

April 5 2018

Attn: Nina Ruiz, Planner II

Re: Responses to Re-Zone comment letter for PCD Project No. SP-17-011

Dear Nina,

Following, please find our responses to the Re-Zone comments as provided by you in December 2017.

Our responses can be found in following each comment and are provided in *'green italics'* for ease of re-review.

EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

Current Planning

Comment 1:

Notification

1. The adjacent property owner notification certified stubs do not indicate who the letters were mailed to. We have no way to verify the letters were mailed to the persons listed on the spreadsheet. Please provide certified stubs that are completely filled out with the names and addresses.

Response: A copy of the certified mailing stubs with owner information is included with this response letter. One letter was returned as undeliverable with no forwarding address.

Letter of Intent

1. Revise to include specific citations from the small area plan and policy plan with an analysis of how those citations demonstrate consistency.

Response: The Letter of Intent has been updated as requested.

Comment 2:

Attachment: Comment_P-17-015_2.pdf

Please review the rezone map checklist and add all items required.

Response: The checklist was reviewed and the rezone map was revised for compliance.

Comment 3:

1. Additional redlines and comments will be provided by engineering staff.

Response: Additional redline comments have been addressed as noted.

Engineering Division

Redline comments to the traffic impact study will be uploaded by the project manager

Response: OK. Noted.

ELPASO COUNTY CONSERVATION DIST

The El Paso County Conservation District and the District Conservationist have no comments at this time. Thank you

Response: OK. Noted.

MOUNTAIN VIEW ELECTRIC ASSOCIATION INC

Mountain View Electric Association, Inc. (MVEA) has these comments about the following:

Project Name: Judge Orr Ranchettes Rezone

Project Number: P-17-015

Description: John Jennings is requesting approval to rezone an approximately 40 acre parcel from A-35 (Agricultural) to RR-5 (Rural Residential). This parcel is located north of Judge Orr Road and west of Stapleton Drive is Section 33, Township 12 South, Range 64 West.

This area is within MVEA certificated service area. MVEA continues to serve this area according to our extension policy. Information concerning service under MVEA policy can be obtained by contacting the Engineering Department of MVEA. MVEA has existing facilities near this parcel of land. If there is any removal or relocation of facilities it will be at the expense of the applicant.

MVEA has no objection to the rezone of this parcel.

Sincerely,

Cathy Hansen-Lee

Engineering Administrative Assistant

Response: OK. Noted.

**ELPASO COUNTY COMMUNITY SERVICES DEPARTMENT
ENVIRONMENTAL**

The El Paso County Environmental Division has completed its review of the above 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.

We appreciate the opportunity to comment on this project. If you have any questions or concerns, please contact me at (719) 520-7879.

Response: OK. Noted.

FALCON FIRE PROTECTION DISTRICT

Falcon Fire has reviewed this request for a Rezone from A-35 to RR-5 and supports this request. Chief Harwig

Response: OK. Noted.

ELPASO COUNTY PARKS DEPARTMENT

The Planning Division of the Community Services Department has reviewed the development application for Judge Orr Ranchettes Preliminary Plan and Final Plat and has the following comments of behalf of El Paso County Parks. This application will be presented to the Park Advisory Board on December 13, 2017.

The Judge Orr Ranchettes Preliminary Plan and Final Plat consists of 7 single-family residential lots on 40.67 acres. The site is located west of the intersection of Judge Orr Road and Stapleton Drive, northeast of Meadow Lake Airport. Although zoned currently as A-35, the applicant is seeking concurrently a zoning reclassification to RR-5.

The El Paso County Parks Master Plan (2013) shows the proposed Judge Orr Road Bicycle Route running adjacent to the project area, along Judge Orr Road, which forms southern boundary of the property, as well as the proposed Curtis Road Bicycle Route, which runs along Stapleton Drive adjacent to the property's eastern boundary. These proposed bicycle routes will be constructed and maintained within the dedicated public right-of-ways, so no easement requests are necessary for either route. The applicant is advised that multi-modal transportation options will be developed within the right-of-ways in the future.

Response: OK. Noted.

As no park land dedication or trail easements are necessary, El Paso County Parks staff recommends fees in lieu of land dedication for regional park purposes.

Response: OK. Noted.

*Recommended Motion: Preliminary Plan

Recommend to the Planning Commission and Board of County Commissioners that approval of the Judge Orr Ranchettes Preliminary Plan include the following condition: Require fees in lieu of land dedication for regional park purposes in the amount of \$2,849.

Response: OK. Noted.

*Recommended Motion: Final Plat

Recommend to the Planning Commission and Board of County Commissioners that approval of the Judge Orr Ranchettes Final Plat include the following condition: Require fees in lieu of land dedication for regional park purposes in the amount of \$2,849.

Response: OK. Noted.

Please let me know if you have any questions or concerns. Sincerely,
Ross A. Williams Park Planner Planning Division
Community Services Department rosswilliams@elpasoco.com

ELPASO COUNTY HEALTH DEPARTMENT

Judge Orr Ranchettes, Rezone, Preliminary Plan, Final Plat, P-17-015, SP-17-011, SF-17-021

Please accept the following comments from El Paso County Public Health (EPCPH) regarding the 40.67 acre, 7 residential lot development project referenced above:

- Water service for the development will be provided by individual private wells, and wastewater service will be provided by onsite wastewater treatment systems (OWTS).

Response: OK. Noted.

- El Paso County Public Health cannot find for sufficiency in terms of water quality at this time. The sample report required water quality parameters has not been submitted for review and approval. The final plat cannot be approved until a finding for water quality sufficiency has been reviewed and approved by El Paso County Public Health.

Response: OK. Noted.

- The Entech Engineering Soil, Geology, Geologic Hazard, and Wastewater Study Report dated 24April2017 was reviewed to determine OWTS suitability for the site. Based on the report the site is found suitable for OWTS installations. Most OWTS's on the site will likely require a professional engineer design due to soil conditions and shallow groundwater.

Response: OK. Noted.

- Careful planning is required when locating private wells and OWTS's on lots 5 and 4 because of the flood plain (no-build area) impact on lot 5 and the narrow shape of adjoining lot 4.

Response: OK. Noted.

- El Paso County Public Health encourages planned walk-ability of residential communities. Please consider appropriate connections to commercial areas through the use of sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.

Response: OK. Noted.

- Earthmoving activities 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 the El Paso County Public Health site <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for the link to the Colorado Department of Public Health and Environment, Air Pollution Control Division, for the permit application.

Response: OK. Noted.

Mike McCarthy, R.E.H.S.

El Paso County Public Health mikemccarthy@elpasoco.com 719-575-8602

15Dec2017

Comments received from any of the non-responding agencies following the issuance of this letter will be forwarded to the applicant/applicant's representative and will be added to the end of this letter for record keeping purposes.

Response: OK. Noted. As of the date of this response letter no additional comments were received from County Planning Dept.

Due to the number of comments and necessary revisions to the plan(s) an additional detailed review will be necessary. Please address the comments as listed above. A detailed letter needs to accompany the revisions to allow for an

expeditious re-review timeframe. The letter should include each comment listed above and, immediately thereafter, include a response from the applicant addressing the comment.

If any review agency has an issue that needs resolution or requires a revision, you will need to provide the necessary documents, drawings, etc., to the Planning and Community Development Department in the form of a resubmittal. The Planning and Community Development Department will then forward the resubmitted items directly to the appropriate review agency. If you have any questions pertaining to specific agency comments please contact the appropriate agency directly.

PLEASE NOTE: The application cannot be scheduled for public hearing until and unless a final response has been received by Planning and Community Development from those agencies that are required (pursuant to state statute and the El Paso County Land Development Code) to provide such response (i.e.- State Engineer's Office, County Attorney's Office, County Health Department, etc).

Response: OK. Noted.

This concludes our responses to the comments in this letter and related corrections have been made to the plan drawing/s.

Copies of the corrected documents are included in this re-submittal as noted in the **resubmittal matrix**.

If you have any questions feel free to contact me at (719) 426-2124.

Best Regards,

David Mijares, P.E.
President – Catamount Engineering