

October 21, 2024

Upload to El Paso County EDARP to:

Ms. Meggan Herington, Executive Director El Paso County Planning and Community Development

Mr. Howser, El Paso County Planning

Ms. Erika Keech, Senior County Attorney

Mr. Edward Schoenheit, Professional Standards Engineer Review Engineer

Subject: Eagle Rising SF2225 Filing No. 1 Final Plat Channel Maintenance Agreement Response

Ms. Herington, Mr. Howser, Ms. Keech, and Mr. Schoenheit,

Please note that a Channel Maintenance Agreement is not required by El Paso County Planning Code, El Paso County Engineering Code, nor El Paso County staff according to communications from Meggan Herington including the examples below for Eagle Rising Final Plat Filing No. 1 as the Cottonwood Creek channel is not located on this filing.

Please see applicant's letter from September 17th, 2024 along with the 100 year Water Surface Elevation Exhibit. Both are attached.

We have not received a formal El Paso County response to the September 17th, 2024 letter.

El Paso County has again caused delay in the approval process of this application.

Please note that Meggan Herington, Executive Director El Paso County Planning and Community Development, approved this as the lots for Eagle Rising Final Plat Filing No. 1 are not located in the Cottonwood Creek channel.

From: Meggan Herington, Executive Director El Paso County Planning and Community Development

“*** In order for staff to make a finding that the criteria for approval have been met, the request is to submit the required documents related to the channel OR pull all lots within this plat out of the channel thus triggering the channel to be addressed with the next final plat or next phase of development (again, per the approved preliminary plan). This is based on the request that the final plats be under administrative approval.”

From: Meggan Herington, Executive Director El Paso County Planning and Community Development

From: **Meggan Herington** <MegganHerington@elpasoco.com>

Date: Mon, Jul 29, 2024 at 5:26 PM

Subject: RE: Eagle Rising Filing No. 1 - Basic Issues for Resolution

To: Duncan Bremer <duncan.bremer@gmail.com>

Cc: Ryan Howser <RyanHowser@elpasoco.com>, Justin Kilgore <JustinKilgore@elpasoco.com>, Kenny Hodges <KennyHodges@elpasoco.com>

Duncan, the requirement from the last meeting was that the lots had to be out of the 100-year floodplain plus 15 feet for maintenance unless the current owner still wants an agreement allowing others to access a 15-foot easement on the two lots in question. This is an engineering item and I'm relaying what staff has told me is needed to meet the requirements of the ECM.

We request formal confirmation that this topic is now closed.

Thank you,

Stephen Jacobs Jr.

MyPad, Inc.

Developer for Eagle Rising



September 17, 2024

Upload to El Paso County EDARP to:

Ms. Erika Keech

Mr. Jeff Rice

Mr. Edward Schoenheit

Senior County Attorney

Professional Standards Engineer

Review Engineer

**Subject: Eagle Rising SF2225 Filing No. 1 Final Plat
Channel Maintenance Agreement Response**

Ms. Keech, Mr. Rice, and Mr. Schoenheit,

Regarding your review comments posted on EDARP please note that a 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. See the attached 100 year Water Surface Elevation Exhibit.

Sincerely,

NEXT LEVEL DEVELOPMENT, INC.

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

Wayne M. Timura, P.E.
Principal

Commercial Real Estate, Development and Construction Management

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