



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

September 18, 2024

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

Our responses to the EPC August 15, 2024 Plat and related documents review comments and the Applicant team and EPC staff September 4, 2024 review meeting have been uploaded EDARP.

The upload includes:

1. EDARP Review Comment Tracker for SF2225 attached to this letter,
2. Detention Maintenance Agreement for the private road,
3. Final Drainage Report,
4. Final Plat Drawings,
5. Channel Maintenance Agreement Response,
6. Bremer 8.22.2024 e-mail to Meggan Herrington,
7. Timura 8.23.2024 Letter to Meggan Herrington and Joshua Palmer,
8. Construction Drawings (Plans/Profiles),
9. Grading and Erosion Control Plans,
10. Lot offset exhibit from Water Surface Elevation,
11. Responses Final Drainage Report Review, and
12. EPC LDC Plat Approval Criteria - Applicant Statements Matrix.

The EPC LDC 7.2.1. (D) (3) (f) Plat Approval Criteria is acknowledged in the attached and uploaded Matrix item 12. Plus the attached EDARP Review Comment Tracker demonstrates that we have responded to all County review comments.

Please note that 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 Herrington. If Ms. Herrington does not approve the Eagle Rising Final Plat Filing No. 1, by October 4, 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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Eagle Rising SF2225 Filing No 1 Final Plat Approval Criteria Compliance Matrix

Criteria for Approval from El Paso County Land Development Code 7.2.1. (D) (3) (f) Applicant Statement EPC Response

		Applicant Statement	EPC Response
1	The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;	Yes	
2	The subdivision is in substantial conformance with the approved preliminary	Yes	
3	The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;	Yes	
4	Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6) (a)] and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan	Yes	
5	A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8	Yes	
6	All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6) (c)];	Yes	
7	Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3) (c) (VIII)] and the requirements of this Code and the	Yes	
8	or recorded easement, acceptable to the County in compliance with this Code and the ECM;	Yes	
9	Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;	Yes	
10	The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;	Yes	
11	Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;	Yes	
12	Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;	Yes	
13	The subdivision meets other applicable sections of Chapter 6 and 8;	Yes	
14	The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]	Yes	

Submittal N	EDARP Review Comments	8.15.2024	Applicant Response spreadsheet Date	9.10.2024														
Project Name	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				
1	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Include IQ Investors LLC also if the plat includes part of that parcel.	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	IQ Investors LLC is not party to Eagle Rising Final Plat Filing No. 1					
2	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Add signature block for IQ Investors LLC also if the plat includes part of that parcel.	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	IQ Investors LLC is not party to Eagle Rising Final Plat Filing No. 1					
3	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Note 7. and other drainageways	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	"and other drainageways" wording unnecessary no engineering code or planning code citation provided					
4	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Note 7. or drainageways	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	"or drainageways" wording unnecessary no engineering code or planning code citation provided					
5	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Note 16. approval required	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	El Paso County Engineering approval not required. No engineering code or planning code citation provided. Further Engineering consultation required.					
6	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Note 21. Once driveway access permit has been approved and issued. Please correct and rephrase.	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	10195 Kurie Road driveway in existence since before 1997. Evidenced by building permit for detached garage and house.					
7	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	1	Note 28. This does not meet the requirement to provide the Kurie Road ROW.	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Disagree					
8	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	The dates and commitment no. will need to be updated when the plat is recorded to reflect the new title commitment. This is especially important if the external boundary of the subdivision is changing.	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Agree before recording.					
9	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	Note 18. Please address the Colorado Geological Survey comments on Note 18 by providing for mitigation measures. Staff recommends updating the highlighted part to state that basements are prohibited.	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	See updated Note 18.					
10	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	Administrative final plat does not have BoCC certificate. Please replace with the following PCD Director signature certificate.	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	The Eagle Rising Final Plat Filing No 1 has not been administratively approved.					
11	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	This plat for (name of subdivision or plat) was approved for filing by the El Paso County, Colorado Planning and Community Development Department Director on the _____ day of _____, 20____, subject to any notes or conditions specified hereon. _____ Planning and Community Development Director	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	The Eagle Rising Final Plat Filing No 1 has not been administratively approved.					
12	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	No BoCC signature block needed	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	The Eagle Rising Final Plat Filing No 1 has not been administratively approved.					
13	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	D20 fees \$306 x 10 lots = \$3,060.	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Updated					
14	Final Plat Eagle Rising Filing No 1	PCD Project Manager	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	1	Per Parks Advisory Board comment letter, the correct fee amount should be \$4,140.	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Updated					
15	Final Plat Eagle Rising Filing No 1	Colorado Geological Survey	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	2	This is more of a general comment / advice on addressing the remaining issues. 1. As shown on the plat below, both owners would need to be signatory to all documents. This would involve resubmitting the SIA, DMA, and any other agreements that require owner certification since the property in question would incorporate land owned by both parties. If you shift the boundary of the two unplatted master parcels prior to plat recording (and show coincident property line on the plat) this would avoid the need for the second owner to sign all the documents.	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	IQ Investors LLC is not party to Eagle Rising Final Plat Filing No. 1					
16	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	2	2. The plat still needs to account for Kurie Road ROW, also requiring a new legal description and closure calculations, which also need to be revised if the lots are adjusted any further.	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Disagree					
17	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	2	3. If the lots remain as shown, the channel maintenance access easement agreement (for access to the channel along the lot lines) needs to include the area within 15 feet of the 100-year floodplain. If the lots are adjusted to be a minimum of 15 feet from the floodplain the access easement will be for the side lot lines only per the channel maintenance access exhibit.	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	The Channel Maintenance Agreement is not required for Eagle Rising Final Plat Filing No. 1 as the Cottonwood Creek channel is not located on this filing.					
18	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Ryan Howser	8/15/2024 16:12	(Plat redlines)	2	If the boundary line isn't adjusted prior to platting, it would create an illegal division resulting in the highlighted portions being their own undevelopable pieces of land. This issue could be avoided if the full 70 acres is included in the plat and the remainder is platted as a future development tract.	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Boundary lines will be adjust prior to recording after Final Plat approval .					
19	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Ryan Howser	8/15/2024 16:12	(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	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Disagree					
20	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	Unresolved: provide Kurie Road ROW	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Disagree					
21	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	call out access easement to Lot 7	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	4	See updated Access & Water Easement Detail					
22	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	per discussions, the lots are to be 15' from the floodplain or will require an agreement for maintenance access to the drainageway	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Lots are already 15' outside 100 year water elevation. Jeff Rice error.					
23	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	Include both owners on title page and in agreements	C - Disapproved	9/17/2024	Final Plat Eagle Rising Filing No 1	-	IQ Investors LLC is not party to Eagle Rising Final Plat Filing No. 1					
24	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	provide drainage easement	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	4	Added					
25	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	Provide drainage easement per FDR comments	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	5	Added					
26	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	Is property boundary going to be adjusted prior to platting?	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1	-	Boundary lines will be adjust prior to recording after Final Plat approval .					
27	Final Plat Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	(Plat redlines)	2	label acreage	A - Approve	9/17/2024	Final Plat Eagle Rising Filing No 1	2	Added					
28	PRIVATE DETENTION BASIN / STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT Eagle Rising Filing No 1	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:12	PRIVATE DETENTION BASIN / STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT Eagle Rising Filing No 1	9	Revise per plat revisions and Kurie Road ROW	E - Answer provided	9/17/2024	PRIVATE DETENTION BASIN / STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT Eagle Rising Filing No 1	-	The legal description will be corrected when the Eagle Rising Final Plat Filing No. 1 is approved.					
29	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	5	82	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1		Minor discrepancy with Final Plat acreage is corrected in the report.					
30	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	12	10 / 33.9 cfs?	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1		DP 7, DP9 & DP 10 flows are revised to match updated basin hydrology contained in the Appendix.					

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
31	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	15	10.1 cfs, Q100=30.6	E - Answer provided	9/17/2024	Final Plat Eagle Rising Filing No 1		DP 7 & DP 9 flows are revised to match updated basin hydrology contained in the Appendix.	
32	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	15	compare to pre-developed condition (diversion)	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report		The developed flow path is not a change from existing. The drainage maps show the correct flow path along the roadway in both existing and developed conditions.	
33	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	16	DP10 flow rates highlighted for question	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report		DP 10 flows are revised to match updated basin hydrology contained in the Appendix.	
34	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	16	"compare to pre-developed condition (diversion)"	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	The developed flow path is not a change from existing. The drainage maps show the correct flow path along the roadway in both existing and developed conditions.	
35	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	17	required	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	The culvert pipe sizes and locations are included in this report so that future Engineered Site Plans are not required in order to make these minor changes to individual lots in the future if desired by the owner. The word change was not implemented here.	
36	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	19	mention the existing culverts and option for lot owners to install culverts if approved by the OA.	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Text added in the last paragraph of this section.	
37	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	19	that includes any portion of the channel	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Text added to the end of the sentence.	
38	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	20	east of this filing(?)	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	The entire last sentence of this paragraph was removed because it is no longer applicable to Filing 1.	
39	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	209	(note: easement agreement is still needed)	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Access and Drainage easements are indicated on the plat. No agreement is necessary for the county to utilize them if needed.	
40	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	209	These areas need to be included based on the lot boundaries shown	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	The easements shown as previously submitted provide the required access the easterly adjacent property which includes the creek and ponds. The owner has not authorized the requested additional easements.	
41	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	209	Adjust plat and plans to show the cul-de-sac ROW	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Owners discussions with the Planning Director continue. The owner has not authorized new cul-de-sac R.O.W. to be shown.	
42	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	211	Analysis should be based on conditions before redirected flow per previous version	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	The revised flow path/basin connectivity on this map is the corrected existing condition. No change back to the previous version is needed.	
43	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	212	Unresolved: Adjust plat and plans to show the cul-de-sac ROW	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Owners discussions with the Planning Director continue. The owner has not authorized new cul-de-sac R.O.W. to be shown	
44	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	8/15/2024 16:11	(FDR redlines)	212	Unresolved: Provide drainage easement	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Added Drainage easement and coordinated with plat drawing	
45	Eagle Rising Filing No 1 Final Drainage Report	PCD Engineering Division	Yes	Jeff Rice	6/6/2024 10:41	(FDR redlines)	212	Provide drainage easement and analysis based on revisions to report	E - Answer provided	9/17/2024	Eagle Rising Filing No 1 Final Drainage Report	-	Added Drainage easement and coordinated with plat drawing	