

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

April 28, 2020

Challenger Communities, LLC
3555 Hill Circle
Colorado Springs, CO 80904

Galloway & Company, Inc.
1755 Telstar Drive, Suite 107
Colorado Springs, CO 80920

RE: Bent Grass Residential Filing No. 2 – Final Plat – (SF-19-014)

This is to inform you that the above-reference request for approval of final plat was heard and approved by the El Paso County Board of County Commissioners on April 28, 2020, at which time an approval was made to create and authorize the development of 178 single-family lots; 13 tracts to be utilized for open space, drainage, public utilities; and rights-of-way. The proposed 68.55-acre final plat area is zoned PUD (Planned Unit Development) and is located a quarter-mile north of Woodmen Road, east of Golden Sage Road, west of Meridian Road, and is within Section 01, Township 13 South, Range 65 West of the 6th P.M. The parcel is located within the boundaries of the Falcon Peyton Small Area Plan (2008) planning area.

(Parcel Nos. 53010-00-036, 53010-00-037, 53010-00-020, and 53010-00-021)

This approval is subject to the following:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat,

a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.
5. The developer 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 species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvement Agreement, including the Financial Assurance Estimate, as approved by the ECM Administrator, shall be filed at the time of recording the final plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property. The subject property is within the Woodmen Road District.
10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$82,536 and urban parks (Area 3) in the amount of \$52,128.00 shall be paid at the time of plat recordation.
11. School fees in lieu of land dedication for Falcon School District No. 49 in the amount of \$42,720 shall be paid at the time of plat recordation.
12. Drainage and bridge fees for the Falcon basin, in the amounts of \$694,635.90 and \$95,418.05, respectively, shall be paid at the time of final plat recording. If credits have been established prior to recordation of the final plat, the credits may be applied towards the fees due.

13. The construction drawings and the final drainage report (SF-19-014) shall be approved by the Planning and Community Development Department and collateral shall be provided by the applicant to guarantee all required public improvements prior to recordation of the Bent Grass Residential Filing No. 2 final plat.
14. The construction drawings and the Master Development Drainage Plan (MDDP) (CDR-19-004) for the intersection of Bent Grass Meadows Drive and Meridian Road shall be approved by the Planning and Community Development Department and collateral shall be provided by the applicant to guarantee all improvements associated with the intersection prior to recordation of the Bent Grass Residential Filing No. 2 final plat.
15. Protected/permissive signal phasing for eastbound left turns from Woodmen Road to Golden Sage is included in the short-term traffic modeling. If this improvement is needed in the short term, plans are required and coordination with EPC Department of Public Works and possibly the City of Colorado Springs will be necessary for implementation of the added signals and timing. These improvements shall be included in the Financial Assurance Estimate as determined by the County Engineer if needed with the development of this subdivision.
16. The developer, property owner and/or Bent Grass Metropolitan District shall be responsible for maintenance of the Falcon west tributary channel adjacent to and within the final plat until construction of the necessary channel improvements by the developer is complete and the channel improvements have been accepted by El Paso County. Construction of the interim channel improvements as shown in the approved construction drawings is the responsibility of the subdivider. Final channel design and construction drawings for the channel through and downstream of the site shall be provided with the next Bent Grass residential subdivision unless otherwise agreed to be deferred to a later date by the ECM Administrator and PCD Executive Director.
17. The subdivider shall install a combination of opaque fencing and landscape meeting the buffer requirements of the Land Development Code along the northern property line between the rural residential lots to the north and the lots within the subject plat. A 50-foot building setback is required from the northern property line.
18. The subdivider shall install a combination of opaque fencing and landscape meeting the buffer requirements of the Land Development Code along the south-east property line between the rural residential lots to the east and the lots within the subject plat. Lots 34, 35, 36, and 37 are limited to single-story homes and a maximum height of 25-feet.
19. The developer shall participate in a fair and equitable manner in the design and future construction of intersection improvements at the Woodmen Road and Golden Sage Road and Woodmen Frontage Road and Golden Sage Road intersections, as

identified in the Bent Grass Residential Filing No. 2 Traffic Impact Study (TIS), Tables 5 and 6, items G-J. The fair share attributed to Bent Grass Residential Filing No. 2 shall be deposited as escrow as identified in the TIS, showing the proportionate impacts of the anticipated Bent Grass Residential Filing No. 2 traffic at these intersections. 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 prior to recording the final plat.

20. The construction drawings for this project shall be approved by the Planning and Community Development Department and collateral shall be provided from the applicant to guarantee said improvements prior to the recordation of the Bent Grass Residential Filing No. 2 final plat.

NOTATIONS

1. Final plats not recorded within 12 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. El Paso County Community Services Department, Environmental Division strongly recommends that the applicant obtain the necessary approvals from all federal, state and county agencies as a part of their planning process. Documentation of concurrence with this assertion from the U.S. Army Corps of Engineers (USCOE) should be provided to the Planning and Community Development Department prior to ground disturbance in the ponded area at the northern boundary of the plat. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including, but not limited to, the Clean Water Act. Applicant is required to obtain a construction permit from the Planning and Community Development Department prior to project commencement.

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This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,



Kari Parsons, Planner III

File No. SF-19-014