

April 15, 2024

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

Filing No 2 A

SUBJECT: Falcon Meadows at Bent Grass Filing No. 5 (A Replat of Tract B, Lot 48, Falcon Meadows at Bent Grass Filing No. 2) Vacate and Replat (VR-24-~~XXX~~) – Letter of Intent

VR242

Dear Ms. Parsons,

This Letter of Intent (LOI) is being submitted as part of the Vacate and Replat (VR-24-~~XXX~~) application for Falcon Meadows at Bent Grass Filing No. 5. 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 A, Falcon Meadows at Bent Grass Filing No. 5.

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).

SUBMITTAL MATRIX	
1 st Submittal	04/15/2024

delete this not necessary for a LOI



Introduction

1. **OWNER/APPLICANT AND CONSULTANTS:**

OWNER/DEVELOPER

Jim Byers

Jim@ChallengerHomes.com

(719) 598-5190

Challenger Communities, LLC

8605 Explorer Dr.

-

Colorado Springs, CO 80920

CIVIL ENGINEER/APPLICANT

Brady Shyrock, P.E.

BradyShyrock@GallowayUS.com

(719) 900-7220

Galloway & Company, Inc.

1155 Kelly Johnson Blvd.

Suite 305

Colorado Springs, CO 80920

SURVEYOR

Brian Dennis, PLS

BrianDennis@GallowayUS.com

(719) 900-7220

Galloway & Company, Inc.

1155 Kelly Johnson Blvd.

Suite 305

Colorado Springs, CO 80920

2. **SITE LOCATION, SIZE AND ZONING:**

Location: Falcon Meadows at Bent Grass Filing No. 5 Replat 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.

Filing No 2 A

vacation of lot 48
replat into Tract X

Filing No 2 A

- The properties surrounding Falcon Meadows at Bent Grass Filing No. 5 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. 5 consists of 2.43 acres. Filing No 2 A

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

Schedule #: 5301213007, 5301213046

A Vacate and Replat of Tract B and Lot 48, Falcon Meadows at Bent Grass Filing No. 2, for purposes of a wastewater utility main outfall required as part of efforts to shallow the wastewater infrastructure due to groundwater concerns.



state what you are doing here- removing lot 48 and replatting tract B, to create Tract Ba Falcon Meadows at Bent Grass Filing 2 A

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. 2 Vacate and Replat (VR-24-XXX) application.

Justification: The provided Final Plat Drawings conform to the Land Development Code Section 6.2.6 and the Engineering Criteria Manual (ECM). Additionally, the project meets all required approval criteria of the El Paso County Land Development Code, 7.2.1.D.3.F.

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. 5 Vacate and Replat (VR-24-XXX) 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. 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

FINAL PLAT – CRITERIA FOR APPROVAL (LDC 7.2.1.D.3.F)

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan

see correct criteria below please

The project is in conformance with all adopted El Paso County master plans. No changes proposed herein affect the previously approved intent of Falcon Meadows at Bent Grass Filing No. 2.

- The subdivision is in substantial conformance with the approved preliminary plan
Falcon Meadows at Bent Grass Filing No. 5 Final Plat is in substantial compliance with the approved preliminary plan and is consistent with the County's subdivision design standards and regulations.
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials
Falcon Meadows at Bent Grass Filing No. 5 Final Plat is in substantial compliance with the approved preliminary plan and is consistent with the County's subdivision design standards and regulations.
- 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
Water sufficiency was provided as part of Falcon Meadows at Bent Grass Filing No. 2. No changes proposed herein affect the previously approved intent of Falcon Meadows at Bent Grass Filing No. 2.
- 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
Wastewater infrastructure was provided as part of Falcon Meadows at Bent Grass Filing No. 2. No changes proposed herein affect the previously approved intent of Falcon Meadows at Bent Grass Filing No. 2.
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)]
No areas in the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified.
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM
Adequate drainage improvements are proposed that comply with State Statute C.R.S. 30-28-133 (3)(c)(VIII) and the requirements of the Land Development Code and the Engineering Criteria Manual.
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM
All tracts will be accessible by new public streets that comply with the LDC and ECM. Street names have been previously approved by El Paso–Teller County 911 Authority
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision
Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision as discussed above. Open space, trails and access is provided in Tract B.

- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code
The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code. The site lies within the Falcon Fire Protection District (FFPD).
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8
Necessary off-site improvements have been evaluated through the various reports submitted with the Final Plat, as well as the previously approved Preliminary Plan, and will mitigate the impacts of the subdivision in accordance with the applicable requirements of Chapter 8 of the Land Development Code.
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated
All public facilities and infrastructure reasonably related to the Final Plat have either been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.
- The subdivision meets other applicable sections of Chapter 6 and 8, and El Paso County, Colorado Land Development Code Rules Governing Divisions of Land – Chapter 7-Page 10 Effective 05/15/2017
The subdivision complies with all applicable sections of the LDC

correct criteria please

lot needs to be re purposed for public concern and drainage

(2)Plat Amendment. (a)Purpose. The purpose of establishing standards for plat amendment is to provide for a change to a recorded plat that is deemed insubstantial, the modification or deletion of a plat note, or modification to or deletion of a plat restriction.(b)Applicability. A plat amendment may be applicable in the following circumstances:

- To implement an amendment to a recorded plat that is deemed insubstantial by the PCD Director based on, but not limited to, the following factors: design, size, number of lots, public concern, public facilities, services, access, and transportation network;
- To modify, delete, or replace a specific plat note which appears on the face of a plat based upon a determination that conditions requiring the plat note have been satisfied or are no longer applicable; or
- To modify, delete, or replace a specific restriction which appears on the face of the plat based upon a determination that the conditions leading to the restriction have been satisfied or are no longer applicable.

(c)Approval Criteria. The PCD Director, in approving the plat amendment, shall find:

- The plat amendment complies with this Code, and the original conditions of approval associated with the recorded plat;
- The changes to the recorded plat are insubstantial, or the plat amendment is necessary to reflect the current circumstances or restrictions;
- The plat amendment is in keeping with the purpose and intent of this Code;
- The approval will not adversely affect the public health, safety, and welfare; and
- 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.

V1_Letter of Intent.pdf Markup Summary

dsdparsons (16)

Blent Grass Filing No. 5 (A Replat of Tract
VR242
M-XXX) - Letter of Intent

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marked with associated descriptions for further clarification of the
use of sections
meeting the Final Plan Criteria of Approval (LDC 7.1 & D.3.F).
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Filing No 2 A

Company, Inc.
Johnson Blvd.
Springs, CO 80920
Garberry & Company, Inc.
1150 Kelly Johnson Blvd.
Suite 305
Colorado Springs, CO 80920
vacation of lot 48
replat into Tract X
Blent Grass Filing No. 5 include
and roadway as part of Falcon Meadows at Blent Grass F

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vacation of lot 48 replat into Tract X

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zoom in on this lot and tract this is not a large subdivision just a replat



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state what you are doing here- removing lot 48 and replatting tract B, to create Tract Ba Falcon Meadows at Bent Grass Filing 2 A

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see correct criteria below please

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ity guaranteed through the SIA to the impacts of the subdivision
alter to the Plat that has either been constructed or are
Agreement as the impacts of the subdivision will be
correct criteria please
of Chapter 8 and 9, and 10, of the Code, Chapter 10
Land – Chapter 10 Page 10 Effective 8/1/2016
only of the Code.
shall not be impeded by this subdivision (C.R.S. §24-1-
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policies, objectives, and policies of the Master Plan
see correct criteria below please

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