

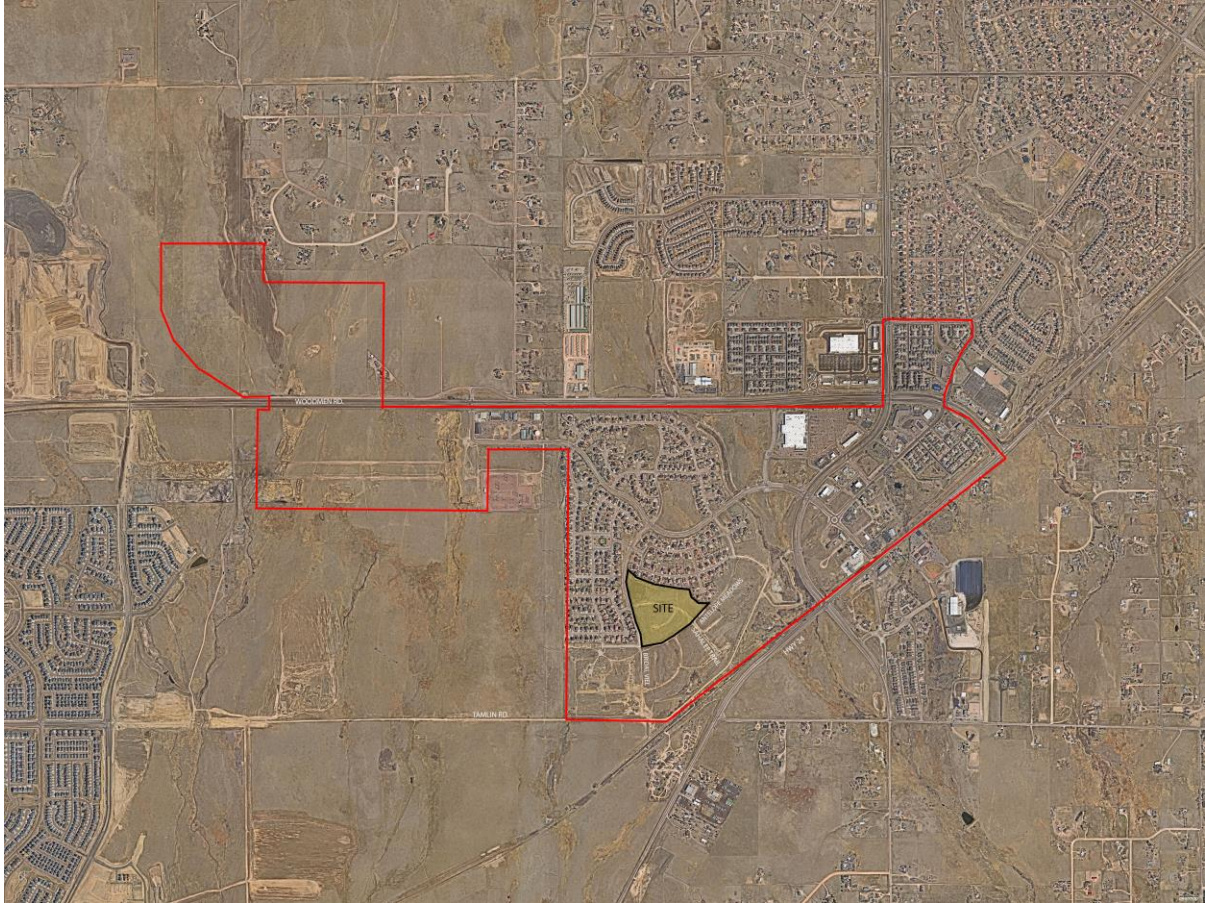
Please include:

- discussion of the road impact fee program and when those will be paid
- include discussion about any community outreach for the project

**NDS SOUTH FILING 1  
LETTER OF INTENT  
FINAL PLAT**

File Number:  
SF2418

**August 14, 2024**



**PREPARED FOR:**

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**Tax Schedule No:** 5300000588; 5300000587, 5300000817 (Part)

**Site Location, Size, Zoning:**

Matrix Design Group, on behalf of Challenger Communities, is submitting a Final Plat application for 24 lots as Falcon Highlands South Fil. 1 (shown as Phase 4 in the approved Falcon Highland PUDSP). Falcon Highlands South is located south of Woodmen Rd, west of State Highway 24 and west of New Meridian Rd., in the greater Falcon area of El Paso County. The site is +/-23.592AC and proposing 24 detached single family residential lots and 3 tracts. Gross density of the site 1.02 and minimum lot size within the development is 19,000SF. Uses of the three tracts are for landscaping and utilities. Open space and landscape Tracts, A-C will be owned and maintained by the Falcon Highlands Metro district.

The proposed development area is bordered by existing detached single family residential to the north, west and east; with future Filings of Falcon Highlands South are to the south. Surrounding residential properties are part of the Falcon Highlands Sketch Plan.

Falcon Highlands South PUDSP, File Number PUDSP225, was recently approved by the El Paso County Board of County Commissioners. The approved PUDSP is +/- 125.56AC to be developed in 4 phases to ultimately create a total of 378 detached single family lots and 9 Tracts. While the Falcon Highlands South Filing 1 Final Plat was originally identified as Phase 4 on the PUDSP, this filing will create larger size lots consistent with existing homes and requires minimal improvements for construction. This filing is not dependent upon previous phase infrastructure for completion.

**Request & Justification:**

The purpose of this application is to request approval of a final plat for 24 detached single-family lots and landscape/ open space tracts. The Final Plat provides a detailed design of the large lot single-family detached residential community and open spaces;

the necessary width and classification of public rights-of-way and public roadways; roadway centerline data; street grades; as well as proposed landscaping within the tracts. Early grading for this site was approved with the PUDSP (PUDSP225).

Primary access into the site is provided by, Bridel Viel Way, an existing local residential road and will connect to Sahalee Trail, a 50' urban local public road. All roadways will be public and constructed to El Paso County Standards.

The final plat proposes three tracts, totaling 5.96 AC. These tracts are intended for landscaping and will be owned and maintained by the Falcon Highlands Metro district.

There are no significant natural resources within the site. A full natural resources report has been provided as a part of this submittal that addresses the topography, hydraulic features, soil conditions, wetlands, utility access and wildlife.

### **Your El Paso County Master Plan:**

#### **Baseline Considerations:**

1. *Is there a desirability or demand within the community for this use?*  
The proposed Falcon Highlands South Filing 1 will help to fulfill desirability and demand for additional housing and housing types within El Paso County. As illustrated in the recently approved Master Plan, the county should increase density to help reduce land cost per unit for development with a primary focus on **Suburban Residential Place types**. In addition, Falcon Highlands South Filing 1 is located near a commercial activity center of which the increased residential density can help support.
2. *Does the market support the need for the use? Would the use be viable if built right now?*  
There is a very high demand for the proposed land use and density as El Paso County and the City of Colorado Springs is experiencing a severe housing shortage.
3. *Would the use be providing necessary housing or essential goods and/ or services?*  
The proposed Falcon Highlands South Filing 1 allows for 24 more single-family homes that will help with the necessary and needed housing in the Falcon area.

#### **Goal HC3: Locate attainable housing that provides convenient access to goods, services and employment.**

The Falcon Highlands South Filing 1 development is near existing highways; will utilize existing master planned infrastructure connections to help keep lot cost down; and would be located near an existing commercial activity center which provides numerous job opportunities.

County Systems Considerations:

1. *Is there existing infrastructure to which the development can connect? If so, what infrastructure exists? If not, are there existing or proposed plans to extend infrastructure to this area?*

The proposed Falcon Highlands South Filing 1 development will be served by existing infrastructure to include water and wastewater services, electricity and roadways.

Goal LU1: Ensure compatibility with established character and infrastructure capacity.

Larger lots have been designed in this location to encourage compatibility with the adjacent detached single family residential to the West, North and East. Lots will connect to the existing infrastructure. This filing does not trigger the need for infrastructure improvements. Water and wastewater demands are outlined in the Water Resources Report.

2. *Does the development trigger the need for such infrastructure?*

Filing 1 of Falcon Highlands South does not trigger the need for wastewater infrastructure as previous approvals contemplated the necessary infrastructure improvements. However, the overall development may trigger upgrades and/ or expansion of existing facilities to accommodate the increased densities as shown on the approved PUDSP.

Goal LU4: Continue to encourage policies that ensure “development pays for itself”.

Filing 1 of Falcon Highlands South does not require any major improvements to the roadways or utilities. Therefore, helping to fund the future improvements that will be needed in future filings.

3. *Does the proposal trigger the need for pedestrian or multimodal connections and are those connections being provided?*

The proposed Falcon Highlands South Filing 1 does not require any public improvements to be made to the existing streets or any new collector or arterial streets to be constructed. The two internal roads within Filing 1 will be built to El Paso County Standards. Future filings will however require Antelope Meadows to be extended as well as other a region trail connection to be built along Highway 24 per the El Paso County Parks Master Plan.

Goal TM2: Promote walkability and bike-ability

Public sidewalks will be provided throughout the development. I sidewalk will also be added along Bridal Vail Way that will allow pedestrians to connect to the existing parks within the Falcon Highlands Development.

Best Practices Considerations:

1. *Does the development appropriately include conservation design best practices to protect/preserve existing natural resources?*

Falcon Highlands South Filing 1 incorporates and implements conservation best practices such as inclusion of parks/ open space, and preservation of existing natural areas.

2. Does the development include best practices to protect **existing** natural resources and prevent unnecessary property damage? If not, does it include methods for impact mitigation?

Falcon Highlands South Filing 1 does not encompass nor alter the existing natural drainage ways found to east and northeast of the development. This drainage way will remain as is.

**El Paso County Final Plat Section 7.2.1(D)(3) Approval Criteria**

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

The Falcon Highlands South project is located within the Potential for Annexation Key Area identified as an area of Priority for Annexation due to its proximity to the City of Colorado Springs city limits and Banning Lewis Ranch to the west. The proposed density increase would be inline and compatible with existing and planned residential densities as part of Banning Lewis Ranch that the City of Colorado Springs is seeking. However, during the pre-planning stages, coordination between the owner/ developer and the City of Colorado Springs regarding annexation was conducted. Due to lack of immediate availability of municipal utility services it was determined that this project will not be seeking annexation into the City of Colorado Springs. The proposed development will remain within El Paso County.

The proposed subdivision is in compliance with the 2021 Your El Paso County Master Plan. As outlined above. This area is designated as a Suburban Residential Placetype. Suburban Residential Placetypes are characterized by primarily single-family detached housing with a density range of up to 5 units per acre. As illustrated in Section 4 Housing and Communities, “to sustain Falcon’s growth momentum, the county should continue to prioritize Suburban Residential in this area.” Additionally, 24 detached single family lots in this location will support the nearby commercial activity center and help provide the necessary and needed housing in the Falcon area.

2. The subdivision is in substantial conformance with the approved preliminary plan;

Falcon Highlands South Filing 1 is in substantial conformity with the approved Falcon Highlands South PUDSP (PUDSP225). There are no changes to minimum lot size, roadway configuration or standards and/or open spaces with the final plat

The final plat depicts differences in lots sizes from the PUD and minor configuration changes, please adjust this section

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;

The subdivision is in conformance with El Paso County subdivision design standards and regulations. All proposed roads, accesses and infrastructure, are

designed to meet El Paso County criteria. The proposed final plat is in substantial compliance with the approved PUDSP (PUDSP225).

4. *Either 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, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;*

Water services will be provided by Falcon Highlands Metro District. A water report and commitment letter have been included with our submittal.

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, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;*

Wastewater services will be provided by Woodmen Hills Metro District. A wastewater disposal report and commitment letter have been included with our submittal.

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)];*

A "Soils and Geology Study", Falcon Highlands, Colorado" (RMG- Rocky Mountain Group, October 8, 2021, amended September 7, 2022) is included with the submittal package. As part of this study, 11 exploratory test borings were completed. 3 of which are located within the Filing 1 area. Geologic hazards (as described in section 7 of the report) include faults/seismicity and radioactivity/radon gas. Potential geologic constraints (also as described in section 7 of the report) were found on site to include: expansive soils and shallow ground water. Where avoidance is not readily achievable, the existing geologic and engineering conditions can be satisfactorily mitigated through proper engineering, design, and construction practices. Exterior, perimeter foundation drains should be installed around below-grade habitable or storage spaces. Surface water should be efficiently removed from the building area to prevent ponding and infiltration into the subsurface soil. A note regarding maintenance of underdrains is shown on the approved PUDSP.

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;*

Adequate drainage improvements; complying with State law, this Code and the ECM are proposed and illustrated on the drawings. A MDDP/ Final Drainage

report for this development has been included for review and approval by El Paso County.

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;*

Legal and physical access will be provided to all parcels by public rights-of-way. There are two internal urban local public roads, Sahalee Trail and Fox Kestrel Court being proposed that will provide access to all 24 single-family home lots.

9. *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*

All necessary public services will be available to serve the proposed subdivision as this area has been master planned with anticipation of development such as this. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI and additional reports included as a part of the submittal.

10. *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;*

The proposed subdivision complies with the fire protection standards of Chapter 6 including water supply, roads and access. A fire protection report illustrating the available fire protection measures has been provided with this 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 location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. There is no cut-through traffic or additional access beyond the access points provided. Public sidewalks will be constructed as necessary to provide pedestrian connections throughout the development.

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;*

A Subdivision Improvement Agreement will be provided if required.

13. *The subdivision meets other applicable sections of Chapter 6 and 8; and;*

The proposed subdivision meets all applicable sections of Chapter 6 and 8 of the El Paso County Land Development 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.]*

No known commercial mining deposit is impeded by this subdivision.

**Total Number of Residential Units, Density, and Lot Sizes:**

Falcon Highlands South Filing 1 contains +/-23.592AC and proposed 24 single-family lots for a density of 1.02 DU/AC. The minimum lot size is 19,000 square feet and aligns with the existing neighborhood to the north, east and west of this parcel. This includes open space buffering the existing residents from the proposed development.

**Total Number of Industrial or Commercial Sites:**

There are no industrial or commercial sites being proposed within this development.

**Approximate Acres and Percent of Land Set Aside for Open Space:**

The proposed Falcon Highlands South Filing 1 meets the open space requirement set forth by the PUD Zoning District. The PUD guidelines require 10% open space on the overall +/-23.592AC for a total open space requirement of 2.36 acres (102,802 SF). The proposed Falcon Highland South Filing 1 is proposing 39.9 acres of open space which meets the required acres. All common open space will be owned and maintained by the metropolitan district. The open space being proposed within this filing is in alignment with the open space shown on the approved PUDSP.

**Types of Proposed Recreational Facilities:**

While there are no recreational facilities within Filing 1 the overall development is proposing a neighborhood pocket park, playground, dog park and open space buffers between housing types of differing lot size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary. The facilities will be approved with later filings of Falcon Highlands South. For now pedestrian connections will be provided to the existing nearby park.

**Master Plan for Mineral Extraction:**

The *1996 Master Plan for Mineral Extraction* updates and supersedes the *1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits* as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the "Preservation of Commercial Mineral Deposits Act" of 1973 and the second is to provide guidance to the EL Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as 'Upland Deposits' containing sand and gravel with silt and clay; remnants of older streams deposited on topographic highs or bench like features. Therefore, the proposed project does not contain any mineral deposits of commercial value and does not permit the use of any area containing a commercial mineral deposit which would unreasonably interfere with the present or future extraction of such deposits.



**Areas of Required Landscaping:**

Filing 1 of Falcon Highlands South includes landscape design for the buffer to the north between the proposed lots and the existing single-family homes. It also shows an interim condition along the future Antelope Meadow Circle right-of-way that will be enhanced when the roadway is constructed with a future filing. Much of the proposed landscape is designed to be xeric, low water use utilizing native and drought tolerant plant species. There are no landscape waivers being requested at this time.

**Phasing Plan and Schedule of Development:**

This initial phase, 24 lots, is based upon availability of water and wastewater utility services with subsequent phasing being completed based upon increased infrastructure capacity.

**Water and Wastewater Services:**

Municipal Water services will be supplied by the Falcon Highlands Metropolitan District. Municipal Wastewater municipal services will be supplied by the Woodmen Hills Metropolitan District (WHMD) through an intergovernmental agreement. WHMD has provided a Commitment Letter for Wastewater Service that is included as a part of this final plat submittal.

**El Paso County Water Master Plan:**

The Falcon Highlands South development is located within planning area 3 of the El Paso County Water Master Plan which encompasses the Falcon area and served by a variety of water suppliers including the Falcon Highlands Metropolitan District (FHMD) and Woodmen Hills Metro District (WHMD) for sanitary.

Falcon Highlands Metro District (FHMD) currently has SFE of 450 with a maximum SFE of 710. It is recommended that Falcon Highlands Phase 1 construction be limited to 50 +/- SFE based on current water availability with the proposed 24 lots well within this limit and FHMD has provided a Commitment Letter for Wastewater Service that is included as a part of this final plat submittal. Upon completion of the Arapahoe Well to be completed in 2022/ 2023 an additional 206 SFEs can be constructed. Future phasing identifying additional units above the collective 256 +/- SFEs will need additional water capacity. The FHMD is currently seeking additional water rights to develop either themselves or in conjunction with neighboring districts.

Through integrated master planning of site planning, landscape and water resource best management practices. The open space areas emphasize water conservation using native vegetation, turf seeds and limited high-water sod with limited artificial turf as a design option. The Falcon Highlands Final Plat meets the stated master plan Goals and Policies:

- Goal 1.2 – Integrate water and land use planning
- Goal 4.2 – Support the efficient use of water supplies
- Goal 6.1.2 – Promote water conservation

Wastewater flows for WHMD are based on the established benchmark of average daily flow of 163 gallons per day per SFE and 172 gallons per day per SFE for average daily maximum flow. The existing SFE connected to the WHMD system is 423 SFE and the

upper limit for SFE under the IGA is 750 SFE leaving approximately 278 SFE available. The proposed 24 lots as part of Filing 1 fall well within this limit and creates no adverse effect on current wastewater capabilities.

**Traffic Engineering:**

Vehicular access and street layout for Falcon Highlands South Filing 1 is as approved the Falcon Highlands South PUDSP. The development includes the construction on both Sahalee Trail and Fox Kestrel Court that will be accessed off of Bridal Vail Way and existing local residential road. Sahalee Trail will provide a future connection to Antelope Meadows Circle when that is extended with a future filing of Falcon Highlands South. The applicant requests that platted lots within Falcon Highlands South Filing 1 be included in the county wide Public Improvements District (PID 2) implemented as part of the Traffic Impact Fee resolution.

**School District:**

Projects (Plats) within El Paso County are required to either dedicate land or pay school district fees. The platted lots within Falcon Highlands South Filing 1 will pay school fees in lieu of land dedication.

**Proposed Services/Utility Feasibility:**

- |                       |  |
|-----------------------|--|
| 1. Wastewater:        | Woodmen Hills Metropolitan District    |
| 2. Water:             | Falcon Highlands Metropolitan District |
| 3. Gas:               | Colorado Springs Utilities AND         |
| 4. Electric:          | Mountain View Electric Association     |
| 5. Fire:              | Falcon Fire Protection District        |
| 6. School:            | District #49                           |
| 7. Roads:             | El Paso County Road and Bridge         |
| 8. Police Protection: | El Paso County Sheriff's Department    |

**Impacts associated with the Final Plat:**

Floodplain: There is no major hydrologic feature within the project site. The entire development is within "Zone X" as designated FEMA floodplain as determined by the flood insurance rate map, community map number '08041C0561G', effective date 'December 7, 2018'.

Wetlands: There are designated wetlands within the greater Falcon Highlands South development; however, these areas are located within existing drainage ways and area not included within the Filing 1 boundary. The existing ponds will be contained by individual tracts limiting development and will not be disturbed by this development.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher than normal amounts of dust during windy days. However, the proposed development will provide irrigated turf areas and

native seeding to help alleviate the dust issues. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations

Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Vegetation, Wildlife Habitats and Migration Routes: Proposed landscaping will include low-water use plant material, and where possible, the plant material will be native to the Falcon region.

The Colorado Division of Wildlife note the following as also present in the area.

- Prairie Dog
- Mule Deer
- Pronghorn Antelope
- Fox species
- Coyote
- Rabbits
- Raptors
- Songbirds
- Numerous Small Mammals

Due to the construction activity and adjoining residential developments, it is not anticipated that the application will have significant impacts on wildlife in the area.