Lot 2, Claremont Business Park Filing 1A, for which this office provided comments dated November 24, 2009, attached. The proposed supply of water and wastewater disposal is to be served by the Cherokee Metropolitan District (“Cherokee”).

**COLORADO DIVISION OF WATER RESOURCES**

Pursuant to this office's letter dated May 12, 2017, "Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Claremont Commercial Subdivision No. 2 cannot be provided without causing injury to decreed water rights until a firm letter of commitment is provided by Cherokee which quantifies the amount of water Cherokee has committed to serve the proposed development. Additionally, should the water supply include a portion of the 58 acre-feet of Kane Water Right served by Cherokee for use in Claremont Business Park Filing Nos. 2 and 3, the letter of commitment from Cherokee must specify how the 58 acre-feet of Kane Water Right is allocated. According to this office’s records, it appears that Cherokee has adequate water resources to serve the estimated demand of 3.65 acre-feet/year for the proposed development." Per review by this office, it does not appear the submittal contains a firm letter of commitment from Cherokee, nor does it appear the submittal contains information concerning whether the water supply includes a portion of the 58 acre-feet of Kane Water Right served by Cherokee for use in Claremont Business Park Filing Nos. 2 and 3; therefore, the comments provided by this office in the letter dated May 12, 2017 are still applicable.

**WATER SUPPLY DEMAND**

The Water Supply Information Summary, Form No. GWS-76, and the Water/Wastewater Report dated April 2017 included with the submittal provide an estimated demand 3.65 acre-feet/year as shown in the table, below.

Use	Amount (square feet)	Water Use Rate (gallons/day/acre)	Demand (acre-feet/year)
Commercial Space	27,207	2,000	1.4
Irrigation	70,654	200	0.36
Industrial/Warehouse	49,083	1,500	1.89
Total			3.65

It should be noted that standard water use rate, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, for lawn and garden irrigation is 0.05 acre- foot per year for each 1,000 square feet (1,944 gallons/day/acre), which is significantly higher than the water use rate used for irrigation in the Applicant’s estimate.

**SOURCE OF WATER SUPPLY**

The proposed source of water is to be served by Cherokee and a January 26, 2017 letter from Cherokee was included with the submittal. As stated in the letter:

*In conclusion this is an Intent to Serve Letter, which provides you reasonable information on the District's facilities, water supplies, treatment capabilities and general ability to serve. However a Quantitative Commitment letter, required for final platting, will be provided once a water and sewer demand allocations are provide to the District.*

According to this office's records, it appears that Cherokee has adequate water resources to serve the estimated demand of 3.65 acre-feet/year for the proposed development.

### **Additional Comments**

The application materials indicate that the project will collect storm flows in an onsite drainage pond in the southwest corner of the development. The Applicant should be aware that, unless the proposed improvements to the existing storm water structure can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, available on DWR's website at:

<http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>,

to ensure that notice, construction and operation of the proposed structure meets statutory and administrative requirements.

### **STATE ENGINEERS OFFICE OPINION**

Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Claremont Commercial Subdivision No. 2 **cannot** be provided without causing injury to decreed water rights until a firm letter of commitment is provided by Cherokee which quantifies the amount of water Cherokee has committed to serve the proposed development. Additionally, should the water supply include a portion of the 58 acre-feet of Kane Water Right served by Cherokee for use in Claremont Business Park Filing Nos. 2 and 3, the letter of commitment from Cherokee must specify how the 58 acre-feet of Kane Water Right is allocated. According to this office's records, it appears that Cherokee has adequate water resources to serve the estimated demand of 3.65 acre-feet/year for the proposed development.

**Noted. A request has been made to the County that a finding of water sufficiency for this project be deferred to the approval of the first Final Plat at which time such a finding is a requirement.**

### **CIMARRON HILLS FIRE DISTRICT**

The Cimarron Hills Fire Protection District (CHFPD) has reviewed the proposed development projections. This future development lies west of N. Marksheffel Road, between Hwy 24 and Meadowbrook Pkwy, which is within the boundaries of the CHFPD. We acknowledge that the intended use of the 13.72 acre property is for a mix of commercial and industrial development.

We acknowledge that the emergency services you have requested from the CHFPD will be provided from our full-time staffed facilities, with the closest located on Peterson Road, approximately 2.8 miles away.

Our services will include emergency and non-emergency response, public prevention and education efforts, and code compliance inspections with plan review. We sincerely look forward to providing our services to this new community. **Noted.**

## **COLORADO GEOLOGICAL SURVEY**

Colorado Geological Survey has reviewed the Claremont Commercial Filing No. 2 preliminary plan referral. I understand the applicant proposes 16 commercial/industrial lots on 13.72 acres located southwest of the intersection of Marksheffel Road and Meadowbrook Parkway. With this referral, we received a Letter of Intent (N.E.S. Inc., March 2017), a vicinity map, Preliminary Plan sheet 1 (N.E.S., February 8, 2017), and a Preliminary Subsurface Soil Investigation, Meadowbrook Parkway and Marksheffel Road (Entech Engineering, Inc., September 12, 2016).

Page 8 of Entech's report is missing.

The site does not contain steep slopes and is not undermined. East Fork Sand Creek is located on the opposite side of Meadowbrook Parkway. The site does not contain, nor is it exposed to, any geologic hazards that would preclude the proposed commercial/industrial uses and density.

Entech's report contains a valid description of surface and subsurface conditions, soil engineering properties, and potential development constraints, and makes appropriate *preliminary* recommendations regarding subgrade preparation, including removal and recompaction of any loose soils and, if suitable for reuse, uncontrolled fill, foundations and floor slabs, and grading and surface drainage.

CGS agrees with Entech's recommendations for additional investigations once building locations are finalized (page 4), and subgrade preparation observation and foundation excavation inspection (page 7.)

**Provided Entech's recommendations are strictly adhered to, CGS has no objection to approval of the preliminary plan as proposed. Noted.**

## **COLORADO DEPARTMENT OF TRANSPORTATION-PUEBLO OFFICE**

I am in receipt of a referral request for the subject planned preliminary plan. CDOT understands the Claremont Commercial Filing No. 2 is located southwest of the intersection of Marksheffel Road and Meadowbrook Parkway. The site comprises approximately 13.72 acres of vacant land that has been graded and has two existing curb cuts onto Meadowbrook Parkway. A retaining wall has been constructed along the southern half of the east boundary adjacent to the Marksheffel Road and Highway 24 intersection. CDOT's comments are as follows;

- The Region 2 Traffic Unit has reviewed the March 2017 Claremont Commercial Filing No. 2 Letter of Intent by N.E.S. Inc. the February 8, 2017 Traffic Impact Study from LSC Transportation Consultants, Inc., and notes the proposed development is not expected to have a significant impact on the State Highway System. **Noted.**

However, the Preliminary Plan has not defined specific development, therefore, CDOT requests a review of any succeeding developments for this area. **Noted.**

However,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Todd Ausbun at (719) 696-1403 for any questions regarding advertising devices. **Noted.**

- Any utility work within the state highway right-of-way will require a utility permit from CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Ausbun. **Noted.**

#### **911 AUTHORITY –ELPASO /TELLER COUNTY**

All street names previously approved. **Noted.**

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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](mailto:abarlow@nescolorado.com).

Sincerely,



**Andrea Barlow, AICP**  
Principal  
N.E.S. Inc.