

MEMORANDUM

DATE: June 6, 2024

TO: Ryan Howser, PCD-Project Manager

FROM: Jeff Rice, PCD-Engineering
719-520-7877

SUBJECT: SF-22-025 – Eagle Rising **Response to Memo 8/1/2024**
Fourth response to comments

Engineering Division

Planning and Community Development (PCD)-Engineering reviews plans and reports to ensure general conformance with El Paso County standards and criteria. The project engineer is responsible for compliance with all applicable criteria, including other governmental regulations. Notwithstanding anything depicted in the plans in words or graphic representation, all design and construction related to roads, storm drainage and erosion control shall conform to the standards and requirements of the most recent version of the relevant adopted El Paso County standards, including the Land Development Code (LDC), the Engineering Criteria Manual (ECM), the Drainage Criteria Manual (DCM), and the Drainage Criteria Manual Volume 2 (DCM2). Any deviations from regulations and standards must be requested, and approved by the ECM Administrator, in writing. Any modifications necessary to meet overlooked criteria after-the-fact will be entirely the developer's responsibility to rectify.

The comments include unresolved previous comments and new comments resulting from the re-submittal in **blue bold**. All previous comments that have been resolved have been noted or deleted. A written response to all comments and redlines is required for review of the re-submittal. Please arrange a meeting between the developer's team and County staff to review and discuss these comments and prepared revisions/responses prior to the next submittal. Additional comments may be generated on items added or revised after the original comments.

General

1. Resolved
2. (Deleted)
3. Resolved
4. **Resolved** (Note that the fire district has stated that "full compliance and conformance" with the LDC and ECM shall be demonstrated and deviations affecting safety with access/egress are not supported.)
5. The final plat needs to match the preliminary plan; revise one or the other, or both, as appropriate. **(revise as applicable based on redline comments) Unresolved at the Kurie Road cul-de-sac. Response: No EPC response to applicants response on 5.21.2024 as previously stated "The Preliminary Plan shows the complete development of two parcels, 5229000034 and 5229000035. Eagle Rising Filing No. 1 is the Final Plat for only the western parcel, 5229000034. The final plat for Filing No. 1 contains the necessary elements to serve the single family residential lots as depicted on the Filing No. 1 plat."**

Final Plat

1. The areas/parcel to the east of the proposed subdivision need to be included in the plat as tracts and rights-of-way to allow for adequate channel maintenance provisions. (This is

because the channel crosses between the lots and the area to the east.) Also address all other drainage and maintenance access easements as appropriate in that tract or tracts. Ensure that all drainage and access easements proposed in the drainage plan are shown on the plat. Unresolved. *As discussed at the meeting on November 28th, a channel maintenance easement agreement will be required based on the current proposal, regardless of platting the parcel to the east. A plat note referencing the agreement is needed; see plat redlines. **Unresolved; also include the “Eagle Rising Owners Association” name in the plat note. Response Plat modified for lots 7 and 8 so Cottonwood Creek channel no longer touches Eagle Rising Final Plat Filing No. 1. See Plat Note #27 regarding Stormwater Agreement Recording. No EPC response to applicants response on 5.21.2024 as previously stated “The Owner’s attorney is addressing the agreement for the creek drainage with the County Attorney. A plat note referencing the agreement can be added to the plat when agreement is reached.”***

2. Floodplain elevations at each lot need to be addressed in accordance with LDC Section 8.4.2(B) and DCM Section 1.4.2. Based on the HEC-RAS modeling, provide the maximum calculated 100-year floodplain elevation at each applicable lot corner either on the plat or on a plan (GEC, FDR, etc.) that can be referenced with a plat note.
 - a. Provide a plat note stating that structures are to be constructed a minimum of one foot above the highest calculated floodplain elevation. Resolved.
3. Add the following plat notes:
 - a. “An engineered site plan prepared by a Colorado Professional Engineer and conforming to EPC Land Development Code and Engineering Criteria Manual standards, and consistent with the plans and recommendations in the Final Drainage Report and the Soil, Geology, Geologic Hazard Study on file, shall be provided to EPC PCD and approved prior to the issuance of a building permit for each lot. If an additional drainage easement is necessary it shall be submitted for review with the engineered site plan and shall be recorded with the Clerk and Recorder prior to the issuance of a building permit.” **Unresolved; see modified version of the note (as discussed at the 11/28 meeting) on plat redlines. Provide and adjust the note as applicable per other comments regarding culverts, pond area filling, and construction easements. Response: Modified Note 16: “Individual lot owners are responsible for any necessary driveway culvert construction and driveway grading. “If all owners of lots 3,4,5,6 agree to fill pond for driveways, engineering consultation recommended. Access to lots 4,5,7 provided by access easement over lot 6. No EPC response to applicants’ response on 5.21.2024 as previously stated “A blanket requirement for engineered site plans on these 2.5+ acre lots is not needed. A more acceptable note was added and approved on the Preliminary Plan: “Downslope Creep – Portions of lots 16 & 17 with DSC areas require an Engineered Site Plan if the DSC areas are disturbed”. However, there are no Downslope Creep (DSC) areas that apply to lots contained with Eagle Rising Filing No. 1. The note is not needed on the plat.”.**
 - b. “Tract [provide] including the area of the Cottonwood Creek drainage channel shall be public drainage easements in their entirety with maintenance access granted to El Paso County. Maintenance of these areas will be the responsibility of the Homeowners Association, Park Forest Water District, or other entity acceptable to the Board of County Commissioners.” Unresolved (this applies if the proposed lots are not removed from the calculated floodplain per preliminary plan comments). **(This will be resolved with the channel maintenance agreement.)**
 - c. **Resolved.**
4. The plat must dedicate right of way for a cul-de-sac at the south end of Kurie Road. Cul-de-sac dimensions need to match dimensions shown in the standard drawing for cul-de-sac details in the Engineering Criteria Manual so that County vehicles attempting to maintain the roadway and emergency service vehicles may turn around in the public cul-de-sac. Revise Lot 8 as

appropriate. **Unresolved; the portion of the necessary ROW within the final plat area shall be provided in conformance with the preliminary plan. Unresolved.**

5. Half of Briargate Parkway is to be platted, 60 feet as shown on the preliminary plan. ROW reservation and easements are also shown on the preliminary plan and need to be included. *(Only applicable if both parcels are being platted.)*
6. See cursory final plat redlines. **Partially resolved; see updated/remaining redlines.**
Response: No EPC response to applicants' response on 5.21.2024 as previously stated "The Preliminary Plan shows the complete development of two parcels, 5229000034 and 5229000035. Eagle Rising Filing No. 1 is the final plat for only the western parcel (5229000034). The final plat for Filing No. 1 contains the necessary elements to serve the single-family residential lots as depicted on the Filing No. 1 plat. The approved Preliminary Plan indicates a turnaround will be required for more than two parcels/lots to access Kurrie Rd. An additional Kurrie Road Cul-de-Sac Right of Way is not required on Final Plat Eagle Rising Filing No. 1. Minimum frontage access meets LC 8.4.3.B.e as shown on the plat. See Access Easement Detail Sheet 3 showing the existing approved driveway 30' access easement to Kurrie Road that is platted as a permanent existing turnaround. No additional ROW needed."

Final Drainage Report / Drainage Plans

1. See cursory PDR and FDR redlines. See comments in the preliminary plan file on the MDDP/PDR *and comments on the FDR*. **Partially resolved; see updated/remaining FDR redlines.** **Response: Comments on the Final Plat Redlines are addressed on the redline items and all responses to county comments.**
2. **Resolved with approved deviation request.**
3. Resolved.
4. Resolved.
5. Provide water quality provisions for the proposed Eagle Wing View in accordance with ECM Appendix I requirements. Provide water quality analysis and design in accordance with ECM Appendix I, Section I.7. *See Stormwater redlines.* **Resolved.**
6. Discuss maintenance access provisions (for channels and BMPs), maintenance requirements and responsibility, and the Private BMP Maintenance Agreement and Easement that will be provided for the channel and any required PBMPs. Per criteria, a 15 foot wide access easement and an all-weather access road is required on each side of the main channel. **Partially resolved; see redlines.** **Response: See updated report**
7. Show all improvements including ditch erosion protection, culvert inlet and outlet protection details on the developed drainage plan and GEC Plan. **Partially resolved; address comments regarding culverts and filling of pond area.** **Response: All necessary improvements are shown on the GEC plan. No plan to fill pond.**
8. **Resolved with approved deviation request.**
9. **Resolved.**
10. **Resolved.**
11. Address permitting requirements for all applicable agencies. *Resolved (if no construction in the drainageway).*

Construction Plans / Geotechnical Issues

1. **Resolved.**
2. Note: These plans were not reviewed in detail due to the number of other issues including drainage/water quality and private road waiver/deviation clarifications. There is a proposed public cul-de-sac on Kurrie Road that is proposed to be constructed but not shown in these plans. Part of this construction is shown on property not owned by this applicant. Provide all information required for CD review. **See previous and current CD redlines. At a minimum,**

the Kurie Road cul-de-sac ROW within this plat needs to be provided and plans provided to show that it is constructable or if additional easements will be needed in Lot 10.

Partially resolved; see updated/remaining redlines. Response: See updated CD document and response to all county comments. No EPC response to applicants response on 5.21.2024 as previously stated "The final plat for Filing No. 1 contains the necessary elements to serve the single-family residential lots as depicted on the Filing No. 1 plat, without the additional Kurie Road requested R.O.W."

3. Include channel and spillway improvements. If the developer desires reimbursement/fee offsets for the DBPS channel construction costs (grade control) and for the County to maintain the improvements, the process in the DCM needs to be followed (reference DCM Sections 1.7 and 3.3). **Resolved.**
4. **Resolved.**
5. **Resolved.**
6. **Resolved.**

Grading and Erosion Control (GEC) Plan / SWMP

1. **Resolved.**
2. Ensure that all items on the GEC checklist are provided or addressed. **Partially resolved; see updated/remaining GEC plan redlines. Response: All items on GEC checklist are provided.**
3. See GEC Plan electronic redlines. **Partially resolved; see updated/remaining redlines. Response: See updated GEC plan document and response to all county comments.**

Forms / SIA / Financial Assurances Estimate (FAE) Form

1. Note: The FAE will be reviewed upon resolution of the issues identified above.
 - a. **Resolved.**
 - b. **Through d – Resolved.**
 - e. **Provide culverts, if these will be installed by the developer. Response: No culverts required.**
2. Provide all items required by the Engineering Final Submittal Checklist, attached.
3. **Resolved.**
4. **Resolved.**
5. **Note: A draft channel maintenance agreement will be provided when available. (Staff will provide separately.) Response: Addressed by revising lot lines.**

Attachments

1. Final Plat redlines
2. Final Drainage Report redlines
3. GEC Plan redlines
4. CD redlines
5. Engineering Final Submittal Checklist
6. Please, also see responses in Comment Tracker – attached.

Engineering Final Submittal Checklist	
Check Box	Item: Report/Form
<input type="checkbox"/>	Drainage Report (signed)
<input checked="" type="checkbox"/>	PBMP Applicability Form
<input checked="" type="checkbox"/>	Traffic Impact Study (signed)
<input checked="" type="checkbox"/>	Grading & Erosion Control Plan and checklist (signed)
<input type="checkbox"/>	Street and utility Construction Plans (signed)
<input type="checkbox"/>	Deviation Request (signed)
<input type="checkbox"/>	MS4 Post Construction Form and SDI worksheet
<input type="checkbox"/>	Proof of embankment/pond submittal to State Engineer
<input checked="" type="checkbox"/>	ESQCP (signed)
<input checked="" type="checkbox"/>	* Financial Assurance Estimate, SIA (signed)
<input checked="" type="checkbox"/>	* Pond/BMP/Channel Maint. Agreement and Easement (signed)
<input checked="" type="checkbox"/>	* Operation & Maintenance Manual
<input type="checkbox"/>	AutoCAD base drawing (submitted to DPW)
<input type="checkbox"/>	Pre-Development Site Grading Acknowledgement and Right of Access Form (signed)
<input type="checkbox"/>	Other: Offsite Easements, Other Permits (FEMA LOMR, USACE, Floodplain...), Conditions of Approval, Street light license agreement, etc.
Pre-Construction Checklist:	
<input type="checkbox"/>	Driveway/Access Permit (Temporary access permits to be obtained from EPC DPW)
<input type="checkbox"/>	Work Within the ROW Permit (DPW or CDOT)
<input checked="" type="checkbox"/>	* Stormwater Management Plan (SWMP) and checklist Submit to PCD-Inspections 2 weeks prior to precon.
<input type="checkbox"/>	* Colorado Discharge Permit (COR: _____)
<input type="checkbox"/>	* County Construction Activity Permit
<input type="checkbox"/>	* CDPHE APEN – (if over 25 ac. or 6 mos.)
<input type="checkbox"/>	* Financial Surety (Letter of Credit/Bond/Collateral/Check)
<input type="checkbox"/>	Construction Permit Fee: <i>Major Final Plat (CO and/or PBMPs and/or offsite impvts.)</i> \$ _____ (Verify fees with Inspections Supervisor at time of scheduling)
<input type="checkbox"/>	Other: <u>Dewatering Permit</u> , _____

* - required items to obtain an ESQCP

Permit Fee and Collateral must be separate checks

Post Construction Submittal Checklist: (ECM 5.10.6)	
<input type="checkbox"/>	As-Built Drawings
<input type="checkbox"/>	Pond Certification Letter
<input type="checkbox"/>	Acceptance Letter for wet utilities

- = Need final / signed version
- = complete, in file
- = PCD Staff to provide

- = Undetermined at this time
- = Need later