



**Via e-mail and EDARP upload**

August 23, 2024

Ms. Meggan Herrington and Joshua Palmer

cc Mr. Ryan Howser, EPC Engineering Team and Ducan Bremer

**Subject:** Eagle Rising SF2225 Plat Filing No. 1 - Two Unresolve comments

Meggan,

In addition to Duncan Bremer's August 22<sup>nd</sup> e-mail to Meggan, I thought it would be good to follow up with both of you. Except for two unresolved comments the other EPC review staff comments will be addressed and uploaded to EDARP. The request to have lot lines adjusted to be a minimum of 15' from the 100-year water surface line and the Kurie Road ROW request are addressed herein to satisfy the requirements for administrative approval of the Eagle Rising SF2225 Plat Filing No. 1.

**1. LOTS OUT OF THE 100-YEAR WATER SURFACE LINE**

- As previously discussed, lot property lines will be adjusted between CASA LP #4 and IQ Investors, LLC prior to filing the Plat to move Lots 7, 8 and 9 out of the 100-year water surface elevation for Eagle Rising Filing No. 1. This, as you agreed, eliminates the need for a maintenance agreement for Cotton Wood Creek for Filing No. 1. There is no justification for the request that the lot lines be 15' from the 100-year water surface elevation line.
- There is a 10' public utility and drainage easement on all sides of the inside perimeter of each Lot. See the yellow highlighted notes on the screenshot extract of the Filing No. 1 Plat below. Access to the Creek for maintenance is shown on PDF page 209 of the Final Drainage Report, (screenshot below), is consistent with the approved Channel Deviation and meets the criteria and intent of ECM 3.3.3.K2.
- However, as noted the EPC review engineers are requesting that the Lot 7, 8, and 9 Lot property lines be adjusted to be a minimum of 15' from the 100-year water surface line. Considering the 10' easement and the Access to the Creek Exhibit there is no rational engineering basis for this additional 15' to further reduce the size of the Lots. Also, there is no justification for adding access along the back side of the Lots for access to the Creek.
- Furthermore, the No Build and Drainage Easement Lines shown on the Plat, (highlighted in red below), are 2' above the 100-year water surface elevation even further away from the 100-year line out of an abundance of caution vs. only 1' as require for a FEMA Floodplain. NOTE: The 100-year water surface is not classified as a FEMA Floodplain.

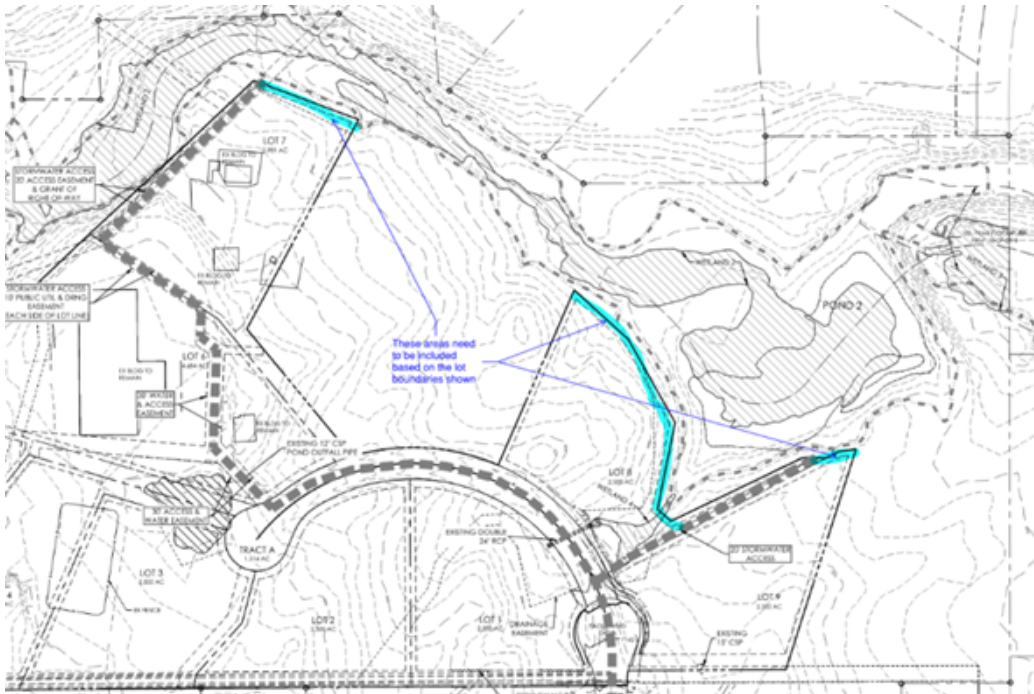
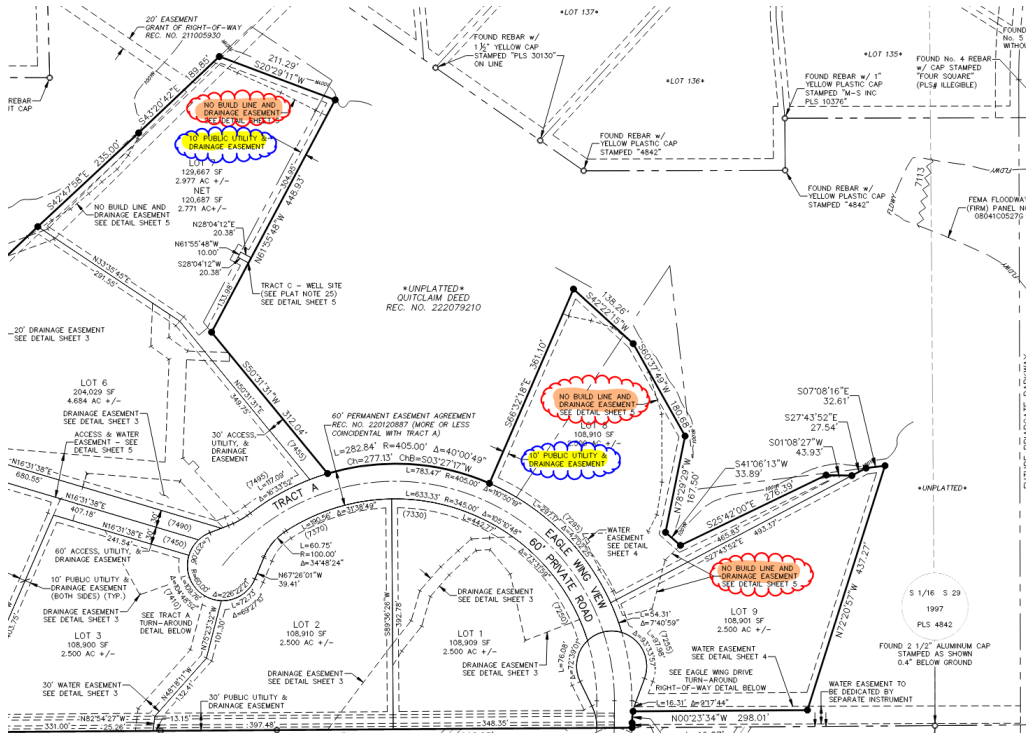
---

**Commercial Real Estate, Development and Construction Management**

735 Lancers Court West, Suite 100, Monument, CO 80132

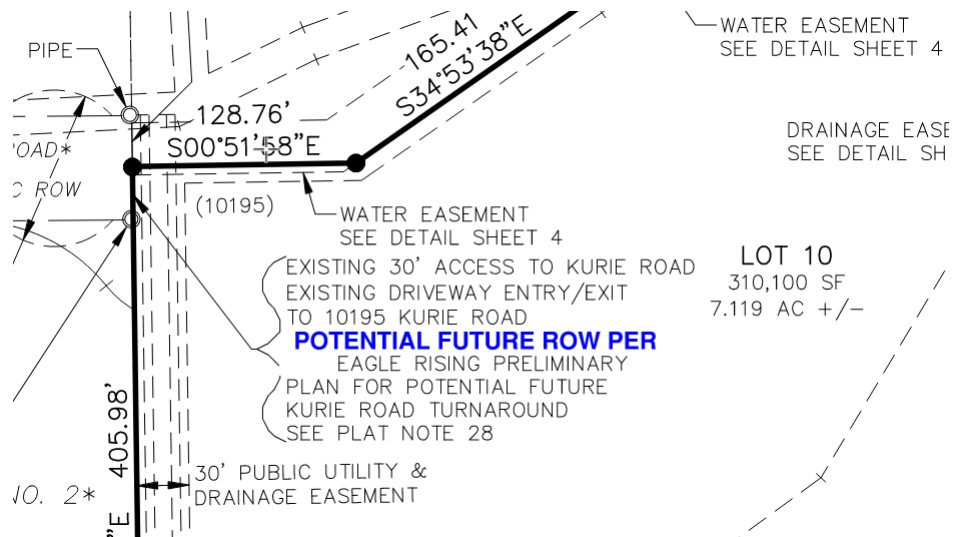
Telephone: 719-886-6535 Cell: 719-351-8629

[www.NLdevelopment.com](http://www.NLdevelopment.com) [wtimura@NLdevelopment.com](mailto:wtimura@NLdevelopment.com)



## 2. KURIE ROAD

An addition to the note regarding Kurie Road as shown in blue below on the extract from the Plat to satisfy LDC Section 8.4.4.B will be added to the Filing No. 1 Plat.



Our response to the two main open comments and updated documents that will be uploaded to EDARP constitute a complete applicant response to satisfy the requirements for Plat approval. Meggan, we request that you expedite the review of these documents, and we formally request that you administratively approve the Eagle Rising SF2225 Plat Filing No.1. Thank you for considering this request.

Respectfully submitted,

NEXT LEVEL DEVELOPMENT, INC.

*Wayne M. Timura*

Wayne M. Timura, P.E.  
Principal