



Mr. Ryan Howser,
cc: Erika Keech, Meggan Herington, and Joshua Palmer
Via e-mail and EDARP upload

October 22, 2024

Subject: Eagle Rising SF2225 Plat Filing 1 Response Letter and EDARP Upload

Our responses to the EPC October 2, 2024, and October 3, 2024 Plat and related documents review comments have been uploaded EDARP.

The upload includes:

1. This letter including the attached EDARP Review Comment Tracker for SF2225,
2. 20241021 Eagle Rising Final Plat Filing No. 1 Determination with Review Comment Tracker,
3. Detention Maintenance Agreement response for the private road with attachments,
4. Final Plat Drawings dated 10.17.2024,
5. Eagle Rising Filing No. 1 Legal Description 20241021,
6. Eagle Rising SF2225 Filing No. 1 Final Plat Channel Maintenance Agreement Response 10.21.24, and
7. Request for EPC response to applicant's responses. Excel file attached for aid in EPC response.

The Review Comment Tracker demonstrates that we have responded to all County review comments.

As previously noted in our September 18, 2024 letter with lot line adjustments between property owners CASAS LP #4 and IQ Investors LLC, all the Filing No. 1 Lots are outside the 100-year water surface elevation as requested by EPC Engineering while maintaining 2½ acre minimum lots. The lots will be adjusted prior to filing the Plat.

Our responses and updated documents constitute a complete applicant response to satisfy the requirements for Plat approval. We request that you expedite the review of these documents, and we formally request that the Eagle Rising SF2225 Plat Filing No. 1 be administratively approved by Meggan Herington. If Ms. Herington does not approve the Eagle Rising Final Plat Filing No. 1, by November 1, 2024, we request that this matter be referred to the EPC BoCC for their approval.

Respectfully submitted,

NEXT LEVEL DEVELOPMENT, INC.

A handwritten signature in blue ink that reads "Wayne M. Timura".

Wayne M. Timura, P.E.
Principal

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| EDARP Review Comments | | | | | | | | | | | | | | |
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| Eagle Rising Final Plat Filing No. 1 (Minor) SF2225 | | | | | | | | | | | | | | |
| Comment Number ID | Document Submitted | Agency | Attachments | Reviewer Name | Reviewer Date | Redline Document | Page | Reviewer Comment | Applicants Disposition | Applicant Response Date | Document | Page | Applicant Comment/Response | El Paso County Response to Applicant 10/18/24 Comments |
| 1 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 1 | See note #21 No permitted driveway for Kurie Dr | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | 10195 Kurie Road driveway in existence since before 1960 prior to requirement for driveway permits. Evidenced by caboose and building permits for existing detached garage (1997) and existing house (2003). See comment response #2 | |
| 2 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 1 | A driveway access permit is required. No driveway has been permitted. Please correct notes #21 and #16 See BOCC Resolution 20-423 for requirement correct per V6 comment. | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | 10195 Kurie Road driveway in existence since before 1960 prior to requirement for driveway permits. Evidenced by caboose and building permits for existing detached garage (1997) and existing house (2003). BOCC Resolution 20-423 is not applicable to existing 10195 Kurie Road driveway. See comment response #1 | |
| 3 | Final Plat Eagle Rising Filing No 1 | PCD Project Manager | Yes | Ryan Howser | 10/3/2024 10:53 | (Plat redlines) | 1 | Please delete the highlighted parts of note 18. I believe this should satisfy the soils & geology concerns on this site. | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 1 | Two sentences deleted. See comment response #4 | |
| 4 | Final Plat Eagle Rising Filing No 1 | Colorado Geological Survey | No | Amy Crandall, P.E. | 10/2/2024 10:07 | EDARP Comment | - | In our recent comments (8/15/2024), we state, "CGS continues to recommend the county require a groundwater monitoring/observation program to obtain current groundwater data..." For the plat, this should be a statement (not a recommendation of CGS). Also, the statement, "Additional investigations by the soils engineer at the time of foundation design are required to be conducted on the site determine basement feasibility and selection of mitigation solutions once building sites have been determined," should not be included since basement feasibility should be determined before final plat approval (preferably during preliminary plat approval) after a groundwater monitoring program is performed. We agree with the statement, "...basements are prohibited until ground water monitoring establishes feasibility." | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 1 | Building sites have not been determined and cannot be determined prior to Final Plat and site selection by future owners. EPC has not required ground water monitoring program. See comment response #3 | |
| 5 | Final Plat Eagle Rising Filing No 1 | PCD Project Manager | Yes | Ryan Howser | 10/3/2024 10:53 | (Plat redlines) | 1 | Administrative final plat does not have BoCC certificate. Please replace with the following PCD Director signature certificate: | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | No response to applicant's previous response: "The Eagle Rising Final Plat Filing No 1 has not been administratively approved." BOCC review to be determined See comment response #6 | |
| 6 | Final Plat Eagle Rising Filing No 1 | PCD Project Manager | Yes | Ryan Howser | 10/3/2024 10:53 | (Plat redlines) | 1 | No BoCC signature block needed | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | No response to applicant's previous response: "The Eagle Rising Final Plat Filing No 1 has not been administratively approved." BOCC review to be determined See comment response #5 | |
| 7 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 1 | There is no provision of ROW or identified access easement preservation reflected on the plat at this location for the turnaround to be built. This note does not provide the ROW or easement access. Note no more than 3 lots my access a single driveway. Please provide for ROW or preservation per previous comment | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | Disagree There is only one lot, Lot 10 (existing house at 10195 Kurie Road), accessing Kurie Road on Eagle Rising Final Plat Filing No. 1. See comment response #8, #9, #10 | |
| 8 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 2 | Unresolved: provide Kurie Road ROW | C - Disapproved | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | Disagree There is only one lot, Lot 10 (existing house at 10195 Kurie Road), accessing Kurie Road on Eagle Rising Final Plat Filing No. 1. See comment response #7, #9, #10 | |
| 9 | Final Plat Eagle Rising Filing No 1 | PCD Project Manager | Yes | Ryan Howser | 10/3/2024 10:53 | (Plat redlines) | 2 | Unresolved. This note is not adequate per LDC Sec. 8.4.4.B which states that either public ROW is dedicated, or land for public ROW is preserved. You must depict the land for dedication or preservation for future ROW, per the discussion staff had with the applicant. | C - Disapproved | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | Disagree There is only one lot, Lot 10 (existing house at 10195 Kurie Road), accessing Kurie Road on Eagle Rising Final Plat Filing No. 1. See comment response #7, #8, #10 | |
| 10 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 3 | See notes SH #1 | E - Answer provided | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | Disagree There is only one lot, Lot 10 (existing house at 10195 Kurie Road), accessing Kurie Road on Eagle Rising Final Plat Filing No. 1. See comment response #7, #8, #9 | |
| 11 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 2 | Utility | A - Approve | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 2 | See update | |
| 12 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 2 | sheet 4 | A - Approve | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 2 | See update | |
| 13 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 2 | cross out Eagle | A - Approve | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 2 | See update | |
| 14 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 4 | please label as drainage easement | A - Approve | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 4 | See update | |
| 15 | Final Plat Eagle Rising Filing No 1 | PCD Project Manager | Yes | Ryan Howser | 10/3/2024 10:53 | (Plat redlines) | 5 | Should be 4, 5, and 7 | C - Disapproved | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | - | Easement does not go to Lot 7 | |
| 16 | Final Plat Eagle Rising Filing No 1 | PCD Engineering Division | Yes | Edward Schoenheit | 10/3/2024 10:53 | (Plat redlines) | 5 | Public | A - Approve | 10/21/2024 | Final Plat Eagle Rising Filing No 1 | 5 | See update | |
| 17 | Detention Maintenance Agreement | County Attorney - Development Review | No | Erika Keech | 10/3/2024 14:16 | EDARP Comment | - | We are awaiting a new draft of the DMA from PCD Engineering and will review it when ready. | F - No Answer required | 10/21/2024 | - | - | DMA complete. Please note that the legal description will be updated when the Eagle Rising Final Plat Filing No. 1 is approved. | |
| 18 | Engineering Review | PCD Engineering Division | No | Edward Schoenheit | 10/2/2024 15:51 | EDARP Comment | - | Engineering Review 6 See redline comments on the following documents: Final Plat Drawings_v6 (uploaded by PCD) Channel maintenance access easement agreement to be finalized as a conditional of approval Legal description on DMA roadside grass buffer to be finalized with plat prior to recording. A driveway access permit is required for 10195 Kurie for access to Kurie Rd. | E - Answer provided | 10/21/2024 | - | - | Final Plat Drawings_v6 (uploaded by PCD) See comment responses #1 through #15 Channel maintenance access easement agreement to be finalized as a conditional of approval Access easements provided by Eagle Rising Final Plat Filing No. 1 Legal description on DMA roadside grass buffer to be finalized with plat prior to recording. Agree. See comment response #17 A driveway access permit is required for 10195 Kurie for access to Kurie Rd. Disagree. See comment response #1 and #3 | |

| Topic Legend | |
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| 1 | Driveway Permit |
| 2 | Drainage Maintenance Agreement |
| 3 | Colorado Geologic Survey |
| 4 | BOCC Signature Block |
| 5 | Kurie Road ROW |