



September 6, 2017

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

Attn: Kari Parsons  
Project Manager / Planner II

**Re: Hannah Ridge at Feathergrass Filing No. 3 Final Plat- SF-17-012 - Review 2  
Project No. 60970-F3**

Dear Ms. Parsons:

M.V.E., Inc. has prepared the following response to comments contained in your August 29, 2017 comment letter concerning the above named project. Revised submittal materials are enclosed as needed. Each comment is addressed below in the order contained in your comment letter.

*EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT*

*Please see uploaded redlines for each document uploaded by each review agency. **Response: All redlines downloaded and comments addressed with this new submittal.***

**Planning**

*This application is being reviewed under submittal requirements, the General Development Standards in Chapter 6, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016).*

- 1. See red lines. **Response: All redlines downloaded and comments addressed with this new submittal.***
- 2. Please work with City to obtain easement for RR culvert IF the County is to maintain it. It is preferable that the City maintain it. Who is repair the culvert? When is this to occur? **Response: The trail and culvert is owned by the City of Colorado Springs. City Parks Department has acknowledged by email that the City will be maintaining the box. A copy of the email is attached. We are working with the City to obtain the necessary Revocable Permit in order to perform the repairs. The improvements are to be made by Feathergrass Investments, LLC. The work will be completed during the development of Hannah Ridge at Feathergrass Filing No. 3.***
- 3. Please prove vacation of sanitary sewer documentation. **Response: The sanitary sewer easement contains an active sanitary sewer line that can only be removed once the new Hannah Ridge at Feathergrass Filing No. 3 sanitary sewer improvements are in place. The easement will be vacated once the new sewer is constructed. An email communication from Cherokee Metropolitan District is attached.***

### **Engineering Division**

The comments include unresolved previous comments and new comments resulting from the re-submittal in **bold**. All previous comments that have been resolved have been noted or deleted. A written response to all comments and return of any redlines is required for review of the re-submittal. **Response: All redlines downloaded and comments addressed with this new submittal.**

### General

#### **1. Resolved**

2. Conditions of approval (#1 and #21) from Filing 2 need to be specifically addressed. Provide the additional information requested in the FDR comments and redlines.

#### **Partially resolved;**

- a. **Staff will verify with the County Engineer that the proposed cosmetic repairs and inlet and outlet protection will be acceptable. Response: Noted. City Staff are also reviewing.**
- b. **Since the culvert is owned by the City of Colorado Springs, an appropriate easement specifying construction and maintenance responsibilities, and approval of the repairs by the City are required. If long-term maintenance will be the County's responsibility, the easement from the City to the developer and the County will need to specify that. The County cannot take maintenance responsibility without the easement being in place, so the developer needs to verify these details with the City. A phased or longer acceptance process may be required, which should be written into the easement if necessary. Response: The City has been contacted about the culvert. City Parks has provided the attached email acknowledging that the City will be maintaining the box. A copy of the email is attached. We are working with the City to obtain the necessary Revocable Permit in order to perform the repairs. Feathergrass Investments, LLC will repair the culvert. The work will be completed during the development of Hannah Ridge at Feathergrass Filing No. 3. County Engineer has expressed the desire not to take on the responsibility of the culvert maintenance for this City owned culvert.**
- c. **In accordance with the Drainage Board's approval of the long-term use of the old railroad culvert for attenuation of flows through this drainage basin, and to assure that the storage capacity is maintained, a drainage easement upstream needs to be acquired from that property owner (the County) to the downstream property owner (developer). Provide draft easement documents including legal description and exhibit(s). Response: County Engineer determined in the recent meeting that the easement will not be required at this time.**
- d. **Include the proposed repairs/improvements in all applicable documents including the CDs, GEC plan, FAE and SWMP (offsite improvements). Response: The work has been added to Sheet 31 of the Construction Plans, The GEC Plan, FAE and SWMP.**

Final Plat

1. Regarding vacation of the existing easements:

a. **Resolved**

b. Vacation of the platted drainage easement to the County may be vacated by plat, but the other easement needs to be vacated by separate instrument. Provide drafts of the necessary replacement drainage easements to the County through the offsite areas. **Resolved pending review by the County Attorney.**

**Response: Noted.**

c. Provide documentation of separate vacation/termination documents when available to show no encumbrances on proposed right-of-way. **Partially resolved; provide draft documents for the sanitary sewer and utility easement through the west side of the site when available. Response: Noted. Cherokee Metro District has provided the attached email communication. We will forward the formal letter upon receipt from the District.**

2. **Resolved**

3. See final plat electronic redlines for further minor revisions and clarification of these comments. **See revised redlines. Response: 1. Comment on cover sheet to identify trail to sidewalk connectivity was resolved in the recent meeting. 2. P.E. Removed. 3. A new PDB/BMP easement is being recorded with this plat, blanks have been left in note 8 to write in reception number once document is recorded. A proposed easement agreement with exhibits for drainage improvements in adjacent Tract E was sent at time of previous submittal.**

r

Transportation / Traffic Impact Memorandum

1. The Hannah Ridge Dr./Constitution signal escrow discussion on page 7 (and Table 3) needs to be revised. If there is no escrow from other developments in place, the Hannah Ridge development needs to fund the signal with adequate escrow obtained from this and future filings, with the percentage contribution much higher than proposed. **Partially resolved; the contributions currently allocated to existing traffic needs to be re-allocated to future development only in order to reach the necessary funding (see redlines). Response: The report is revised to include two escrow scenarios as discussed in recent meeting – one including existing background traffic and another which excludes the background traffic.**
2. Address the need for and timing of construction of sidewalks from the residential filings to and along Constitution from Akers west to the overall development boundary. **(Discussions are ongoing.) Response: This is resolved per recent meeting with suggestion of access from Hannah Ridge at Feathergrass Filing No. 4 Hunter Jumper Drive public street to breeze surfaced trail through trail access tract to Rock Island Trail to Constitution Avenue.**
3. See TIS electronic redlines for further minor revisions and clarification of these comments. **See revised redlines. Response: Redline comments are addressed.**

Final Drainage Report / Drainage Plans

**1. Resolved**

2. Provide a detailed condition analysis of the existing culvert and embankment at the Rock Island trail north of the property per previous conditions of approval. **Resolved pending County Engineer's review. (See General comments above.) Response: Noted. In addition City Parks staff have visited the site and will add their input.**

**3. Resolved**

4. The report is missing information and the appendix seems to be scrambled;

a. through c – **Resolved**

d. **See redlines on curb cut calculation – where is this proposed to be? Response: See revised report. This is on south side of Winslow Park Dr., west of Half Chaps, as shown on construction drawings. Calculations for 5 yr and 100 yr flows have been added.**

**3. Resolved**

**4. Resolved**

5. Discuss maintenance access provisions for storm sewers and the channel to the north. Show access trails on the plans. **Unresolved; see redlines. Response: access to facilities is discussed in report and shown on the plans.**

**6. Resolved**

7. Provide a drainage easement (separate document) for the storm drain facilities through Tract F and BB. **Resolved pending review by the County Attorney. Response: Noted.**

8. Note: Drainage and bridge fees for this and previous filings will be verified/reconciled with the next submittal. **Comment remains; correct the drainage and bridge fee calculations per redlines. Response: Drainage fees are recalculated based on design percent imperviousness.**

9. See FDR redlines for additional cursory comments, further minor revisions and clarification of these comments. **Partially resolved; see updated redlines. Response: Redline comments are addressed. Added further description of 7'x7' culvert repairs needed; included cost of 7'x7' cbc repairs in FAE section 2; replaced “trellis” with “trestle” in reference to railroad bridge; no flows from Constitution enter Hannah Ridge Drive due to a high point in Hannah Ridge Drive profile located just north of Constitution Avenue – added a sentence in 3<sup>rd</sup> paragraph of Pg 10 to clarify; The first comment on Pg 1 refers to Hannah Ridge at Feathergrass Filing No. 2 which is already approved and constructed, there is no physical way to address the comment at this point with the improvements in place and the location of proposed 90” RCP; revised “east” to “west” in last paragraph of Pg 12; please send latest template for BMP maintenance agreement; County Engineer resolved the upstream easement requirement in our recent meeting; revised Drainage Fees on Pg 19; Highlighted pertinent portions of the data tables in the appendix; The subdivision is not contributing flows to Constitution and capacity of Constitution avenue however we added the Constitution Ave street capacity calculation as requested; The locations you asked**

about on the pipeline hydraulic grade profile are structures inserted in order to model the tees, these are not manholes and flows do not rise above the ground elevations, notation has been added to the calculation profile sheet. The curb opening calculations are for the south side of Winslow Park Drive just west of Half Chaps, allowing Basin B8 flows to Pond E1, added 5 yr & 100 yr calcs; added an exhibit plan showing drainage maintenance and access roads and easements as requested; labeled connection of new 60" pipe to existing 60" pipe and future channel slope on the Drainage Map.

#### Construction Plans / Geotechnical Issues

1. Provide P.E. signature and stamp on all pages with the final submittal. **Response: Will be provided with final.**
2. **through 7 – Resolved**
8. Provide maintenance access roads/trails for all offsite drainage facilities/BMPs. **Unresolved. Response: Maintenance access trail added from Winslow Park Drive to SWQC Basin "B". All other drainage facilities can be reached from adjacent ROWs.**
9. **Resolved**
10. Are there any mailbox kiosks in this filing? If so, show on plans. **Unresolved. The response letter states that one was added, but it was not found on the plans. Response: Mail kiosk pad added to the north side of Winslow Peak Drive at approximately station 8+00.**
11. See CD electronic redlines for further minor revisions and clarification of these comments. **Partially resolved; see remaining/updated redlines. Response: 1. Sheet 1, Added EPC PCD to Contacts, Removed public service department transportation division from EPC signature block. 2. Sheet 17, Proposed grading line was darkened. 3. Sheet 28, This is a storm drain plan, the drainage facilities do not extend beyond the profile shown, no match line is needed. 4. Sheet 30, This is a storm drain plan, the drainage facilities do not extend beyond the profile shown, no match line is needed. 5. Sheet 33, Easements labeled, maintenance trail added from Winslow Peak Dr to SWQC Basin "B", channel lining reference added to profile. 6. Sheet 34, channel lining reference added.**

#### Grading and Erosion Control Plan / SWMP

The plan received is titled as "Overlot Grading Plan Including Erosion Control". If this will be the only Grading and Erosion Control Plan for this filing, revise the title to include "Grading and Erosion Control Plan." **Unresolved.**

1. **Resolved**
2. Include all areas to be graded or disturbed with this filing, including storm drainage and utilities to be constructed with Filing 3. Clearly label offsite construction areas. **Comment remains regarding the offsite culvert. Response: Addressed by Classic Consulting.**

3. *Ensure that all GEC Plan checklist items (previously attached) are provided. **Partially resolved; address per remaining comments. Response: Addressed by Classic Consulting.***
4. *The SWMP references silt fence perimeter control and the GEC notes on Sheet 3 discuss maintenance but no silt fence is shown on the GEC plan, which only appears to show inlet protection and erosion bales for sediment control.*
  - a. *Based on the area of disturbance, additional sediment controls appear to be required; revise the GEC plan as appropriate. **Comment remains; coordination between the GEC/SWMP and construction plans is required regarding TSBs specifically. Response: Coordinated and addressed.***
  - b. *Address temporary sediment basins in all applicable documents. **Comment remains.***
5. *SWMP:*
  - a. **Resolved**
  - b. **Resolved**
  - c. *Ensure that all checklist items (previously attached) are provided.*
  - d. *Note: Staff will review the SWMP against the checklist with the next submittal. **Response: Addressed by Classic Consulting.***
12. *See GEC and SWMP electronic redlines for further minor revisions and clarification of these comments. **Partially resolved; see remaining/updated redlines. Response: Redlines addressed by Classic Consulting.***

Forms/FAE/SIA

1. *The SWMP references permanent seeding and perimeter controls that aren't accounted for in the FAE. Ensure that all documents are consistent. **Partially resolved; see remaining/updated SWMP redlines. Response: Redlines addressed by Classic Consulting.***
2. *Financial Assurance Estimate:*
  - a. **Resolved**
  - b. **Resolved**
  - c. *account for all permanent BMPs **Include mulching. Response: Addressed.***
  - d. ***Add lines for the existing 7'x7' culvert repairs. Response: Addressed.***

*Provide O&M manuals for all of the permanent BMPs. Consider amending the blanket easement that was provided for all of the BMPs with the previous filing. **Partially resolved; provide the Stormwater Facilities Map (Appendix E). The FDR states that the agreement and easement "is being executed with this subdivision." If an updated easement will be provided the latest template can be provided. Response: Appendix E is provided. Please send the template.***

### **3. Resolved**

#### Attachments/Electronic Files

1. Final Plat redlines
2. TIS redlines
3. FDR and drainage plan redlines
4. CD redlines
5. GEC redlines
6. FAE redlines

*Response: Redline comments have been addressed.*

#### **EL PASO COUNTY COMMUNITY SERVICES DEPARTMENT**

*The Planning Division of the Community Services Department has reviewed the development application for Hannah Ridge at Feathergrass Filing No. 3 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 June 14, 2017.*

*Hannah Ridge at Feathergrass Filing No. 3 Final Plat consists of 39 single-family residential lots and open space tracts on 8.31 acres, with a minimum lot size of 5,000 square feet. The property is zoned PUD, and is located near the intersection of Constitution Avenue and Akers Drive.*

*The El Paso County Parks Master Plan (2013) shows no open space, park facilities, or trails directly impacted by or within the project area. The proposed Marksheffel Road Bicycle Route is located approximately 0.50 mile east of the project site. The City of Colorado Springs' Rock Island Trail is located approximately 550 feet west and north of the project site. Lastly, the Falcon/Garrett Road Candidate Open Space land is located 1.25 miles to the southeast of the project site.*

*No open space dedication is proposed within Hannah Ridge at Feathergrass Filing No. 3 Final Plat. However, as part of the Hannah Ridge at Feathergrass Preliminary Plan/PUD Development Plan, which was approved by the Board of County Commissioners in 2013, open space dedication totaled*

*11.80 acres, meeting the minimum 10% open space land dedication requirement. These open space tracts include a 3.07-acre open space parcel for wetlands, a 5.38-acre parcel for a park site, and a 1.33-acre drainage corridor. A trail is proposed within the drainage corridor and park site to create connectivity between the open space parcels. The development plans also*

*indicated a number of smaller open space tracts within the subdivision to provide connections to the aforementioned Rock Island Trail.*

*As no trail easements dedications are necessary for this filing, Parks staff recommends fees in lieu of land dedication for regional park purposes in the amount of \$15,873 and urban park fees in the amount of \$10,023.*

*Recommended Motion (Final Plat):*

*Recommend to the Planning Commission and Board of County Commissioners that approval of the Hannah Ridge at Feathergrass Filing No. 3 Final Plat include the following condition: require fees in lieu of land dedication for regional park purposes in the amount of \$15,873 and urban park fees in the amount of \$10,023.*

*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](mailto:rosswilliams@elpasoco.com) **Response: All Community Services Dept review statements are noted by the applicant.***

*EL PASO/TELLER COUNTY*

*911 Authority*

*No action for 911 All street names previously approved Thanks Justin **Response: Noted.***

*EL PASO COUNTY PUBLIC HEALTH*

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

- The 8.31 acre site with 39 residential lots planned for the development will be provided water by Cherokee Metropolitan District. There is a finding for water quality sufficiency from this Colorado Department of Public Health and Environment regulated and approved district.*
- Wastewater service will be provided by Cherokee Metropolitan District (CMD). Per the March 30, 2017, letter from MVE, Incorporated there is adequate capacity for wastewater treatment for this project.*

- *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.*
- *Detention ponds, if planned, must have mosquito control responsibilities included as a part of the maintenance agreement in an effort to control West Nile Virus.*
- *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 <http://www.elpasocountyhealth.org/service/air-quality> for more information. Earthmoving activities greater than 25 acres requires a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division.*
- *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.*

Mike McCarthy

El Paso County Public Health

Environmental Health Division 719-575-8602

[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com) *Response: Public Health review statements are noted by the applicant.*

30May2017

***EL PASO COUNTY ATTORNEY'S OFFICE***

*SF-17-012 Hannah Ridge at  
Feathergrass Filing No. 3 Final Plat*

*Reviewed by: Cole Emmons, Senior Assistant County Attorney  
Edi Anderson, Paralegal*

1. *This is a proposal by Feathergrass Investments, LLC ("Applicant") for approval of a Final Plat to subdivide approximately 8.31 +/- acres into 39 single-family residential lots, plus right-of-way for streets. This is a re-plat of Tract FF, Hannah Ridge at Feathergrass Filing No. 1, which Tract FF was then so platted for future development. The property is currently zoned PUD.*

2. *The Applicant has provided that the source of water for the subdivision will come from the Kane Water Right and Tipton Water, both as served by the Cherokee Metropolitan District ("District") pursuant to Water and Sewer Service Agreements that Sand Creek Investments North, LLC entered into with the District. Sand Creek Investments North, LLC, entered into Assignment of Water and Sewer Service Agreements with Feathergrass Investments, LLC, whereby Sand Creek assigned all of its rights and obligations under its Agreements with the District to Feathergrass and*

*Feathergrass accepted the same. The Applicant estimates its annual water requirement to serve 39 single family residential lots at 0.42 acre-feet per lot for a total water requirement of 16.38 acre-feet per year, plus 2.73 acre-feet for irrigation of 1.3 acres for a total water demand of 19.11 acre-feet per year for the subdivision. Based on this estimate, the Applicant would need to provide a supply from the District of 5,733 acre-feet (19.11 acre-feet x 300 yrs.) to meet the County's 300 year water supply requirement. Because the State Engineer has determined that both water sources are annually renewable, the water supply is presumed to meet the County's 300 year aquifer life requirement.*

3. *The General Manager of the District provided an updated formal commitment letter dated June 19, 2017, and the Water Resources Report dated March 30, 2017, which reviewed the water available for the development. The Water Resources Report stated that the developer "purchased water rights from the Kane and Tipton water rights, which are reserved exclusively for this subdivision developers use" and which water is "sufficient to supply Phases 1 through 6 of the Hannah Ridge at Feathergrass development." The Water Resources Report indicates there is 136.50 acre-feet of water available from the District and further delineates the water supply provided to Hannah Ridge at Feathergrass Filing 1 at 19.95 acre-feet, Filing 2 at 16.38 acre-feet, and Shops at Feathergrass at 1.68 acre-feet, providing an available water supply of 98.49 acre-feet for Filing 3 and future filings in Hannah Ridge at Feathergrass. The District commits to serve the 19.11 acre-feet of water annually required by this development. Therefore the General Manager of the District stated the "District is able and willing to provide water and sewer services for Hannah Ridge at Feathergrass, Filing No. 3."*

4. *In a letter dated May 31, 2017, the State Engineer reviewed information for the Filing 3 Final Plat based on subdividing approximately 8.31 +/- acres into 39 single family residential lots, plus street right-of-ways. The Engineer reviewed the two sources of water to be provided by the District. Regarding the Kane Water Right, the Engineer states the following:*

*"The Kane Water Right is not a separate water right, but rather a contractual water right for a portion of water removed under contract from the Sweetwater Well Field operated by Cherokee. The Kane Water Right is not viewed by this office as a commitment from Cherokee, but a pre-existing 'first-in-line' delivery that Cherokee accepted upon assuming control of the Sweetwater Well Field. Since Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16 are currently the only wells that may legally be used to supply water outside of the Designated Basin, the State Engineer's Office based its opinion on the understanding that the 200 acre feet would come from Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16."*

*Regarding the Tipton Water, the Engineer states the following:*

*"The second source of water is 76 acre-feet per year of Tipton Water, as documented by the December 4, 2006 'Water and Sewer Service Agreement'*

*between Cherokee and Sand Creek Investments North, LLC. The 76 acre-feet is part of 225 acre-feet of fully consumable and exportable water adjudicated to the Tipton Well in Colorado Ground Water Commission Case No. 91GW01, for use and export outside of the Upper Black Squirrel Creek Designated Ground Water Basin."*

*The State Engineer's opinion is that "[a]t this time, it appears that Cherokee has 136.5 acre-feet of obligation to deliver for the proposed development. This amount of water satisfies the total estimated demand of 19.95 acre-feet/year for Filing No. 1. ... 16.38 acre-feet/year for Filing No. 2 ... 1.68 acre-feet/year for Shops at Feathergrass Filing No. 1 .... 19.11 acre-feet/year for Filing No. 3 (the subject of this submittal), and leaves 79.38 acre-feet per year of obligation for future filings in Hannah Ridge at Feathergrass. 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 Filing No. 3 of Hannah Ridge at Feathergrass can be provided without causing injury to decreed water rights and is expected to be adequate." Finally, the Engineer notes that the Sweetwater Wells and the Tipton Well are constructed into the Quaternary alluvium, which is considered annually renewable.*

*NOTE: The State Engineer's Office also provided an advisory to the Applicant related to the project's onsite drainage/water quality pond. The Engineer advised the Applicant that "... unless the proposed improvements to the existing storm water structure can meet the requirements of a 'storm water detention and infiltration facility' ... the structure may be subject to administration by this office. The applicant should review the DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wild/and Fire Facilities in Colorado ... to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements."*

1. *The water quality requirements of Section 8.4.7.B.10 of the Land Development Code must be satisfied.*
2. *Analysis and Recommendation. With 136.5 acre-feet of water supply contracted to be served by Cherokee Metropolitan District, a proposed annual demand of 19.11 acre-feet for this Filing No. 3, and previous commitments for Filing No. 1 of 19.95 acre-feet, Filing No. 2 of 16.38 acre-feet, and Shops at Feathergrass Filing No. 1 of 1.68 acre-feet, there is a remaining surplus of 79.38 acre-feet; thus, there appears to be a sufficient supply available to meet the demands of this Filing No. 3. Therefore, based on the finding of sufficiency and no injury to existing water rights by the State Engineer, on the commitment to serve by the District, and subject to the conditions set forth below, the County Attorney's Office recommends a finding of **sufficiency** as to water quantity and dependability for this proposal of 39 single-family lots of Hannah*

*Ridge at Feathergrass Filing No. 3. The El Paso County Health Department will need to make a recommendation as to water quality.*

**CONDITION OF COMPLIANCE:**

A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, and specifications set by the District, including the District's requirement that the project "must achieve appropriate zoning and a final plat land use entitlement from the El Paso County Development Services within 12 months of the date of this letter" [letter dated June 19, 2017].

B. It is Applicant's responsibility to comply with the advisory by the State Engineer's Office regarding its onsite drainage/water quality pond to ensure that the structure meets the requirements of a 'storm water detention and infiltration facility' and that notice, construction and operation of the proposed structure meets statutory and administrative requirements.

**Response: County Attorney's statements are noted.**

**MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC.**

Thank you for the opportunity to review Hannah Ridge #3 with the new comments.

Cathy Hansen-Lee Mountain View Electric Assoc. **Response: Noted.**

**PIKES PEAK REGIONAL BUILDING DEPARTMENT**

No further comments **Response: Noted.**

**COLORADO SPRINGS AIRPORT**

**Advisory Commission**

The Airport has no additional comments for the second review of this project **Response: Noted.**

**COLORADO SPRINGS UTILITIES**

*Utility Comments (electric, gas, water, wastewater)*

**Action Items:**

**LBS Comments:**

1. Please include the monumentation that defines the Basis of Bearing in Note 1.
2. Please clear up the overlapping typo along the west line of Lot 1.
3. Please label the line that defines the Basis of Bearing on both sheets 2 & 3.

**Response: These were addressed with 2<sup>nd</sup> submittal. See note from CSU below.**

**UDS Comments:**

**4. Add Note to: "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. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect."**

**Response: This was addressed with 2<sup>nd</sup> submittal. See note from CSU below.**

Kari, CSU has reviewed the final plat for Hannah Ridge Filing No 3. All comments have been addressed and approval is recommended. Let me know if you need anything further. Thanks, Ryne **Response: Noted.**

**COLORADO DIVISION OF WATER RESOURCES**

We received your submittal concerning the Final Plat for Hannah Ridge at Feathergrass Filing No. 3. Our office previously provided comments for the Hannah Ridge at Feathergrass Preliminary Plan Amendment on May 13, 2013. The proposed Hannah Ridge at Feathergrass Filing No. 3 is a replat of Tract FF, Hannah Ridge at Feathergrass Filing No. 1, and consists of 39 single-family lots along with street right-of-ways on 8.31 +/- acres. The proposed supply of water and wastewater disposal is to be served by the Cherokee Metropolitan District (Cherokee).

**Water Supply Demand**

The Water Supply Information Summary, Form No. GWS-76, included with the submittal provides an estimated water demand of 0.42 acre-feet/year per lot for 39 lots and 2.73 acre-feet/year for irrigation of 1.3 acres, for a total estimated water demand of 19.11 acre-feet/year.

**Source of Water Supply**

The proposed source of water is to be served by Cherokee, and a March 31, 2017 letter of commitment was included with the submittal. Additionally, a February 20, 2013 letter of commitment was included with the previous Preliminary Plan Amendment submittal. According to the letters, there are two sources of water that were purchased by Sand Creek Investments North, LLC for Hannah Ridge at Feathergrass (formerly Hannah Ridge Subdivision).

The first source of water is 60.5 acre-feet per year of the Kane Water Right, as documented by the October 11, 2006 "Water and Sewer Service Agreement" between Cherokee and Sand Creek Investments North, LLC. The Kane Water Right is not a separate water right, but rather a contractual water right for a portion of water removed under contract from the Sweetwater Well Field operated by Cherokee. The Kane Water Right is not viewed by this office as a commitment from Cherokee, but a pre-existing "first-in-line" delivery that Cherokee accepted upon assuming control of the Sweetwater Well Field. Since Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16 are currently the only wells that may legally be used to supply water outside of the Designated Basin, the State Engineer's Office based its opinion on the understanding that the 200 acre-feet would come from Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16.

*The second source of water is 76 acre-feet per year of Tipton Water, as documented by the December 4, 2006 "Water and Sewer Service Agreement" between Cherokee and Sand Creek Investments North, LLC. The 76 acre-feet is part of 225 acre-feet of fully consumable and exportable water adjudicated to the Tipton Well in Colorado Ground Water Commission Case No. 91GW01, for use and export outside of the Upper Black Squirrel Creek Designated Ground Water Basin.*

### **Additional Comments**

*The application materials indicate that the project will collect storm flows in an onsite drainage/water quality pond. 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 the notice, construction and operation of the proposed structure meets statutory and administrative requirements.*

### **State Engineer's Office Opinion**

*At this time, it appears that Cherokee has 136.5 acre-feet per year of obligation to deliver for the proposed development. This amount of water satisfies the total estimated demand of 19.95 acre-feet/year for Filing No. 1 (which has been reduced from this office's comments dated September 19, 2013), 16.38 acre-feet/year for Filing No. 2 (comments from our office dated August 10, 2015 were previously proved), 1.68 acre-feet/year for Shops at Feathergrass Filing No. 1 (comments from our office dated January 21, 2014 were previously provided), 19.11 acre-feet/year for Filing No. 3 (the subject of this submittal), and leaves 79.38 acre-feet per year of obligation for future filings in Hannah Ridge at Feathergrass.*

*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 Filing No. 3 of Hannah Ridge at Feathergrass can be provided without causing injury to decreed water rights and is expected to be adequate.*

*The Sweetwater Wells (from which the Kane Water Right is withdrawn from) and the Tipton Well (from which the Tipton Water is withdrawn from) are constructed into the Quaternary alluvium, which is considered to be annually renewable with no administrative life span. The long term adequacy of any ground water source may be subject to fluctuations due to hydrological and climatic trends.*

*Should you have any questions concerning this matter, please feel free to contact me directly.*

*Sincerely,*

*Caleb Foy, P.E.*

*Water Resources Engineer*

*cc: Steve Witte, Division 2 Engineer (via email)*

*Doug Hollister, District 10 Water Commissioner (via email)* **Response: State Engineer's Office statements are noted.**

**CHEROKEE METROPOLITAN DISTRICT**

*This development is within the Cherokee Metropolitan District service boundary. The applicant has been notified of the development process that they will need to go through. --- Jonathon Smith* **Response: Noted.**

**CIMARRON HILLS FIRE**

*Comment: No Additional Comments at this time.* **Response: Noted.**

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

Very truly yours,

M.V.E., Inc.



David R. Gorman, P.E.  
DRG:cwg

Z:\60970\Documents\HR Filing No. 3 Correspondence\60970-F3 Comments Reply 2.odt

Enc.

## Chuck Crum

---

**From:** Butterfield, Jacob <jbutterfield2@springsgov.com>  
**Sent:** Wednesday, September 06, 2017 4:39 PM  
**To:** Jim Boulton; Kari Parsons; chuckc@mvecivil.com; COOPER, Andrew N.  
**Cc:** Bodette, Steve  
**Subject:** Culvert/Rock Island Trail Corridor

Good afternoon,

I have reached out to each of you with respect to the culvert that is in the Rock Island Trail Corridor. This is City Property and will be maintained by the City. There is a fix needed to the culvert, and from what I understand it will be fixed by the developer also understanding that El Paso is requiring this fix for plan approval. The City is waiting on construction documents for that fix, those construction plans will be reviewed by Water Resources Engineering. Once those plans are approved Colorado Springs Parks will issue a revocable permit to the developer to enter City property and conduct the construction necessary to fix the culvert in question. I understand that there some details that have to be worked out, but as of now this is what I know.

Thanks for your time and patience,

***Jake Butterfield***

Construction Project Specialist  
Colorado Springs Parks Department  
Office: 719-385-6523  
Cell: 719-351-1178  
Fax: 719-385-6599  
[jbutterfield2@springsgov.com](mailto:jbutterfield2@springsgov.com)

## David Gorman

---

**From:** Kurt Schlegel <[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)>  
**Sent:** Wednesday, September 06, 2017 12:39 PM  
**To:** Kevin Walker  
**Cc:** David Gorman; Jonathon Smith; Jim Boulton; [drfrisch@gmsengr.com](mailto:drfrisch@gmsengr.com)  
**Subject:** Hannah Ridge; Filing No.3

Good Afternoon Mr. Walker,

This email is in reference to your request for a formal letter expressing the Cherokee Metropolitan District's intent to vacate an easement that we currently hold, after the new water and wastewater collection infrastructure is installed and accepted by the District. A detailed letter will be drafted and sent to you once I obtain the required back-up information from the District's Engineering firm.

Sincerely,

*Kurt C. Schlegel*

Cherokee Metropolitan District  
General Manager  
6250 Palmer Park Blvd.  
Colorado Springs, CO 80915  
719-597-5080 x-116  
[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)

**David Gorman**

---

**From:** Kevin Walker <kevin.w@wsdistricts.co>  
**Sent:** Thursday, September 07, 2017 5:47 AM  
**To:** Kevin Walker  
**Cc:** David Frisch; Kurt Schlegel; David Gorman; Jonathon Smith; Jim Boulton  
**Subject:** RE: Vacation of easements following construction

Good morning Kurt,

With the additional information and review with GMS your consulting engineer, would it be possible to be more definitive that the forthcoming letter regarding the rerouting of the existing sewer lines as contemplated by the overall Hannah Ridge Development Plan and further defined by the pending Filing 3 is in conformance with Cherokee's expectations?

Thanks again.

Kevin Walker  
Vice President  
Walker Schooler District Managers  
20 Boulder Crescent Street Ste 200  
Colorado Springs, CO 80903

On Sep 6, 2017 12:15 PM, Kevin Walker <kevin.w@wsdistricts.co> wrote:

Thanks for the help Kurt and Jonathon! Friday with a letter should be ok if you can you at least give me a quick email when you have a preliminary understanding that "this development is proceeding as expected, detailed letter to follow."

Thanks again. Appreciate the prompt attention.

*Kevin Walker*

Vice President

Walker Schooler District Managers

20 Boulder Crescent Street Ste 200

Colorado Springs, CO 80903

Office (719) 447-1777

Kevin.W@WSDistricts.co

WSDistricts.co

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---

**From:** Kurt Schlegel [mailto:kschlegel@cherokeemetro.org]  
**Sent:** Wednesday, September 06, 2017 12:12 PM  
**To:** Kevin Walker <kevin.w@wsdistricts.co>  
**Cc:** David Gorman <daveg@mvecivil.com>; Jonathon Smith <jsmith@cherokeemetro.org>; Jim Boulton <jboulton@classichomes.com>; drfrisch@gmsengr.com  
**Subject:** RE: Vacation of easements following construction

Hi Kevin,

It appears that Dave may have the information that I will require so we have reached out to him. I'll let you know if I need anything else, however tomorrow may be too soon for a letter. How does Friday work for you all?

*Kurt*

Cherokee Metropolitan District

General Manager

6250 Palmer Park Blvd.

Colorado Springs, CO 80915

719-597-5080 x-116

[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)

---

**From:** Kevin Walker [<mailto:kevin.w@wsdistricts.co>]  
**Sent:** Wednesday, September 06, 2017 11:38 AM  
**To:** Kurt Schlegel <[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)>  
**Cc:** David Gorman <[daveg@mvecivil.com](mailto:daveg@mvecivil.com)>; Jonathon Smith <[jsmith@cherokeemetro.org](mailto:jsmith@cherokeemetro.org)>; Jim Boulton <[jboulton@classichomes.com](mailto:jboulton@classichomes.com)>  
**Subject:** RE: Vacation of easements following construction

Hi Kurt,

Quick update. We continue to go through our files and the County files for some written documentation on this matter. I understand that Jonathon was going to call Dave Frisch at GMS since GMS was your consulting engineer when this matter was reviewed in the past. I know Dave and let me know if we can help in any way on that communication link.

Thanks for your assistance and attention.

*Kevin Walker*

Vice President

Walker Schooler District Managers

20 Boulder Crescent Street Ste 200

Colorado Springs, CO 80903

Office (719) 447-1777

[Kevin.W@WSDistricts.co](mailto:Kevin.W@WSDistricts.co)

*WSDistricts.co*

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---

**From:** Kurt Schlegel [<mailto:kschlegel@cherokeemetro.org>]  
**Sent:** Wednesday, September 06, 2017 9:53 AM  
**To:** Kevin Walker <[kevin.w@wsdistricts.co](mailto:kevin.w@wsdistricts.co)>  
**Cc:** David Gorman <[daveg@mvecivil.com](mailto:daveg@mvecivil.com)>; Jonathon Smith <[jsmith@cherokeemetro.org](mailto:jsmith@cherokeemetro.org)>; Jim Boulton <[jboulton@classichomes.com](mailto:jboulton@classichomes.com)>  
**Subject:** RE: Vacation of easements following construction

Thank You Sir!!

*Kurt*

Cherokee Metropolitan District

General Manager

6250 Palmer Park Blvd.

Colorado Springs, CO 80915

719-597-5080 x-116

[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)

---

**From:** Kevin Walker [<mailto:kevin.w@wsdistricts.co>]  
**Sent:** Wednesday, September 06, 2017 9:52 AM  
**To:** Kurt Schlegel <[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)>  
**Cc:** David Gorman <[daveg@mvecivil.com](mailto:daveg@mvecivil.com)>; Jonathon Smith <[jsmith@cherokeemetro.org](mailto:jsmith@cherokeemetro.org)>; Jim Boulton <[jboulton@classichomes.com](mailto:jboulton@classichomes.com)>  
**Subject:** RE: Vacation of easements following construction

Thanks Kurt,

We are looking for documentation that will help get you comfortable that there is a plan that has been reviewed and we are proceeding down a path that works for Cherokee.

The most likely place for this is in the review of the Preliminary Plan for Hannah Ridge and Cherokee's comments in that process.

We will be in touch shortly.

***Kevin Walker***

Vice President

Walker Schooler District Managers

20 Boulder Crescent Street Ste 200

Colorado Springs, CO 80903

Office (719) 447-1777

[Kevin.W@WSDistricts.co](mailto:Kevin.W@WSDistricts.co)

*WSDistricts.co*

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---

**From:** Kurt Schlegel [<mailto:kschlegel@cherokeemetro.org>]  
**Sent:** Wednesday, September 06, 2017 9:33 AM  
**To:** Kevin Walker <[kevin.w@wsdistricts.co](mailto:kevin.w@wsdistricts.co)>  
**Cc:** David Gorman <[daveg@mvecivil.com](mailto:daveg@mvecivil.com)>; Jonathon Smith <[jsmith@cherokeemetro.org](mailto:jsmith@cherokeemetro.org)>  
**Subject:** RE: Vacation of easements following construction

Good Morning Kevin,

I've checked with Mr. Jonathon Smith, Cherokee's Water and Wastewater Collections Manager, and neither of us recall any prior discussion(s) regarding the District vacating an easement for the Hannah Ridge Filing #3 development. I'm not opposed to issuing the letter you're requesting but will require some backup. Are you able to provide me with any documentation regarding your request?

Thanks!

*Kurt*

Cherokee Metropolitan District

General Manager

6250 Palmer Park Blvd.

Colorado Springs, CO 80915

719-597-5080 x-116

[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)

---

**From:** Kevin Walker [<mailto:kevin.w@wsdistricts.co>]  
**Sent:** Tuesday, September 05, 2017 4:21 PM  
**To:** Kurt Schlegel <[kschlegel@cherokeemetro.org](mailto:kschlegel@cherokeemetro.org)>  
**Cc:** David Gorman <[daveg@mvecivil.com](mailto:daveg@mvecivil.com)>  
**Subject:** Vacation of easements following construction

Hi Kurt,

Per our conversation today, the developer and builder of Hannah Ridge Filing No. 3 is processing a plat with El Paso County. The County wants to hear from Cherokee that they are aware of the need to abandon sections of wastewater lines and vacate two easements (see attached) and the process by which you have established to accomplish this. The new easements will be established on the plat that your District has reviewed and we will accomplish the construction through the subdivision construction process with your review and direction.

If you have any standard vacation of easement document, please share that with us.

Thanks. You can do this by letter or via email, whichever is most expeditious. We need to have some written evidence for the County by Thursday at 10 if possible.

Thanks, Kurt. Let me know if you need something else from us.

*Kevin Walker*

Vice President

Walker Schooler District Managers

20 Boulder Crescent Street Ste 200

Colorado Springs, CO 80903

Office (719) 447-1777

[Kevin.W@WSDistricts.co](mailto:Kevin.W@WSDistricts.co)

*WSDistricts.co*

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## David Gorman

---

**From:** David Gorman <daveg@mvecivil.com>  
**Sent:** Wednesday, September 06, 2017 1:57 PM  
**To:** 'Kurt Schlegel'; 'Kurt Schlegel'  
**Cc:** Kevin Walker (kevin.w@wsdistricts.co); Jim Boulton (jboulton@classichomes.com)  
**Subject:** Hannah Ridge Filing No. 1 plat  
**Attachments:** Hannah Ridge Fil 1 Final Plat.pdf

Kurt,

Please see the attached plat for Hannah Ridge Filing No. 1. It includes an easement for the future sanitary sewer main through Tracks KK, LL, E & EE as shown on sheets 4 & 5

David R. Gorman, P.E.  
M.V.E., Inc.  
1903 Lelaray Street, Suite 200  
Colorado Springs, CO 80909  
Ph 719.635.5736  
Fx 719.635.5450  
[www.mvecivil.com](http://www.mvecivil.com)



# HANNAH RIDGE at FEATHERGRASS FILING NO. 1 13468

A RE-PLAT OF A PORTION OF AKER'S ACRES SUBDIVISION NO. 1 AND A PLAT OF A PORTION OF SECTION 32, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



BENCHMARK



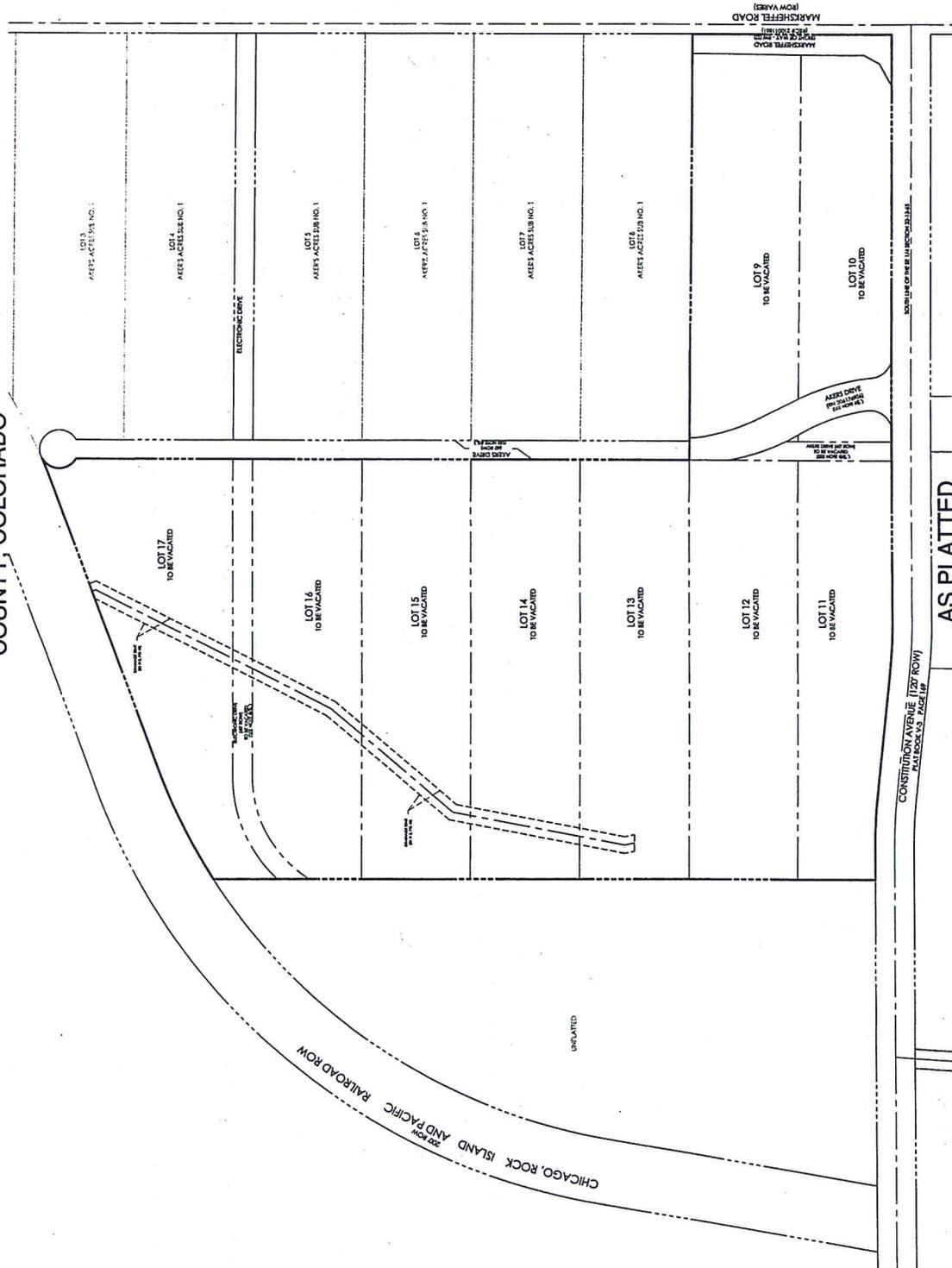
REVISIONS:  
1. IPC COMMENTS 12/11/13  
2. IPC COMMENTS 12/11/14

DESIGNED BY: DW  
CHECKED BY: DW  
AS-BUILT BY: DW  
CREATED BY: DW

HANNAH RIDGE  
OF FEATHERGRASS  
FILING NO. 1  
AS PLATTED

AVE PROJECT: 60970  
AVE DRAWING: 60970201

SHEET 2 OF 6



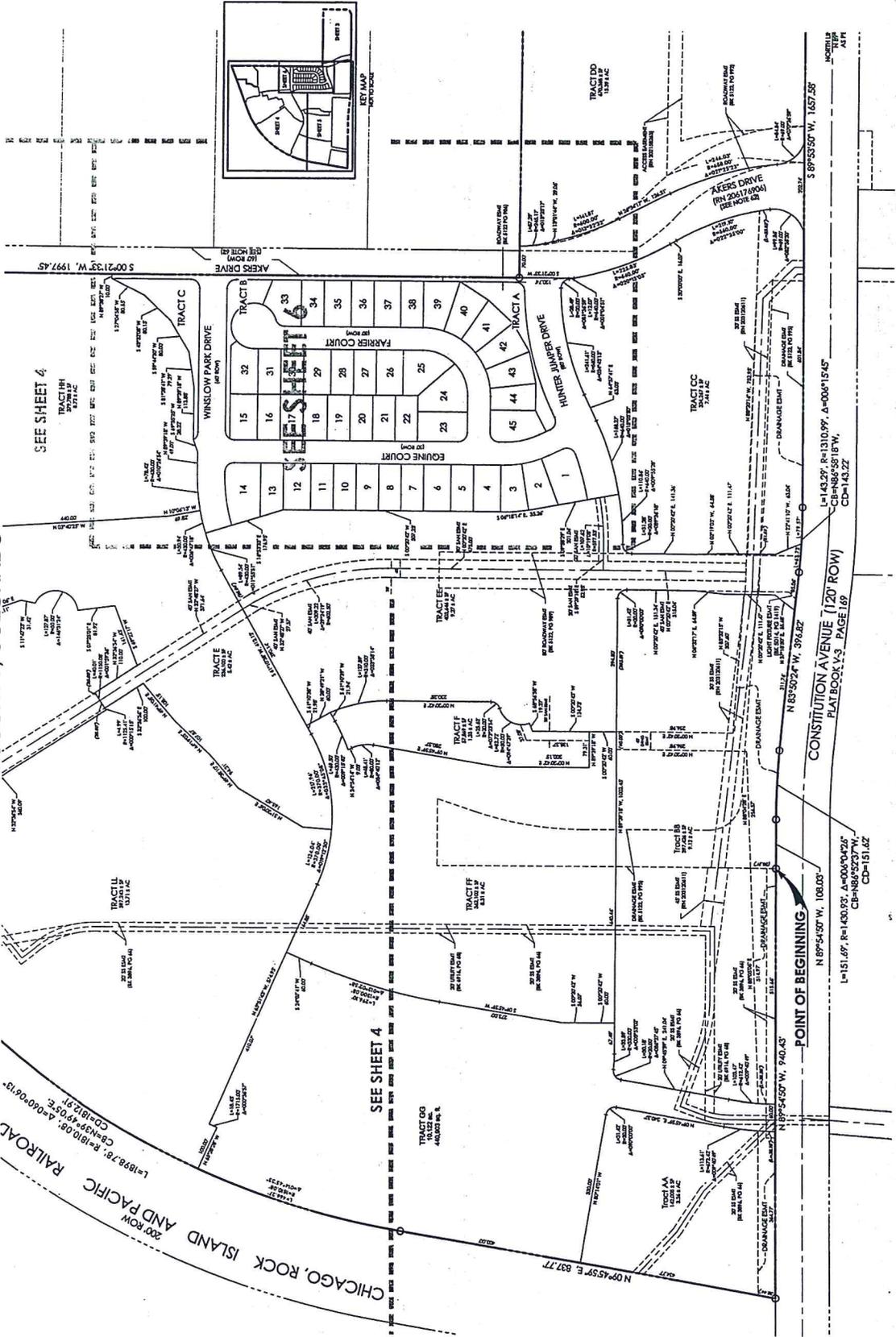
AS PLATTED





# HANNAH RIDGE at FEATHERGRASS FILING NO. 1 13468

A RE-PLAT OF A PORTION OF AKER'S ACRES SUBDIVISION NO. 1 AND A PLAT OF A PORTION OF SECTION 32, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6th PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



KEY MAP  
NOT TO SCALE

SCALE  
1" = 100' 11.200

**MWE INC.**  
ENGINEERS & SURVEYORS

12/11/13  
12/11/14

REVISIONS  
1. IPC COMMENTS  
2. IPC COMMENTS

DESIGNED BY: TWM  
DRAWN BY: TWM  
CHECKED BY: \_\_\_\_\_

DATE: 01/12/2013

**HANNAH RIDGE  
at FEATHERGRASS**

**FILING NO. 1**

AVE PROJECT: 60970  
AVE DRAWING: 60970204

**SHEET 5 OF 6**



## David Gorman

---

**From:** David Gorman <daveg@mvecivil.com>  
**Sent:** Wednesday, September 06, 2017 1:56 PM  
**To:** 'Kurt Schlegel'; 'Jonathon Smith'  
**Cc:** Kevin Walker (kevin.w@wsdistricts.co); Jim Boulton (jboulton@classichomes.com)  
**Subject:** FW: Hannah Ridge water and sewer commitment letters  
**Attachments:** 60970800-PreliminaryPlan-Plan30X42.pdf; 60970800-PreliminaryPlan-details30X42.pdf; Commitment letter for Hanna Ridge at Feather Grass 2-20-13.pdf

Kurt,

Sending this email with Preliminary Plan attachment from 2013 when we applied for Preliminary Plan Amendment with the County. Cherokee Metro reviewed these items and gave us the attached letters. The District did not provide the County with any comments, other than consent inferred by the service letter.

I'm locating more documentation and will send.

When we submitted plans for Hannah Ridge Filing No. 1 to the district in 2013/2014, we submitted a complete set of drawings including all phases that were reviewed by GMS and Art Sintas, which would have included the subject easement vacation. However, formal comments were not issued for the whole set, just for the Filing No. 1 improvements. I'll send what I can on this.

Dave

David R. Gorman, P.E.  
M.V.E., Inc.  
1903 Lelaray Street, Suite 200  
Colorado Springs, CO 80909  
Ph 719.635.5736  
Fx 719.635.5450  
[www.mvecivil.com](http://www.mvecivil.com)

---

**From:** David Gorman [<mailto:daveg@mvecivil.com>]  
**Sent:** Wednesday, January 30, 2013 10:47 AM  
**To:** 'Art Sintas'  
**Cc:** 'Chuck C. Crum (MVE) ([chuckc@mvecivil.com](mailto:chuckc@mvecivil.com))'  
**Subject:** Hannah Ridge water and sewer commitment letters

Art,

Thanks for speaking to me about water and sewer commitment letters for the Hannah Ridge at Feathergrass development. I have attached pdf files for the amended Preliminary Plan for Hannah Ridge at Feathergrass. I hope this helps with the preparation of the letters. Please call if you have any questions. The changes from the originally approved plan are: Half Chaps Court is changed from two private hammerhead turn-arounds to a public cul-de-sac road that accesses Winslow Park Drive, the alignment of Dapples Court shifted slightly to the west, boundaries and number of phases has changed and the number of residential lots has decreased from 355 to 352.

Dave

David R. Gorman, P.E.  
M.V.E., Inc.  
1903 Lelaray Street, Suite 200  
Colorado Springs, CO 80909  
Ph 719.635.5736  
Fx 719.635.5450  
[www.mvecivil.com](http://www.mvecivil.com)

# Hawk Ridge at Feathergrass

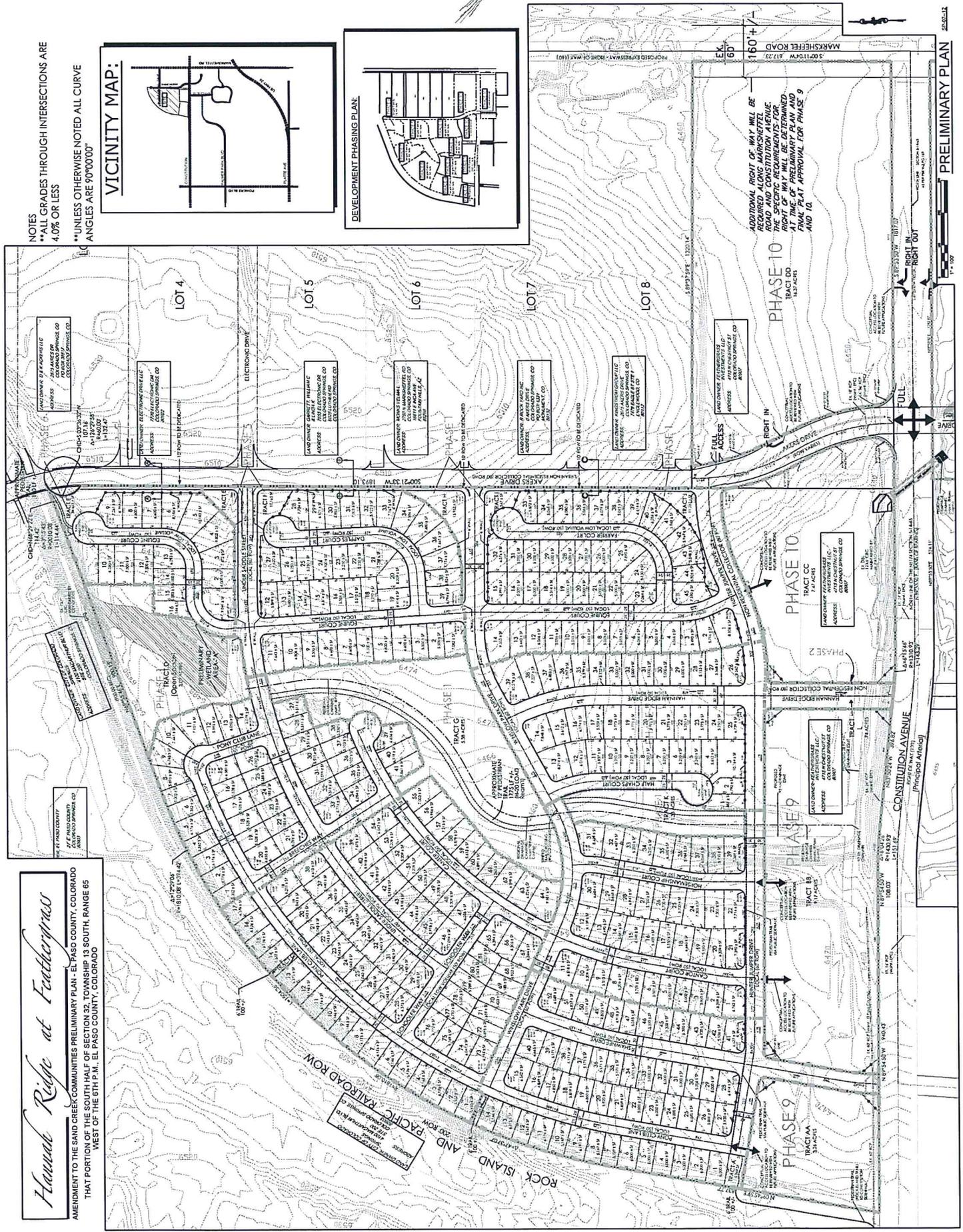
AMENDMENT TO THE SAND CREEK COMMUNITIES PRELIMINARY PLAN - EL PASO COUNTY, COLORADO  
 THAT PORTION OF THE SOUTH HALF OF SECTION 32, TOWNSHIP 13 SOUTH, RANGE 65  
 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO

NOTES  
 \*\*ALL GRADES THROUGH INTERSECTIONS ARE  
 4.0% OR LESS  
 \*\*UNLESS OTHERWISE NOTED ALL CURVE  
 ANGLES ARE 90°/00'00"

VICINITY MAP:



DEVELOPMENT PHASING PLAN





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## CHEROKEE METROPOLITAN DISTRICT

---

6250 Palmer Park Blvd. Colorado Springs, CO 80915-1721  
Telephone: (719) 597-5080 FAX: (719) 597-5145

February 20, 2013

Dave R. Gorman P.E.  
M.V.E. Inc.  
1903 LeLaray Street, Suite 200  
Colorado Springs CO 80909

Re: Hanna Ridge at Feather grass

Dear Mr. Gorman,

As you requested this letter is a review of the water available for the Hanna Ridge Development and also serves as the water commitment letter, and also gives a brief history of where the water originated.

There are two sources of water that were purchased by Sand Creek Inv. North LLC. specifically for the Hanna Ridge Subdivision Filing No 1 and Filing 2.

The first source of water was purchased through a "Water and Sewer Service Agreement" between Cherokee Metro District and Sand Creek Investments North LLC, date October 11, 2006. The agreement was for a total of 60.5 ac ft. of water of which 58.38 would serve 139 single family residential lots. 2.12 ac ft. were reserved for future development. The agreement purchased water from PLW Inc. who owned the water known as the "Kane Water Right". The Kane water right is a right to divert up to 200 acre feet of water annually from ground water rights decreed to the Sweetwater Development Corporation in Case No. 53483, District Court, Pueblo County entered April 28, 1972. Sand Creek Investment paid \$907,500.00 to PLW Inc. for 60.5 ac ft., and in accordance with the Water and Service Agreement, The District would reimburse the Water Development Charge to Sand Creek Inv. North LLC until the total \$875,700.00 had been reimbursed. The difference of \$31,800.00 which was price of the reserved water of 2.12 ac ft would be collected under a future water service agreement. This Kane water right was previously approved as an adequate source of supply by both the SEO and El Paso County for other developments such as the Claremont Business Park.

The second source of water was also purchased through a "Water and Sewer Service Agreement" between Cherokee Metro District and Sand Creek Investments North LLC, date December 4, 2006. The agreement was for a total of 76 ac ft. of water, which is sufficient water to serve 181 lots based on 0.42 ac ft. per lot. The agreement purchased water from Case International Company for water known as the Tipton Water which was adjudicated under the Negotiated Settlement and Order from the Colorado Ground Water Commission date December 4, 1991, Case No. 91-GW-01 which quantified the historic use of the water right under Permit No. 27574-FP and No 16253-FP and authorized the export of up to 225 ac ft. per year of water for use outside of the Upper Black Squirrel Designate Ground Water Basin. Sand Creek Inv. paid \$1,140,000.00 to Case International Company as directed by Cherokee for 76.0 ac ft. of water, and in accordance with the Water and Service Agreement, The District would reimburse the

water development charge to Sand Creek Inv. North LLC until the total \$1,140,700.00 had been reimbursed.

The total of these two purchases allows for 320 lots to be developed within the District boundaries. The amended preliminary plat for Hanna Ridge at Feather grass calls for 352 residential lots. The commitment water for the remaining 32 lots will be provided through new water purchased by the District specifically the Sundance Ranch Water, which is currently under design to be operational by the fall of 2014.

To explain the events leading to these two purchases of water by Sand Creek Inv. North LLC. On March 17, 2006 the District received an adverse Ruling from the Division 2 Water Court Judge resulting in delays in Cherokee obtaining additional water sources for Hannah Ridge Filing No 1. With this ruling the State of Colorado had determined that Cherokee has insufficient water to meet its current commitments, the state also determined that if Cherokee acquires new water rights, said new water will be used to reduce Cherokee's current water balance sheet deficit and said new water would not be available to obtain water sufficiency findings from the Colorado State Engineer and El Paso County for new developments. Accordingly Cherokee, Sand Creek and three other property owners within Cherokee, have created Cherokee LLC for the purposes of Cherokee Water's holding title to the Water Rights and providing the water service commitment to the State of Colorado and El Paso County for Sand Creek's and the other Members of Cherokee LLC's proposed new development within Cherokee. On October 10, 2006 the Cherokee Metro District Board of Directors adopted resolution number 2006-6 which imposed a Water Development Charge of \$6,300.00 per single family equivalent unit. This Water Development Charge will be collected by the District through its Tap Fees process and reimbursed to Sand Creek Communities as outline in the Water and Sewer Service Agreements. Therefore, the Cherokee Water LLC allowed for purchase of water to be committed for specific developments such as the Hanna Ridge at Feather grass and not be assign to the deficit.

As I mentioned this letter will also serve as the water commitment letter you need to provide to El Paso County. I can provide you with copies the Water and Sewer Service agreement if you would like. Please give me a call if you have any questions.

Sincerely,



Arthur B. Sintas  
Superintendent

Cc: Sean Chambers; General Manager Cherokee Metro District

## David Gorman

---

**From:** David Gorman <daveg@mvecivil.com>  
**Sent:** Wednesday, September 06, 2017 2:48 PM  
**To:** 'Kurt Schlegel'; 'Jonathon Smith'  
**Cc:** 'Kevin Walker'; 'Jim Boulton'  
**Subject:** Hannah Ridge san sewer esmnt  
**Attachments:** HRFG transmittal CMD 08-26-13.pdf; HRFG transmittal GMS 08-26-13 .pdf; 60970085-S50.pdf; 60970087-S51.pdf

Kurt,

There are two transmittals attached from 2013 when we submitted plans for the entire Hannah Ridge residential development. The phasing sheet mentioned on the transmittal is also attached. The plan set was reviewed and we made revisions. We would have returned redlines to GMS. There were no written comments issued for the entire site plan set, but we went on to have Hannah Ridge Filing No. 1 approved and signed off by the district.

Dave

David R. Gorman, P.E.  
M.V.E., Inc.  
1903 Lelaray Street, Suite 200  
Colorado Springs, CO 80909  
Ph 719.635.5736  
Fx 719.635.5450  
[www.mvecivil.com](http://www.mvecivil.com)



, Inc.

pc

LETTER OF TRANSMITTAL

<b>To:</b> Cherokee Metropolitan District	<b>Date:</b> August 26, 2013
6250 Palmer Park Blvd	<b>Project No:</b> 60790
Colorado Springs, CO 80915	<b>Project:</b> Hannah Ridge at Feathergrass

Attn: Mr. Art Sintas

We are sending you  attached, under separate cover, the following items:

- 1 Set Construction Plans – Hannah Ridge at Feathergrass for review
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

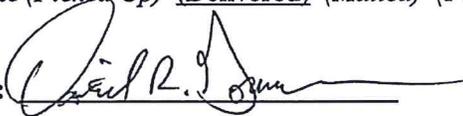
These are transmitted:

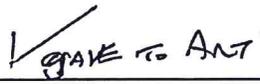
Per your request \_\_\_\_\_ Per the request of \_\_\_\_\_

For Approval  For Your Records \_\_\_\_\_ Other \_\_\_\_\_

Remarks: Art, Dave Frisch at GMS also has a set. Please review. This development will be phased as shown on the Utility Phasing Sheets contained in the set. Please call if there are any questions. Dave Gorman 635-5736, daveg@mvecivil.com

Date (Picked Up) (Delivered) (Mailed) (Faxed): 08/26/13

By: 

Received By:  GAVE TO ART SINTAS  




, Inc.

pc

LETTER OF TRANSMITTAL

<b>To:</b> Cherokee Metropolitan District	<b>Date:</b> August 26, 2013
6250 Palmer Park Blvd	<b>Project No:</b> 60790
Colorado Springs, CO 80915	<b>Project:</b> Hannah Ridge at Feathergrass

Attn: Mr. Art Sintas

We are sending you  attached, under separate cover, the following items:

- 1 Set Construction Plans – Hannah Ridge at Feathergrass for review
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

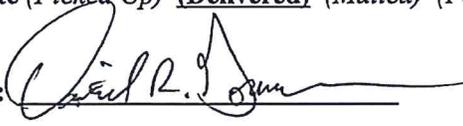
These are transmitted:

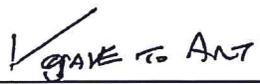
Per your request \_\_\_\_\_ Per the request of \_\_\_\_\_

For Approval  For Your Records \_\_\_\_\_ Other \_\_\_\_\_

Remarks: Art, Dave Frisch at GMS also has a set. Please review. This development will be phased as shown on the Utility Phasing Sheets contained in the set. Please call if there are any questions. Dave Gorman 635-5736, daveg@mvecivil.com

Date (Picked Up) (Delivered) (Mailed) (Faxed): 08/26/13

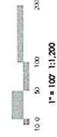
By: 

Received By:  GAVE TO ART SINTAS  




**VICINITY MAP**

THE INFORMATION ON THIS MAP IS FOR GENERAL INFORMATION ONLY. IT IS NOT TO BE USED AS A BASIS FOR ANY LEGAL OR FINANCIAL DECISIONS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE INFORMATION ON THIS MAP IS NOT TO BE USED AS A BASIS FOR ANY LEGAL OR FINANCIAL DECISIONS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



**MVE, INC.**  
ENGINEERS & SURVEYORS

1903 W. BAY STREET, SUITE 200, CHICAGO, ILLINOIS 60609 773.633.5736

12/11/13  
10/11/14

1. EPC COMMENTS  
2. EPC COMMENTS

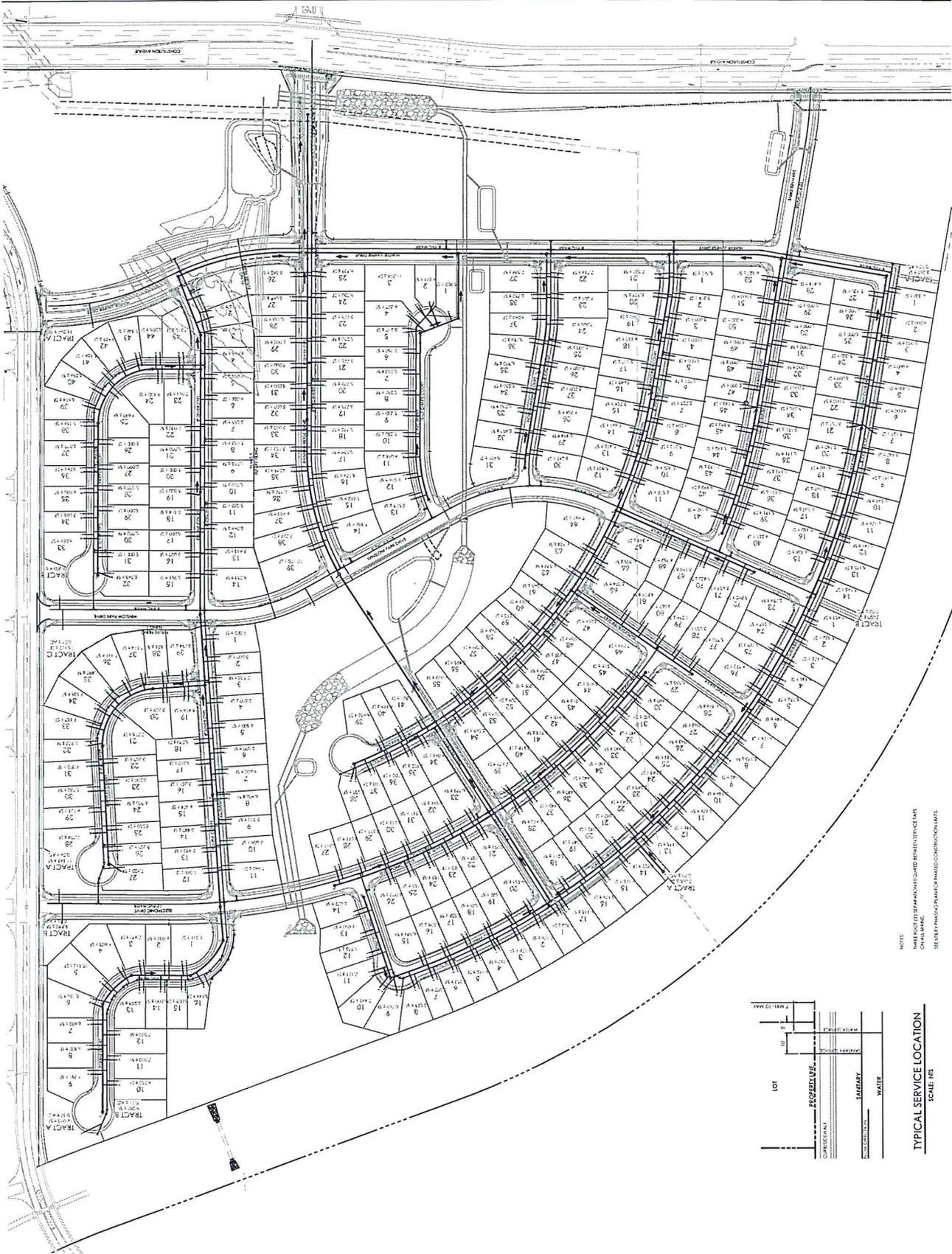
DESIGNED BY: T.W. JIM  
CHECKED BY: J. J. JIM  
DATE: 08/22/2013

**Hannah Ridge  
at Feathergrass**

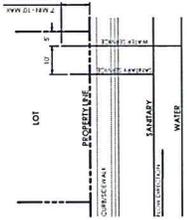
Utility Service  
Plan & Notes

PROJECT NO.: 60970  
DATE: 08/22/2013

AUGUST 22, 2013  
SHEET 52



NOTE:  
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**TYPICAL SERVICE LOCATION**  
SCALE: NTS

