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April 15, 2024 | Revised June 7, 2024

El Paso County Development Services Department
Attn: Ms. Kari Parsons
2880 International Circle
Colorado Springs, CO 80910

**SUBJECT: Falcon Meadows at Bent Grass Filing No. 2a (A Replat of Tract B, Lot 48, Falcon Meadows at Bent Grass Filing No. 2)
Vacate and Replat (VR242) – Letter of Intent**

Dear Ms. Parsons,

This Letter of Intent (LOI) is being submitted as part of the Vacate and Replat (VR242) application for Falcon Meadows at Bent Grass (FMBG) Filing No. 2a. Challenger Communities, LLC is proposing to vacate Lot 48 within Falcon Meadows at Bent Grass Filing No. 2 for purposes of a wastewater utility main outfall that is required as part of the redesign to shallow the wastewater infrastructure due to groundwater concerns. Lot 48 (Tax Schedule #: 5301213007) is to be absorbed by Tract B (Tax Schedule #: 5301213046), the replated area will be Tract Ba, Falcon Meadows at Bent Grass Filing No. 2a.

This LOI provides (3) sections to help clarify the intent of this project.

- [Introduction](#)
 - This LOI includes all the information (#1-#5) listed in the “Final Plat Application – Letter of Intent” form provided by El Paso County (EPC) Planning and Development department.
- [Supporting Documentation](#)
 - A list of supporting documents is provided with associated descriptions for further clarification of the project scope.
- [Land Development Code: Final Plat Criteria of Approval](#)
 - Lastly, responses are included addressing the Final Plat Criteria of Approval (LDC 7.2.1.D.3.F).

Introduction

1. OWNER/APPLICANT AND CONSULTANTS:

OWNER/DEVELOPER

Jim Byers

Jim@ChallengerHomes.com

(719) 598-5190

Challenger Communities, LLC

8605 Explorer Dr.

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Colorado Springs, CO 80920

CIVIL ENGINEER/APPLICANT

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SURVEYOR

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2. SITE LOCATION, SIZE AND ZONING:

Location: Falcon Meadows at Bent Grass Filing No. 2a (A vacation of FMBG F2, Lot 48 into FMBG F2a, Tract Ba) project site is located in the City of Falcon, El Paso County, CO. More specifically, in the Southwest ¼ of the Northwest ¼ of Section 1, Township 13 South, Range 65 West of the Sixth Principal Meridian, County of El Paso, State of Colorado.

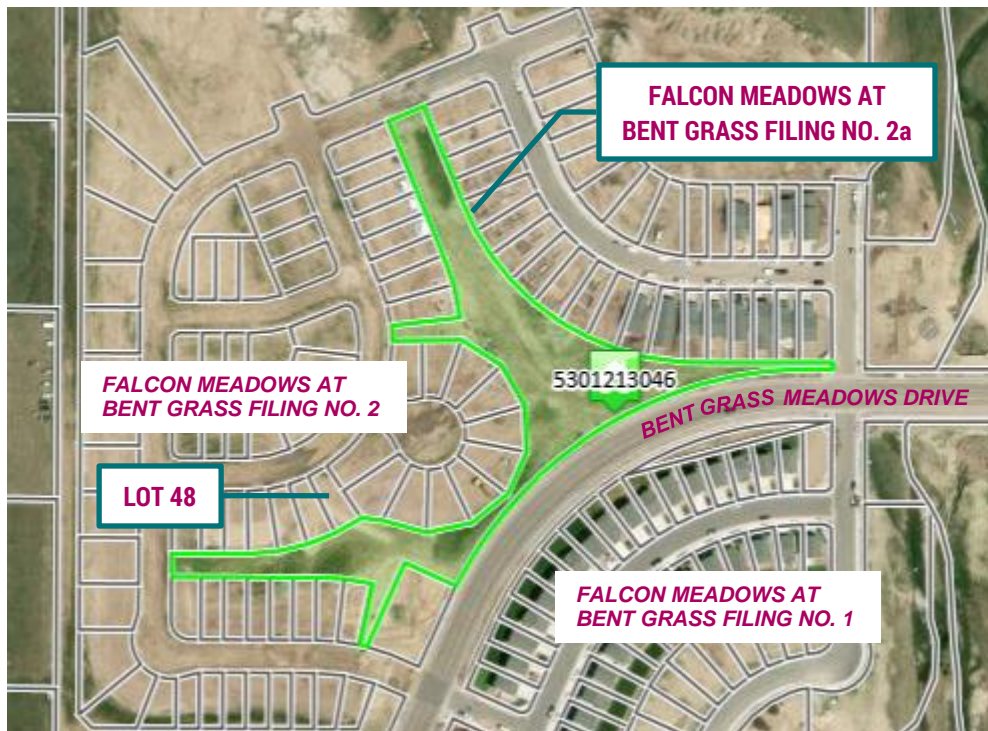


- The properties surrounding Falcon Meadows at Bent Grass Filing No. 2a include:
 - **North:** Single family residential lots and roadway as part of Falcon Meadows at Bent Grass Filing No. 2
 - **East:** Single family residential lots and roadway as part of Falcon Meadows at Bent Grass Filing No. 2
 - **South:** Bent Grass Meadows Drive (Public ROW)
 - **West:** Single family residential lots and roadway as part of Falcon Meadows at Bent Grass Filing No. 2

Size: Falcon Meadows at Bent Grass Filing No. 2a consists of 2.43 acres.

Zoning: The existing parcel is zoned PUD. The zoning will remain unchanged with this project.

Schedule #: 5301213007, 5301213046



3. **REQUEST AND JUSTIFICATION:**

Request: Galloway & Company, Inc. on behalf of Challenger Communities, LLC requests approval of the Falcon Meadows at Bent Grass Filing No. 2a – Vacate and Replat (VR242) application. Challenger Communities, LLC is proposing to vacate Lot 48 within Falcon Meadows at Bent Grass Filing No. 2 for purposes of a wastewater utility main outfall that is required as part of the redesign to shallow the wastewater infrastructure due to groundwater concerns. Lot 48 (Tax Schedule #: 5301213007) is to be absorbed by Tract B (Tax Schedule #: 5301213046), the replated area will be Tract Ba, Falcon Meadows at Bent Grass Filing No. 2a.

Justification: The provided Final Plat Drawings conform to all requirements in the Engineering Criteria Manual (ECM). Additionally, the project meets all required approval criteria of the El Paso County Land Development Code, 7.2.3.B.2.C.

4. **EXISTING AND PROPOSED FACILITIES, STRUCTURES, AND ROADS, ETC:**

Existing: The existing parcel was over lot graded as part of Falcon Meadows at Bent Grass Filing No. 2, and currently in a stabilized interim condition.

Proposed: This project proposes no facilities, structures, or roads.

5. **WAIVER/DEVIATION REQUESTS AND JUSTIFICATION:**

There are no waiver or deviation requests proposed for this project.

Supporting Documentation

SUPPORTING DOCUMENTS:

The following reports and information were submitted in support of the Falcon Meadows at Bent Grass Filing No. 2a Vacate and Replat (VR242) application and are referenced in this LOI:

- Application Form
- Closures Sheet (Survey)
- Final Plat Drawings
- Legal Description (MS Word)
- Drainage Memo
- Utility Construction Drawings

UTILITIES

(Utility Construction Drawings – provided by Galloway & Company, Inc.)

The vacate of Lot 48 was primarily driven by high groundwater concerns when constructing the underground utilities. A revised construction drawing was submitted, reviewed, and approved through Woodmen Hills Metro District. This approved plan set is included herein for reference.

TRAFFIC AND ACCESS

(No Traffic Impact Study or Memo is provided)

No construction changes are proposed with this project, in addition, this project is in conformance with the previously approved TIS. According to the EPC Engineering Criteria Manual, Appendix B, Section B.1.2.D, when no TIS is provided the following criteria must be satisfied:

Vehicular Traffic:

1. Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10
Response: No construction improvements are proposed with this project. Therefore, daily vehicle trip-end generation will remain the same.
2. There are no additional proposed minor or major roadway intersections on major collector, arterials, or State Highways
Response: No construction improvements are proposed with this project. Therefore, no additional road intersections will be constructed.
3. The increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends
Response: No construction improvements are proposed with this project. Therefore, the number of vehicular trips will remain the same.

4. The change in the type of traffic to be generated does not adversely affect the traffic currently planned for and accommodated within, and adjacent to the property
Response: The zone and use are unchanged with this project. Therefore, the type of traffic remains consistent with the traffic currently planned for and accommodated within and adjacent to the property.
5. Acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained
Response: No construction improvements are proposed with this project. Therefore, the LOS will be maintained.
6. No roadway or intersection in the immediate vicinity has a history of safety or accident problems
Response: No history or documentation was reported with a history of safety or accident problems in the vicinity of the project.
7. There is no change of land use with access to a State Highway
Response: No change in land use is proposed.

Pedestrian Traffic:

1. Paved pedestrian facilities exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new pedestrian traffic.
Response: No construction improvements are proposed with this project. Therefore, no additional pedestrian traffic will be generated.

Bicycle Traffic:

1. Paved bicycle lanes or paths exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new bicycle traffic.
Response: No construction improvements are proposed with this project. Therefore, no additional bicycle traffic will be generated.

DRAINAGE

(Drainage Memo – provided by Galloway & Company, Inc.)

No construction improvements are proposed. Therefore, this project will not change existing drainage patterns. Per the provided drainage memo, removing Lot 48 will reduce the overall imperviousness of the project.

EPC Land Development Code – Criteria for Approval

PLAT AMENDMENT – APPROVAL CRITERIA (LDC 7.2.3.B.2.C)

- The plat amendment complies with this Code, and the original conditions of approval associated with the recorded plat;
The plat amendment meets and exceeds the original conditions of approval associated with Falcon Meadows at Bent Grass Filing No. 2.
- The changes to the recorded plat are insubstantial, or the plat amendment is necessary to reflect the current circumstances or restrictions;
The changes to the recorded plat are in substantial, the tract layout remains the same except for increasing in size to accommodate Lot 48. The tract use remains the same. No changes in grading is proposed.
- The plat amendment is in keeping with the purpose and intent of this Code;

The plat amendment is in conformance with the purpose and intent of the LDC.

- The approval will not adversely affect the public health, safety, and welfare; and
The approval of this plat will not adversely affect the public health, safety, and welfare.
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the plat amendment has been resolved.
The lots and parcels that are subject to the subdivisions CC&R's are unaffected by the plat amendment.

Respectfully submitted,



Brady Shyrock
Civil Engineering Project Manager
Galloway & Company, Inc.

