Re-submittal Form

Case Name/ Number: PRC2020-00012

Case Manager: Maggie Barringer

Re-submitted Items:

- [x] Development Plan/ Site Plan
- [x] Plat
- [ ] Parking/ Landscape Plan
- [x] Engineering Documents
- [ ] Subdivision Improvements Agreement
- [ ] Other: __Response Comments__

* All re-submittals must have this cover sheet and a cover letter addressing review comments.

Please note the re-submittal review period is 21 days.

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: Addressing, Building Safety, Neighborhood Services, Engineering, Environmental, Parks, Planner, ROW, SIA – Finance, SIA – Attorney
**PLN1:** The subject property is located at parcel numbers 0157302000060, the address is 2121 Highway 7 and the property is currently zoned Agricultural-3 (A-3).
(Response) – correct.

**PLN2:** Request: To rezone the property from A-3 to A-1 and to subdivide one parcel into two parcels.
(Response) – correct.

**PLN3:** In the A-1 zone district, the minimum lot size is 2.5 acres and the minimum lot width is 150 feet. The lot width is measured at the front setback line. Please edit the plat to show this measurement.
(Response) – see updated Plat.

**PLN4:** The future land use of this property is Urban Residential. Urban residential areas are designated for single and multiple family housing, typically at urban densities of one dwelling per acre or greater. These areas are intended to provide for development of residential neighborhoods with a variety of housing types, with adequate urban services and transportation facilities. Urban residential areas may include supporting neighborhood commercial uses designed to serve the needs of nearby residents. Waiting on comments from the City of Thornton.
(Response) – Understood.

**PLN5:** Flag lots shall be allowed in all zone districts but shall only be used where all other subdivision alternatives are impractical. If a reasonable development alternative exists, flag lots shall not be utilized even though their use might allow more lots to be created than other alternatives. In addition, no flag lot shall be approved where the flag lot is being used as a means of avoiding the construction of public roads, emergency access or the extension of utilities. The minimum width of the pole of any flag lot shall be thirty (30) feet or be consistent with the minimum width requirements of the zone district. The maximum depth of the pole shall be six hundred (600) feet. Lots shall be required to share access where inadequate frontage exists for multiple accesses to be provided (See access design standards for specific access control standards). Front and side setbacks for flag lots shall be measured at the base of the pole and not at the street frontage.
(Response) – the Subdivision complies with the flag lot requirements.

**PLN6:** No lot shall have an average depth greater than three times the average width unless the lot width is a minimum of four-hundred-twenty-five (425) feet.
(Response) – the Subdivision complies with the lot Depth to Width requirements.
ROW1: Required Title Commitment not found in application provided but show a date on the survey plat. This needs to be provided to verify all existing easements affecting the property, and any encroachment issues.
(Response) – A Title Commitment has been provided.

ROW2: Applicant needs to contact CDOT for additional access of Colorado State Highway 7. If not granted will have to enter into agreement between parties to share access to both parcels.
(Response) – CDOT has been contacted and requests that a single shared access be used at the existing location.

ROW3: Correct legal description as provided by redline notes on plat. Have numerous discrepancies between illustration and legal description.
(Response) – see updated Plat.

ROW4: Add Case Number to upper right-hand corner of all survey sheets
(Response) – see updated Plat.

ROW5: Correct ownership naming convention to what is shown on WD in the opening statement
(Response) – see updated Plat.

ROW6: Without any legal description provided for Lot 2, cannot subdivide the property, as there is not legal description created
(Response) – see updated Plat.

ROW7: Add basis of bearing in legal description and remove note at top right of sheet
(Response) – see updated Plat.

ROW8: Per Colorado Revised Statutes, provide correct lineal feet statement
(Response) – see updated Plat.

ROW9: Why two arc calls for the same arc with different chords, distances, etc.?

ROW10: Can vacate the portion of reserved ROW by previous subdivision on parcel on north end by providing recording information and state "VACATED BY THIS PLAT". The pipeline easement shown cannot be vacated by this plat.
(Response) – see updated Plat.

ROW11: Add "DEDICATION STATEMENT" above "HAS BY THESE PRESENTS......"
(Response) – see updated Plat.

ROW12: Correct year on owner signature block.
(Response) – see updated Plat.
ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0302H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.
(Response) – Noted.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is not within the County's MS4 Stormwater Permit area. An Adams County Stormwater Quality (SWQ) permit is not required for this site. The applicant is responsible for obtaining any necessary State and/or Federal permits. The installation of erosion and sediment control BMPs are expected for any disturbed areas.
(Response) – Noted.

ENG3: Applicant must obtain access permits for all access to the property from all surrounding roadways. Currently and in the proposed site plan, the property is accessed by Highway 7. Highway 7 is under the jurisdiction of the Colorado Department of Transportation (CDOT). The applicant will need to obtain the access permit(s) for Highway 7 from CDOT. Prior to the issuance of any building permits for this development, the applicant will need to provide a copy of an approved CDOT access permit. The applicant must comply with all CDOT requirements.
(Response) – applicant will work with CDOT to obtain access permits.

ENG4: Per comment ENG3 above, CDOT may not allow any additional access to the property. If CDOT does not allow the second access to be permitted, the applicant will need to create a shared driveway access to each lot. Plat notes or (ideally) a Shared Driveway Access agreement should be created with this subdivision to ensure maintenance responsibilities for the assigned and maintained.
(Response) – applicant will work with CDOT regarding permitting of the access.

ENG5: Prior to scheduling the final plat/BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The Development Review few can be found in the Development Services Fee Schedule, located on the following web page: http://www.adcogov.org/one-stop-customer-center.
(Response) – there are not any public improvements anticipated with this project. The owner’s consultant will submit letters of exemption for the Drainage Report and Traffic Impact Study.

ENG6: Per comment ENG5 above, the applicant will be responsible for submitting site development construction plans, drainage report, traffic impact study and a stormwater O&M manual. However, the County does allow for exemptions to some of the ENG5 requirements for low impact subdivisions, such as this. Exemptions are offered for the requirements to provide a drainage report and a traffic impact study. The exemption requirements for a drainage report can be found in section 9-01-11 of the County’s Development Standards and Regulations. The exemption requirements for a traffic impact study can be requested by creating a Trip Generation Analysis that shows the development does not meet the requirements of table 8.15. In order to be granted those exemptions, the applicant must provide letters, prepared, stamped and signed by a licensed engineer in the State of Colorado, that requested those exemptions based on the appropriate County requirements.
(Response) – there are not any construction plans required for this development. The owner’s consultant will submit letters of exemption for the Drainage Report and Traffic Impact Study.
• State Hwy 7 is the jurisdiction of the Colorado Dept. of Transportation (CDOT). Any additional access points required for this location must be approved by CDOT. This case should be referred to CDOT for additional comment, if not already done.

(Response) – applicant will work with CDOT to obtain access permits.

• If CDOT should require any additional improvements along this property frontage, an SIA/Development Agreement may be required to codify these improvements.

(Response) – applicant will work with CDOT to obtain a Development Agreement if required.

• All access points must be paved at least to the property line per the Adams County Access Policy.

(Response) – the existing access is paved to the property frontage on State Hwy. 7.

• CDOT has no objections to the rezone.

• In regard to the subdivision, the preliminary site map is showing each of the two lots having individual access to State Highway 7. CDOT requests that if this subdivision is approved, that access for both lots be taken from the existing access as a shared access point to State Highway 7.

(Response) – applicant will work with CDOT to obtain a shared access agreement if needed.

• The shared access to State Highway 7 will require a new state highway permit for an increase in use. Contact for this permit is Steve Loeffler who can be reached at 303-757-9891 or steven.loeffler@state.co.us

(Response) – applicant will work with CDOT to obtain a new CDOT access permit.

• If any other work will need to be Right-of-Way, a permit from our office will be required.

(Response) – applicant will work with CDOT to obtain any required permits.

1. The Applicant should clarify the water demand and proposed uses for each lot and the subdivision.

(Response) – applicant will work with CDOT to obtain any required permits.

2. The Applicant should clarify the aquifer from which the proposed well for Lot 2 will withdraw. If the proposed water supply is a Denver Basin bedrock aquifer, the Applicant must specify a water demand that is consistent with Elbert County’s 300 year water supply requirement. If the proposed water source will be a well completed in the Laramie-Fox Hills aquifer then well 28686-F would need to be re-permitted such that it no longer claims the water underlying Lot 2.

(Response) – applicant will work with CDOT to obtain any required permits.
3. The Applicant should clarify if well permit no. 104171 is located on the subject property and if the well is a proposed water supply source. If the well is located on the subject property the well would need to be re-permitted consistent with Elbert County’s 300 year water supply requirement and the actual proposed uses.
   (Response) – applicant will work with CDOT to obtain any required permits.

4. The Applicant should clarify if well no. 28686-F is a proposed water supply source for the subdivision. If the well is a proposed water source, the Applicant must clarify which lot(s) it will serve. The well would also need to be re-permitted consistent with Elbert County’s 300 year water supply requirement and the actual proposed uses.
   (Response) – applicant will work with CDOT to obtain any required permits.

5. If wells in the Lower Arapahoe aquifer will be a proposed water source for the subdivision a court-approved augmentation plan to prevent injury to existing water rights must be obtained.
   (Response) – applicant will work with CDOT to obtain any required permits.
Commenting Division: ROW Review
Name of Reviewer: David Dittmer
Date: 02/03/2021
Email:

Resubmittal Required
ROW1: Required Title Commitment not found in application provided but show a date on the survey plat. This needs to be provided to verify all existing easements affecting the property, and any encroachment issues.
ROW2: Applicant needs to contact CDOT for additional access of Colorado State Highway 7. If not granted will have to enter into agreement between parties to share access to both parcels.
ROW3: Correct legal description as provided by redline notes on plat. Have numerous discrepancies between illustration and legal description. See Notes on Plat, corrections, and updates.
ROW4: Add Case Number to upper right-hand corner of all survey sheets Completed.
ROW5: Correct ownership naming convention to what is shown on WD in the opening statement Completed.
ROW6: Without any legal description provided for Lot 2, cannot subdivide the property, as there is not legal description created See Notes, Lot 2 is being created by this Plat.
ROW7: Add basis of bearing in legal description and remove note at top right of sheet See notes left as labeled 2/12/21 conversation.
ROW8: Per Colorado Revised Statutes, provide correct lineal feet statement Done.
ROW9: Why two arc calls for the same arc with different chords, distances, etc.? One for Lot 1 and 2, see Plat.
ROW10: Can vacate the portion of reserved ROW by previous subdivision on parcel on north end by providing recording information and state "VACATED BY THIS PLAT". The pipeline easement shown cannot be vacated by this plat. Discussed, no Vacation by this Plat. ROWs reserved per Adjacent deeds.
ROW11: Add "DEDICATION STATEMENT" above "HAS BY THESE PRESENTS......" Separated per conversation
ROW12: Correct year on owner signature block. Updated
March 3, 2021

To: Mathew Emmens, Adams County - Engineering

RE: Drainage letter for the proposed Minor subdivision residential development

Dear Mr. Emmens,

This drainage letter certifies that the proposed Minor Subdivision residential development is in conformance with Adams County residential drainage criteria. The proposed development is located in the West ½ of the West ½ of the Southeast ¼ of the Southeast ¼ of Section 2, Township 1 South, Range 68 West of the 6th Principal Meridian Lying North of Colorado State Highway No. 7, County of Adams, State of Colorado.

The existing site is 7.15-acres and is composed of Dacono Loam which is classified as hydrologic soil group C per the enclosed NRCS soil report. The site is located within Zone X, areas determined to be outside the 0.2% annual chance floodplain per FEMA Firm Map panel 08001C0327H, dated 03/05/2007.

Proposed improvements include a 2,400 square foot single family residence, garage and driveway. An existing gravel drive provides access from the State Hwy. to the proposed house.

The 7.15-acre property is currently a vacant lot within a fully developed residential area of Adams County. The lot is covered with native vegetation and soils and generally slopes from the northwest to the southeast at less than 4%. Runoff is generally conveyed to swales at the east property line and the then Southeast into existing stormwater infrastructure along State Hwy. 7. The proposed property will be graded as a Type A lot conveying runoff south and east into Hwy. 7.

The total imperviousness of the proposed development is 36%, reference the weighted imperviousness calculations included with this letter. An imperviousness value of 40% was conservatively used to calculate the total expected runoff generated by the proposed development. The rational method was used to calculate historic and proposed runoff rates for the subject property. The historic runoff generated from the subject property during the 5-yr minor event is 6.29 cfs, and during the 100-yr major event is 14.87 cfs. The proposed (Developed) runoff generated was calculated to be 9.43 cfs during the 5-yr minor event, and 22.30 cfs during the 100-yr major event.

The increase in runoff generated by the proposed development is minor and will not create a significant impact to the surrounding area or infrastructure. On-site grading will be required to ensure that runoff generated will drain away from the proposed structure and adjacent properties and into the swale along the east property line.
To: Mathew Emmens, Adams County - Engineering

Date: February 1st, 2021

Project Number: PRC2020-00012

Project Name: Gutierrez Minor Subdivision and Rezone

Trip Generation Letter
The Adams County Development Standards and Regulations indicate that a traffic impact study is only required for all new developments generating over 20 vehicle trips per day. The intersection nearest the property is E 160th Ave and State Highway 7. Since the proposed Gutierrez Minor Subdivision and Rezone will not be generating more than 20 vehicle trips per day, we will not need a Traffic Impact Study for this property. Public street improvements are not anticipated to be needed for traffic due to the low trip generation of the proposed project.

Richard White, PE
NOTES:
1. Intent is to rezone from A-3 to A-1 and divide existing approximately 7-acre lot into two lots, a 2.5-acre lot and a 4.5-acre lot.

2. The owner will provide evidence that a sufficient water supply will be provided. A permit will be obtained from the State for a Water Well. All State and local water supply standards will be complied with.

3. The owner will provide evidence that a sufficient sewage treatment system will be provided. A permit will be obtained from the Health Department. All State and local onsite sewage system standards, laws and regulations will be complied with.

4. The owner will provide evidence that any soils and areas with hazardous soils requiring special conditions have been identified and all hazardous soil conditions will be eliminated.

5. The owner will provide evidence that all proposed drainage improvements are adequate and comply with State and local Standards and regulations.

6. The owner will obtain an access permit from CDOT.

7. The owner will obtain a new well permit from the state Water Resource office.