

EL PASO COUNTY



COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Planning Commission
 Brian Risley, Chair**

**FROM: Kari Parsons, Planner III
 Jeff Rice, PE Engineer III
 Craig Dossey, Executive Director**

**RE: Project File #: PUDSP-20-005
 Project Name: Falcon Meadows at Bent Grass
 Parcel Nos.: 53010-00-019, 53010-00-023, 53012-01-061, 53012-01-062, 53012-01-063, 53012-04-005, and 53012-04-006**

OWNER:	REPRESENTATIVE:
Better Land, LLC Challenger Communities, LLC 8605 Explorer Drive Suite 250 Colorado Springs, CO. 80920-1013	N.E.S., Inc. 619 S. Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 2

Planning Commission Hearing Date:	7/15/2021
Board of County Commissioners Hearing Date	7/27/2021

EXECUTIVE SUMMARY

A request by Better Land, LLC, and Challenger Communities, LLC, for approval of a map amendment (rezoning) of 67.01 acres from a site specific PUD (Planned Unit Development) to a site specific PUD (Planned Unit Development) to allow for development of 267 single-family detached residential lots, rights-of-way, drainage, open space, and utility tracts. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (2019), PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality,

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dependability, and quantity. Approval by the Board of County Commissioners of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s). The applicants are also requesting approval to perform pre-development site grading to include installation of wet utilities. The parcels are located approximately 0.7 miles east of the intersection of Meridian Road and Bent Grass Meadows Drive and are within Section 1, Township 13 South, Range 65 West of the 6th P.M. The properties are included within the boundaries of Falcon/Peyton Small Area (2008) plan.

A. REQUEST/MODIFICATIONS/AUTHORIZATION

Request: Approval of a map amendment (rezoning) from a site-specific PUD (Planned Unit Development) to a site-specific PUD (Planned Unit Development) to allow for development of 267 single-family detached residential lots within an 67.01-acre development area. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (2019), PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan. The applicants are also requesting approval to perform pre-development site grading to include installation of wet utilities.

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard: The applicants are not requesting any modification(s) of the LDC or ECM with this application.

Authorization to Sign: PUD Development Plan and any other documents required to finalize the approval.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

The Planning Commission and BOCC shall determine that the following the criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2019), have been met to approve a PUD zoning district:

- The proposed PUD district zoning advances the stated purposes set forth in this section.
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design

and amenities incorporated in the development plan and development guide;
and

- The owner has authorized the application.

The applicant has requested the proposed PUD also be reviewed and considered as a preliminary plan. Compliance with the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (2019) for a preliminary plan requires the Planning Commission and the BoCC shall find that the additional criteria for a preliminary plan have also been met.:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- 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;
- 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;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- Legal and physical access is or will be 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 proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced

transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

- Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

D. LOCATION

North: RR-5 (Residential Rural)	Single-Family Residential
South: I-2 (Limited Industrial)	Vacant
East: PUD (Planned Unit Development)	Single-Family Residential
West: RR-5 (Residential Rural)	Single-Family Residential

E. BACKGROUND

The Bent Grass Overall Development and Phasing Plan (PUD-06-004), approved by the Board of County Commissioners on April 12, 2007, addressed general land uses, overall density, transitions and buffers. It also designated major open space, drainage, and transportation corridors. The proposed Falcon Meadows at Bent Grass development is located at the northwestern boundary of the Bent Grass Overall Development, which established a density range of 35 dwelling units per acre in the subject area.

A site-specific PUD for the Bent Grass Phase 1 development (PUD-06-005) approved by the Board of County Commissioners on April 12, 2007, established a density of 2.85 dwelling units per acre within the subject area. The plan depicted 387 single-family lots and 14 acres of open space to include a seven (7) acre park site. The plan depicted a 50-foot setback located along the northern property line and a 35-foot setback along the western property line of the site-specific PUD to buffer the adjacent RR-5 (Residential Rural) zoned properties from the proposed

urban development. The plan established a minimum lot size of 5,720 square feet. The plan also depicted larger lots along the northern boundary (specific lot sizes were not depicted on the plan) which appear to be approximately two to three times the size of the interior lots depicted on the PUD plan.

The adjacent properties within the Meadows development to the north and west are zoned RR-5 (Rural Residential) and have a five-acre minimum lot size and 25-foot building setbacks from all property lines. It was determined by the Board of County Commissioners in 2006 that the 50-foot setback along the northern property line and the 35-foot setback along the western property line provided an adequate buffer and transition from the rural residential density of 1 dwelling units per 5 acres to the urban densities of 2.85 dwelling units per acre included in the Bent Grass Development.

The PUD plan also depicted a six (6) foot masonry perimeter wall adjacent to the north and western properties zoned RR-5 (Residential Rural) to aid in the buffering of the urban residential development from the Meadows development to the north and west.

The applicants have depicted the 50-foot setback along the northern property line and have also provided a tract of land to be used for drainage and open space which is approximately 110-feet deep along most of the northern boundary line. The Plan depicts lots with an average lot size of 11,763 square feet along the northern boundary line. The applicants have included a 35-foot-wide tract in lieu of a 35-foot setback along the western boundary separating the existing RR-5 (Residential Rural) zoned properties from the proposed development. The average lot size along the western boundary is depicted as 8,948 square feet. A six (6) foot masonry wall, to be installed by the developer, is proposed along the northern and western boundary of the Falcon Meadows PUD.

The proposed PUD transitions from the larger lots at the northern and western perimeters to a minimum lot size of 3,325 square feet interior to the PUD plan. The proposed PUD rezoning includes an average density of 3.98 dwelling units per acre and anticipates development of 267 detached single-family lots (34.07 acres), 10.42 acres of public right-of-way, and 17 tracts totaling 22.51 acres for drainage, utilities, associated easements, a 7 acre park, landscaping, and open space. Bent Grass Metropolitan District is anticipated to own and maintain the tracts.

If the Falcon Meadows at Bent Grass PUD Development Plan and Preliminary Plan are approved, and a finding of water sufficiency for water quality, quantity, and

dependability is made by the Board of County Commissioners, then it is anticipated that the applicant will request administrative approval by the Planning and Community Development Department Executive Director of all subsequent final plats.

F. ANALYSIS

1. Land Development Code Analysis

This application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 as well as the Planned Unit Development (PUD) requirements outlined in Chapter 4 of the El Paso County Land Development Code (2019).

Section 4.2.6.F.8 of the Land Development Code requires a minimum of ten (10) percent of the residential PUD be set aside as open space area. The PUD area is 67.012 acres in size, which would require a total of 6.70 acres of open space area. The applicant is providing 22.51 acres, or 33 percent, of designated open space tracts which include: drainage, utilities, associated easements, a 7 acre park, and landscaping.

2. Zoning Compliance

The PUD Development Plan identifies allowed and permitted uses; use, density, and dimensional standards such as setbacks; maximum lot coverage and maximum building height; and overall landscaping requirements. The PUD Development Plan is consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Policy 6.1.3- *Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.*

Policy 6.1.10- *Ensure that new development will not create a disproportionately high demand on public services and facilities by virtue of its location, design or timing.*

Policy 6.1.11- Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.2.9- Discourage high volume traffic through neighborhoods by use of innovative techniques including traffic calming.

Policy 10.2.2- Carefully consider the availability of water and wastewater services prior to approving new development.

Policy 10.1.2- Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

Goal 13.1- Encourage an adequate supply of housing types to meet the needs of County residents.

Policy 13.1.2- Support the provision of land use availability to meet the housing needs of county residents.

East of the subject parcels is the Bent Grass Residential Filing No. 2 development which has an average lot size of 6,500 square feet. The Meadows development, zoned Residential Rural (RR-5), is adjacent to the subject property to the north and west. The applicants have provided a 35-foot buffer tract as an alternative to a 35-foot setback on the western boundary and incorporated lot sizes averaging 8,942 square feet adjacent to the subject buffer tract, which is adjacent to the RR-5 zoned lots within the Meadows development.

The applicants have depicted a 50-foot setback along the northern property line and have also provided a tract of land to be used for drainage and open space which is approximately 110-feet wide along most of the northern boundary line. The Plan depicts lots with an average lot size of 11,763 square feet along the northern boundary line, which is intended to buffer the RR-5 zoned lots within the Meadows development. In addition, the proposed Plan includes a six (6) foot masonry wall along the northern and western boundaries of the PUD to aid in functionally and aesthetically integrating the proposed development within the context of adjoining residential properties within the rural residential Meadows development.

The land south of the proposed development is zoned I-2 (Industrial) and remains undeveloped. The industrial property will be required to buffer future industrial land uses from the proposed residential development.

Traffic calming techniques were implemented into the design of the PUD by incorporating several cul-de-sacs and circuitous local roadways that connect to Bent Grass Meadows Drive, a collector roadway.

The applicants are proposing a site-specific PUD to reduce the number of single-family residential lots from 387 as shown on the previously approved PUD for the Bent Grass Phase 1 development down to 267 single-family residential lots. The proposed amendment will decrease the overall density of the development from 2.98 dwelling units per acre to 3.98 dwelling units per acre. The proposed decrease in density is largely a result of the applicant reconfiguring lot layouts and increasing the open space from 14 acres to 22.51 acres.

The proposed Falcon Meadows at Bent Grass development is not anticipated to create a disproportionately high demand on public services and facilities. Woodmen Hills Metropolitan District has committed to provide water and wastewater services. Colorado Springs Utilities has committed to provide natural gas service. Mountain View Electric has committed to provide electrical service.

4. Small Area Plan Analysis

The property is located within the Falcon/Peyton Small Area Master Plan (2008). The Plan states the following:

“The primary purpose of this plan is to set forth a framework within which proposed new land uses may be analyzed. This document describes the characteristics and features which are unique to this planning area. The plan is intended to serve as an advisory planning tool to guide future land use decisions.” (Page 1)

Figure 4-5 - Recommendations Plan, shows this area as being recommended for urban density development. The Plan defines “Urban Density” as:

“Parcel sizes are less than 2.5 acres, typically less than 1 acre. These areas are served by urban level infrastructure, including roadways, water distribution, and wastewater treatment.”

The applicants have proposed urban density to include lot sizes within the PUD and preliminary plan ranging from a minimum lots size of 3,325 square feet to a maximum lot size of 14,590 square feet. The applicants are proposing to construct public roadways to County road standards. Woodmen Hills Metropolitan District has committed to provide water and wastewater service to

the proposed development. The proposed preliminary plan is generally consistent with the recommendations of the Falcon/Peyton Small Area Master Plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 1.2 – Integrate water and land use planning.

Goal 4.4 – Protect and enhance the quality, quantity, and dependability of water supplies.

Policy 6.0.11 Continue to limit urban level development to those areas served by centralized utilities.

The proposed development includes lots to be served by Woodmen Hills Metropolitan District. Water sufficiency has been analyzed with the review of the proposed Falcon Meadows at Bent Grass PUD and Preliminary Plan. Please see the Water section below for a summary of the water findings and recommendations for the proposed development. The State Engineer and the County Attorney's Office have recommended that the proposed development has an adequate water supply in terms of quantity and dependability.

Falcon Meadows at Bent Grass development is an urban residential development and is within Region 3, the Falcon Area, of the Water Master Plan, which is anticipated to experience significant growth through 2060. Region 3 primarily draws from nonrenewable resources in the Denver Basin.

The Plan identifies the current demands for Region 3 to be 4,494 AFY (acre feet per year) (Figure 5.1) with the projected need at build-out in 2060 at 8,307 AFY (Figure 5.3). Region 3 currently has 7,164 AFY in supplies. By 2060 there is anticipated to be a deficiency of 1,143 AFY (Table 5-2).

The water resources report submitted in support of the proposed development identifies that the District has adequate water rights to serve the proposed

development. The report indicates that 53 percent of the District's water source is alluvial wells in the Upper Black Squirrel Basin, which are earmarked as renewable water sources. The report acknowledged the District's ongoing efforts to secure more water rights for the anticipated future demands. The remaining water is sourced from the Denver, Arapahoe, and Laramie-Fox Hills Basins which are non-renewable. The total demand is 91.78 AFY for the proposed development. The Plan specifically identifies this area as an anticipated area of development by 2060. The timing of the proposed development is in line with the anticipated growth schedule included in the Plan. Additionally, the applicants have provided a commitment letter and water resources report documenting that the District has adequate capacity to serve the additional lots. Staff recommends that the preliminary plan is consistent with the policies pertaining specifically to the concept of integrating new compatible land uses in terms of density and by limiting urban level development to those areas served by centralized utilities.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. El Paso County Community Services Department, Environmental Division, and Colorado Parks and Wildlife were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies no resource for aggregates in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Please see the Transportation section below for information regarding conformance with the 2016 Major Transportation Corridor Plan (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

The applicants submitted a Soils and Geology report prepared by Rocky Mountain Group, dated December 10, 2020, in support of the combined PUD and preliminary plan application. The report concludes that potentially seasonally high ground water may impact certain lots within the development. The applicants have included the following note on the PUD development plan:

“The following lots have been found to be impacted by geologic hazards. 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: Potentially Seasonally High Groundwater: (Lots) 140-146, 195-202, 115-118. The builder has agreed to restrict construction to non-basement foundation types in area where groundwater is anticipated to be shallower than 14 feet below ground surface (Lots 1-91, 105-108, 133-146, 195-213, and 222-266 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.”

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential.

3. Floodplain

As indicated on FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0553G, a portion of the property is located within the current 100-year regulatory floodplain of the Falcon West Tributary. The FEMA floodplain is proposed to be channelized and contained within proposed Tracts H and P.

4. Drainage and Erosion

The site is located within the Falcon Drainage Basin (CHWS1400). This basin has been studied and drainage and bridge fees will apply at the time of final plat recordation. The site drains generally to the south and east to the Falcon West Tributary which ultimately outfalls into Chico Creek. A Master Development Drainage Plan (MDDP) and a Preliminary Drainage Report (PDR) were submitted with the PUD/preliminary plan application. Per those reports, the overall development will provide adequate water quality facilities and drainage improvements. The Bent Grass Residential Filing No. 2 plat (SF-19-014) includes improvements to offsite detention facilities to maintain runoff at or below historic rates using full-spectrum detention.

Per the Falcon Drainage Basin Planning Study (DBPS), improvements to the Falcon West Tributary channel, including stabilization and grade control, are required onsite and downstream. Developer-proposed improvements with Falcon Meadows at Bent Grass include channel stabilization as appropriate with each filing and onsite water quality control measures. The MDDP generally addresses

the necessary DBPS-recommended channel improvements. Bent Grass Residential Filing No. 2 provided interim bank stabilization adjacent to the developed lots in that filing. Complete channel improvements, onsite and offsite down to the existing improvements constructed with the Woodmen Road widening project, are required and will be provided by the Falcon Meadows at Bent Grass developer and /or downstream property owners with the appropriate final plats in accordance with Recommended Condition of Approval No. 8.

Approvals of an erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, a financial assurance estimate (FAE) and a stormwater management plan (SWMP), are required prior to grading the site in accordance with the requirements of the El Paso County Engineering Criteria Manual (2020). The developer recently began overlot site grading under a standalone grading plan (CDR-21-004) and ESQCP.

5. Transportation

The proposed Falcon Meadows at Bent Grass development is located along both sides of Bent Grass Meadows Drive 4,000 feet west of Meridian Road and 2,000 feet north of Woodmen Frontage Road. Access to the development will be from Bent Grass Meadows Drive.

Traffic generated from the 267 dwelling units proposed in this development will be approximately 2,520 average daily trips and the proposed interior roads will be public local urban paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic analysis provided in the Falcon Meadows at Bent Grass Updated Traffic Impact Analysis (TIS) are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS. The east-west and north-south segments of Bent Grass Meadows Drive were recently connected with Bent Grass Residential Filing No. 2 and this road functions as a non-residential collector between Woodmen Frontage Road and Meridian Road. Completion of the existing segment of Bent Grass Meadows Drive south of the site will be required. Construction of that segment has not been completed by the developer that platted the road, which requires repairs and addition of the top lift of pavement in accordance with Recommended Condition of Approval No. 10.

This development will be subject to the County Road Impact Fee Program as applicable for property located within the Woodmen Road Metropolitan District.

In accordance with Recommended Condition of Approval Nos. 10 and 11, the developer will be required to participate in construction of the offsite road improvements necessary for safe access and adequate levels of service for traffic from this development, including design and construction of the eastbound left turn lane from Woodmen Frontage Road to Bent Grass Meadows Drive and contribution to an escrow account to provide a fair and equitable monetary share from the development toward transportation improvements H, I, and J as identified in Table 4 of the Falcon Meadows at Bent Grass Transportation Impact Analysis.

H. SERVICES

1. Water

Water supply service will be provided by the Woodmen Hills Metropolitan District.

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has recommended a finding of sufficiency with regards to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

2. Sanitation

Wastewater is provided by the Woodmen Hills Metropolitan District. The District has provided a commitment letter indicating it has capacity to serve the proposed single-family residential lots.

3. Emergency Services

The property is within the Falcon Fire Protection District. The District was sent a referral and had no objections to the proposed PUD development plan.

4. Utilities

Colorado Springs Utilities will provide natural gas service and Mountain View Electric Association will provide electrical service to the property.

5. Metropolitan Districts

The subject parcel is included within the boundaries of Bent Grass Metropolitan District. Bent Grass Metropolitan District will own and maintain the open space

tracts, drainage and roadway landscaping within the proposed development. The District collects an ad valorem (property tax) of 38.641 mill levy.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) or preliminary plan application. Fees in lieu of park land dedication will be due at the time of recording the final plat. The 2013 El Paso County Parks Master Plan shows the proposed Woodmen Hills Secondary Regional Trail trending north-south through the site. The applicants have depicted a trail within a 25-foot trail easement adjacent to the drainage channel which is consistent with the Plan.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a rezone or preliminary plan application. Fees in lieu of school land dedication will be due at the time of recording the final plat.

I. APPLICABLE RESOLUTIONS

Approval Page 31
Disapproval Page 32

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.

3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. The developers shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
6. Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The Bent Grass Master Development Drainage Plan and Drainage Basin Planning Study Amendment (MDP-21-001) shall be completed by the developers and accepted by the ECM Administrator prior to administrative approval of the Falcon Meadows at Bent Grass Filing No. 1 final plat by the Director of the Planning and Community Development Department or scheduling of the first final plat within the subject property, as applicable.
8. The developers, property owners adjacent to the Falcon West Tributary Channel, (for approximately 1,900 linear feet) north of Woodmen Road, and Bent Grass Metropolitan District shall be responsible for maintenance of their respective portions of the Falcon West Tributary channel within and downstream of the Falcon Meadows at Bent Grass development to the existing channel improvements north of Woodmen Road until construction of the necessary channel improvements by the developers is complete and the channel improvements have been accepted by El Paso County. The developers' design and construction requirements are as follows:
 - a. Final design and construction drawings for the channel through and downstream of the PUDSP area shall be provided for review with the Falcon Meadows at Bent Grass Filing No. 1 final plat submittal and shall

be approved by PCD prior to scheduling the second final plat in the PUDSP area for administrative approval.

- b. Construction of onsite channel improvements south of Bent Grass Meadows Drive (approximately 930 linear feet) shall be completed within two years of recordation of the first plat that includes any property located south of Bent Grass Meadows Drive.
 - c. Construction of onsite channel improvements north of Bent Grass Meadows Drive (approximately 650 linear feet) shall be completed within two years of recordation of the first plat that includes any property located north of Bent Grass Meadows Drive.
 - d. If Conditional Letter of Map Revision (CLOMR) approval by FEMA is required it shall be obtained in a timely manner; however, no more than 72 lots (the first final plat) shall be platted until the CLOMR has been approved, if such approval is necessary.
 - e. Construction of offsite channel improvements from the southern boundary of the Meadows at Bent Grass PUDSP to the existing downstream improvements located north of Woodmen Road (approximately 1,440 linear feet) shall be completed prior to final plat recordation for any future final plat that would bring the total number of platted lots in the Meadows at Bent Grass PUDSP area to more than or equal to 192 lots. These improvements may be completed by the developers, other owners of the downstream channel, or the Bent Grass Metropolitan District. If a downstream owner takes responsibility for interim channel maintenance and construction and begins such construction prior to construction of the applicable channel segment by the Bent Grass Meadows PUDSP area developers, then this condition may be revised administratively and as appropriate by the PCD Executive Director via separate instrument in order to remove or otherwise modify the construction responsibilities of the Meadows at Bent Grass developers.
 - f. If Letter of Map Revision (LOMR) approval by FEMA is required, it shall be obtained in a timely manner; however, the warranty financial assurances for channel construction shall not be released until the LOMR has been approved, if such approval is necessary.
9. The Developers shall complete the following offsite improvements prior to the recording of a final plat within the Falcon Meadows at Bent Grass development.
- a. Intersection signalization improvements at Meridian Road and Bent Grass Meadows Drive (CDR-19-004);

- b. Design and installation of the eastbound left-turn signal phase at Woodmen Road and Golden Sage Road, unless otherwise directed by the City of Colorado Springs, which recently annexed these roads; and
 - c. Construction of the downstream detention (Pond WU) inlet and outlet structures designed with Bent Grass Residential Filing No. 2.
10. The first final plat in Falcon Meadows at Bent Grass shall require final construction, paving and associated repairs to Bent Grass Meadows Drive south of the site, including design and construction of an eastbound left turn lane on Woodmen Frontage Road at Bent Grass Meadows Drive if warranted, to meet the minimum standards of a Non-Residential Collector in accordance with the Engineering Criteria Manual. These road improvements may be eligible for cost recovery from adjacent developers.
11. The developers shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 4 of the Falcon Meadows at Bent Grass Transportation Impact Analysis, as amended and pending approval:
- a. Lengthening of the current eastbound single left-turn deceleration lane on Woodmen approaching Golden Sage Road.
 - b. Southbound exclusive right-turn lane on Golden Sage Road approaching Woodmen Road.
 - c. Signalization of Golden Sage Road/Woodmen Frontage Road or reconstruction as a modern roundabout

The improvements and fair shares are to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the Falcon Meadows at Bent Grass development. An escrow agreement, including a financial assurance estimate for the intersection improvements, as approved by the Planning and Community Development Department Director and the County Attorney's Office, shall be completed and escrow deposited with each final plat.

NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in

physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

3. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
4. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department 24 adjoining property owners on June 29, 2021, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Development Plan / Preliminary Plan
State Engineers Letter
County Attorney's Letter

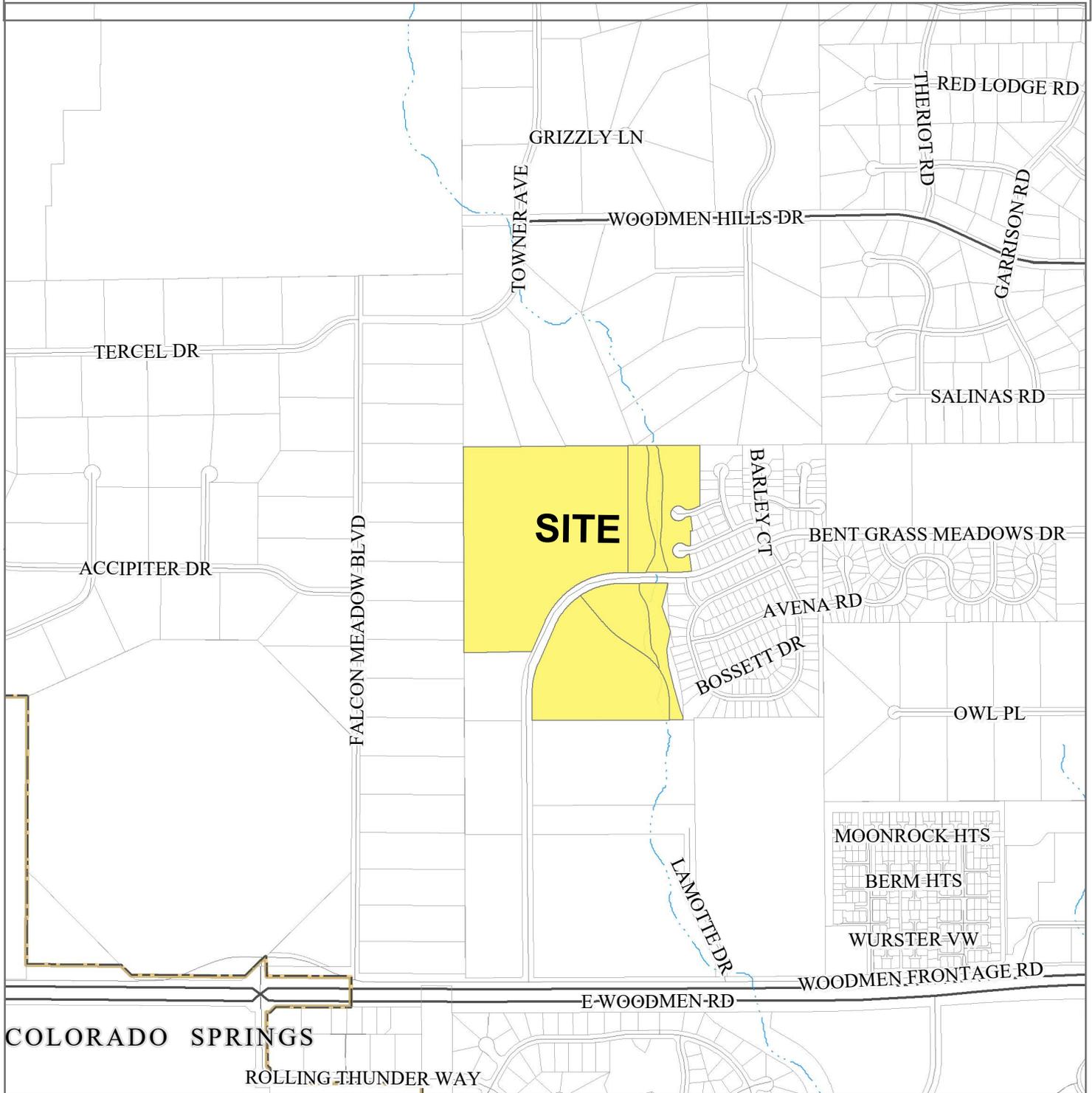
El Paso County Parcel Information

PARCEL	NAME
5301204006	CHALLENGER COMMUNITIES LLC
5301204005	CHALLENGER COMMUNITIES LLC
5301201063	CHALLENGER COMMUNITIES LLC
5301201062	CHALLENGER COMMUNITIES LLC
5301201061	CHALLENGER COMMUNITIES LLC
5301000019	CHALLENGER COMMUNITIES LLC
5301000023	BETTER LAND LLC

File Name: PUDSP-20-005

Zone Map No. --

Date: June 28, 2021



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 20 (719) 520-6600



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BENT GRASS WEST RESIDENTIAL

LETTER OF INTENT

~~AUGUST 2020~~ REVISED JUNE 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

REQUEST

N.E.S. Inc. on behalf of Challenger Homes request approval of the following applications:

1. A site-specific PUD Development Preliminary Plan for 267 single family lots, 17 tracts, and public rights-of-way on 67 acres, at a gross density of 3.98 dwelling units per acre.
2. Pre-development Utilities for a portion of the site south of Bent Grass Meadows drive. The pre-development site grading has been approved administratively and is in progress.
3. Water sufficiency with the PUD Development Preliminary Plan.
4. Subsequent Final Plats to be approved administratively.

LOCATION

The approximately 67-acre project site is comprised of two areas north and south of Bent Grass Meadows Drive.



PROJECT DESCRIPTION & CONTEXT

In 2007, the Bent Grass Overall PUD was approved consisting of 178.77 acres including 540 single family residential lots, 29 acres of commercial, and 7.2 acres of park and open space. A site-specific Bent Grass PUD and Preliminary Plan for the residential portion of the Bent Grass Overall PUD consisting of 135.92 acres. The PUD and preliminary plan included 387 single-family lots; 25 tracts for open space, trail corridors, and drainage; and public rights of way. A 50-foot setback is identified on the PUD and Preliminary Plan adjacent to the rural residential zoned properties to the north.

In 2017, amendments were approved for the southeastern portion of the Bent Grass PUD and Preliminary Plan including 35 acres of the 135.92-acre plan and reconfiguration of 104 single-family lots and one (1) tract to be utilized for open space, drainage, and public rights-of-way. Bent Grass Filing No. 1 and Bent Grass Filing No. 2 platted some of the residential lots east of Sand Creek and Bent Grass Meadows Drive from Meridian Ranch Road to Woodmen Road. This PUD Preliminary Plan addresses the remainder of the residential portion of the overall PUD and gains access from Bent Grass Meadows Drive.

Zoning: The site is zoned PUD for single-family detached. To the north and west is RR-5 rural residential, to the west PUD, and to the south is I-2 limited industrial district. Setbacks are provided along the north, west, and south to provide buffer from the lower density residential and the industrial zoning. Larger lots are proposed along the north and west to transition from the larger existing lots to the smaller internal lots of this PUD. The project provides a transition from the large lot residential to Falcon Storage and the vacant industrial lot. Tract B along the south west property line provides a 35-foot separation from the proposed residential lots to the vacant lot.

AIR QUALITY: The proposed residential use will not negatively impact air quality. The proposed infill development is located within a developing area with convenient access 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 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, June 2020 prepared by RMG)

VEGETATION & WILDLIFE: The wildlife/biological assessment provided by American Geoservices provides 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.

DISTRICTS SERVING THE PROPERTY

The following districts will serve the property:

- Woodmen Hills Metro District will provide water and wastewater services. A will serve letter is provided with this application.
- Mountain View Electric Association will provide electric service. A will serve letter is provided with this application.
- Colorado Springs Utilities will provide natural gas service. A will serve letter is provided with this application.
- Falcon Fire Protection District will provide fire protection and emergency services. A will serve letter is provided with this application.
- School District 49 will serve the property.
- Pikes Peak Library District.
- Bent Grass Metropolitan District ownership and maintenance of tracts and open space.
- El Paso County Public Improvement District No. 2 (10 Mil PID)

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

The Master Plan for the County comprises the County Policy Plan, relevant small area plans, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The site is within the boundaries of the Falcon Peyton small area plan. The proposed residential subdivision satisfies the following policies of the County Policy Plan and the Water Master Plan.

COUNTY POLICY PLAN

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

The proposed development provides an additional housing choice in an urbanizing area. The product is similar in scale and density to the surrounding residential, existing and proposed. Access is provided by Bent Grass Meadows Drive which will connect to Woodmen Road and Meridian Road.

SMALL AREA MASTER PLAN (FALCON/PEYTON)

Goal 3.1.4.: Provide a variety of different densities of development options.

The proposed development recognizes the rural characteristics of the area and preserves that identity by provided larger lots on the periphery of the development adjacent to RR-5 lots. Smaller lots are then proposed towards the center of the development to provide varied density options, while respecting adjacent zonings on the periphery.

WATER MASTER PLAN

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.

Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.

Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.

Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).

Goal 5.4 – Promote the long-term use of renewable water. Goal 5.5 – Identify any water supply issues early on in the land development process.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

Policy 6.0.11 – Continue to limit urban level development to those areas served by centralized utilities.

Woodmen Hills Metro District has sufficient supply and existing infrastructure in the area to serve this development. Water quality is good and Woodmen Hills is in compliance with all regulatory limits.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the

north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Full build out of the Woodmen Hills Metro District (District) is anticipated within the 2040 timeframe. The Water Resources Report indicates that the District has sufficient supply to meet the expected need at full build out by 2040 and 2060. Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the projected demand is 6,403-acre feet. As stated in the Water Resources Report, this development is projected to need 91.78-acre feet of water per year. The District has committed this amount of water to the Falcon Meadows at Bent Grass project. Current supply is 1,459.5-acre feet on a 300-year basis.

The District currently incorporates a 20% reserve into their future planning. Based on the needs, current supply, and reserve the District has sufficient water to meet the needs but a possible very small shortage of 23.5 annual acre-feet might be expected due to the 20% reserve. However, additional long-range planning, regionalization, and acquisitions are discussed in the Water and Wastewater Report under future supplies.

Woodmen Hills Metropolitan Districts (District) has provided a water and wastewater commitment letter to serve the development. The Districts has roughly 14 wells and four different types of water supply from renewable and non-renewable sources:

- local wells mainly in the Arapahoe and Laramie Fox-Hills formations, (non-renewable source)
- off-site wells four operating in the Denver Basin in the Guthrie Ranch and adjacent area (non-renewable source)
- offsite alluvial wells also in the Guthrie Ranch Area which pump renewable water from Upper Black Squirrel Basin (renewable source)
- a perpetual right to 350 acre-feet of water per year from Cherokee Water utilizing the Upper Black Squirrel Basin (renewable source).

The District developed a water policy intended to facilitate goals of continual addition of water sources prioritizing renewable sources. In addition, the District will be acquiring and or improving sources of supply and increasing water reliability and efficiency over time. New sources/expansions are expected to come from five areas: developer inclusion, acquisition, regionalization, facility expansion (including extensions of existing jointly owned transmission systems), and indirect, lawn irrigation return flows (LIRF) credits and direct reuse. The District has Municipal Interconnects on both the raw water and potable water systems. Current connecting systems include Meridian Service Metropolitan District; Cherokee Metropolitan District; and Falcon Highlands Metropolitan District. The District has two major off-site transmission lines which are jointly owned with Meridian Service Metropolitan District. The District is responsible for the operation of both the Tamlin and Guthrie systems. The District owns and operates three water treatment plants and three water storage facilities. The District treats and filters 100% of their water supply. A fourth tank is under construction and will bolster fire flows, service pressures, system reliability, and potable water storage.

The District's current use is based on an average of 53% renewable water sources and is continually acquiring and working towards establishing additional renewable sources. Discussions of long-term planning are included in the Water Wastewater Report. Current Water Quality is presented in the Water and Wastewater Report in the Appendix E being the WHMD 2020 Consumer Confidence Report.

PUD Plan Review Criteria Chapter 4.2.6.D

1. THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATED PURPOSES SET FORTH IN THIS SECTION;

The proposed residential meets the intent of the PUD zone by providing a mix of residential types and provides a transition from the larger existing residential lots to the proposed residential and the I-2 zoned properties.

2. THE APPLICATION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;

The development is consistent with the intent of the Policy Plan as it is intended to provide additional housing at various densities in an urbanizing area.

3. THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE AND ALL APPLICABLE STATUTORY PROVISIONS AND WILL NOT OTHERWISE BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE PRESENT OR FUTURE INHABITANTS OF EL PASO COUNTY;

The stated purpose of the Code is to preserve and improve the public health, safety, and general welfare of the citizens and businesses of El Paso County. This development will provide an additional housing option in the area in a location that is appropriate for higher density residential development.

4. THE SUBJECT PROPERTY IS SUITABLE FOR THE INTENDED USES AND THE USE IS COMPATIBLE WITH BOTH THE EXISTING AND ALLOWED LAND USES ON THE NEIGHBORING PROPERTIES, WILL BE IN HARMONY AND RESPONSIVE WITH THE CHARACTER OF THE SURROUNDING AREA AND NATURAL ENVIRONMENT; AND WILL NOT HAVE A NEGATIVE IMPACT UPON THE EXISTING AND FUTURE DEVELOPMENT OF THE SURROUNDING AREA;

The site is zoned PUD for single-family detached. To the north and west is RR-5 rural residential, to the west PUD, and to the south is I-2 limited industrial district. Setbacks are provided along the north, west, and south to provide buffer from the lower density residential and the industrial zoning. Larger lots are proposed along the north and west to transition from the larger existing lots to the smaller internal lots of this PUD. The project provides a transition from the large lot residential to Falcon Storage and the vacant industrial lot. Tract B along the south west property line provides a 35-foot separation from the proposed residential lots to the vacant lot.

5. THE PROPOSED DEVELOPMENT PROVIDES ADEQUATE CONSIDERATION FOR ANY POTENTIALLY DETRIMENTAL USE TO USE RELATIONSHIPS (E.G. COMMERCIAL USE ADJACENT TO SINGLE FAMILY USE) AND PROVIDES AN APPROPRIATE TRANSITION OR BUFFERING BETWEEN USES OF DIFFERING INTENSITIES BOTH ON-SITE AND OFF-SITE WHICH MAY INCLUDE INNOVATIVE TREATMENTS OF USE TO USE RELATIONSHIPS;

The project provides ample separation and buffering for any future development of the vacant I-2 zoned lots to the south. A 35' and 50' setback on the west and north property lines buffers the higher density residential from the lower density residential.

6. THE ALLOWED USES, BULK REQUIREMENTS AND REQUIRED LANDSCAPING AND BUFFERING ARE APPROPRIATE TO AND COMPATIBLE WITH THE TYPE OF DEVELOPMENT, THE SURROUNDING NEIGHBORHOOD OR AREA AND THE COMMUNITY;

The proposed residential has been designed to be compatible with the existing residential and recently approved residential. Trail connections, sidewalks, and a park are designed to meet the needs of the residents and the surrounding residential.

7. AREAS WITH UNIQUE OR SIGNIFICANT HISTORICAL, CULTURAL, RECREATIONAL, AESTHETIC OR NATURAL FEATURES ARE PRESERVED AND INCORPORATED INTO THE DESIGN OF THE PROJECT;

The Falcon West Tributary is adjacent to the site. The channel is contained in a tract and no lots encroach on the floodplain or tract. There are no other natural physical features on the site.

8. OPEN SPACES AND TRAILS ARE INTEGRATED INTO THE DEVELOPMENT PLAN TO SERVE AS AMENITIES TO RESIDENTS AND PROVIDE A REASONABLE WALKING AND BIKING OPPORTUNITIES;

Approximately 23 acres of open space is provided throughout the development. Trails have been provided to connect to existing or planned sidewalks and future trail systems.

9. THE PROPOSED DEVELOPMENT WILL NOT OVERBURDEN THE CAPACITIES OF EXISTING OR PLANNED ROADS, UTILITIES AND OTHER PUBLIC FACILITIES (E.G., FIRE PROTECTION, POLICE PROTECTION, EMERGENCY SERVICES, AND WATER AND SANITATION), AND THE REQUIRED PUBLIC SERVICES AND FACILITIES WILL BE PROVIDED TO SUPPORT THE DEVELOPMENT WHEN NEEDED;

The proposed location and design of the public improvements provide adequate services and mitigate any effects. 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 PROPOSED DEVELOPMENT WOULD BE A BENEFIT THROUGH THE PROVISION OF INTERCONNECTED OPEN SPACE, CONSERVATION OF ENVIRONMENTAL FEATURES, AESTHETIC FEATURES AND HARMONIOUS DESIGN, AND ENERGY EFFICIENT SITE DESIGN;

The proposed trails provide connections to this development and the surrounding residential providing access to the park and to the Falcon West Tributary. The channel is contained in a separate tract to allow for preservation and public access.

11. THE PROPOSED LAND USE DOES NOT PERMIT THE USE OF ANY AREA CONTAINING A COMMERCIAL MINERAL DEPOSIT IN A MANNER WHICH WOULD UNREASONABLY INTERFERE WITH THE PRESENT OR FUTURE EXTRACTION OF SUCH DEPOSIT UNLESS ACKNOWLEDGED BY THE MINERAL RIGHTS OWNER;

The site does not contain any mineral rights.

12. ANY PROPOSED EXCEPTION OR DEVIATION FROM THE REQUIREMENTS OF THE ZONING RESOLUTION OR THE SUBDIVISION REGULATIONS IS WARRANTED BY VIRTUE OF THE DESIGN AND AMENITIES INCORPORATED IN THE DEVELOPMENT PLAN AND DEVELOPMENT GUIDE; AND

No deviations are requested.

13. THE OWNER HAS AUTHORIZED THE APPLICATION.

Authorization has been provided.

PUD Preliminary Plan Review Criteria Chapter 4.2.6.E

1. THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;

The development is consistent with the intent of the Policy Plan as it is intended to provide additional housing at various densities in an urbanizing area.

2. THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;

The stated purpose of the Code is to preserve and improve the public health, safety, and general welfare of the citizens and businesses of El Paso County. This development will provide an additional housing option in the area in a location that is appropriate for higher density residential development.

3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;

There is no approved sketch plan for this property. The subdivision design standards 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)

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 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, June 2020 prepared by RMG)

7. ADEQUATE DRAINAGE IMPROVEMENTS COMPLYING WITH STATE LAW [C.R.S. §30-28- 133(3)(c)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM ARE PROVIDED BY THE DESIGN;

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. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;

The proposed location and design of the public improvements provide adequate services and mitigate any effects.

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

Both portions of the site have legal access via Bent Grass Meadows Drive and private roads within the development.

10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY

1) INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;

There are no natural physical features on the site. Approximately 23 acres of open space is provided throughout the development.

2) INCORPORATING SITE PLANNING TECHNIQUES TO FOSTER THE IMPLEMENTATION OF THE COUNTY'S PLANS, AND ENCOURAGE A LAND USE PATTERN TO SUPPORT A BALANCED TRANSPORTATION SYSTEM, INCLUDING AUTO, BIKE AND PEDESTRIAN TRAFFIC, PUBLIC OR MASS TRANSIT IF APPROPRIATE, AND THE COST EFFECTIVE DELIVERY OF OTHER SERVICES CONSISTENT WITH ADOPTED PLANS, POLICIES AND REGULATIONS OF THE COUNTY;

Appropriate provision is made in this regard given the context of the site and surrounding area. The plan was designed to minimize cost of transportation and utility infrastructure improvements. The project connects the two sections Bent Grass Meadows Drive completing the roadway.

3) INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;

Landscaping is included to buffer the development from adjacent uses where appropriate. The development provides a transition between the larger single-family lots to the north and commercial/intermediate industrial uses to the south. A 50-foot setback is provided along the northern boundary in order to provide additional buffering between the proposed lots and the existing 5-acre lots.

4) INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND

The Falcon West Tributary is adjacent to the site. The channel is contained in a tract and no lots encroach on the floodplain or tract.

5) INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;

The Traffic Report prepared by LSC Transportation Consultants demonstrates that the proposed access points will function within acceptable traffic engineering parameters. The reports relating to water supply, wastewater treatment, and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEMS, ARE OR WILL BE 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.

12. THE SUBDIVISION PROVIDES EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE; AND

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.

13. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.

The proposed subdivision meets the applicable sections of these parts of the Code.

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FALCON MEADOWS AT BENT GRASS

A PARCEL OF LAND, BEING A PORTION OF THE WEST HALF OF SECTION 1, T.13S., R.65W., OF THE 6TH P.M., COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO
PUD PRELIMINARY PLAN

GENERAL PROVISIONS:

- Authority.** This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- Applicability.** The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Director or Board of County Commissioners.
- Adoption.** The adoption of this development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for Falcon Meadows at Bent Grass is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this development plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
- Relationship to County Regulations.** The provisions of this Development Plan shall prevail and govern the development of Falcon Meadows at Bent Grass, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval (or owner acknowledge the PUD changes with the Code), or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- Enforcement.** To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- Conflict.** Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- Maximum Level of Development.** The total number of dwellings or the total commercial, business, or industrial intensity shown on the development plan for development within the specified planning areas is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- Project Tracking.** At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development, in order to assure maximum development limits are not exceeded.
- Overall Project Standards.** The standard zoning requirements of El Paso County Land Development Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.

DEVELOPMENT GUIDELINES:

- Project Description:** Falcon Meadows at Bent Grass is a planned residential community on 67.012 acres of land located on the North and South side of Bent Grass Meadows Blvd. The project is planned as a single family detached community with a range of lot sizes and contiguous common open space throughout.

USES	NOTES
PRINCIPAL USES	
DWELLINGS - SINGLE FAMILY DETACHED	
OPEN SPACE, PARKS, AND TRAILS	
RECREATION AMENITIES	SUCH AS TRAILS, WALKS, PARKS, FIELDS & COURTS, ACTIVE & PASSIVE RECREATION
FAMILY CARE HOME, CHILD CARE CENTER, OR GROUP HOME	THESE USES ARE CONTROLLED BY STATE LAW AND RULES AND REGULATIONS, AND ARE EITHER ALLOWED OR SPECIAL USES DEPENDING ON THE SPECIFIC FACILITY TYPE AND NUMBER OF RESIDENTS/ENROLLMENTS
UTILITIES, DETENTION PONDS	TO INCLUDE DETENTION FACILITIES AND ASSOCIATED ACCESS ROADS AND UTILITY LINES
ACCESSORY USES	
ANIMAL KEEPING	UP TO 4 PETS (DOGS, CATS, OR OTHER DOMESTICATED ANIMALS ARE PERMITTED). THE KEEPING OF BEES, HENS, CHICKENS, OR PIGEONS IS NOT ALLOWED.
RESIDENTIAL HOME OCCUPATION	SUBJECT TO USE-SPECIFIC DEVELOPMENT STANDARDS SET OUT IN CHAPTER 5.2.29 OF THE LAND DEVELOPMENT CODE.
SOLAR ENERGY SYSTEMS	FOR PERSONAL USE ONLY
ANTENNAS, RADIO FACILITIES, AND SATELLITE DISHES	
MAILBOXES	
BED & BREAKFAST	
STORAGE SHEDS	
TEMPORARY USES	
MODEL HOME / SUBDIVISION SALES OFFICE	
CONSTRUCTION EQUIPMENT STORAGE AND FIELD OFFICE	ONLY WHEN ASSOCIATED WITH A PERMITTED USE
YARD OR GARAGE SALES	
SPECIAL USES	
FAMILY CARE HOME, CHILD CARE CENTER, OR GROUP HOME	THESE USES ARE CONTROLLED BY STATE LAW AND RULES AND REGULATIONS, AND ARE EITHER ALLOWED OR SPECIAL USES DEPENDING ON THE SPECIFIC FACILITY TYPE AND NUMBER OF RESIDENTS/ENROLLMENTS
CMRS FACILITY - STEALTH	
ACCESSORY STRUCTURES	
ACCESSORY STRUCTURES.	ANY STRUCTURES EXCEEDING 200 SF AND REQUIRING A BUILDING PERMIT ARE NOT PERMITTED.
NOTES:	
1. ALL PERMITTED PRINCIPAL AND ACCESSORY STRUCTURES ARE SUBJECT TO THE DEVELOPMENT STANDARD OF FALCON MEADOWS AT BENT GRASS	
2. PERMITTED ACCESSORY USES ARE SUBJECT TO THE USE-SPECIFIC DEVELOPMENT STANDARD SET OUT IN CHAPTER 5.1.7 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE (AS AMENDED).	
3. PERMITTED TEMPORARY USES ARE SUBJECT TO THE USE-SPECIFIC DEVELOPMENT STANDARD SET OUT IN CHAPTER 5.2.1 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE (AS AMENDED).	
4. PERMITTED SPECIAL USES ARE SUBJECT TO THE USE-SPECIFIC DEVELOPMENT STANDARD SET OUT IN CHAPTER 5.2.2 OF THE EL PASO COUNTY LAND DEVELOPMENT CODE (AS AMENDED).	

- Signs.** Signs shall be permitted to identify entryways to the Falcon Meadows at Bent Grass community. The maximum size of the Community Entryway Sign shall be 100 square feet with a maximum height of (6) feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.
- Development Standards.**
 - Maximum building height: thirty-five (35) feet
 - Maximum Lot Coverage: 40%
 - Setback minimums:
 - Front: 20' Minimum
 - Side: 5' Minimum (15' for corner lots)
 - Rear: 7' Minimum
 - Minimum Lot Width: 35' at garage setback.
 - Minimum Lot Size: 2,800 SF
 - No projections into the tracts owned and maintained by the Bent Grass Metropolitan District will be permitted.
- Streets.** Streets within the Falcon Meadows at Bent Grass subdivision provide general vehicular circulation throughout the development. All Streets shall be paved. Sidewalks will be provided as illustrated on this plan and as required by the LDC and ECM.
- Access Limitation:** There shall be no direct vehicular access to Bent Grass Meadows Drive from any lot or tract except at these locations for maintenance purposes only: Drainage channel access on the North side of Bent Grass Meadows Drive via Tract L, and on the South side via Tract G.
- Sight Distance Triangles:** No landscaping may obstruct sight distance triangles or pedestrian facilities per Engineering Criteria Manual Reference 2.3.6.G.2 & 2.5.2.H, respectively. The minimum horizontal clearance for sidewalks around utilities structures, furniture, and other encroachments shall be 4 feet or greater to provide safe conditions for pedestrians and bicyclists per the Engineering Criteria Manual.

LEGAL DESCRIPTION

NORTH PARCEL

A PARCEL OF LAND, BEING A PORTION OF THE WEST HALF OF SECTION 1, T.13S., R.65W., OF THE 6TH P.M., COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BASIS OF BEARING:
 THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPLE MERIDIAN AND IS CONSIDERED TO BEAR N00°13'46"W;
 COMMENCING AT THE SOUTHWEST QUARTER CORNER OF SAID SECTION 1; THENCE N00°13'46"E ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 2429.82 FEET TO A POINT ALONG SAID WEST LINE, ALSO BEING TO THE POINT OF BEGINNING.
 THENCE N89°46'14"E, a distance of 493.96 feet TO A POINT ON THE NORTHWESTERLY LINE OF A PARCEL OF LAND DESCRIBED AT RECEPTION NUMBER 209061972;
 THENCE ALONG SAID NORTHWESTERLY LINE FOUR (4) COURSES:
 1. Thence N23°44'26"E, a distance of 247.83 feet TO A POINT OF CURVATURE;
 2. Thence along said curve to the right, having a radius of 605.00 feet, a central angle of 65°45'46", a distance of 694.40 feet, a chord bearing of N56°37'18"E with a chord distance of 656.91 feet;
 3. Thence N89°30'12"E, a distance of 448.12 feet TO A POINT OF CURVATURE;
 4. Thence along said curve to the left, having a radius of 525.00 feet, a central angle of 09°25'11", a distance of 66.31 feet, a chord bearing of N84°47'37"E with a chord distance of 86.21 feet;
 Thence N07°58'52"W, a distance of 126.91 feet;
 Thence N07°51'55"E, a distance of 62.94 feet;
 Thence N01°11'11"W, a distance of 107.15 feet;
 Thence N88°48'49"E, a distance of 14.56 feet;
 Thence N65°21'22"E, a distance of 4.05 feet;
 Thence N09°11'31"W, a distance of 158.90 feet TO A POINT OF NON-TANGENT CURVATURE;
 Thence along said curve to the left, having a radius of 175.00 feet, a central angle of 16°15'39", a distance of 49.67 feet, a chord bearing of N72°40'39"E with a chord distance of 49.50 feet;
 Thence N64°32'49"E, a distance of 36.42 feet;
 Thence N00°30'24"W, a distance of 446.99 feet TO A POINT ON THE SOUTH LINE OF THE MEADOWS filing no. 4, recorded at reception no. 200135677;
 Thence with the said south line, S89°36'34"W, a distance of 1740.37 feet to the north 1/16 corner of SAID section 1, township 13 south, range 65 west;
 Thence WITH THE WEST LINE OF SAID SECTION 1 S00°41'41"E, a distance of 1316.12 feet to the WEST QUARTER CORNER OF SAID section 1, township 13 south, range 65 west;
 Thence with the WEST LINE OF SAID SECTION 1 S00°13'46"E, a distance of 205.35 feet to the POINT OF BEGINNING.
 Parcel contains 1,991,949 square feet or 45,729 acres, more or less.

SOUTH PARCEL

A PARCEL OF LAND, BEING A PORTION OF THE WEST HALF OF SECTION 1, T.13S., R.65W., OF THE 6TH P.M., COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BASIS OF BEARING:
 THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPLE MERIDIAN AND IS CONSIDERED TO BEAR N00°13'46"W;
 COMMENCING AT THE SOUTHWEST QUARTER CORNER OF SAID SECTION 1; THENCE N00°13'46"E ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1928.87 FEET TO A POINT ALONG SAID WEST LINE, ALSO BEING THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED AT RECEPTION NUMBER 21303554; THENCE WITH THE SOUTH LINE OF SAID PROPERTY DESCRIBED AT RECEPTION NUMBER 21303554, N89°47'22"E A DISTANCE OF 499.98 FEET TO A POINT ON THE EASTERLY line of a property described by quitclaim deed, recorded at reception no. 209061972 THE POINT OF BEGINNING.
 THENCE ALONG SAID EASTERLY AND THE SOUTHERLY LINE SAID RECEPTION no. 209061972 THE FOLLOWING FIVE (5) COURSES:
 1. Thence N00°13'46"W, a distance of 206.50 feet TO A POINT OF CURVATURE;
 2. Thence along said curve to the right, having a radius of 525.00 feet, a central angle of 23°58'12", a distance of 219.64 feet, a chord bearing of N11°45'20"E with a chord distance of 218.04 feet;
 3. Thence N23°44'26"E, a distance of 301.49 feet TO A POINT OF CURVATURE;
 4. Thence along said curve to the right, having a radius of 525.00 feet, a central angle of 65°45'46", a distance of 602.57 feet, a chord bearing of N56°37'18"E with a chord distance of 570.04 feet;
 5. Thence N89°30'12"E, a distance of 358.96 feet;
 Thence S04°50'58"W, a distance of 80.18 feet;
 Thence S03°12'30"E, a distance of 153.30 feet;
 Thence S03°42'00"E, a distance of 64.68 feet;
 Thence S12°32'06"E, a distance of 80.14 feet;
 Thence S12°59'08"E, a distance of 75.20 feet;
 Thence S77°46'38"W, a distance of 30.12 feet;
 Thence S17°37'13"E, a distance of 160.63 feet TO A POINT OF CURVATURE;
 Thence along said curve to the RIGHT, having a radius of 1840.12 feet, a central angle of 08°44'32", a distance of 280.77 feet, a chord bearing of S10°08'34"E with a chord distance of 280.50 feet;
 Thence S04°32'53"E, a distance of 6.49 feet;
 Thence S00°12'15"E, a distance of 65.50 feet;
 Thence S89°47'22"W, a distance of 1111.19 feet to the Point of Beginning.
 Parcel contains 927,083 square feet or 21.283 acres, more or less.

For an overall total of 67.012 acres, more or less.

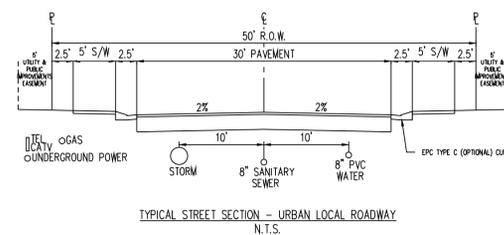
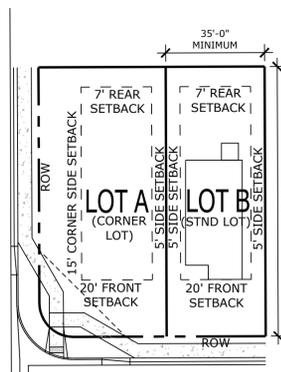
County Certification

This PUD Preliminary Plan request has been reviewed and found to be complete and in accordance with the El Paso County Land Development Code, as amended, this day of _____, 20____ and is hereby approved.

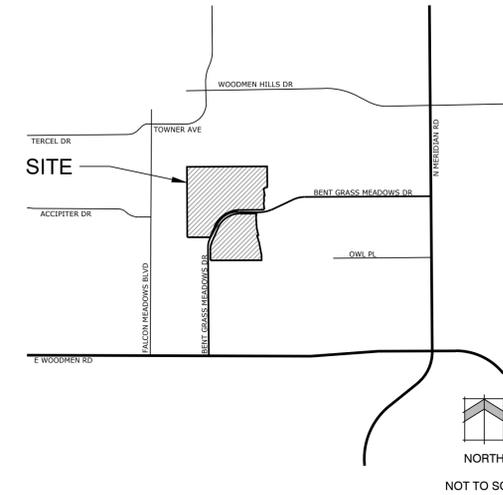
Clerk and Recorder Certification

I hereby certify that this Plan was filed in my office on this _____ (day) of _____ (month), 20____ at _____ o'clock a.m./p.m. and was recorded per Reception No. _____

LOT TYPICAL:



VICINITY MAP



SITE DATA

OWNER:	Better Land LLC. 8605 Explorer Dr. Ste 250 Colorado Springs, CO 80920	Civil Engineers: Galloway 1155 Kelly Johnson Blvd, Suite 305 Colorado Springs, CO 80920
APPLICANT:	NES Inc. 619 N Cascade Ave., Ste 200 Colorado Springs, CO 80903	
Tax ID Number:	5301000019, 5301201061, 5301201063, 5301204005, 5301000023	
Area:	67.012 acres	
Current Zoning:	PUD	
Current Land Use:	Vacant	
Proposed Land Use:	Single Family Detached Residential	
Number of Lots:	267	
Gross Density:	3.98 DU/AC	
R.O.W.	454,244 SF (10.428 acres)	
Open Space Area:	980,544 SF (22.51 acres)	
Total Lot Area:	1,484,266 SF (34.074 acres)	
Setbacks/Buffers:	Bent Grass Meadows Drive: 10' Landscape Setback Northern Boundary: 50' Setback Western Boundary: 35' Setback Open Space Required = (10% of 2,919,032 sf = 291,903 sf) Open Space Provided = 968,945 SF (33.19%) (Tracts A, B, C, E, F, G, H, I, J, K, L, M, O, P, Q) 25% min. usable open space required (25% of 968,945) = 242,236 sf usable open space provided (Tracts A, B, C, E, F, I, J, K, L, M, O, Q) = 571,860 SF (59%)	

GENERAL NOTES

- Facilities and common area landscape will be maintained by the Bent Grass Metropolitan District.
- The following lots have been found to be impacted by geologic hazards. 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: Potentially Seasonally High Groundwater: 140-146, 195-202, 115-118. The builder has agreed to restrict construction to non-basement foundation types in area where groundwater is anticipated to be shallower than 14 feet below ground surface (Lots 1-91, 105-108, 133-146, 195-213, and 22-266 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.
- The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the united states department of justice. Approval of this plan by El Paso County does not assure compliance with the ADA or any regulations or guidelines enacted or promulgated under or with respect to such laws. It is the responsibility of the developer/home builder to ensure ADA accessibility during construction of the public and private sidewalks.
- Access Limitation: There shall be no direct lot access on Bent Grass Meadows Drive.
- Floodplain: No structures or fences are permitted within designated "Floodplain" or "Park and Open Space" areas. This property is located within a designated FEMA Floodplain as determined by the Flood Insurance Rate Map, Community Map Number 08041C0553G, effective date December 7, 2018.
- Easements: Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with a 5 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 7 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.
- NOTICE: This property may be adversely impacted by noise, dust, fumes, and light pollution caused by adjacent industrial properties and activities. The buyer should research and be aware of this potentiality and the ramifications thereof.
- The trails and fencing along the Northern boundary will be installed by the developer.

SHEET INDEX

SHEET NUMBER	DESCRIPTION
Sheet 1 of 12:	Cover
Sheet 2 of 12:	Overall Plan/Adjacent Owners
Sheet 3 of 12:	Tract Plan
Sheet 4 of 12:	Site Development Plan North
Sheet 5 of 12:	Site Development Plan South
Sheet 6 of 12:	Preliminary Grading Plan North
Sheet 7 of 12:	Preliminary Grading Plan South
Sheet 8 of 12:	Preliminary Site Utilities Plan North
Sheet 9 of 12:	Preliminary Site Utilities Plan South
Sheet 10 of 12:	Landscape Details & Notes
Sheet 11 of 12:	Landscape Plan North
Sheet 12 of 12:	Landscape Plan South

Land Planning
Landscape
Architecture
Urban Design



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

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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PLANNING / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH:

PROJECT INFO

DATE:	8/4/2020
PROJECT MGR:	E. GANAWAY
PREPARED BY:	B.SWENSON

SCALE

SHEET INFO

DATE	BY	DESCRIPTION
12/22/2020	JBS	PER COUNTY COMMENTS
01/29/2021	JBS	PER COUNTY COMMENTS
03/12/2021	JBS	PER COUNTY COMMENTS
04/20/2021	JBS	PER COUNTY COMMENTS

SHEET TITLE

COVER

1

1 OF 12

PUDSP-20-005



ADJACENT OWNERS

#	TSN	Name	Number	Street	Suite	City	State	Zip
1	530100016	RANDALL DEYOUNG	10925	E. HWY 24		PEYTON	CO	80831
2	530100205	FALCON STORAGE PARTNERS	4615	NORTH PARK DR		COLORADO SPRINGS	CO	80918-3857
3	530100018	FALCON STORAGE PARTNERS	4615	NORTH PARK DR		COLORADO SPRINGS	CO	80918-3857
4	5302001009	STERLING TRUST	7880	FALCON MEADOW BLVD		PEYTON	CO	80831-7023
5	5302001008	HARPER, JEREMY, & NICOLE JUHL	4975	FALCON MEADOW BLVD		PEYTON	CO	80831-7044
6	5302001007	CASEY & STEPHANIE JACKSON	8025	FALCON MEADOW BLVD		PEYTON	CO	80831-7017
7	5302001006	WILLIAM & SHERRI WATSON	8115	FALCON MEADOW BLVD		PEYTON	CO	80831-7008
8	5302001005	THOMAS & SALLY MILLER	8155	FALCON MEADOW BLVD		PEYTON	CO	80831-7008
9	5302001004	GAIL NORDSTROM	8225	FALCON MEADOW BLVD		PEYTON	CO	80831-7008
10	5301005033	MICHAEL & JANET FRIEND	8225	TOWNER AVE		PEYTON	CO	80831-6958
11	5301005034	RANDALL & LINDA HULSEY	8285	TOWNER AVE		PEYTON	CO	80831-6958
12	5301005035	GLENN SOUTHARD	4950	BUCKAROO DR		COLORADO SPRINGS	CO	80918-5256
13	5301005042	JOSEPH & CAMI DEBISE	8530	VELVET ANTLER WAY		PEYTON	CO	80831-6972
14	5301005043	WILLIAM & MARIAN PARRISH	8510	VELVET ANTLER WAY		PEYTON	CO	80131-6972
15	5301000021	CHALLENGER COMMUNITIES LLC	8605	EXPLORER DR	250	COLORADO SPRINGS	CO	80920-1013
16	5301000037	CHALLENGER COMMUNITIES LLC	8605	EXPLORER DR	250	COLORADO SPRINGS	CO	80920-1013

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FALCON MEADOWS AT BENT GRASS

PUD PRELIMINARY PLAN

DATE: 8/4/2020
PROJECT MGR: E. GANAWAY
PREPARED BY: B. SWENSON

DATE	BY	DESCRIPTION
12/22/2020	JBS	PER COUNTY COMMENTS
01/29/2021	JBS	PER COUNTY COMMENTS
03/12/2021	JBS	PER COUNTY COMMENTS
04/20/2021	JBS	PER COUNTY COMMENTS
06/22/2021	JBS	PER COUNTY COMMENTS

**OVERALL SITE PLAN/
ADJACENT PROPERTY OWNERS**

2

2 OF 12

PUDSP-20-005



**FALCON
MEADOWS AT
BENT GRASS**

PUD PRELIMINARY
PLAN

PROJECT INFO

DATE:	8/4/2020
PROJECT MGR:	E. GANAWAY
PREPARED BY:	B. SWENSON

ISSUE INFO

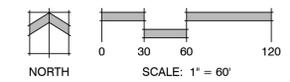
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01/29/2021	JBS	PER COUNTY COMMENTS
03/12/2021	JBS	PER COUNTY COMMENTS
04/20/2021	JBS	PER COUNTY COMMENTS
06/22/2021	JBS	PER COUNTY COMMENTS

**SITE PLAN
NORTH**

4

4 OF 12

PUDSP-20-005



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FALCON MEADOWS AT BENT GRASS

PUD PRELIMINARY PLAN

DATE: 8/4/2020
PROJECT MGR: E. GANAWAY
PREPARED BY: B. SWENSON

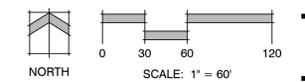
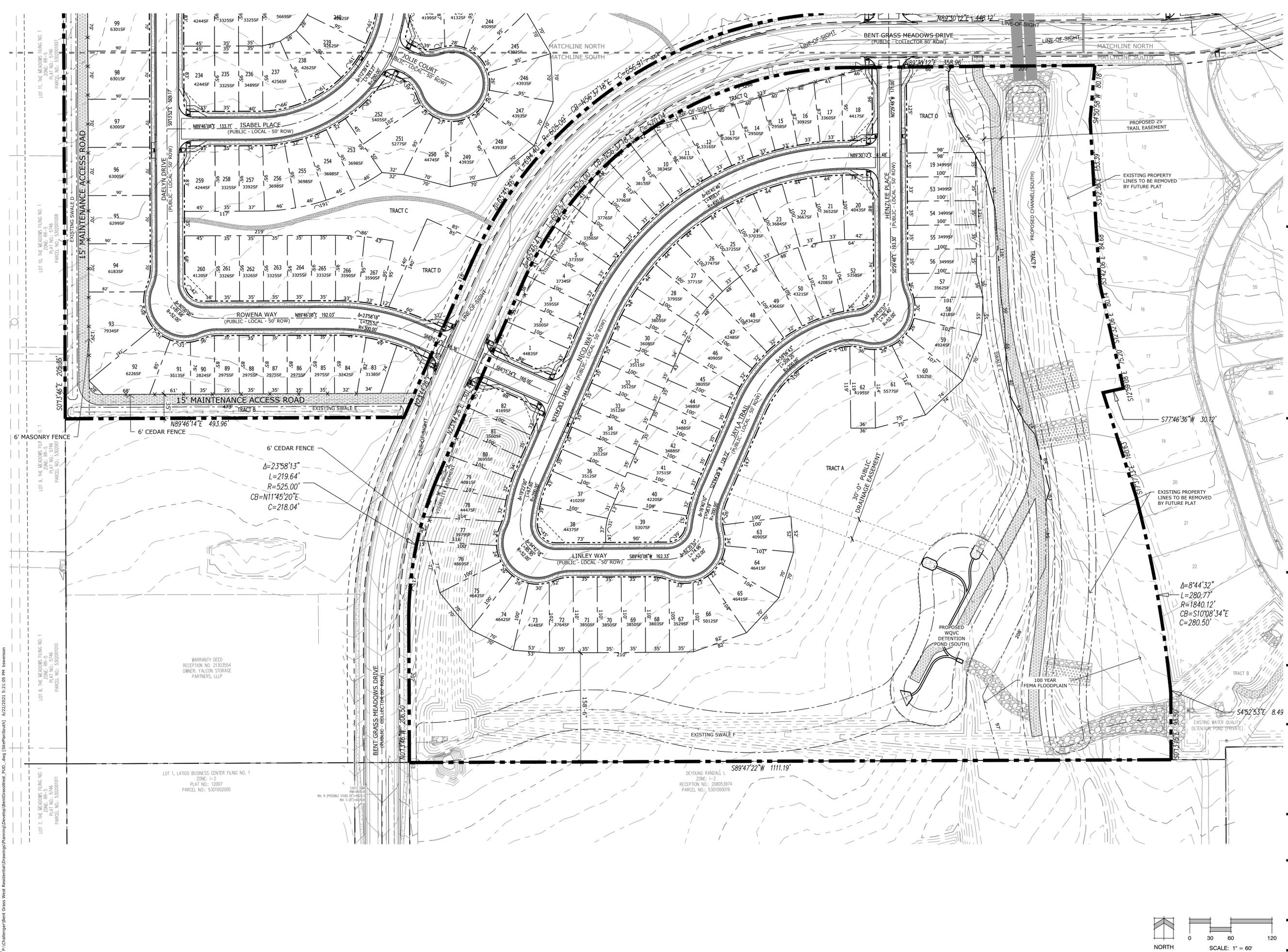
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03/12/2021	JBS	PER COUNTY COMMENTS
04/20/2021	JBS	PER COUNTY COMMENTS
06/22/2021	JBS	PER COUNTY COMMENTS

SITE PLAN SOUTH

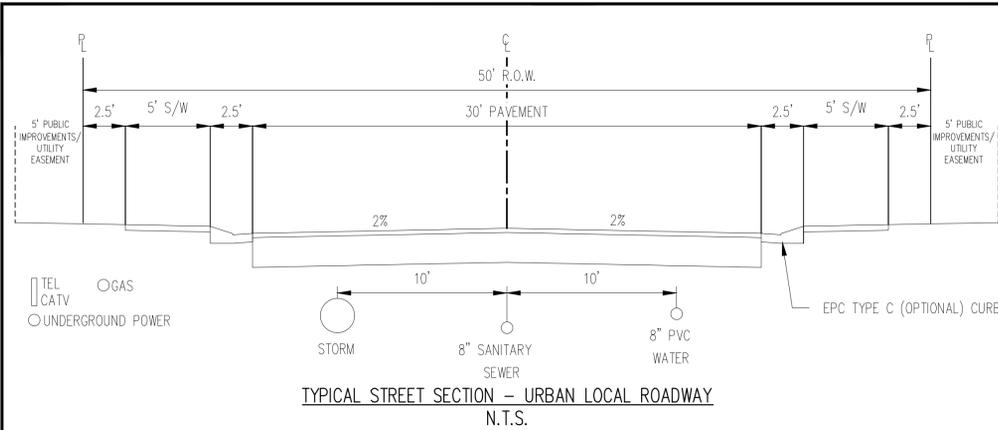
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5 OF 12

PUDSP-20-005



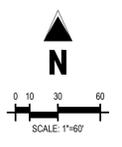
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BASIS OF BEARINGS
 ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983. THE BEARING OF THE LINE BETWEEN THE SOUTHWEST CORNER OF SECTION 1, T13S, R65W AND THE WEST QUARTER CORNER SECTION 1, T13S, R65W IS N001°34'46\"/>

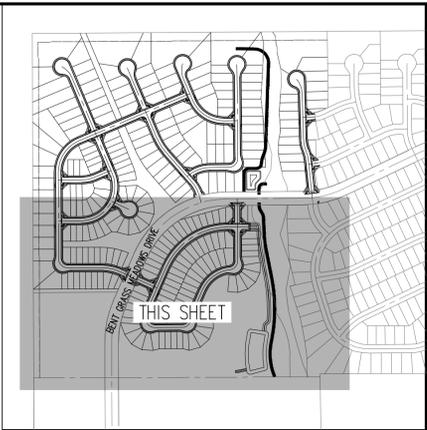
BENCHMARK
 THE SOUTHWESTERLY CORNER OF LOT 1 WOODEN HILLS FILING NO. 4, MONUMENTED BY A YELLOW PLASTIC SURVEYORS CAP ON A NO. 4 REBAR L5# 24954 ELEVATION = 6947.67

CAUTION - NOTICE TO CONTRACTOR
 1. ALL UTILITY LOCATIONS SHOWN ARE BASED ON MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANY AND FIELD SURFACE EVIDENCE AT THE TIME OF SURVEY AND IS TO BE CONSIDERED AN APPROXIMATE LOCATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE FIELD LOCATION OF ALL UTILITIES, PUBLIC OR PRIVATE, WHETHER SHOWN ON THE PLANS OR NOT, PRIOR TO CONSTRUCTION. REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
 2. WHERE A PROPOSED UTILITY CROSSES AN EXISTING UTILITY, IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF SUCH EXISTING UTILITY, EITHER THROUGH POT-HOLING OR ALTERNATIVE METHOD. REPORT INFORMATION TO THE ENGINEER PRIOR TO CONSTRUCTION.



LEGEND

—	EXISTING PROPERTY LINE	—	PROPOSED STORM DRAIN PIPE
- - -	EXISTING PROPERTY LINE TO BE REMOVED	W	PROPOSED WATER LINE
- · - · -	PROPOSED PROPERTY LINE	SS	PROPOSED SANITARY SEWER LINE
- · - · -	PROPOSED RIGHT OF WAY LINE	—	PROPOSED CONCRETE PAVING
- · - · -	EXISTING LOT LINE	—	PROPOSED COOT CLASS 6 GRAVEL
- · - · -	PROPOSED LOT LINE	—	EXISTING CONCRETE PAVING
- · - · -	EXISTING 100-YEAR FLOODPLAIN	—	EXISTING COOT CLASS 6 GRAVEL
- · - · -	PROPOSED SWALE W/ FLOW DIRECTION	—	PROPOSED LOT #
- · - · -	EXISTING SWALE W/ FLOW DIRECTION	—	PROPOSED ADA RAMP
- · - · -	PROPOSED DRAINAGE FEATURE OUTLINE	—	PROPOSED FIRE HYDRANT
- · - · -	EXISTING DRAINAGE FEATURE OUTLINE	—	PROPOSED GATE VALVE
- · - · -	EXISTING EASEMENT	—	PROPOSED REDUCER
- · - · -	PROPOSED EASEMENT	—	PROPOSED WATER BEND/TEE
- · - · -	EXISTING SUBDIVISION BUFFER	—	PROPOSED SANITARY MANHOLE
- · - · -	EXISTING STORM DRAIN PIPE	—	PROPOSED PES
- · - · -	EXISTING WATER LINE	—	PROPOSED STORM MANHOLE
- · - · -	EXISTING SANITARY SEWER LINE	—	PROPOSED COOT TYPE R STORM INLET
- · - · -	EXISTING OVERHEAD ELECTRIC LINE	—	
- · - · -	EXISTING UNDERGROUND ELECTRIC LINE	—	



Galloway
 1155 Kelly Johnson Blvd., Suite 305
 Colorado Springs, CO 80920
 719.900.7220
 GallowayUS.com

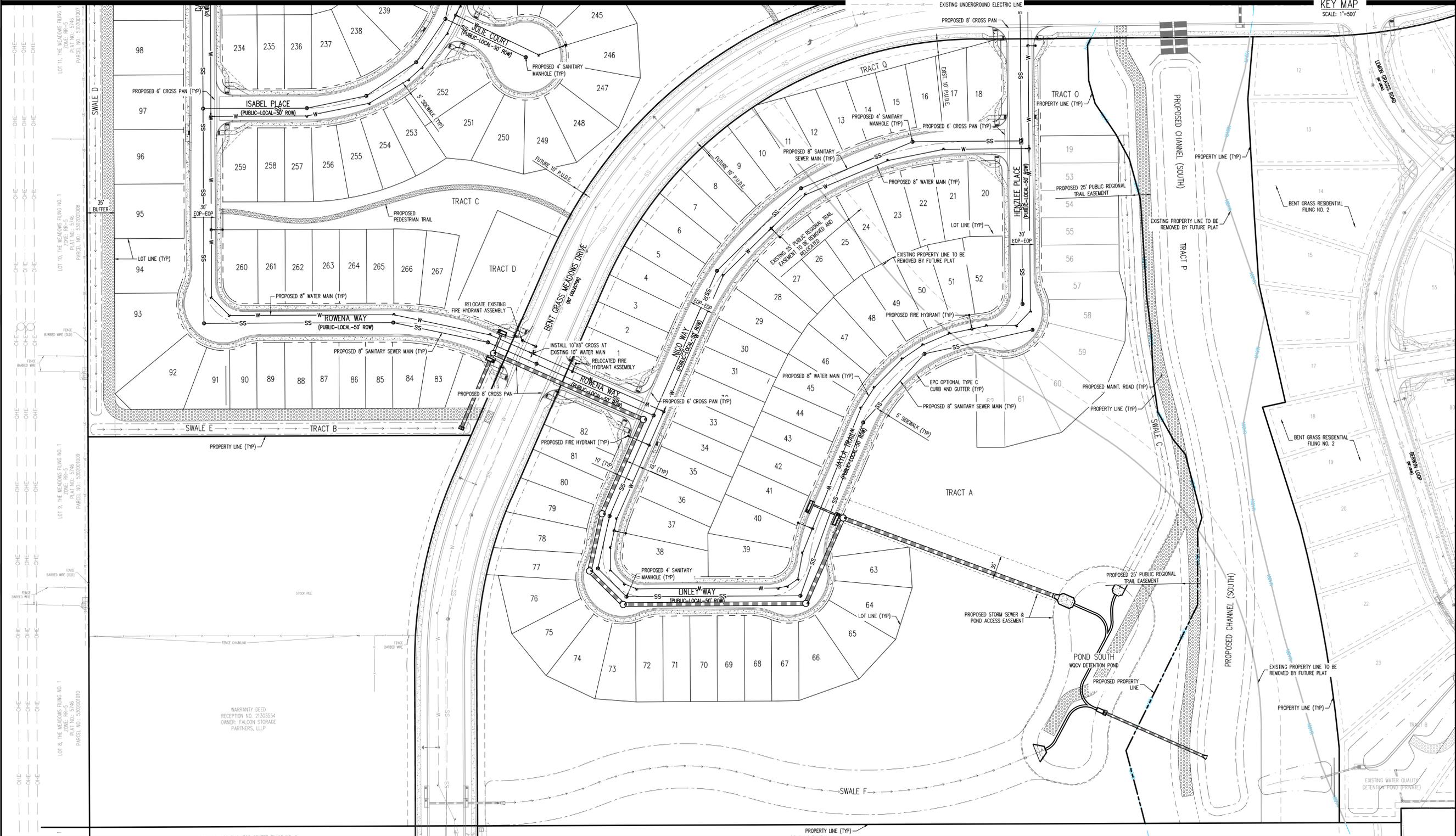
PRELIMINARY
 NOT FOR BIDDING
 NOT FOR CONSTRUCTION

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CHALLENGER HOMES

**PUD PRELIMINARY PLAN
 FALCON MEADOWS AT BENT GRASS
 FOR
 CHALLENGER COMMUNITIES, LLC**

BENT GRASS MEADOWS DRIVE & MERIDIAN ROAD
 FALCON, CO 80831 - EL PASO COUNTY



FALCON MEADOWS AT BENT GRASS

EL PASO COUNTY, COLORADO

PUD PRELIMINARY LANDSCAPE PLAN



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Tel. 719.471.0073
Fax 719.471.0267
www.nescolorado.com
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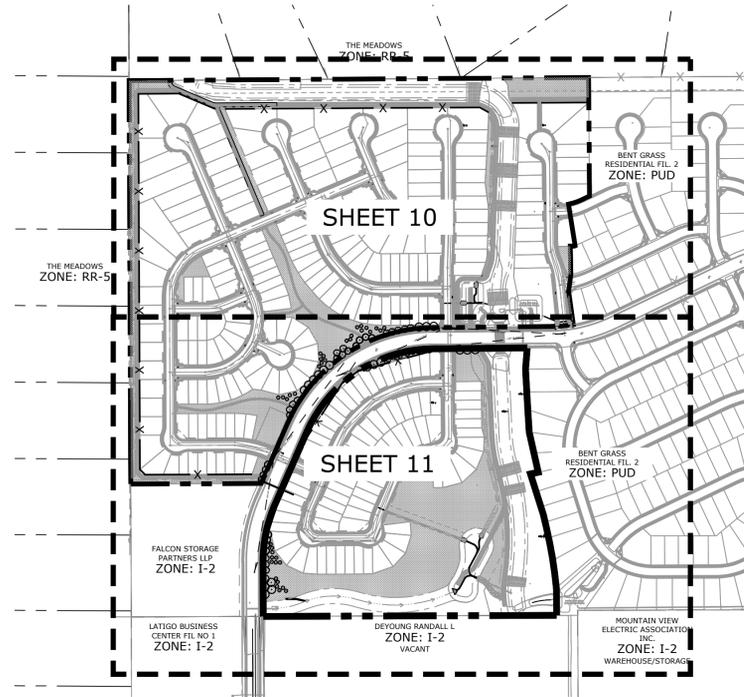
LANDSCAPE NOTES

- ALL PRESERVATION AREAS CONTAINING VEGETATION DESIGNATED TO BE PRESERVED, SHALL BE FENCED OFF DURING CONSTRUCTION TO MINIMIZE DISTURBANCE IN THESE AREAS. ALL FENCING SHALL BE INSTALLED AROUND PRESERVED VEGETATION PRIOR TO ANY GRADING ON THE PROPERTY. A 4-FOOT, ORANGE, CONSTRUCTION SAFETY FENCE SHALL BE USED IN THIS APPLICATION.
- SOIL AMENDMENT - INCORPORATE 3 CUBIC YARDS/1000 SF AREA OF "PREMIUM 3 ORGANIC COMPOST", OR APPROVED EQUAL, ON BLUEGRASS TURF AREAS. INCORPORATE 2 CUBIC YARDS/1000 SF AREA OF ORGANIC COMPOST (DECOMPOSED MANURE) TO ALL NATIVE SEED AREAS. TILL INTO TOP 8" OF SOIL. FOR PLANTING PIT AMENDMENTS, SEE LANDSCAPE DETAILS. FERTILIZER REQUIREMENTS BELOW ARE BASED ON SOIL ANALYSIS.

NITROGEN	0 LBS/1000SF
PHOSPHORUS (P2O5)	0 LBS/1000SF
POTASSIUM (K2O)	0 LBS/1000SF
SULFUR (SO4-S)	0 LBS/1000SF
LIME	0 LBS/1000SF

-OR-
RECOMMENDED SOIL AMENDMENT:
TRI-MIX III as supplied by C&C Sand
-To be applied as backfill in planting pits
- CONTRACTOR TO APPLY EROSION CONTROL BLANKET TO ALL SEED AREAS WITH GREATER THAN 3:1 SLOPES.
- FOR ALL SEED AREAS REFER TO SEED MIXES SPECIFIED ON THIS SHEET.
- ALL NATIVE SEED AREAS SHALL HAVE A TEMPORARY ABOVE-GROUND SPRAY IRRIGATION SYSTEM UTILIZED UNTIL SEED IS ESTABLISHED, AND ALL TREES AND SHRUBS WITHIN NATIVE SEED AREAS SHALL HAVE A PERMANENT DRIP IRRIGATION SYSTEM.
- A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREE, SHRUB, AND GROUND COVER PLANTINGS, AND SPRAY ALL TALL FESCUE SOD AND LOW ALTERNATIVE TURF AREAS. AN IRRIGATION PLAN WILL BE PREPARED AT A LATER DATE AND WILL INCLUDE AN IRRIGATION SCHEDULE THAT NOTES APPLICATION RATES BASED ON TURF TYPE, RATES FOR NEWLY INSTALLED PLANTS VS. ESTABLISHED PLANTS, AND GENERAL RECOMMENDATIONS REGARDING SEASONAL ADJUSTMENTS.
- SOD TO BE TALL FESCUE BLEND.
- NO SOD SHALL BE PLANTED ON SLOPES IN EXCESS OF 6:1 GRADIENT.
- CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAILABLE. TILL INTO TOP 6" OF SOIL.
- FOR GRADES REFER TO CIVIL ENGINEERING DRAWINGS.
- NO TREES AND NO PLANTS OVER 2 FEET TALL SHALL BE INSTALLED WITHIN 5 FEET OF ANY FIRE HYDRANTS.
- ALL PLANTS TO RECEIVE 3 INCH DEPTH OF GORILLA HAIR SHREDDED CEDAR WOOD MULCH UNLESS OTHERWISE SPECIFIED. FOLLOW PLANTING DETAILS FOR MULCH RING DIMENSIONS WITHIN ROCK, SOD, OR SEED AREAS.
- COBBLE: 2-3" CRIPPLE CREEK ORE, AT 3-4" DEPTH, AT ALL INTERSECTION CORNERS BETWEEN HANDICAP RAMPS. INSTALL GEOTEXTILE FABRIC UNDER ALL COBBLE AREAS.
- ROCK: 3/4" CIMARRON GRANITE, AT 3-4" DEPTH. INSTALL GEOTEXTILE FABRIC UNDER ALL ROCK AREAS.
- ALL SHRUB BEDS TO BE ENCLOSED BY SOLID STEEL EDGING, AS A SEPARATOR FROM SOD, SEED, AND ALTERNATIVE TURF. SEPARATION BETWEEN SOD AND SEED, AND BETWEEN ALTERNATIVE TURF AND SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING.
- SE: SOLID STEEL EDGING TO BE: "DURAEDGE" (1/8" THICK x 4" WIDE) STEEL LANDSCAPE EDGING, DARK GREEN COLOR, WITH ROLLED EDGE AND STEEL STAKES. USE SOLID STEEL EDGING EXCEPT WHERE NOTED ON THE PLANS.
- PSE: PERFORATED STEEL EDGING TO BE: ACME (14 GA. x 4" WIDE) GALVANIZED STEEL EDGING, WITH ROLLED EDGE AND GALVANIZED STEEL STAKES. COLOR TO BE DARK GREEN. USE PERFORATED STEEL EDGING AT BREEZE GRAVEL TRAILS ONLY. SEE PLAN FOR TRAIL LOCATIONS.
- ALL PLANTS NOT LABELED AS FULFILLING A COUNTY LANDSCAPE REQUIREMENT ARE "EXTRA" PER COUNTY STANDARDS, AND WILL BE INSTALLED AT THE OWNER'S DISCRETION.
- ANY FIELD CHANGES OR DEVIATIONS TO THESE PLANS WITHOUT PRIOR COUNTY APPROVAL OF AN AMENDED SITE DEVELOPMENT PLAN MAY RESULT IN A DELAY OF FINAL APPROVAL AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THESE PLANS ARE FOR COUNTY APPROVALS ONLY AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION.
- ALL TREES TO BE STAKED FOR A MINIMUM OF 18 MONTHS. REMOVE STAKING MATERIALS ONCE TREE IS ESTABLISHED, WHICH MAY DEPEND ON TREE SPECIES, MATURITY AND SITE CONDITIONS.
- FENCING SHALL BE PROVIDED ALONG BENT GRASS MEADOWS BLVD. WHERE DOUBLE FRONTAGE LOTS OCCUR, AND SHALL BE MAINTAINED BY THE BENT GRASS METROPOLITAN DISTRICT.
- FENCING REQUIREMENTS PERTAINING TO DOUBLE FRONTAGE NON-ARTERIAL COLLECTOR STREETS INCLUDE:
 - DEPTH OF ROADWAY LANDSCAPING AREA: 10 FEET
 - REQUIRED TREES: 1 PER 30 FEET
- LANDSCAPE ENTRY FEATURES, OPEN SPACE TRACTS, PARKS AND TRAILS SERVING RESIDENTIAL AREAS SHALL BE OWNED (WHEN APPROPRIATE) AND MAINTAINED BY THE BENT GRASS METRO DISTRICT. ALL DOUBLE FRONTAGE LOTS SHALL RECEIVE A COMBINATION OF FENCING AND LANDSCAPE BETWEEN THE PROPERTY LINE AND THE CURB. ALL DOUBLE FRONTAGE STREETS SHALL HAVE A MINIMUM OF ONE TREE PER 30 FEET OF FRONTAGE. THESE TREES CAN BE CLUSTERED ALONG THE FRONTAGE AS DETERMINED BY THE SUBDIVIDER.
- BUFFERING AND SCREENING SHALL INCLUDE BOTH FENCING, AND LANDSCAPING WHERE APPROPRIATE, ALONG THE PERIMETER OF THE PROJECT AND ALONG THE RIGHT-OF-WAY LINES OF BENT GRASS MEADOWS DRIVE AND BETWEEN CHANGES IN LAND USE. FENCING SHALL BE 6' CEDAR PRIVACY FENCE AND SHALL BE MAINTAINED BY THE BENT GRASS METROPOLITAN DISTRICT.
- NO SUBSTITUTIONS WITHOUT PREVIOUS APPROVAL OF LANDSCAPE ARCHITECT. UNAPPROVED DEVIATIONS FROM THIS PLAN WILL BE RECTIFIED AT CONTRACTORS EXPENSE.

KEY MAP



Landscape Setbacks

See El Paso County General Development Standards - Landscape Standards 6.2.2

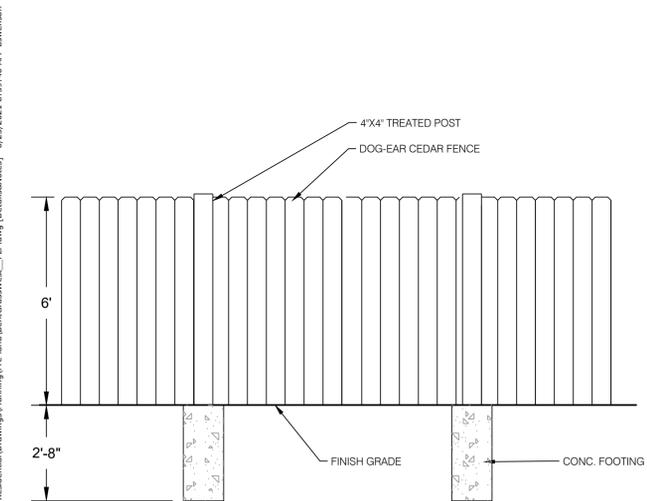
Street Name or Zone Boundary	Street Classification	Width (in Ft.) Req./Prov.	Linear Footage	Tree/Feet Required	No. of Trees Req./Prov.	Setback Plant Abbr. Denoted on Plan
BENT GRASS MEADOWS DR. (North)	COLLECTOR	10' / 10'	1,590	1 / 30'	53 / 53	N
BENT GRASS MEADOWS DR. (South)	COLLECTOR	10' / 10'	1,200	1 / 30'	40 / 40	S

PLANT SCHEDULE

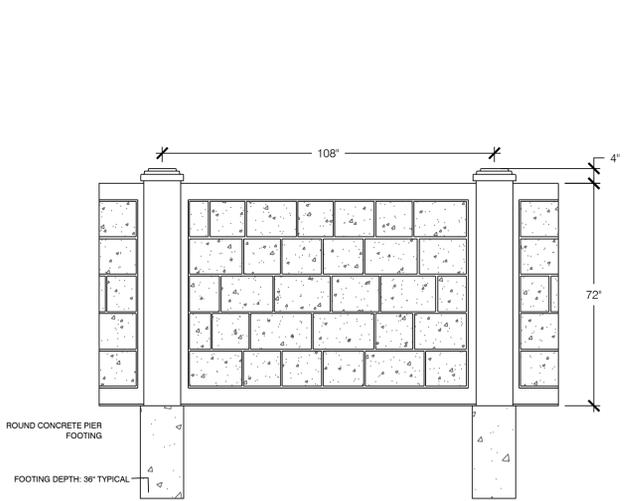
TREES	CODE	BOTANICAL / COMMON NAME	WIDTH	QTY
	AXF	Acer x freemanii 'Jeffsred' TM / Autumn Blaze Maple	2" Cal.	20
	CO	Celtis occidentalis / Common Hackberry	1.5" Cal.	18
	QRU	Quercus rubra / Red Oak	1.5" Ht.	33
	PPO	Pinus Ponderosa / Ponderosa Pine	8' Ht.	36

HATCH LEGEND

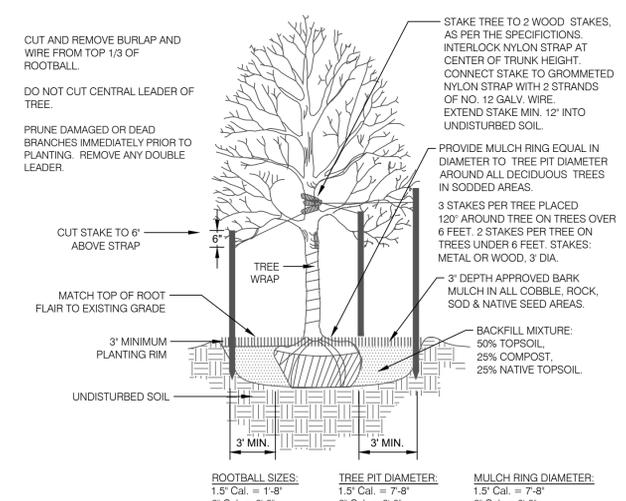
- | | | |
|--|--|--|
| | NATIVE SEED MIX
Arkansas Valley Seed
30% Ephraim Crested Wheatgrass (Agropyron cristatum)
25% Sheep Fescue (Festuca ovina)
20% Perennial Rye (Lolium perenne)
15% Chewings Fescue (Festuca rubra subsp. commutata) | <ol style="list-style-type: none"> SEED MAINTENANCE: MOW LOW GROW MIX ABOUT 1/2 THE AMOUNT AS SODDED TURFGRASS OR AS NEEDED. MOW NATIVE/FOOTHILLS SEED AREAS ONCE A MONTH OR ONLY WHEN NEEDED TO CONTROL WEEDS OR AT END OF GROWING SEASON. MOW LOW GROW SEED MIX TO A 4" HEIGHT AND LET NATIVE SEED MIX GROW TO 8"-16" HEIGHT. HAND PULL WEED OR SPOT WEED USING A BROADLEAF APPLICATION DURING FIRST 3 GROWING SEASONS. DISTURBED AREAS TO BE RESEEDED WITH NATIVE LOW GROW MIX UNLESS OTHERWISE NOTED. RE: CIVIL PLANS |
| | ROCK MULCH | |



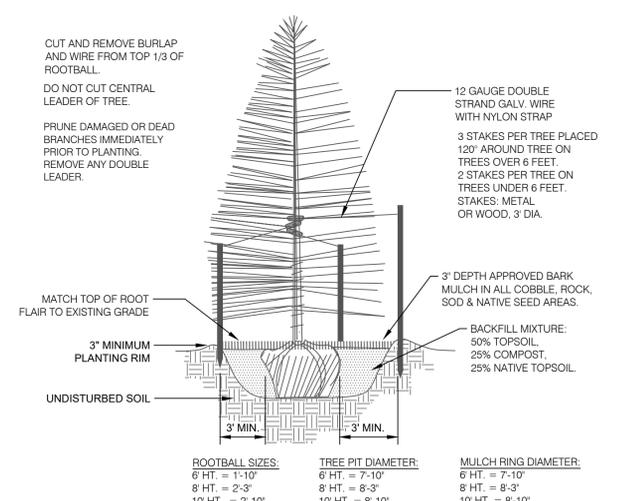
1 CEDAR FENCE DETAIL
N.T.S.



2 MASONRY FENCE DETAIL
N.T.S.



3 DECIDUOUS TREE PLANTING DETAIL
N.T.S.



4 CONIFEROUS TREE PLANTING DETAIL
N.T.S.

FALCON MEADOWS AT BENT GRASS

PUD PRELIMINARY PLAN

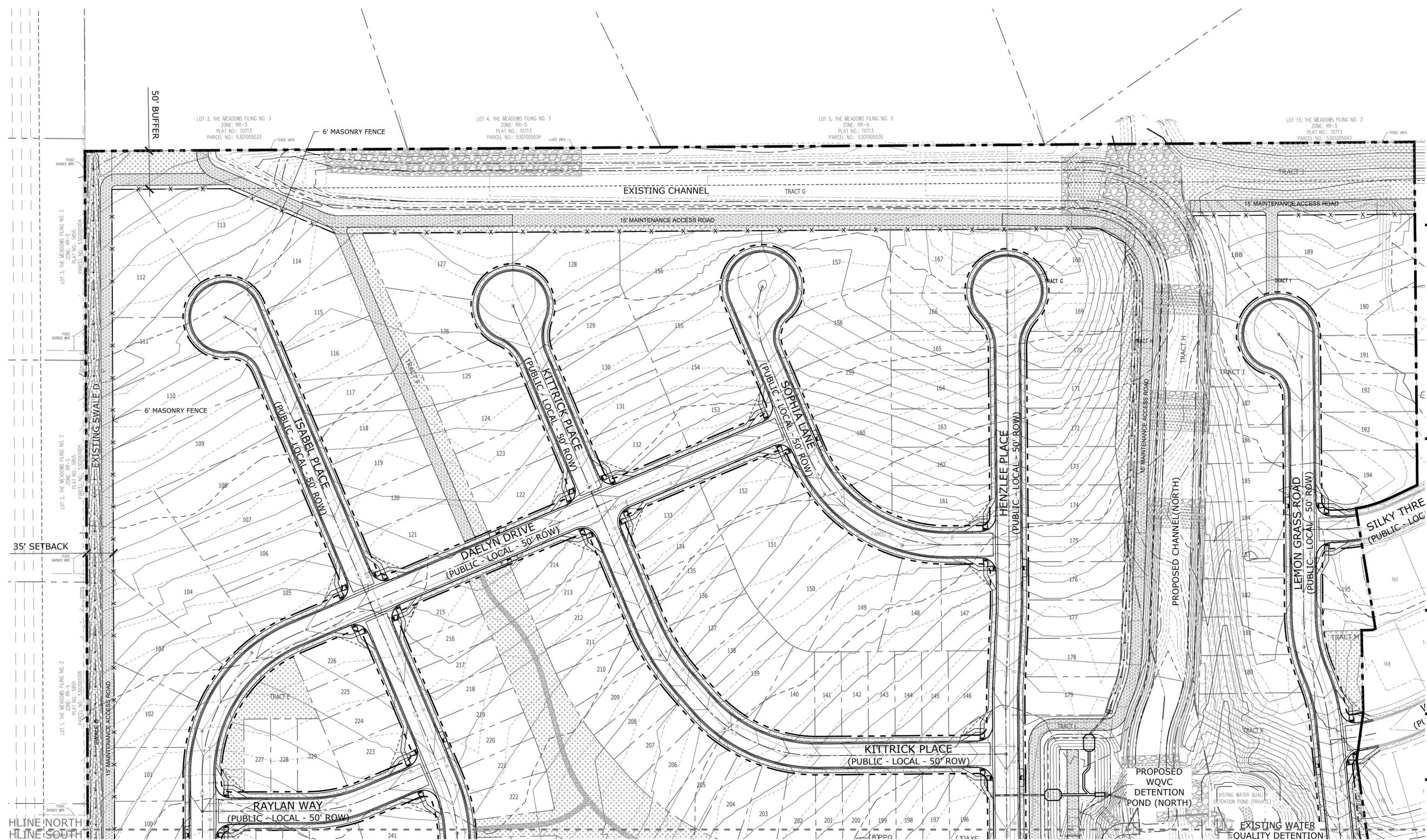
DATE: 8/6/2020
PROJECT MGR: E. GANAWAY
PREPARED BY: B. SWENSON

DATE	BY	DESCRIPTION
12.22.2020	JBS	PER COUNTY COMMENTS
01.29.2021	JBS	PER COUNTY COMMENTS
03.12.2021	JBS	PER COUNTY COMMENTS
04.20.2021	JBS	PER COUNTY COMMENTS
06.23.2021	JBS	PER COUNTY COMMENTS

PRELIMINARY LANDSCAPE DETAILS & NOTES

10 OF 12

PUDSP-20-005



**FALCON
MEADOWS AT
BENT GRASS**
PUD PRELIMINARY PLAN

DATE: 8/6/2020
PROJECT MGR: E. GANAWAY
PREPARED BY: B. SWENSON

DATE	BY	DESCRIPTION
12.22.2020	JBS	PER COUNTY COMMENTS
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04.20.2021	JBS	PER COUNTY COMMENTS
06.23.2021	JBS	PER COUNTY COMMENTS

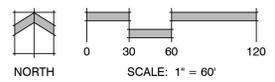
**PRELIMINARY
LANDSCAPE PLAN
NORTH**

11
11 OF 12

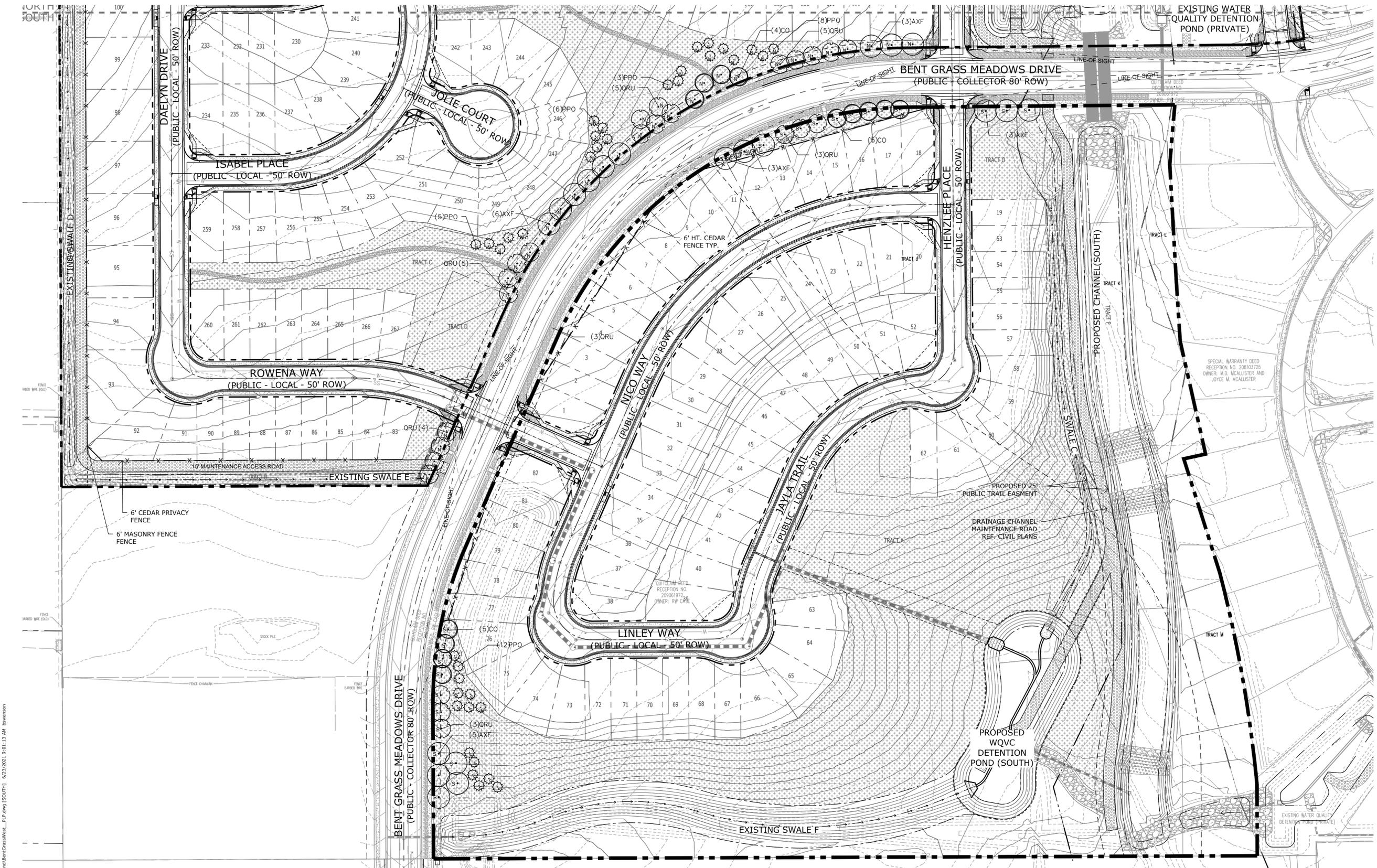
PUDSP-20-005

HATCH LEGEND

-  NATIVE SEED MIX
Arkansas Valley Seed
30% Ephraim Crested Wheatgrass (Agropyron cristatum)
25% Sheep Fescue (Festuca ovina)
20% Perennial Rye (Lolium perenne)
15% Chewings Fescue (Festuca rubra subsp. commutata)
-  ROCK MULCH



P:\Challenger\Bent Grass West Residential Drawings\Planning\Pre-land\BentGrassWest_PUD.dwg (NORTH) 6/23/2021 9:00:39 AM bswenson



Land Planning
Landscape
Architecture
Urban Design

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**FALCON
MEADOWS AT
BENT GRASS**
PUD PRELIMINARY PLAN

DATE: 8/6/2020
PROJECT MGR: E. GANAWAY
PREPARED BY: B. SWENSON

DATE	BY	DESCRIPTION
12.22.2020	JBS	PER COUNTY COMMENTS
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03.12.2021	JBS	PER COUNTY COMMENTS
04.20.2021	JBS	PER COUNTY COMMENTS
06.23.2021	JBS	PER COUNTY COMMENTS

**PRELIMINARY
LANDSCAPE PLAN
SOUTH**

12
12 OF 12

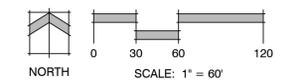
PUDSP-20-005

PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	WIDTH	QTY
	AXF	Acer x freemanii 'Jeffred' TM / Autumn Blaze Maple	2" Cal.	20
	CO	Celtis occidentalis / Common Hackberry	1.5" Cal.	18
	QRU	Quercus rubra / Red Oak	1.5" Ht.	33
	PPO	Pinus Ponderosa / Ponderosa Pine	8" Ht.	36

HATCH LEGEND

	NATIVE SEED MIX Arkansas Valley Seed 30% Ephraim Crested Wheatgrass (Agropyron cristatum) 25% Sheep Fescue (Festuca ovina) 20% Perennial Rye (Lolium perenne) 15% Chewings Fescue (Festuca rubra subsp. commutata)
	ROCK MULCH



P:\Challenges\Bent Grass West Residential\Drawings\Planning\Pre-land\BentGrassWest_PUP.dwg [SOUTH] 6/23/2021 9:01:13 AM bswenson



January 25, 2021

Kari Parsons
El Paso County, Planning and Community Development
DSDcomments@elpasoco.com

RE: Falcon Meadows at Bent Grass
Part of the W ½, Sec. 1, T13S, R65W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Ms. Parsons:

We have received your January 5, 2021 submittal concerning the above-referenced proposal for the subdivision of 67 acres into 267 single family lots and 17 tracts. This office previously commented on the submittal for the subdivision of the same 67 acres into 260 residential lots in a letter dated September 16, 2020. This letter supersedes the September 16, 2020 letter.

Water Supply Demand

According to the Water Supply Information Summary, the total estimated water requirement for the 267 single family lots is 95.16 acre-feet per year for a 300 year water supply.

Source of Water Supply

Woodmen Hills Metropolitan District (“District”) is the proposed water supplier. The District has provided a letter dated December 11, 2020 committing to serve 267 residential lots with a water commitment of 95.16 acre-feet per year.

The District’s sources of water are a combination of bedrock aquifer allocations from the Denver Basin as well as alluvial sources. The State Engineer’s Office does not have evidence regarding the length of time for which the bedrock aquifer sources will be a physically and economically viable source of water. According to 37-90-107(7)(a), C.R.S., “Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years.” Based on this allocation approach, the annual amounts of water determined are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

“- Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years.”

The State Engineer’s Office does not have evidence regarding the length of time for which the bedrock aquifer sources will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an allocation approach based on three hundred years, the annual amounts of water available from the bedrock aquifers that may be withdrawn from a maximum period of 300 years are equal to one-third of one percent of the total amount.



Information available in our files indicates the District's water supply totals approximately 1,426 acre-feet/year for a period of 300 years (987 acre-feet/year from bedrock aquifers and 439 acre-feet/year from the alluvial aquifer), and it has approximately 1,006 acre-feet/year committed to supplying subdivisions and 30 acre-feet/year committed to replacement obligations, for a total commitment of 1,036 acre-feet/year.

The uncommitted annual water supply of 390 acre-feet/year is more than the estimated annual demand of 95.16 acre-feet/year for Falcon Meadows at Bent Grass Subdivision.

State Engineer's Office Opinion

Based on the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is adequate is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be provided without causing injury is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100 year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additional Comments

According to the Falcon Meadows at Bent Grass Preliminary PUD Water Resources Report & Wastewater Treatment Report by JDS-Hydro Consultants revised August 2020 ("Water Resources Report") the District has a total legal supply of 3500.44 acre-feet based on a 100-year allocation approach. That quantity includes a claim for 18.28 acre-feet from the Denver aquifer associated with Determination of Water Right no. 1314-BD. According to Determination of Water Right no. 1314-BD the allowed average annual amount of withdrawal of ground water from the aquifer shall not exceed 12.7 acre-feet which would be 1,270 total based on a 100 year allocation approach. The Water Resources Report should be modified to correctly state the available water. In addition, the Water Resources Report claims water associated with Determination of Water Right Nos. 503-BD, 504-BD and 505-BD. According to those Determination of Water Rights the place of use of the water is limited to the 54.9 acres of overlying land further described in the determinations. Such water should be removed from the available water supplies until such time as the place of use of the water

is changed to allow use within the District. The District should also provide information showing the water rights associated with Determination of Water Right Nos. 503-BD, 504-BD, 505-BD, 1312-BD, 1313-BD and 1314-BD were transferred to the District.

The submittal indicates that a storm water detention structure will be constructed as a part of this project. The applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in Designated Basin Rule 5.11, the structure may be subject to administration by this office. The applicant should review Rule 5.11 to determine whether the structure meets the requirements of the Rule and ensure any notification requirement is met.

Should you have any questions, please contact Ailis Thyne at ailis.thyne@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Upper Black Squirrel Creek Ground Water Management District
SEO referral no. 27299

EL PASO COUNTY



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

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Assistant County Attorneys

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Mary Ritchie
Bryan E. Schmid
Nathan J. Whitney
Michael J. Desmond
Christopher M. Strider
Terry A. Sample

January 25, 2021

PUDSP-20-5 Falcon Meadows at Bent Grass
PUD/Preliminary Plan

Reviewed by: Lori Seago, Senior Assistant County Attorney
Edi Anderson, Paralegal

FINDINGS AND CONCLUSIONS:

1. This is a PUD/Preliminary Plan proposal by Challenger Communities, LLC ("Applicant"), to subdivide an approximately 67.012 +/- acre parcel into 267 single-family lots, plus right-of-way and open space. This subdivision is part of the Bent Grass Planned Unit Development (PUD) originally approved in 2007.

2. *The Applicant has provided for the source of water to derive from the Woodman Hills Metropolitan District ("District"). Pursuant to the Water Supply Information Summary, the Applicant estimates its annual water needs to serve household use for the subdivision at 94.25 acre-feet, plus 0.91 acre-fee for irrigation, for a total of 95.16 acre-feet for the entire subdivision. The household rate is based on the District's 0.353 annual acre-feet per single-family equivalent. Based on these figures, the Applicant must be able to provide a supply of 28,548 acre-feet of water (95.16 acre-feet/year x 300 years) to meet the County's 300-year water supply requirement.*

3. *The District's Manager provided a letter of commitment for the Falcon Meadows at Bent Grass Subdivision dated December 11, 2020 in which the District committed to providing water service to the subdivision of 267 residential lots at an annual amount of 95.16 acre-feet. The Manager stated that "Woodmen Hills Metropolitan District commits to providing both water and sewer service for the above named subdivision." And further, "[t]his revised commitment is for 267 residential lots plus a small park with 0.37 acres of active irrigation for 0.91 AF annual use yielding a total water commitment*

200 S. CASCADE AVENUE
OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903
FAX: (719) 520-6487

of 95.16 AF/year. WHMD has adequate 300 year water supplies to meet the anticipated demand.”

4. The Applicant also provided a *Water Resource and Wastewater Report for Woodmen Hills Metropolitan District for the Falcon Meadows at Bentgrass Preliminary PUD* dated August 2020 (“Report”) which detailed the District’s water supply. The Report notes that the District’s water supply includes both “renewable sources and Denver Basin non-renewable sources. The District’s total legal supply on a 300-year basis currently stands at 1459.48 annual acre-feet.” The Report concludes that the District has an adequate water supply to serve this subdivision, but it relies on a previous iteration of the subdivision that identified 260 lots. In 2019, the District used only 830 acre-feet of water, or about 57% of its available supply.

5. In a letter dated September 16, 2020, the State Engineer reviewed the application to subdivide the 67.012 acres into 260 single-family residential lots.¹ The Engineer reviewed this matter based on information provided in a Water Supply Information Summary which set forth a water demand of 91.78 acre-feet, as well as a District letter dated August 4, 2020 committing to supply the subdivision with 91.78 acre-feet/year. The State Engineer indicated that information in their files indicates “the District’s water supply totals approximately 1,426 acre-feet/year for a period of 300 years (987 acre-feet/year from bedrock aquifers and 439 acre-feet/year from the alluvial aquifer), and it has approximately 999 acre-feet/year committed to supplying subdivisions and 30 acre-feet/year committed to replacement obligations for a total commitment of 1,029 acre-feet/year.” The Engineer further state that the uncommitted annual water supply of “397 acre-feet/year is more than the estimated annual demand of 91.78² acre-feet/year” for the subdivision. Finally, the Engineer stated that “pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.”

6. Analysis: As indicated above, the District provided a Water Resource & Wastewater Report dated August 2020 detailing the sources of the District’s water supply, which is based on both renewable and non-renewable sources. With a proposed annual demand of 95.16 acre-feet as set forth in the Water Supply Information Summary based on 267 single-family lots and based on the current commitments of the District and the available water supply, it appears the proposed water supply will be sufficient for the Falcon Meadows at Bent Grass Subdivision.

7. Section 8.4.7(B)(10)(g), of the El Paso County Land Development Code allows for the presumption of acceptable water quality for projects such as this where

¹ The number of proposed lots in the subdivision has been updated to 267 since the State Engineer’s Office provided their September 16th letter. While the State Engineer reviewed the proposal based on 260 lots with a water demand of 91.78 acre-feet, it is noted that the District has an adequate water supply for the updated number of 267 lots with a water demand of 95.16 acre-feet.

² The updated water demand is 95.16 acre-feet/year.

water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment, and based on the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability. The El Paso County Health Department may wish to confirm that the District is in compliance with the water quality regulations.

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and *specifications set by the District.*
- B. Prior to recording the first Final Plat of this PUD/Preliminary Plan, a letter from the State Engineer's Office must be uploaded to this file in EDARP updating their review indicating the correct number of lots at 267 and updating the water demand to 95.16 acre-feet/year.
- C. Prior to recording the first Final Plat of this PUD/Preliminary Plan, an updated Water Resource Report must be uploaded to this file in EDARP *incorporating the correct number of lots at 267 and water demand at 95.16 acre-feet/year.*

cc: Kari Parsons, Project Manager, Planner III