

FINAL PLAT (RECOMMEND APPROVAL)

Schuettpeltz moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF2418
FALCON HIGHLANDS SOUTH FILING NO. 1

WHEREAS, Challenger Communities, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Falcon Highlands South Filing No. 1 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on August 20, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

6. For the above-stated and other reasons, the proposed Final Plat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code ("Code") (as amended), as follows:

1. The Subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is in substantial conformance with the approved Preliminary Plan;
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;
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 the Code;
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 the Code;
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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM");
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 the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed Subdivision;
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
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 of the Code;

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;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code;
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.]; and

WHEREAS, 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 the Code;

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the petition of Challenger Communities, LLC, for approval of a Final Plat for the Falcon Highlands South Filing No. 1 Subdivision meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code and be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.

6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated August 27, 2025, as provided by the County Attorney's Office.
8. All outstanding staff comments shall be addressed prior to Final Plat recordation.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$137,643.84 and bridge fees in the amount of \$56,299.08 for the Sand Creek drainage basin.
 - b. Park fees in lieu of land dedication in the amount of \$12,120.00 for regional parks (Area 2) and park fees in lieu of land dedication in the amount of \$7,272.00 for urban parks (Area 3).
 - c. Fees in lieu of school land dedication in the amount of \$5,760.00 shall be paid for the benefit of Falcon School District No. 49.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with Resolution No. 25-337), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

Brittain Jaks seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey
Blaine Brew

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

Michael Brewer	aye / no / non-voting / recused / <u>absent</u>
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / <u>absent</u>
Suzanne Casagrande	aye / no / non-voting / recused / <u>absent</u>
Mae Emrick	<u>aye</u> / no / non-voting / recused / absent
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent
Jason Wulf	aye / no / non-voting / recused / <u>absent</u>

The Resolution was adopted by a vote of 7 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 20th day of August, 2026, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:  _____
Chair

EXHIBIT A

PROPERTY DESCRIPTION - FALCON HIGHLANDS SOUTH FILING NO. 1

A PARCEL OF LAND LOCATED WITHIN SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END (SOUTHWEST CORNER OF SAID SECTION 12) BY A RECOVERED 3-1/4 INCH ALUMINUM CAP STAMPED "AZTEC CONSULTANTS PLS 38256" AND AT THE NORTH END (WEST ONE-QUARTER CORNER OF SAID SECTION 12) BY A RECOVERED 3-1/4" ALUMINUM CAP IN RANGE BOX STAMPED "PLS 4842", WHICH IS ASSUMED TO BEAR NORTH 00°23'31" WEST 2,627.59 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHEAST CORNER OF FALCON HIGHLANDS FILING NO. 2, RECORDED JULY 14, 2006 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 206712369, FROM WHENCE THE SOUTHWEST CORNER OF SAID SECTION 12 BEARS SOUTH 44°54'43" WEST 1,751.31 FEET;

THENCE ALONG THE EXTERIOR OF SAID FALCON HIGHLANDS FILING NO. 2, THE FOLLOWING (21) TWENTY-ONE COURSES:

1. ALONG THE ARC OF A 1,025.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°14'54", WHOSE CHORD BEARS NORTH 09°47'43" WEST A DISTANCE OF 271.98 FEET, AND AN ARC LENGTH OF 272.79 FEET;
2. NORTH 17°24'20" WEST 554.86 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A 1,030 FOOT RADIUS TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20°57'59" AND AN ARC LENGTH OF 376.91 FEET;
4. SOUTH 86°13'54" EAST 54.48 FEET;
5. SOUTH 31°51'00" EAST 85.17 FEET;
6. SOUTH 52°36'41" EAST 76.95 FEET;
7. SOUTH 73°19'02" EAST 65.73 FEET;
8. SOUTH 74°06'49" EAST 291.13 FEET;
9. SOUTH 79°13'17" EAST 145.07 FEET;
10. SOUTH 85°23'13" EAST 145.17 FEET;
11. NORTH 88°52'41" EAST 145.19 FEET;
12. NORTH 83°36'10" EAST 131.74 FEET;
13. SOUTH 10°35'23" WEST 114.54 FEET;
14. SOUTH 31°38'08" EAST 124.91 FEET;
15. SOUTH 62°45'04" EAST 116.47 FEET;
16. NORTH 85°18'48" EAST 119.21 FEET;

17. NORTH $46^{\circ}48'48''$ EAST 296.18 FEET;
18. NORTH $34^{\circ}36'03''$ WEST 203.48 FEET;
19. NORTH $62^{\circ}18'11''$ EAST 203.67 FEET;
20. SOUTH $85^{\circ}51'10''$ EAST 75.24 FEET;
21. SOUTH $72^{\circ}16'09''$ EAST 30.02 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG THE ARC OF AN 810.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $31^{\circ}06'25''$, WHOSE CHORD BEARS SOUTH $33^{\circ}16'42''$ WEST A DISTANCE OF 434.38 FEET, AND AN ARC LENGTH OF 439.76 FEET;

THENCE SOUTH $48^{\circ}50'47''$ WEST 954.89 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A 535.79 FOOT RADIUS TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF $38^{\circ}53'18''$ AND AN ARC LENGTH OF 363.66 FEET;

THENCE SOUTH $89^{\circ}30'24''$ WEST 167.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.874 ACRES (909,268 SQUARE FEET), MORE OR LESS.

