

## **FALCON MEADOWS AT BENT GRASS FILING 1**

### **LETTER OF INTENT**

#### **JULY 2021**

**OWNER/APPLICANT:**

Challenger Homes  
8605 Explorer Dr.  
Colorado Springs, CO 80920

**CONSULTANT:**

N.E.S. Inc.  
619 N. Cascade Ave. Suite 200  
Colorado Springs, CO. 80903

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#### **REQUEST**

N.E.S. Inc. on behalf of Challenger Homes request approval of the Falcon Meadows at Bent Grass Filing 1 Plat for 71 single-family residential lots, and 5 tracts on 21.3 acres.

#### **PROJECT DESCRIPTION & CONTEXT**

The Falcon Meadows at Bent Grass Filing 1 Plat contains 71 lots south of Bent Grass Meadows Drive. The Plat is a 21.3-acre portion of the Falcon Meadows at Bent Grass PUD and Preliminary Plan consisting of 67.012 total acres. The PUD and Preliminary Plan includes 267 single-family lots; approximately 25 acres of open space, trail corridors, and drainage; and roughly 10.5 acres of public right-of-way. Filing 1 is the first of 4 phases comprising the Falcon Meadows at Bent Grass PUD and Preliminary Plan.

Filing 1 Tract D, consisting of approximately 7 acres, contains park improvements that will be constructed with Filing 1. Drainage channel improvements, and a WQCV detention pond, are also proposed in Tract D. Channel design documents will be submitted concurrently and the channel improvements adjacent to Filing 1 will be completed within two years of Filing 1.

The properties surrounding Bent Grass Filing No. 1 include:

**North:** The remaining 49-acres of the Falcon Meadows at Bent Grass PUD.

**East:** Bent Grass Residential Filing No. 2 of similar density to the Falcon Meadows at Bent Grass PUD.

**South:** Vacant land zoned I-2.

**West:** Falcon Storage zoned I-2.



**Supporting Documents**

The following reports and information were submitted in support of the Falcon Meadows at Bent Grass PUD Preliminary Plan and are referenced in this Letter of Intent:

- Traffic Impact Study prepared by LSC Transportation Consultants
- Soils and Geology Study prepared by RMG Rocky Mountain Group
- Natural Features and Wetlands Report prepared by American Geoservices
- Water Resources and Wastewater Report prepared by JDS Hydro
- Final Drainage Report prepared by Galloway & Company, Inc.

**TRAFFIC:** Two full movement accesses are proposed off Bent Grass Meadows Drive, which connect internally to form a loop through the first phase of development. This provides the two points of access required by Chapter 8.4.4.D of the Land Development Code.

**AIR QUALITY:** The proposed residential use will not negatively impact air quality. The Filing 1 development is located within a developing area with two convenient access points to Bent Grass Meadows Drive and Woodmen Road providing shorter travel time to employment and commercial facilities.

**WATER:** The proposed residential development is not a source of water pollution.

**NOISE:** The Land Development Code requires the impacts of noise pollution to residents to be mitigated. The entire development is outside the DNL 65 Noise Contour. Therefore, no noise mitigation is required for aircraft noise from Peterson AFB / Colorado Springs Airport.

**FLOODPLAINS:** A review of El Paso County FEMA FIRM panels indicate portions of the project area are adjacent to an unnamed tributary to Black Squirrel Creek No. 2 (Falcon Basin West Tributary) are at risk of inundation by a 100-year flood. The remainder of the property is identified as Zone X flood zone, which consists of areas of minimal flood risk. The project is within FEMA Firm panel 08041C0553G, El Paso County. No development is proposed within the 100-year floodplain.

**GEOLOGIC & SOIL HAZARDS:** The geologic hazards anticipated to affect this site are faults/seismicity and radioactivity/radon gas. The most significant geologic constraints to development recognized at this site are expansive/compressible soils and shallow groundwater. The geologic conditions encountered at this site are relatively common to the immediate area and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development. (Soils & Geology Study, December 2020, prepared by RMG)

All 71 lots in Filing 1 are found to be impacted by potentially seasonally high groundwater. The builder has agreed to restrict construction to non-basement foundation types in areas where groundwater is anticipated to be shallower than 14 feet below ground surface (lots 1-71 as presented on the Engineering and Geology Map, Figure 10), unless performance of a groundwater monitoring program at some future date indicates that the lots are suitable for basement construction. Mitigation measures and a map of the hazard area can be found in the report Soils & Geology Study by Rocky Mountain Group dated December 10, 2020 in file (PUDSP20-005) available at the El Paso County Planning and Community Development Department.

**VEGETATION & WILDLIFE:** The wildlife/biological assessment provided by American Geoservices provided an assessment of the Preble Jumping Mouse Habitat, a wetlands assessment, and soils. The general vegetation types within the study area include upland grassy/weedy habitat, riparian habitat, and minor adjacent landscaped areas. The entirety of the site is covered by the Preble's block clearance zone and has been shown to be unsuitable for Preble Mouse habitat.

**USE OF, OR CHANGES IN PREEXISTING WATERFORMS, WATERCOURSES OR BODIES OF WATER:** There are no National Wetland Inventory (NWI) mapped wetlands on the site. Based on the field reconnaissance there are no wetlands on the site. Drainage channel improvements are proposed in Tract D. Channel design documents are being submitted concurrently and the channel improvements adjacent to Filing 1 will be completed within two years of Filing 1.

**FINAL PLAT CRITERIA OF APPROVAL (7.2.1.D.3.F.)**

- 1. THE SUBDIVISION IS IN CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN; EL PASO COUNTY, COLORADO LAND DEVELOPMENT CODE RULES GOVERNING DIVISIONS OF LAND – CHAPTER 7- PAGE 9 EFFECTIVE 09/2019**

Filing 1 is consistent with the Falcon Meadows PUD Preliminary Plan that has been submitted to the County for review, and is scheduled for BoCC approval on July 27, 2021. The PUD Preliminary Plan analyzed the County Policy Plan, the Falcon/Peyton Small Area Plan, and the County Water Master Plan. The development is consistent with the intent of these plans as it is intended to provide additional housing at various densities in an urbanizing area.

- 2. THE SUBDIVISION IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PRELIMINARY PLAN;**

Filing 1 is consistent with the PUD Preliminary Plan that has been submitted to the County for review.

- 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;**

Filing 1 is consistent with the subdivision design standards and regulations as discussed with the PUD Preliminary Plan. All necessary studies, plans, reports and supporting materials have been submitted. The subdivision design standards set out in Chapter 8 of the Land Development Code are met.

- 4. 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;**

Woodmen Hills Metro District has a sufficient water supply to support this development. The raw water supplied to the District is generally of good quality. The quality of the water is monitored, and the District has been successful in complying with regulatory limits. (Water Resources Report, Aug. 2020) As part of the PUD Preliminary Plan review process the Colorado Division of Water Resources has determined the water supply is adequate and the County Attorney's Office has provided a Finding of Water Sufficiency.

- 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 OF THIS CODE;**

Woodmen Hills Metro District will serve the project and has sufficient capacity. Public sewage disposal is addressed in the Water Resources and Wastewater Treatment Report prepared by JDS Hydro.

**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)];**

The geologic hazards anticipated to affect this site are faults/seismicity and radioactivity/radon gas. The most significant geologic constraints to development recognized at this site are expansive/compressible soils and shallow groundwater. The geologic conditions encountered at this site are relatively common to the immediate area and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development. (Soils & Geology Study, December 2020 prepared by RMG)

All 71 lots in Filing 1 are found to be impacted by potentially seasonally high groundwater. The builder has agreed to restrict construction to non-basement foundation types in areas where groundwater is anticipated to be shallower than 14 feet below ground surface (lots 1-71 as presented on the Engineering and Geology Map, Figure 10), unless performance of a groundwater monitoring program at some future date indicates that the lots are suitable for basement construction. Mitigation measures and a map of the hazard area can be found in the report Soils & Geology Study by Rocky Mountain Group dated December 10, 2020 in file (PUDSP20-005) available at the El Paso County Planning and Community Development Department.

**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 ECM;**

Drainage improvements are addressed in the Drainage Report and the grading and erosion control plans prepared by Galloway Engineering. Detention and water quality are provided on site and meets the DCM criteria.

**8. LEGAL AND PHYSICAL ACCESS IS PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;**

The site has two accesses proposed off of Bent Grass Meadows Drive and public roads within the development.

**9. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, AND TRANSPORTATION SYSTEMS, ARE OR WILL BE MADE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;**

Water and sanitary sewer service are to be provided by Woodmen Hills Metropolitan District. Mountain View Electric Association Inc. and Colorado Springs Utilities will provide electric and natural gas services to the subdivision respectively. The required Will Serve letters are included with the submittal. Falcon Fire Protection District will provide fire protection and emergency services.

**10. THE FINAL PLANS PROVIDE EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE;**

The site lies within the Falcon Fire Protection District. A will serve letter from the FPD and a Fire Protection Report are included with the submittal.

**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;**

The site will be connected along Bent Grass Meadows Drive which terminates at Meridian Road on the east and Woodmen Frontage Road on the west. The Bent Grass Metropolitan District is responsible for improvements to the Meridian Road and Bent Grass Meadows Drive intersection. These improvements are anticipated to be completed by the fall of 2021.

**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;**

All public improvements are to be constructed or financially guaranteed through the SIA. No Parks Land Agreement is anticipated at this time.

**13. THE SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8; AND EL PASO COUNTY, COLORADO LAND DEVELOPMENT CODE RULES GOVERNING DIVISIONS OF LAND – CHAPTER 7-PAGE 10 EFFECTIVE 05/2016**

The subdivision meets all applicable sections of Chapter 6 and 8.

**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.]**

There are no known mineral estate interests associated with this property.

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