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## PLANNING & COMMUNITY DEVELOPMENT

**TO:** El Paso County Planning Commission

**FROM:** Ryan Howser, AICP, Planner III  
Jeff Rice, PE, Senior Engineer  
Meggan Herington, AICP, Executive Director

**RE:** Project File Number: PUDSP225  
Project Name: Falcon Highlands South  
Parcel Number: 5300000817, 5300000566, 5300000588, and 5312400012

OWNER:	REPRESENTATIVE:
Challenger Communities, LLC 8605 Explorer Drive, Suite 250 Colorado Springs, CO, 80920	Matrix Design Group 2435 Research Parkway, Suite 300 Colorado Springs, CO, 80920

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>11/16/2023</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>12/14/2023</b>

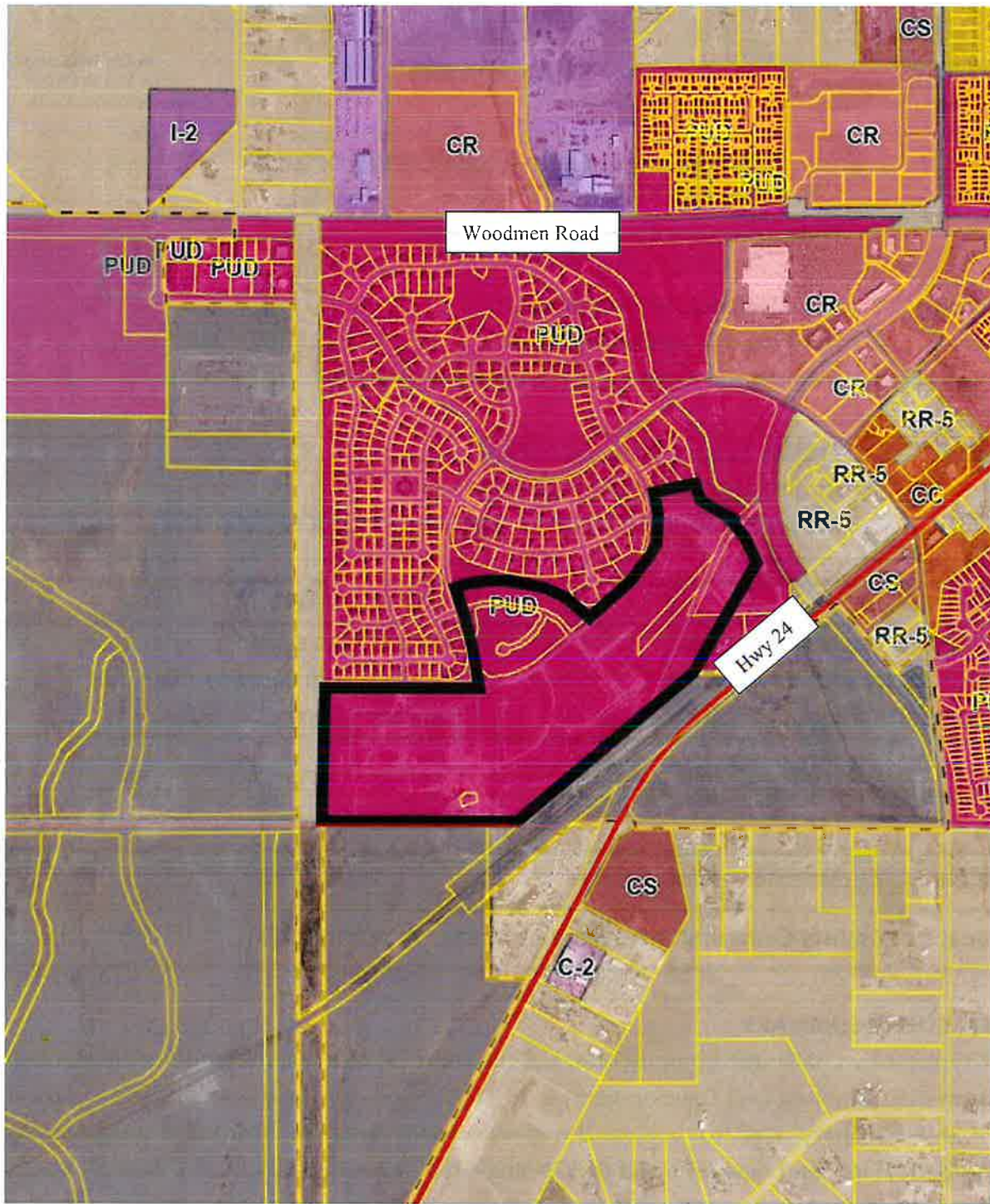
### EXECUTIVE SUMMARY

A request by Challenger Communities, LLC for approval of a Map Amendment (Rezoning) from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a Preliminary Plan to update the development proposal from 138 single-family residential lots and nine (9) tracts to 378 single-family residential lots and nine (9) tracts, including 39.9 acres of open space and 19.9 acres dedicated for public rights-of-way. The 125.56-acre property is located at the northwest corner of the intersection of State Highway 24 and Meridian Road.

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**A. AUTHORIZATION TO SIGN:** PUD Development Plan and any other documents required to finalize the approval.

**B. 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 (as amended), 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;

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- 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 (as amended) 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;

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- 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.

### C. LOCATION

North:	PUD (Planned Unit Development)	Residential
South:	City of Colorado Springs	Vacant
East:	PUD (Planned Unit Development) City of Colorado Springs	Vacant
West:	RR-5 (Residential Rural) City of Colorado Springs	Vacant

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#### **D. BACKGROUND**

The original Falcon Highlands Sketch Plan was approved by the Board of County Commissioners (BoCC) on December 9, 1999 (PCD file no. SKP991). The Sketch Plan has been amended several times, the most recent being a minor amendment, which was administratively approved on May 17, 2022 (PCD file no. SKP214). The currently proposed PUD Development Plan and Preliminary Plan are consistent with the approved Sketch Plan.

The Falcon Highlands PUD was originally conceived as a Zoning and Conceptual Plan (ZCP), approved by the BoCC on August 9, 2001. At this time, the subject property was considered for residential development with a minimum lot size of 0.5 acres. The BoCC approved an amendment to the Falcon Highlands PUD Development Plan to initiate a site-specific PUD on the subject property and the adjacent Falcon Highlands Filing No. 2 on July 14, 2005 (PCD file no. PUD04021). This plan contemplated an increased density for the proposed remaining filings of Falcon Highlands, which included Falcon Highlands Filing No. 2 (PCD file no. SF05033) and the subject property, which was originally contemplated as Falcon Highlands Filing No. 3 (PCD file no. SF05034). Falcon Highlands Filing No. 3 was approved by the BoCC on November 9, 2006; however, the plat was not recorded, and the approval has since expired.

The applicant requests to initiate a revised PUD Development Plan and Preliminary Plan. The current proposal is now referred to as Falcon Highlands South and consists of the property previously considered as Falcon Highlands Filing No. 3.

#### **E. LAND DEVELOPMENT CODE ANALYSIS**

The applicant is proposing a PUD (Planned Unit Development) zoning district of 125.56 acres. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), *A PUD Development Plan May be Approved as a Preliminary Plan.*

The proposed PUD Development Plan and Preliminary Plan consists of 378 single-family detached residential lots with a gross density of 3.02 dwellings per acre and a net density of 6.40 dwelling units per acre.

The proposed density is greater than that of the surrounding area. Falcon Highlands Filing No. 2 adjacent to the north of the subject property consists of 221 residential lots on 132 acres, for an approximate gross density of 1.67 dwelling units per acre. However, the property is adjacent to US Highway 24 to the south and existing and proposed

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commercial uses to the east. Therefore, a greater density may be appropriate for this area providing a transition from the lower density residential lots to the highway and commercial uses.

Section 4.2.6.F.8, Planned Unit Development District of the Land Development Code requires a minimum of 10% of the overall residential PUD be set aside as open space. The Plan incorporates 39.9 acres of open space and park lands, which comprises 32% of the proposed development area. The proposal also includes trail connections to the surrounding areas. See the Parks section below for more information regarding the trail connections.

Pursuant to the availability of central water and sanitation services in the area, this portion of El Paso County has experienced, and continues to experience, significant growth and development. Despite the greater density in the immediate vicinity of the project, the land uses allowed within the proposed PUD zoning district are compatible with the existing and approved urban level residential development in the Falcon area and in the incorporated area of Colorado Springs.

The PUD application meets the purpose of zoning and criteria of approval, in Chapter 4, and of the Land Development Code. The Preliminary Plan application meets the Preliminary Plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the Code.

The applicant will be required to comply with the standards for Subdivision in Chapter 8 of the Code with subsequent Final Plat applications.

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 and the proposed design elements, including open space, trails, and landscaping, are consistent with those of the surrounding area.

## **F. MASTER PLAN COMPLIANCE**

### **1. Your El Paso County Master Plan**

#### **a. Placetype Character:** Suburban Residential

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*Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.*

*Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.*

*Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.*

#### **Recommended Land Uses:**

##### **Primary**

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

##### **Supporting**

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

#### **Analysis:**

The property is located within the Suburban Residential placetype. The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. The application is consistent with the land use and densities set forth in the approved Sketch Plan, entirely within the Suburban Residential Placetype. While the net density (open space and rights-of-way excluded) exceeds 5 dwellings per





acre, the gross density of the development is approximately 3 dwelling units per acre, which is consistent with the expected density within the Suburban Residential placetype. Relevant goals and objectives are as follows:

**Objective LU3-1** – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

**Objective LU3-3** – *The Suburban Residential placetype should be characterized by predominantly residential areas with mostly single-family detached housing.*

**Goal HC1** – *Promote development of a mix of housing types in identified areas.*

**Objective HC1-4** – *In Suburban Residential areas, clustered development should be encouraged to increase density while also preserving open space and such development should consist of a mix of single-family detached, single-family attached, and multifamily units.*

**Goal HC1 Priority** – *Continue to prioritize Suburban Residential in the area along Highway 24 in an effort to sustain Falcon's growth momentum. Suburban Residential would match the community's existing character and utilize available land to accommodate a sizable portion of the County's expected population growth without negatively impacting adjacent areas.*

**b. Area of Change Designation:** Minimal Change: Developed

*These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.*

**Analysis:**

The Falcon Highlands Sketch Plan area is mostly developed and is located in an area that is not expected to significantly change in character from the current

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development pattern. The proposed PUD Development Plan and Preliminary Plan are consistent with the approved Sketch Plan and represent a level of change expected in the Minimal Change: Developed Area of Change. A relevant Specific Strategy is as follows:

**Goal LU1 Specific Strategy** – *The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.*

**c. Key Area Influences: Potential Areas for Annexation**

*A significant portion of the County's expected population growth will locate in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and accommodate new development. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County.*

*This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.*

**Analysis:**

The subject property is located within the Potential Areas for Annexation. The Key Area map demonstrates the anticipated urban growth areas in unincorporated El Paso County. The property is contiguous to the City of Colorado Springs boundary; however, the applicant does not wish to annex into the City at this time and the City is not requesting annexation at this time. Relevant goals and objectives are as follows:

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**Goal LU2** – *Coordinate context-sensitive annexation and growth strategies with municipalities.*

**Objective LU2-1** – *Continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds.*

**d. Other Implications (Priority Development, Housing, etc.)**

The subject property is not located within a priority development area.

**2. 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 3.1** – *Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

**Policy 4.1.4** – *Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.*

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

**Policy 6.0.1** – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*

**Policy 6.4.1.3** – *Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.*

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The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 3 of the Plan, which is an area anticipated to experience growth by 2040. The applicant is proposing to defer water sufficiency analysis to subsequent Final Plat applications; therefore, water sufficiency analysis was not made with the proposed Preliminary Plan. Conformance with the Water Master Plan and a water sufficiency analysis shall be provided with subsequent Final Plat applications. Final Plats within the boundary area of the Preliminary Plan will not be eligible for administrative approval.

### **3. Other Master Plan Elements**

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

The Master Plan for Mineral Extraction (1996) identifies upland deposits 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 El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

## **F. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

Expansive soils, undocumented fill, fault and seismicity, radon, flooding, surface drainage erosion and corrosion, surface grading, and shallow groundwater were identified during the review of the combined PUD Development Plan and Preliminary Plan. The applicant has included the following notes on the Preliminary Plan to provide options for the identified geologic constraints to be addressed at subsequent Final Plat stage(s):

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*Where avoidance is not readily achievable, the existing geologic and engineering conditions can be satisfactorily mitigated through proper engineering, design, and construction practices. In areas where basements are proposed, an underdrain placed at the bottom of sanitary sewer trenches within drive lands may help reduce the impact of groundwater on basement suitability. Basement construction should be limited except where one of the following conditions apply:*

- 1.1. Underdrains are installed at the bottom of sanitary sewer trenches within drive lanes; or*
- 1.2. A year-long groundwater monitoring study has been undertaken, and the results indicate that groundwater is sufficiently deep enough to allow basement construction; or*
- 1.3. The proposed site grading will result in at least 14 feet of separation between the proposed ground surface and the groundwater elevation.*

The Colorado Geological Survey was sent a referral for the combined PUD Development Plan and Preliminary Plan, is agreeable to the proposed note, and has no outstanding comments.

## **2. Floodplain**

As shown on FEMA Flood Insurance Rate Map (FIRM) panel numbers 08041C0561G and 08041C0545G, a portion of the subject property is located within a FEMA floodplain. The Falcon West Tributary drainageway flows along the east side of the property within proposed Tract F. No portion of any lot is proposed within the floodplain.

## **3. Drainage and Erosion**

The proposed subdivision is located within the Sand Creek and Falcon drainage basins, which were studied in 1996 and 2013, respectively. These basins require drainage and bridge fees to be paid at the time of final plat recording. The site generally drains overland from north to south, with most runoff flowing into the City and eventually to Sand Creek, which ultimately outfalls into Fountain Creek. Runoff from a few sub-basins in the east portion of the site flows to the Falcon West Tributary drainageway and an existing regional full-spectrum detention basin, "Pond WU".

A Preliminary Drainage Report (PDR) was provided with the PUD/Preliminary Plan submittal. The PDR analysis and design indicates that the proposed development

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will not release developed runoff in excess of historic rates. The PDR concludes that “Downstream drainage facilities will not be negatively affected, as existing drainage patterns and allowable release rates are planned to be maintained.” The southeast portion of the site contains a jurisdictional wetland mitigation area.

There are no regional Drainage Basin Planning Study (DBPS) improvements called for within the site. The developer’s consultants have designed facilities to comply with full-spectrum detention and water quality requirements with this PUD Development Plan and Preliminary Plan, and the proposed drainage plan is in general conformance with the 2022 Master Development Drainage Plan (MDDP) provided with the Falcon Highlands Filing No. 3 Sketch Plan (SKP214).

An erosion and stormwater quality control permit (ESQCP), a grading and erosion control plan, a financial assurance estimate (FAE), a stormwater management plan (SWMP), and utility plans will be required prior to construction of the subject development.

#### **4. Transportation**

The Falcon Highlands South PUD Development Plan and Preliminary Plan area is generally located west of the intersection of Meridian Road and US Highway 24, with the abandoned Tamlin Road running along the south edge of the proposed area to be developed. Access to the development is from existing local and collector road connections within Falcon Highlands Filing No. 2, primarily extensions of Bridal Vail Way and Antelope Meadows Circle.

A traffic memorandum dated August 24, 2022, was provided with the PUD Development Plan and Preliminary Plan submittals and, together with the Traffic Impact Study (TIS) completed with the Sketch Plan, addresses traffic impacts of the subject development. No offsite roadway improvements are anticipated with this development.

Traffic generated from the 378 proposed dwelling units is estimated to be approximately 3,430 average daily trips. The proposed interior roads will be public paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the TIS, and the PUD Development Plan and Preliminary Plan 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.

This subdivision is subject to traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals.

Approximately 2,000 linear feet of Urban Residential Collector road (Antelope Meadows Circle) and 14,300 linear feet of Urban Local public roads are proposed to be constructed within this subdivision.

## **G. SERVICES**

### **1. Water**

Water service is proposed to be provided by the Falcon Highlands Metropolitan District (FHMD). According to the District's commitment letter provided with the application, the District is currently only committed to providing water service to 50 of the proposed 378 residential lots. Development of an additional well will be required before the District will be able to commit to providing water service to the remaining lots. Therefore, water sufficiency analysis was not made with the proposed Preliminary Plan; the applicant is proposing to defer such analysis to subsequent Final Plat applications. Final Plats within the boundary area of the Preliminary Plan will not be eligible for administrative approval.

### **2. Sanitation**

The property is located within the boundaries of the Falcon Highlands Metropolitan District. However, wastewater is proposed to be provided by the Woodmen Hills Metropolitan District (WHMD) through an intergovernmental agreement (IGA) between the two Districts. According to WHMD's commitment letter provided with the application, WHMD is currently only committed to providing wastewater service to 55 of the proposed 378 residential lots. An amendment to the IGA between FHMD and WHMD will be required before WHMD will be able to commit to providing wastewater service to the remaining lots. Despite this, the limiting factor on development of the subject property will be water availability, which is limited to 50 lots at this time.

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### **3. Emergency Services**

The property is within the Falcon Fire Protection District. The District was sent a referral and has no outstanding comments.

### **4. Utilities**

Mountain View Electric Association (MVEA) provides electric service to the property and Colorado Springs Utilities (CSU) provides natural gas service to the property. Both service providers were sent referrals and neither have outstanding comments.

### **5. Metropolitan Districts**

The property is located within the Falcon Highlands Metropolitan District, which provides water service to the property (See above). The property is located within the Woodmen Road Metropolitan District. Woodmen Road fees are anticipated to be paid to the District prior to the issuance of building permits associated with the proposed residential lots.

### **6. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for a PUD Development Plan or a Preliminary Plan application. Fees in lieu of park land dedication will be due at the time of recording the Final Plat. County regional trails, including Falcon Highway Route, Rock Island Trail and Woodmen Hills Trail are planned within the southeast and northeast boundaries of the site, within the Tamlin Road right-of-way and along the Falcon West Tributary drainageway.

### **7. Schools**

Land dedication and fees in lieu of school land dedication are not required for a Map Amendment (Rezoning) application. Falcon School District No. 49 has not requested land dedication; therefore, fees in lieu of school land dedication will be due at the time of recording the Final Plat.

## **H. APPLICABLE RESOLUTIONS**

See attached resolution.

## **I. STATUS OF MAJOR ISSUES**

There are no major issues.

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## **J. 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 (as amended), 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. 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 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. Developer shall coordinate with El Paso County on the disposition of the existing Tamlin Road right-of-way at the time of final plat submittal(s).

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## NOTATIONS

1. Subsequent Final Plat Filings are not eligible to be administratively approved by the Planning and Community Development Director and will require Board of County Commissioners approval unless the applicant processes an amendment to the Preliminary Plan to establish a water sufficiency finding.
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.

## K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 134 nearby property owners on October 31, 2023 for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

## L. ATTACHMENTS

Map Series

Letter of Intent

Development Plan / Preliminary Plan

Public Comments

Draft Resolution

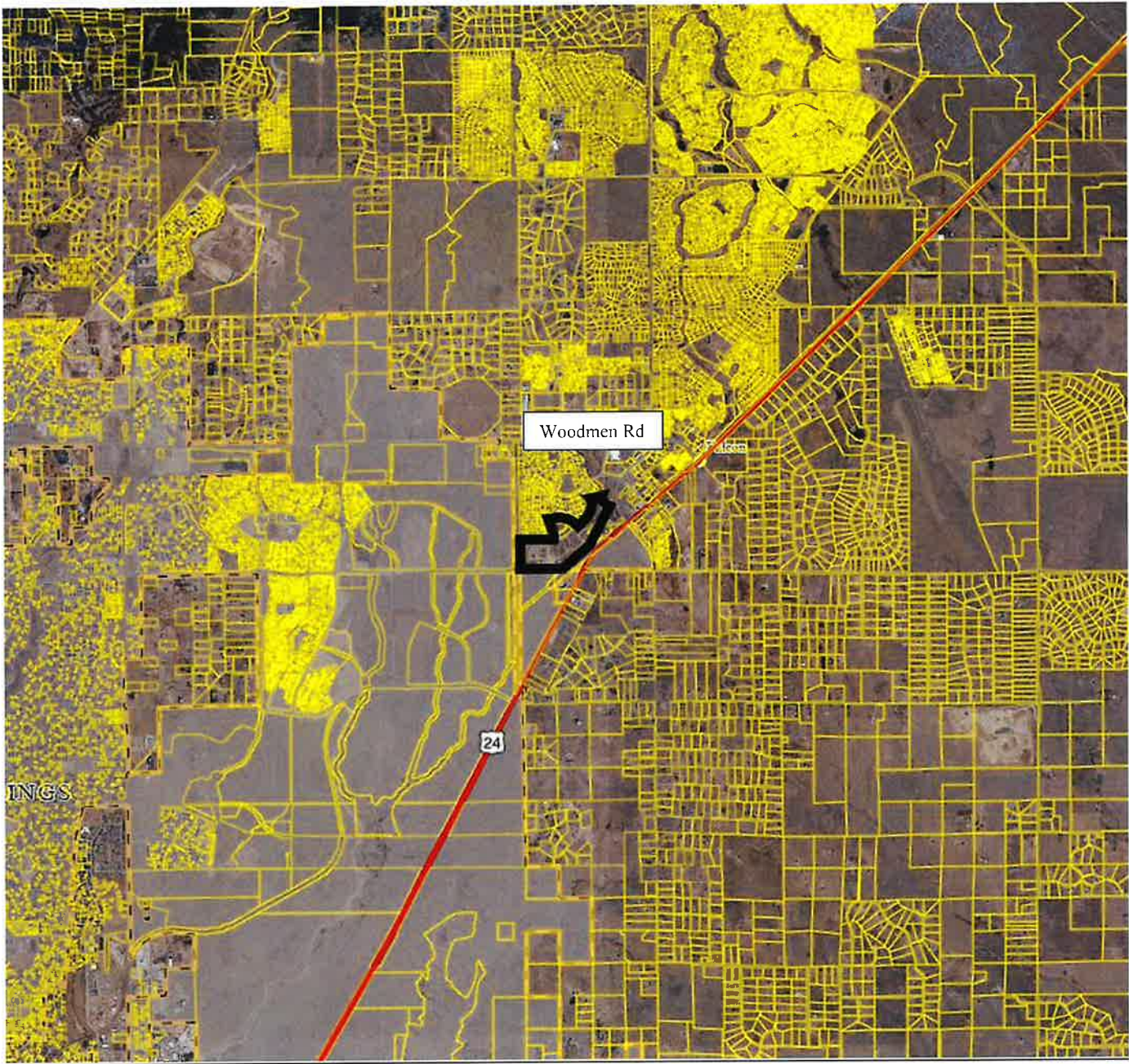
2880 INTERNATIONAL CIRCLE  
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910  
PLNWEB@ELPASOCO.COM



Map Exhibit #1: Context





## Map Exhibit #2: Placetype

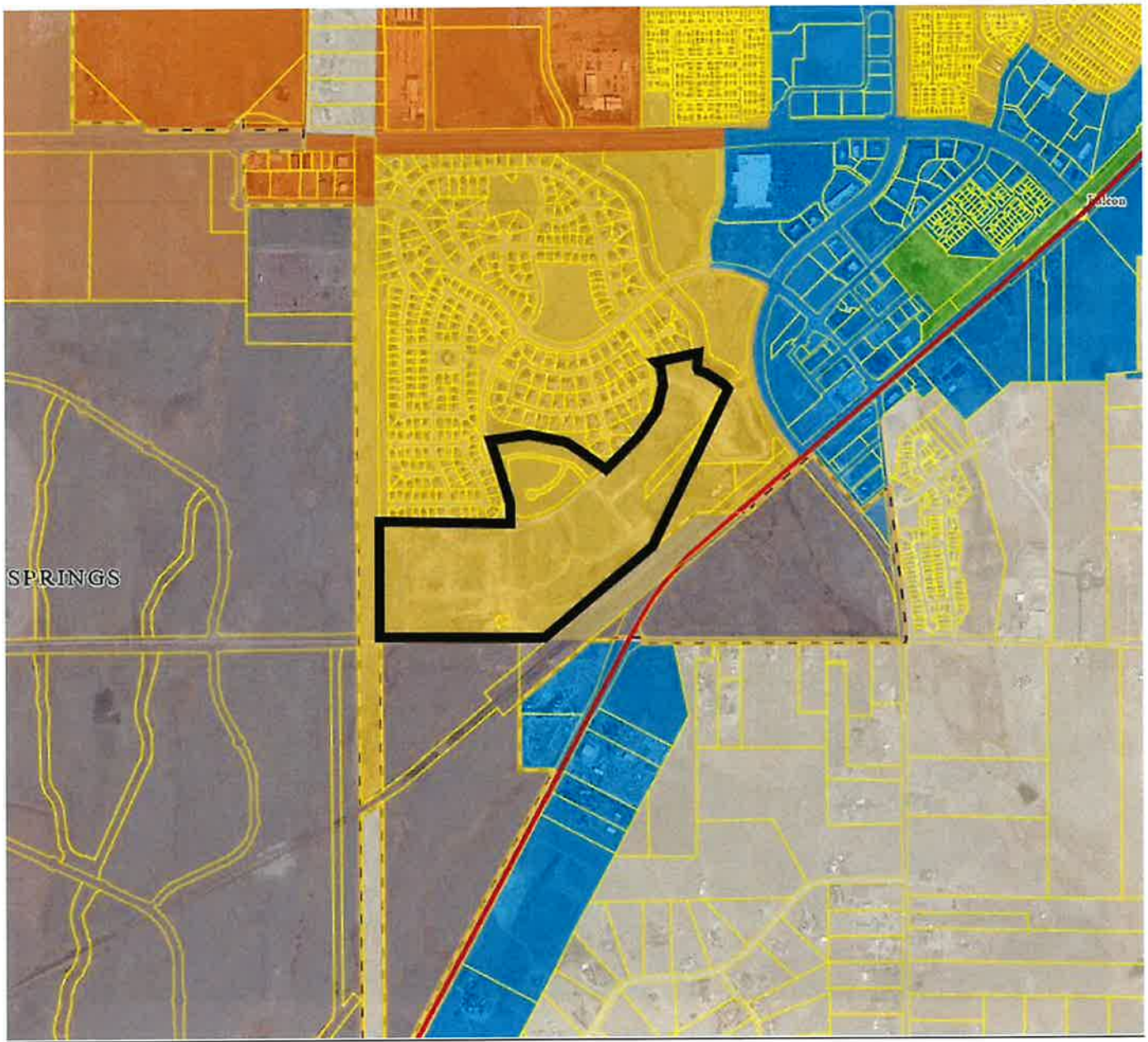


### Legend

Rural	Employment Center
Large-Lot Residential	Regional Open Space
Suburban Residential	Mountain Interface
Urban Residential	Military
Rural Center	Utility
Regional Center	Incorporated Area



### Map Exhibit #3: Area of Change

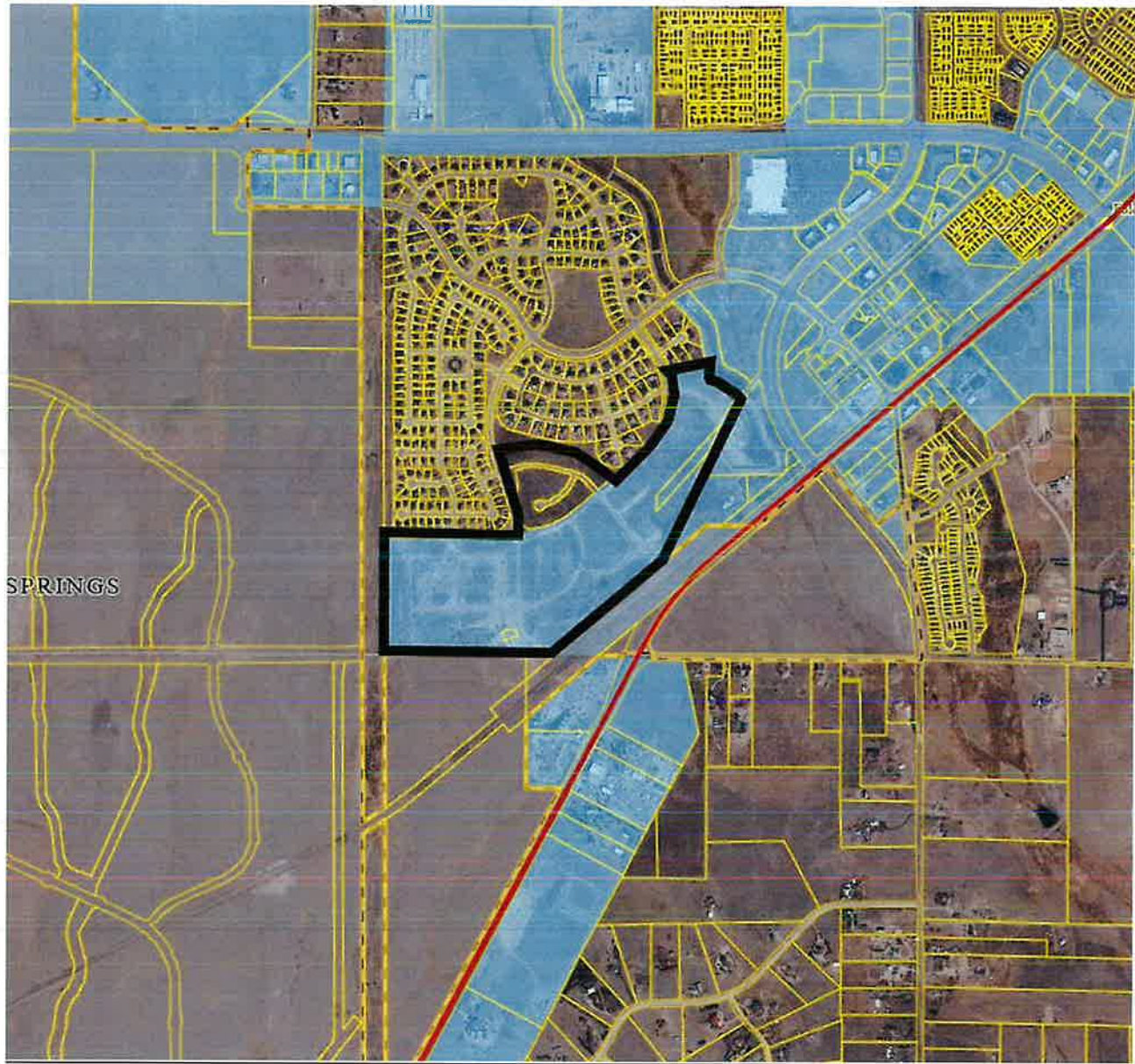


#### Legend




- Protected/Conservation Area
- Minimal Change: Undeveloped
- Minimal Change: Developed
- New Development
- Transition



## Map Exhibit #4: Key Area

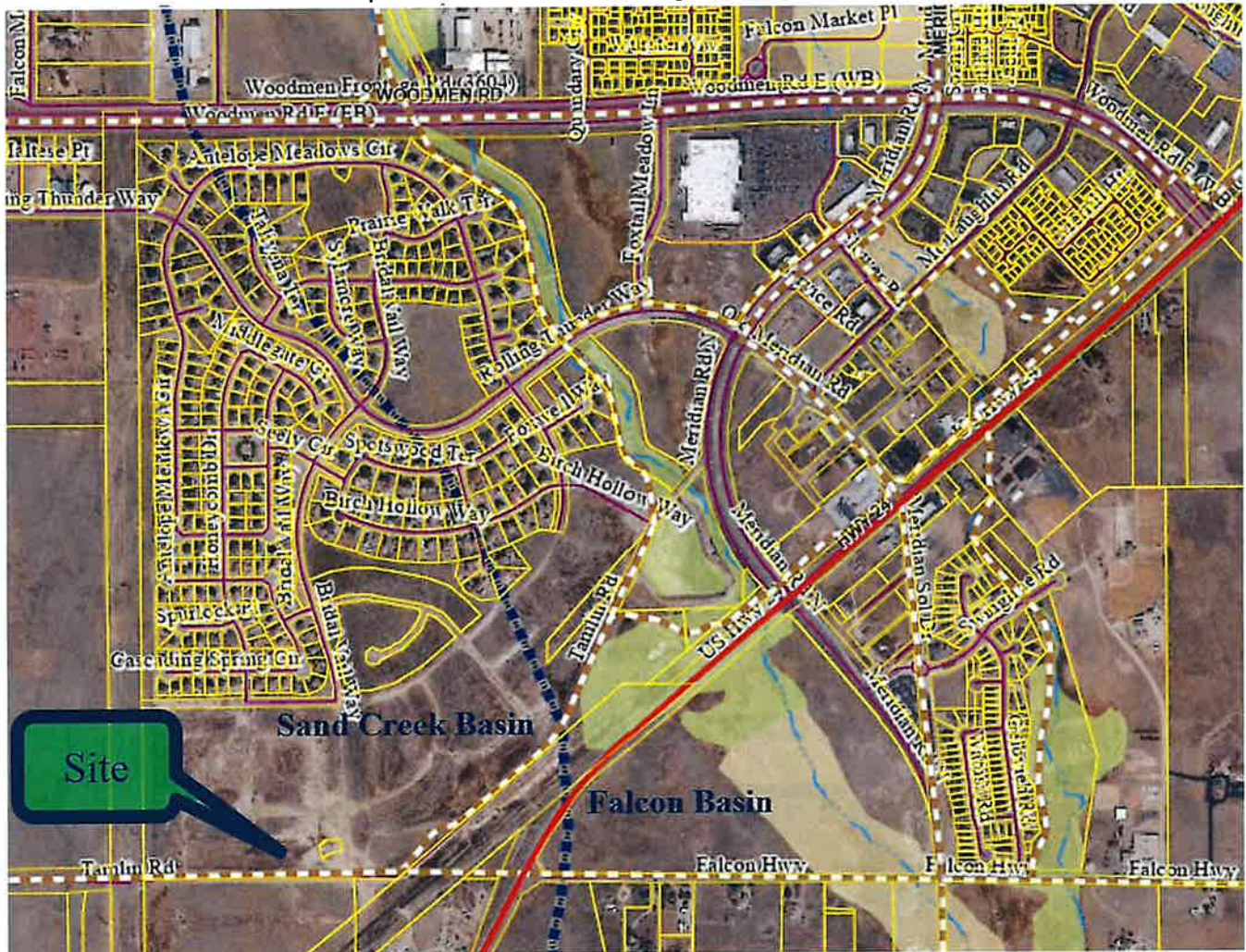


### Legend

-  Military Installations
-  Potential Areas for Annexation
-  Enclaves or Near Enclaves
-  Small Towns & Rural Communities
-  Fountain Creek Watershed Flood Control & Greenway District
-  Forested Area
-  Pikes Peak Influence Area
-  Tri-Lakes Area
-  Colorado Springs Airport/Peterson Field
-  Uncommon Natural Resources



Map Exhibit #5: Drainage and Floodplain



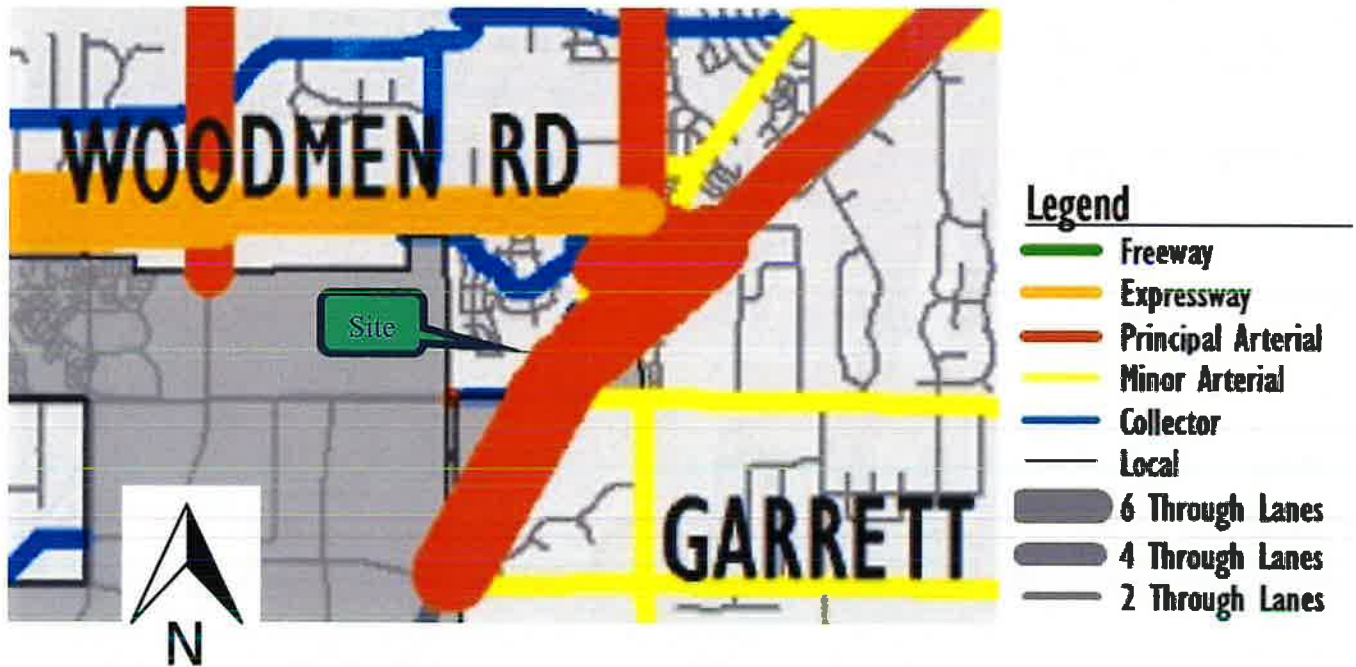
FEMA Floodplain Areas

- 100 Year - Designation A
- 100 Year - Designation AE
- 100 Year - Designation AH
- 100 Year - Designation AO
- 500 Year

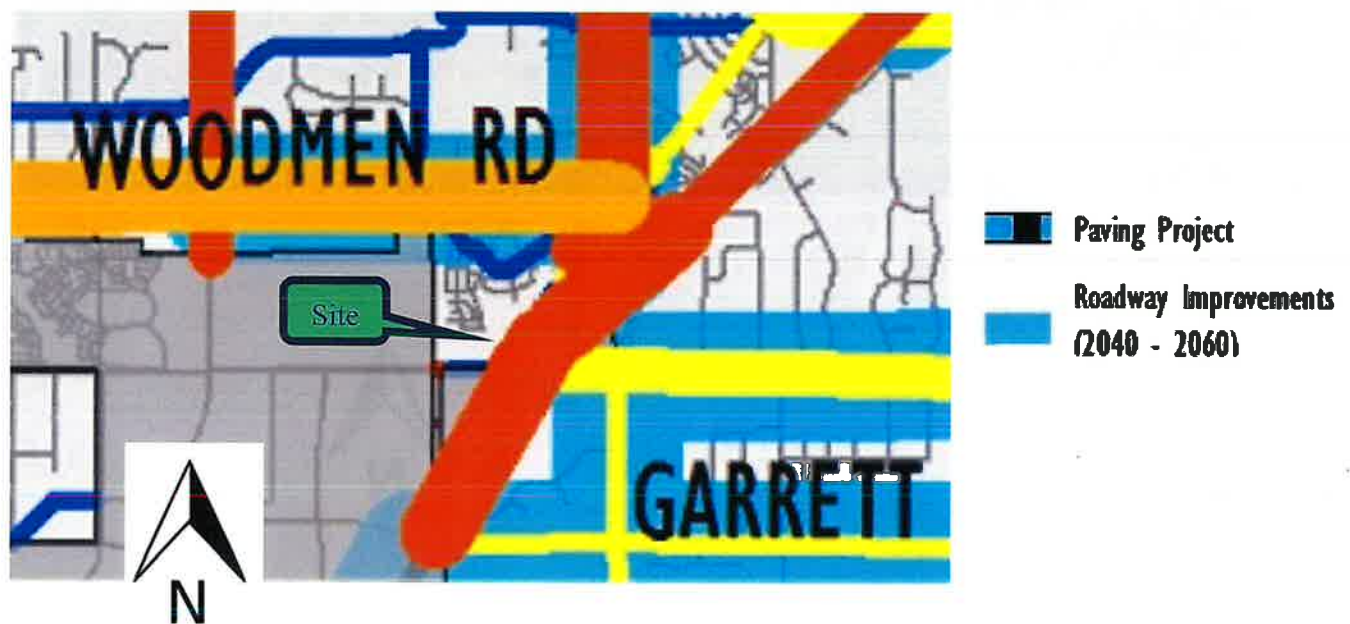
Drainage Basins



Map Exhibit #6: MTCP 2040 Plan

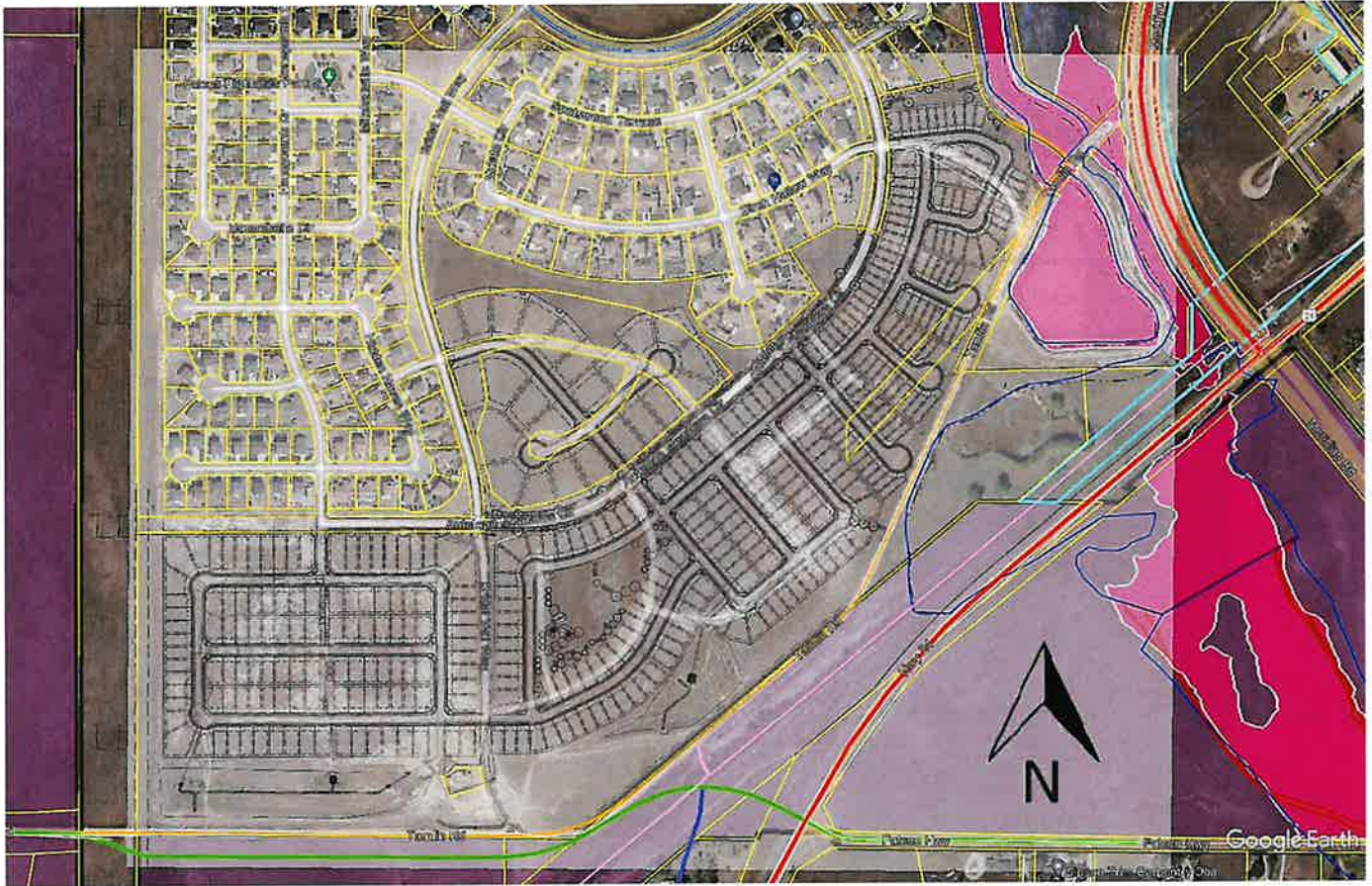


Map Exhibit #6: MTCP 2060 Corridor Preservation Plan



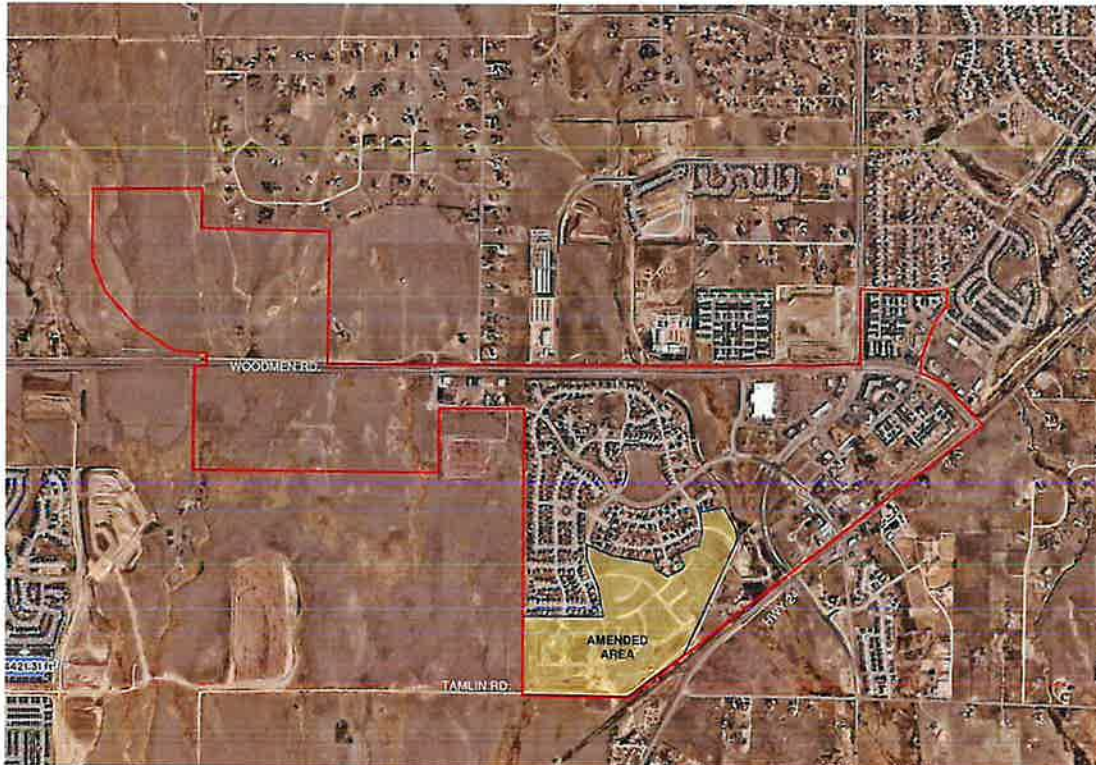


## Map Exhibit #7: Google Earth Overlay



**FALCON HIGHLANDS SOUTH**  
**LETTER OF INTENT**  
**Planned Unit Development, Preliminary Plan & Early Grading**

**May 8, 2022**  
**REV 4 – August 29, 2023**



**PREPARED FOR:**

Challenger Communities  
8605 Explorer Dr., Suite 250  
Colorado Springs, CO 80920

**PREPARED BY:**

Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920





**Owner/ Applicant:** Challenger Communities and Next Top Holdings  
8605 Explorer Dr., Suite 250  
Colorado Springs, CO 80920  
Office: (719) 598-5192

**Planner:** Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920  
Office: (719) 575-0100

**Civil Engineer:** Daniel Madruga  
ATWELL, LLC  
303.521.1289 Mobile  
6200 S. Syracuse Way, Suite 470  
Greenwood Village, CO 80111  
Office: (303) 462-1100

**Tax Schedule No:** 5300000566, 5300000817, 5300000587, 5300000588, 5312400012

**Site Location, Size, Zoning:**

Matrix Design Group, on behalf of Challenger Communities, is respectfully submitting a development application for the proposed Falcon Highlands project to include a combined PUD Development Plan/Preliminary Plan and request for early grading. Falcon Highlands is located south of Woodmen Rd, west of State Highway 24 and west of New Meridian Rd. in the greater Falcon area of El Paso County. The site is 125.56 acres proposing 378 single family detached residential lots and 10 tracts. The proposed development is zoned PUD which shall remain. The development is comprised of 12.7 acres proposed for single family detached residential at a density of 1.0-2.99 DU/AC with a minimum sized lot of 19,000 SF; 46.7 acres proposed for single family detached residential at a density of 3.0- 6.0 DU/AC consisting of standard lot sizes lots ranging from 3,500 to 6,600 SF; and trail corridors, open space, a pocket park, and storm water facilities.

The proposed development area is bordered by existing residential development to the north; a drainage channel to the east; and vacant land to the south and west. The existing development to the north is single family residential and is a part of the Falcon Highlands Sketch Plan. The drainage channel to the east is also within the Falcon Highlands Sketch plan and is in FEMA zone AE and will remain unaffected by this amendment. The vacant land to the south and east is a part of the City of Colorado Springs, currently zoned R to the south and R1-6 to the east. The amended area contains no natural drainage ways or significant natural features.

A Sketch Plan Amendment (SKP 21-4) was recently approved by El Paso County to permit the densities proposed as part of this PUDSP. The purpose of the sketch plan amendment was to revise the land use densities and unit types to allow single family residential at a density of 1.0-2.99 DU/AC with a minimum sized 19,000 SF lots to align with the existing neighborhood



and at a density of 3.0- 6.0 DU/AC consisting of standard lot sizes lots ranging from 3,500 to 6,600 SF.

**Request & Justification:**

The purpose of this application is to request approval of a combined PUD Development and Preliminary Plan (PUDSP) and a Pre-Subdivision Early Grading Request. The PUD Development and Preliminary Plan shows the detailed design of the single-family detached residential community and open spaces; the necessary width and classification of public rights-of-way and public roadways; roadway centerline data; street grades; as well as identify the development standards for the proposed residential product types. The plan describes the lot sizes, transportation systems, public rights-of-way, and easements necessary for the development. Since the site is quite large, grading operations are expected to be substantial, thus an early grading request will permit construction operations to begin upon approval of the PUD/ Preliminary Plan and prior to Final Plat.

The proposed PUDSP illustrates 378 new detached single-family residential units on 125.56 acres for a density of 3.02 DU/ Acre. The PUDSP includes 39.9 acres of total open space and landscape area, 6.4 acres of stormwater facilities, and 19.9 acres of new public streets right-of-way. The 39.9 acres of open space tracts are comprised of 36.5 acres of natural open space buffer area and a 3.4 acres pocket park to serve the community. The site layout incorporates a mix of lot sizes to include: larger lot units north of Antelope Meadow Circle with a minimum lot size of 19,000 SF to compatible with the existing Falcon Highlands lots to the north and west. The south of the Antelope Meadow Circle a variety of suburban lot sizes include 50' x 110' (5,500 SF); 60' x 110' (6,600' SF); and 35' x 100' (3,500 SF). The proposed higher density land use area will be buffered by Antelope Meadow Circle, a collector roadway, landscape buffering, open space of a combination of these transition elements.

The proposed PUDSP includes the continuation Antelope Meadows Circle, a residential collector, from existing Birch Hollow Way to the southwest to Bridal Vail Way. This roadway continuation will create a looped roadway system with multiple access points as well as providing for a future connection to the adjacent property to the west. Parts of the right-of-way for this collector already exists the remainder will be plated with this development. All internal streets will be designed as public roadways and constructed to El Paso County requirements. The Falcon Highlands development will not impact the future connection of Tamlin/Dublin Road as this planned extension is not included for design or construction as part of this project.

The community is designed to provide for functioning automobile and pedestrian circulation, taking advantage of surrounding land uses. Within the overall Falcon Highlands development, open space and community connections are planned providing access to open space corridors, the existing pocket parks, a proposed school site, and future adjoining commercial. This is achieved via planned trails through open space tracts, and internal sidewalks.



### **Your El Paso County Master Plan 2021 Consistency Evaluation**

The Your El Paso County Master Plan was approved in 2021 to establish the vision for the El Paso County's future based on the needs of the current population and anticipated growth over the next 20 years. The master plan provides the strategies needed to achieve this vision as growth and change occurs. The Master Plan provide the framework for regulatory process such as zoning and subdivision regulations. While the Your El Paso County Master plan is general in nature, it provides the framework and guiding principles for the community's vision, goals, objective and policies providing guidance for County implantation of proposed development.

### **Your EPC Master Plan Consistency Evaluation Checklist:**

#### Baseline Considerations:

1. *Is there a desirability or demand within the community for this use?*  
The proposed Falcon Highlands PUDSP will help to fulfill desirability and demand for additional housing and housing types within El Paso County. As illustrated in the recently approved Master Plan, the county should increase density to help reduce land cost per unit for development with a primary focus on **Suburban Residential Placetypes**. In addition, Falcon Highlands is located near a commercial activity center of which the increased residential density can help support.
2. *Does the market support the need for the use? Would the use be viable if built right now?*  
There is a very high demand for the proposed land use and density as El Paso County and the City of Colorado Springs is experiencing a severe housing shortage.
3. *Would the use be providing necessary housing or essential goods and/ or services?*  
The proposed Falcon Highlands PUDSP to increase the density to permit more single family homes than was previously approved will help provide necessary and needed housing in the Falcon area. The proposed density increase supports **Goal HC1**: Promote development of a mix of housing types in identified areas and **Goal HC3**: Locate attainable housing that provides convenient access to good, services and employment. The Falcon Highlands development is near existing highways; will utilize existing master planned infrastructure connections to help keep lot cost down; and would be located near an existing commercial activity center which provides numerous job opportunities.

#### Geographic Considerations:

1. *Is the proposed use located within a Key Area? If so, does it fit with the development recommendations for that particular Key Area?*  
Per the **Chapter 4 Housing & Communities Framework**: Priority Annexation Map on page 50, the Falcon Highlands project is located within the Potential for Annexation Key Area identified as an area of Priority for Annexation due to its proximity to the City of Colorado Springs city limits and Banning Lewis Ranch to the west. The proposed density increase would be inline and compatible with existing and planned residential densities as part of Banning Lewis Ranch that the City of Colorado Springs is seeking. However, during the pre-planning stages, coordination between the owner/ developer and the City of Colorado Springs regarding annexation was conducted. Due to lack of immediate availability of municipal utility services it was determined that this project will not be

seeking annexation into the City of Colorado Springs. The proposed development will remain within El Paso County.

2. *Dose the use promote the level of change identified in the Areas of Change?*

Per the **Chapter 3 Land Use Framework: Areas of Change Map** on page 20, The Falcon Highlands area is identified as an area of *Minimal Change: Developed*. While this area is mostly building out with Filings No. 1 and No. 2 with an established character of 20,000 SF lot types, this isolated pocket of undeveloped land of **Placetype: Suburban Residential** can be successfully developed with an increased density through the application of appropriate transitions and design techniques. For example, this proposed PUDSP provides for larger lots and decreased densities where immediately adjacent to existing homes while the more dense land use areas are separated by a collector roadway, open space, or landscape buffers. The layout utilizes an improved design character by providing flexibility with varying lot size, building heights, setback controls and other site development requirements; incorporates innovations in development to meet the growing demands of the population through a variety in type, design, and layout of buildings; and provides housing of all types and designs to be located in proximity to employment and activity centers such as shopping. This design approach meets **Chapter 14 Implementation Goal LU1: Ensure compatibility with established character and infrastructure capacity.**

3. *Does the use fall within the primary or supporting land uses within the appropriate placetype?*

Per the **Chapter 3 Land Use Framework** the Falcon Highlands development area is identified as a **Suburban Residential Placetype** characterized by primarily single family detached housing with a density range of up to 5 units per acre. As illustrated in Section 4 Housing and Communities, "to sustain Falcon's growth momentum, the county should continue to prioritize Suburban Residential in this area." The proposed PUDSP meets this objective and **Chapter 14 Implementation Goal LU3: Encourage a range of development types to support a variety of land uses and Objective LU3-3** by utilizing single family detached housing within an existing neighborhood.

4. *Is the use located in a Priority Annexation Area? If so, does it align with the growth and development plans for the nearby municipality?*

Per the **Chapter 4 Housing & Communities Framework: Priority Annexation Map** on page 50, the Falcon Highlands project is located within the Potential for Annexation Key Area identified as an area of Priority for Annexation due to its proximity to the City of Colorado Springs city limits and Banning Lewis Ranch to the west. The proposed density increase would be inline and compatible with existing and planned residential densities as part of Banning Lewis Ranch that the City of Colorado Springs is seeking. However, during the pre-planning stages, coordination between the owner/ developer and the City of Colorado Springs regarding annexation was conducted. Due to lack of immediate availability of municipal utility services it was determined that this project will not be seeking annexation into the City of Colorado Springs. The proposed development will remain within El Paso County.

5. *Is the use located within a Housing Priority Area? If so, is it one of the allowed housing types?* The proposed Falcon Highlands development is not located within a Housing Priority Area.
6. *Is the use located within a Commercial Priority Development Area? If so, is it one of the allowed commercial uses for that area?* The proposed Falcon Highlands development is not located within a Commercial Priority Development Area.
7. *Is the use located within an Employment Priority Development Area? If so, is it one of the allowed employment-focused uses for that area?* The proposed Falcon Highlands development is not located within an Employment Priority Development Area.

County Systems Considerations:

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

The proposed Falcon Highlands development will be served by existing infrastructure to include water and wastewater services, electricity and roadways. The development will require the construction of new water and wastewater infrastructure to serve the development. As part of the design process, coordination with water and wastewater providers was completed and discussed in more detail below. The proposed Falcon Highlands development will be required to complete the construction of Antelope Meadows Circle, between Birch Hollow Way to Bridal Vail Way, providing multiple access points in to and out of the subdivision meeting **Chapter 14 Implementation Goal LU4: Continue to encourage policies that ensure “development pays for itself”**.

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

Phase 1 and 2 of the proposed development does not trigger the need for wastewater infrastructure as previous approvals contemplated the necessary infrastructure improvements. However, the proposed development may trigger upgrades and/ or expansion of existing facilities to accommodate the increased densities meeting **Chapter 14 Implementation Goal LU4: Continue to encourage policies that ensure “development pays for itself”**. Water sufficiency will be deferred to final plat(s). Seeking administrative final plat approval will not be possible unless an amended water sufficiency finding is made at a later date after the required infrastructure is built.

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

The proposed Falcon Highlands PUDSP will require public street roadways to be designed and built to El Paso County Standards. Region trail connections along Highway 24 will be provided as necessary per the El Paso County Parks Master Plan. This supports **Chapter 14 Implementation Goal TM2: Promote walkability and bike-ability** by continuing the construction of trail corridors connecting this development with adjacent neighborhoods and the commercial activity center to the northeast.

Best Practices Considerations:

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

The PUDSP incorporates and implements conservation best practices such as clustered development, inclusion of parks/ open space, and preservation of existing natural areas.

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

The PUDSP does not encompass nor alter the existing natural drainage ways found to east and northeast of the development. This drainage way will remain as is.

#### **El Paso County PUD Section 4.2.6(D) Approval Criteria**

1. *The proposed PUD District zoning advances the stated purposes set forth in this Section; The proposed project is currently zoned PUD and is a continuation of the existing overall Falcon Highlands development. The zoning will remain as PUD. The proposed PUDS meets the stated purposes of the PUD district by:*
  - a. Improving the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;
  - b. Incorporates innovations in development to meet the growing demands of the population through a variety in type, design, and layout of buildings;
  - c. Providing housing of all types and designs to be located in proximity to employment and activity centers such as shopping;
  - d. Providing for beneficial open space, to provide for active, usable open spaces, and to preserve open areas.
2. *The application is in general conformity with the Master Plan; The proposed application is in general conformity with the **Your El Paso County Master Plan 2021.***
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 project has been designed to not be detrimental to the health, safety, or welfare of the present or future inhabitants by meeting the submittal guidelines as illustrated in the zoning code and application packet.*
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 proposed property is suitable for the intended use and the use is compatible with both the existing and allowed land uses on the neighboring properties to the north or east consisting of single family residential or open space. The new development will be in harmony with the existing surrounding character of the area and natural environment using varying residential densities, perimeter buffering and provisions for both natural and built open space. There are no areas of significant historical, cultural, or recreational features found on site.*



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 proposed development is single family detached residential lots, open space, parks and R.O.W. Appropriate transitioning and buffering is provided with larger lots to the north, transitional open space buffers, and landscape setbacks.
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 development provides required landscaping and buffering that is appropriate and compatible with the type of development and the surrounding community. The development also includes open space buffers and a developed park site.
7. *Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;*  
There are no areas of significant historical, cultural, or recreational features found on site. The Rock Island Regional Trail will be traverse along the site's southern boundary. An easement has been provided for this regional trail connection.
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;* The development is proposing a neighborhood pocket park, open space buffers between housing types of differing lot size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary.
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 location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. All necessary public services will be available to serve the initial 50 units within the proposed subdivision as this area has been master planned with anticipation of development such as this for multiple years. Additional coordination will be required for both water and wastewater services for the project to realize full buildout. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI.
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;* While there are no major recreational facilities such as large playfields proposed, the project is proposing a neighborhood pocket park, open space buffers between housing types of differing lot size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary.

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;*  
There are no mineral estate owners on the real property.
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.*  
There are no deviations being requested at this time.
13. *The owner has authorized the application.* The Owner has authorized the application.

**El Paso County Preliminary Plan Section 7.2.1(D)-2E Approval Criteria**

1. *The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan and the new Your El Paso County Master Plan as discussed below. The proposed subdivision meets the Your El Paso County Master Plan 2021 as described herein.*
2. *The subdivision is consistent with the purposes of this Code;* The subdivision is consistent with the purposes of this Code and does not affect the health, safety, or welfare of the general area.
3. *The subdivision is in conformance with the subdivision design standards and any approved sketch plan;* The subdivision is in conformance with recently approved Falcon Highlands Sketch Plan Amendment (SKP 21-4) illustrating the proposed single family use and densities of 1.0-2.99 DU/AC of large lots and 3.0- 6.0 DU/AC consisting of standard lot sizes lots ranging from 3,500 to 6,600 SF.
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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval); Water sufficiency will be deferred to final plat(s). Seeking administrative final plat approval will not be possible unless an amended water sufficiency finding is made at a later date after the required infrastructure is built.*
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; Wastewater sufficiency will be deferred to final plat(s). Seeking administrative final plat approval will not be possible unless an amended wastewater sufficiency finding is made at a later date after the required infrastructure is built.*
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)); A "Soils and Geology Study", Falcon Highlands, Colorado" (RMG- Rocky Mountain Group, October 8, 2021) is included with the submittal package. As part of this study, 11 exploratory test borings were completed. Geologic hazards (as described in section 7 of the report) include faults/seismicity and radioactivity/radon gas. Potential geologic constraints (also as described in section 7 of the report) were found on site to include: expansive soils and shallow ground water. Where avoidance is not readily achievable, the existing geologic and engineering conditions can be satisfactorily mitigated through proper engineering, design, and construction practices. Exterior, perimeter foundation drains should be installed around below-grade habitable or storage spaces. Surface water should be efficiently removed from the building area to prevent ponding and infiltration into the subsurface soil.

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; Adequate drainage improvements; complying with State law, this Code and the ECM are proposed and illustrated on the drawings. A MDDP/ Preliminary Drainage report for this development has been included for review and approval by El Paso County.*
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 location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. Internal streets will provide for a looped circulation pattern through the development. There is no cut-through traffic or additional access beyond the access points provided. Public sidewalks will be constructed as necessary to provide pedestrian connections throughout the development.*
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; Legal and physical access will be provided to all parcels by public rights-of-way.*
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; (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; While there are no major recreational facilities such as large playfields proposed within this Falcon Highlands PUDSP, the development is proposing a neighborhood pocket park, open space buffers between housing types of differing lot*

size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary.

11. *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;* All necessary public services will be available to serve the proposed subdivision as this area has been master planned with anticipation of development such as this. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI.
12. *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;* The proposed subdivision complies with the fire protection standards of Chapter 6 including water supply, roads and access. A fire protection report illustrating the available fire protection measures has been provided with this submittal. In addition, a fire protection district commitment to serve this development has been provided by the Falcon Fire Protection District.

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

The amended area is proposing two residential density types. This includes 12.7 acres of single family residential at a density of 1.0-2.99 DU/AC with a minimum sized 19,000 SF lots to align with the existing neighborhood to the north and west. This includes open space buffering the existing residents from the proposed development. In addition, there are 46.7 acres planned at a density of 3.0- 6.0 DU/AC consisting of standard lot sizes lots ranging from 3,500 to 6,600 SF. The PUDSP submitted is seeking approval of 378 total Single-Family Detached Residential Units.

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

The proposed Falcon Highlands PUDSP meets the open space requirement set forth by the PUD Zoning District. The PUD guidelines require 10% open space on the overall 125.56 acres for a total open space requirement of 12.56 acres. The proposed Falcon Highland PUDSP is proposing 39.9 acres of open space which is over 3 times the required acres. Of the 39.9 acres, there are over 9.6 acres of landscape buffers and transitions with another 26.9 acres of natural open space containing landscape buffering. The development is also proposing a 3.4 acre pocket park centrally located within the development. All common open space and park sites will be owned and maintained by the metropolitan district. A park lands agreement may be coordinated with the El Paso County Parks Department with future final plat submittals. This pocket park will contain amenities such as a fenced dog play area, playground, picnic areas, walking paths, and an artificial turf active field area.

**Types of Proposed Recreational Facilities:**

While there are no major recreational facilities such as large playfields, the development is proposing a neighborhood pocket park, playground, dog park and open space buffers between housing types of differing lot size, as well as trails and pedestrian connections to existing trail systems including the Rock Island Regional Trail along the site's southern boundary.

**Master Plan for Mineral Extraction:**





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

**Areas of Required Landscaping:**

The proposed PUDSP includes landscape design and streetscape planting requirements for the streetscapes along Antelope Meadow Circle as well as for the proposed pocket park area. The landscape design includes a mix of deciduous and evergreen trees with varying ground plane treatments for passive and active play areas. Much of the proposed landscape is designed to be xeric, low water use utilizing native and drought tolerant plant species. There are no landscape waivers being requested at this time.

**Phasing Plan and Schedule of Development:**

The PUDSP drawings illustrate several phases for the platting of individual lots and construction of housing. Roadways, utilities, drainage, and necessary improvements will be constructed in the most optimal and efficient manner to facilitate development construction and sequencing. The initial phase, 50 lots, is based upon availability of water and wastewater utility services with subsequent phasing being completed based upon increased infrastructure capacity.

**Wetlands**

There are designated wetlands on the property; however, these areas are located within existing drainage ways that are not impacted by this development. The existing ponds will be contained by individual tracts limiting development and will not be disturbed by this development. Wetland mitigation per permit #2000-00359 to be verified prior to approval of adjacent final plat.

**Water and Wastewater Services:**

Municipal Water services will be supplied by the Falcon Highlands Metropolitan District. Municipal Wastewater municipal services will be supplied by the Woodmen Hills Metropolitan District through an intergovernmental agreement. More information is provided in this document. Any required offsite easements for utilities & drainage shall be shown at final plat as needed.

**EL PASO COUNTY WATER MASTER PLAN:**

The Falcon Highlands development is located within planning area 3 of the El Paso County Water Master Plan which encompasses the Falcon area and served by a variety of water suppliers



including the Falcon Highlands Metropolitan District (FHMD) and Woodmen Heights Metro District (WHMD) for sanitary.

Falcon Highlands Metro District (FHMD) current SFE of 451 with a maximum SFE of 711. It is recommended that Falcon Highlands Phase 1 construction be limited to 50 +/- SFE based on current water availability. Upon completion of the Arapahoe Well to be completed in 2022/2023 an additional 206 SFEs can be constructed. Future phasing identifying additional units above the collective 256 +/- SFEs will need additional water capacity. The FHMD is currently seeking additional water rights to develop either themselves or in conjunction with neighboring districts.

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

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

Wastewater flows for WHMD are based on the established benchmark of average daily flow of 163 gallons per day per SFE and 172 gallons per day per SFE for average daily maximum flow. The existing SFE connected to the WHMD system is 423 SFE and the upper limit for SFE under the IGA is 750 SFE leaving approximately 278 SFE available.

It is likely that the change to the density for this area will result in exceeding the contracted 750 SFE. However, the owner/ developer has initiated discussions with WHMD on possible amendments regarding additional units above the 278 SFE currently available.

#### **Traffic Engineering:**

Vehicular access and street layout shall be as illustrated on the PUDSP with all roadways to be public, built to El Paso County standards. The development area includes the continuation of Antelope Meadows Circle to the southwest connecting with Bridal Vail Way. The extension will provide the necessary points of ingress/ egress for this development and create numerous circulation routes through internal neighborhoods. It will also provide a future right-of-way connection to the adjacent property to the west, shall it ever develop. The second point of access for phase 1 will be discussed in future submittals. There are no required off-site improvements as a result of this development. The applicant requests that platted lots within Falcon Highlands PUDSP be included in the county wide Public Improvements District (PID 2) implemented as part of the Traffic Impact Fee resolution. A 30' temporary Filing 1 access easement, to be vacated once a secondary access point is in place, has been shown on the PUDSP plans.

#### **School District:**

Projects (Plats) within El Paso County are required to either dedicate land or pay school district fees. Any platted lots within the Falcon Highlands PUDSP development area will pay school fees in lieu of land dedication.

**Proposed Services/Utility Feasibility:**

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

**Impacts associated with the PUD Development Plan & Preliminary Plan:**

Floodplain: A small portion of the proposed development area is located within the AE designated FEMA floodplain as determined by the flood insurance rate map, community map number '08041C0545G, 08041C0561G', effective date 'December 7, 2018'. This area will not be impact with this amendment.

Wetlands: There are no drainage areas, drainage ways or water courses found within the amended area. There are wetlands in the eastern part of the development, in Tract F, they will be dedicated as a protected area on the plat and will not be disturbed by this development. There is an existing drainage way and detention facility located to the northeast of this site which shall remain as is. The proposed Falcon Highlands project will have no impact on these existing facilities. All proposed drainage and erosion criteria will meet El Paso County and State Development Standards to be depicted with future submittals.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher than normal amounts of dust during windy days. However, the proposed development will provide irrigated turf areas and native seeding to help alleviate the dust issues. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations

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

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

**Vegetation, Wildlife Habitats and Migration Routes:**

Proposed landscaping will include low-water use plant material, and where possible, the plant material will be native to the Falcon region.

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

- Prairie Dog





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

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



TRACT TABLE

PHASING

PHASE	# OF UNITS	LOT NUMBERS	DEVELOPMENT TWINE
1	50	1-12, 46-58	FALL 2022
2	193	13-25, 63-73	FALL 2023
3	171	26-35, 74-83	FUTURE
4	24	255-279	FUTURE

TRACT	SIZE (SF)	LANDSCAPE/PLANTING	PARKS AND TRAILS	SQUARE FOOTAGE/ACRES	MAIL BOX KIOSK	DRAINAGE/DEVELOPMENT	PUBLIC UTILITIES	OWNED BY	MAINTAINED BY
A	456,299	X	X	X	X	X	X	FALCON	FALCON
B	6,301	X	X	X	X	X	X	FALCON	FALCON
C	148,753	X	X	X	X	X	X	FALCON	FALCON
D	1,491,412	X	X	X	X	X	X	FALCON	FALCON
E	1,491,412	X	X	X	X	X	X	FALCON	FALCON
F	1,491,412	X	X	X	X	X	X	FALCON	FALCON
G	152,030	X	X	X	X	X	X	FALCON	FALCON
H	7,069	X	X	X	X	X	X	FALCON	FALCON
I	8,141	X	X	X	X	X	X	FALCON	FALCON
TOTAL	2,204,773								

FHMD = FALCON HIGHLANDS METROPOLITAN DISTRICT

FALCON HIGHLANDS PUDSP  
DEVELOPMENT PLAN  
EL PASO COUNTY, CO  
OCTOBER 10, 2023

NO.	DATE	DESCRIPTION	BY
1	10/10/23	PRELIMINARY PLAN	JWA
2	10/10/23	PRELIMINARY PLAN	JWA
3	10/10/23	PRELIMINARY PLAN	JWA
4	10/10/23	PRELIMINARY PLAN	JWA
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99	10/10/23	PRELIMINARY PLAN	JWA
100	10/10/23	PRELIMINARY PLAN	JWA

PHASING TABLE

**Matrix** ARCHITECTS  
1000 N. 10TH AVE., SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-1000  
FAX: (303) 733-1000

CWA INCORPORATED  
1400 W. 10TH AVE., SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-1000  
FAX: (303) 733-1000

CHALLENGER COMMUNITIES

1000 W. 10TH AVE., SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-1000  
FAX: (303) 733-1000

200 0 100 200  
SCALE 1" = 200'

DT01

SHEET 2 OF 31

EL PASO COUNTY, CO  
OCTOBER 10, 2023

FALCON HIGHLANDS PUDSP  
DEVELOPMENT PLAN

EL PASO COUNTY, CO  
OCTOBER 10, 2023

CHALLENGER COMMUNITIES

1000 W. 10TH AVE., SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-1000  
FAX: (303) 733-1000

CHALLENGER COMMUNITIES

1000 W. 10TH AVE., SUITE 100  
DENVER, CO 80202  
TEL: (303) 733-1000  
FAX: (303) 733-1000

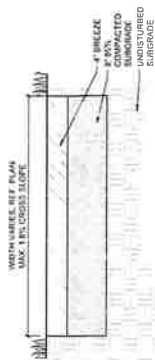




A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
STATE OF COLORADO



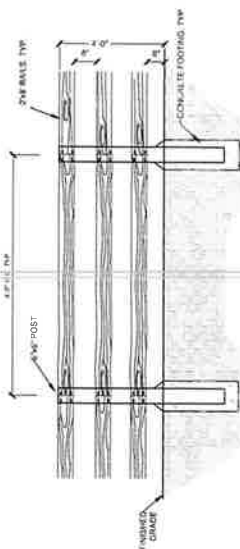
APPLIES TO ANTELOPE MEADOWS CIRCLE



## DT03

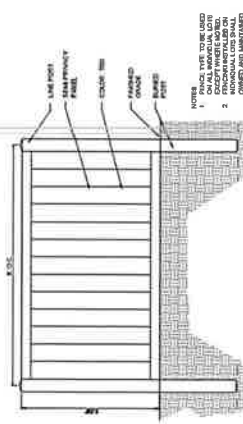
SHEET 4 OF 31

DATE: 05/22/2005



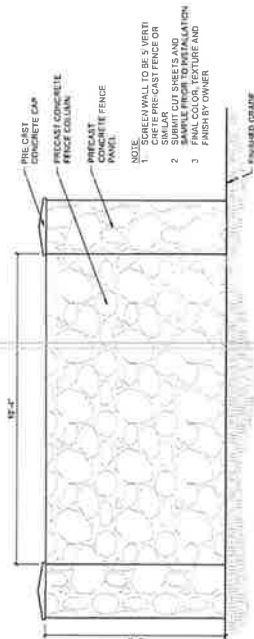
- GENERAL NOTES

① SPLIT RAIL FENCE - 3 RAIL.



- NOTES**
1. THIS LOT IS TO BE USED ONLY ON ALL INDIVIDUAL LOTS EXCEPT WHERE NOTED, EXCEPT WHERE LIMITED, FENCIBLES SHALL BE INDIVIDUAL LOTS SHALL OWNED AND MAINTAINED BY THE INDIVIDUAL PROPERTY OWNER.
- 2.

## 5' VINYL FENCE

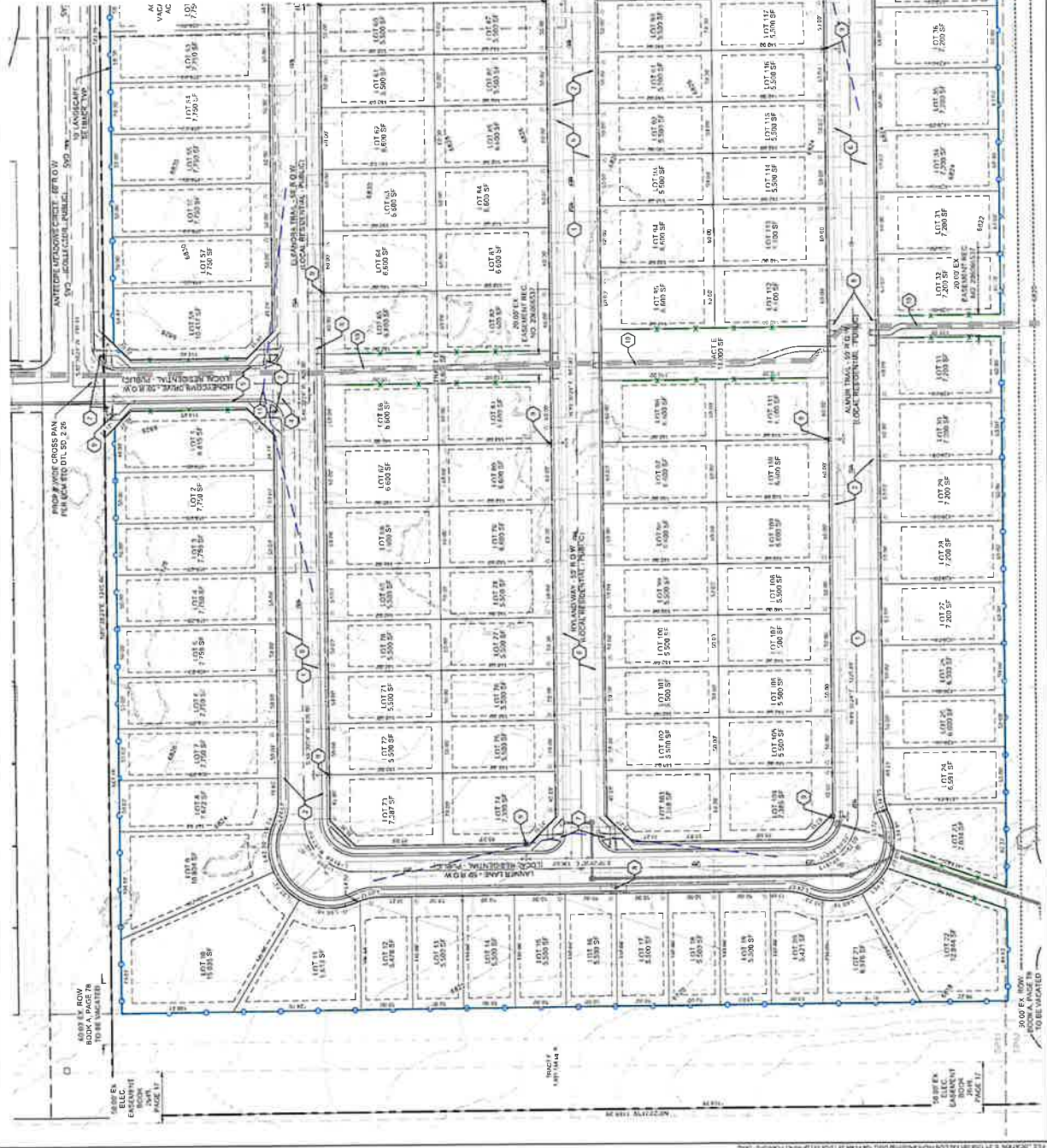


- NOTE**
1. SCREEN WALL TO BE 5' VERTI  
CRETE PRECAST FENCE OR  
SIMILAR
  2. PRECAST CUT SHEETS AND  
SHIRT CUT SHEETS TO BE  
MATCHED FOR COLOR AND  
TEXTURE
  3. FINAL COLOR, TEXTURE AND  
FINISH BY OWNER

5' CONCRETE SCREEN WALL ELEVATION

**BREEZE PATH**

US-STORY.COM



### FALCON HIGHLANDS

EL PASO COUNTY, CO  
PLANNED UNIT DEVELOPMENT AND  
PRELIMINARY PLAN

A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
WEST OF THE 36TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
STATE OF COLORADO

### CHALLENGER COMMUNITIES

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CONSULTANTS:

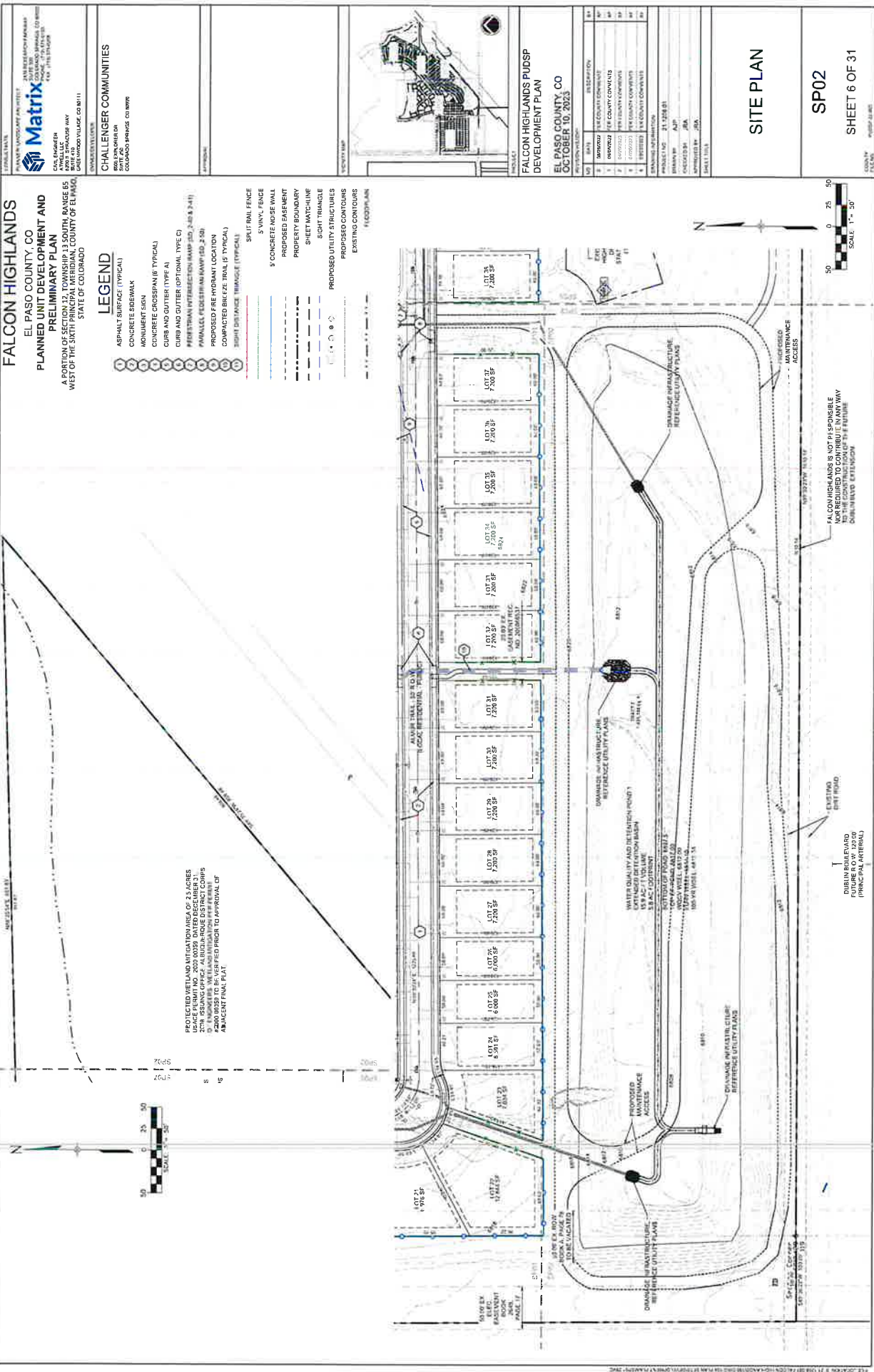
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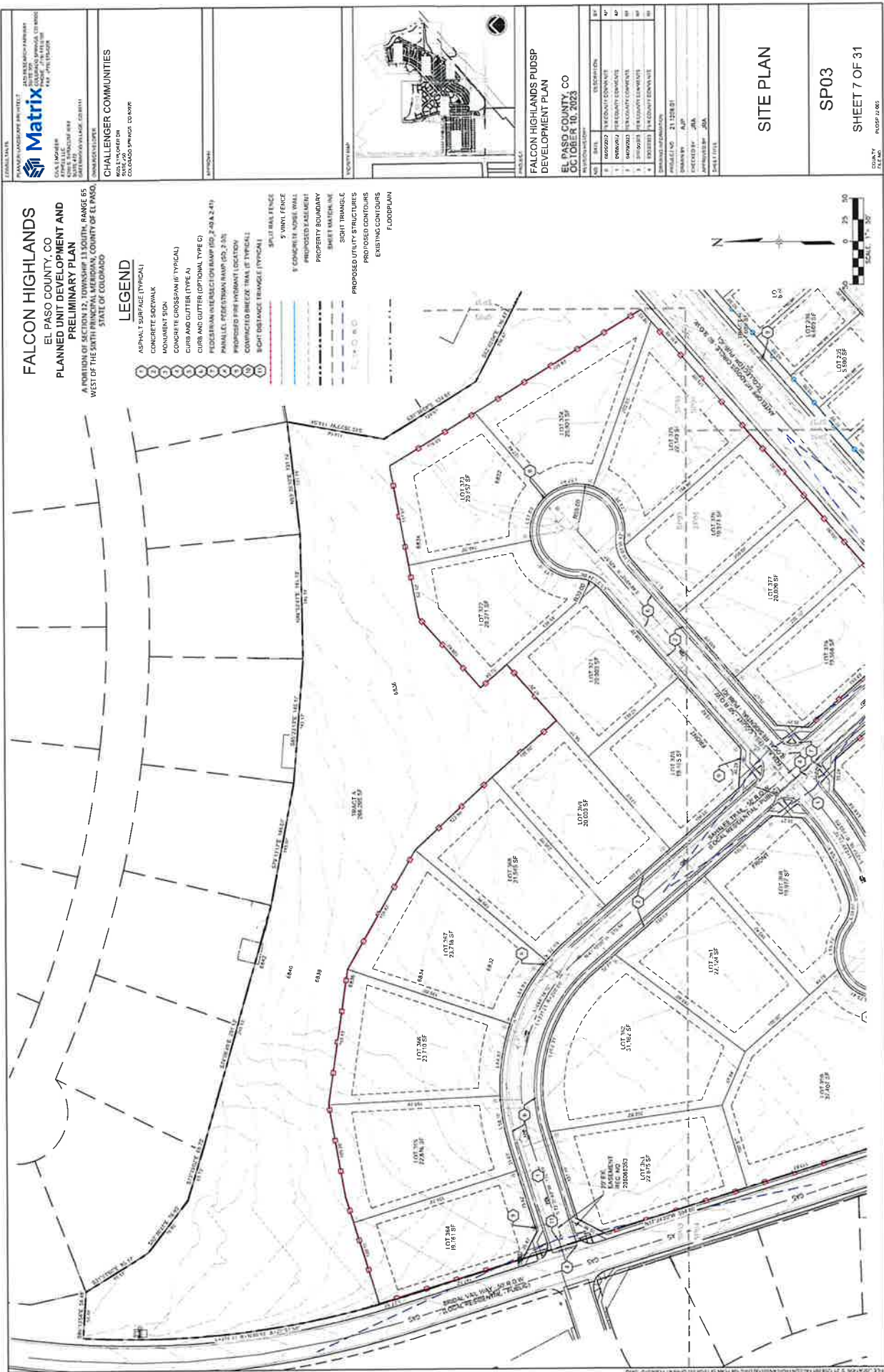
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FALCON HIGHLANDS PUDSP  
DEVELOPMENT PLAN

EL PASO COUNTY, CO  
OCTOBER 10, 2023

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## SITE PLAN

SP04

SHEET 8 OF 31

COUNTY ALMOND













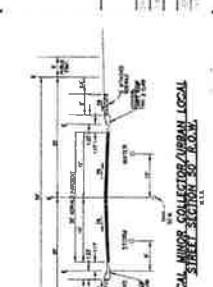


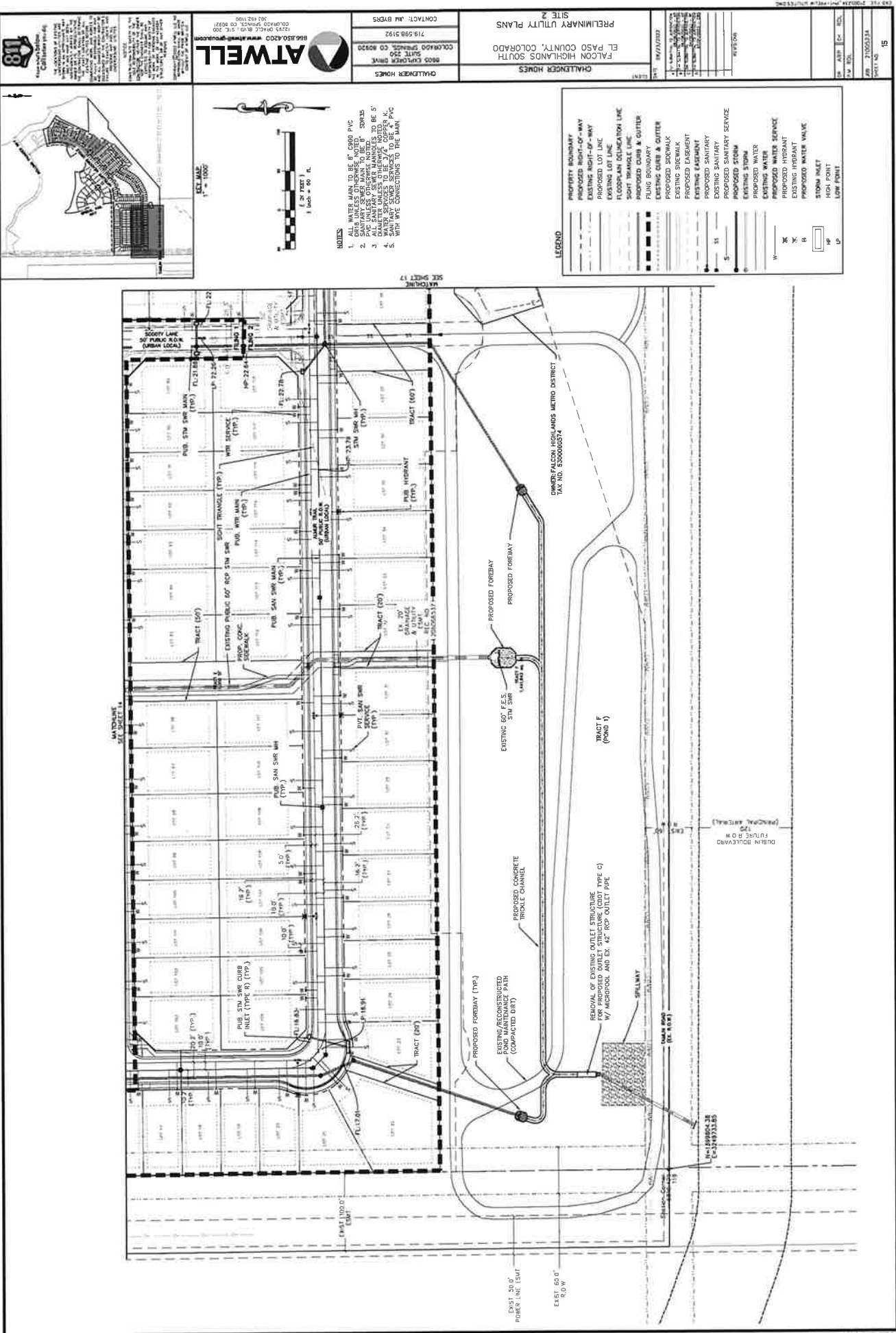
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- LEGEND:**
- FILING 1  
FILING 2  
FILING 3  
FILING 4

STORM SEWER SYSTEM THROUGH  
PHASE 2 TO BE CONSTRUCTED AS  
A PART OF PHASE 1 TO QUITALL  
TO EXISTING DETENTION POND 1  
PHASE 1 TEMPORARY TURNAROUND LOCATION  
TO BE REMOVED AFTER SECOND ACCESS ESTABLISHED  
IN PHASE 2

STORM SEWER SYSTEM THROUGH  
PHASE 2 TO BE CONSTRUCTED AS  
A PART OF PHASE 1 TO OUTFALL  
TO EXISTING DETENTION POND





**ATWELL**  
12195 GRACE BLVD, SUITE 200  
COLORADO SPRINGS, CO 80921  
303.463.1100  
www.atwellinc.com

**CHALLENGER HOMES**  
8605 KAYCROSS DRIVE  
COLORADO SPRINGS, CO 80920  
719.598.5192  
CONTACT: JIM BYERS

**CHALLENGER HOMES**  
EL PASO COUNTY, COLORADO  
PRELIMINARY UTILITY PLANS  
SITE 2

REVISIONS

NO.	DATE	DESCRIPTION
1	08/11/2023	ISSUED FOR PERMIT

LEGEND

---	PROPERTY BOUNDARY
---	EXISTING RIGHT-OF-WAY
---	PROPOSED RIGHT-OF-WAY
---	EXISTING LOT LINE
---	PROPOSED LOT LINE
---	FLOODPLAIN DELINEATION LINE
---	SCOT TRIANGLE LINE
---	PROPOSED CURB & GUTTER
---	EXISTING CURB & GUTTER
---	EXISTING SIDEWALK
---	PROPOSED SIDEWALK
---	EXISTING EASEMENT
---	PROPOSED EASEMENT
---	EXISTING SANITARY
---	PROPOSED SANITARY
---	EXISTING STORM
---	PROPOSED STORM
---	EXISTING WATER
---	PROPOSED WATER
---	EXISTING HYDRANT
---	PROPOSED HYDRANT
---	EXISTING WATER VALVE
---	PROPOSED WATER VALVE
---	STORM INLET
---	HIGH POINT
---	LOW POINT

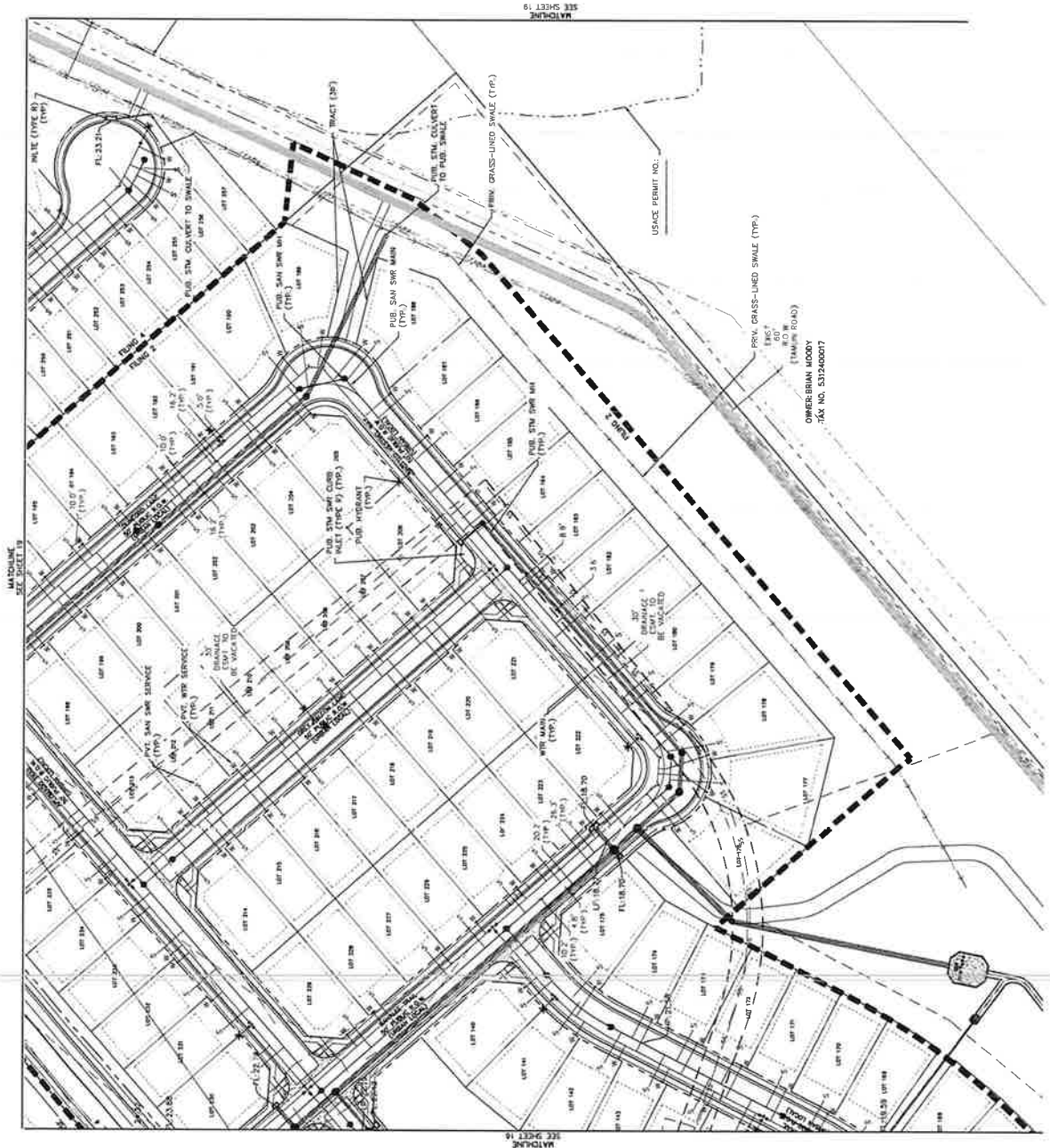
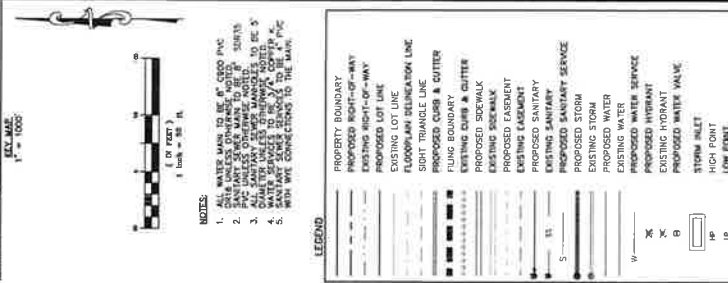
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SHEET NO.	15







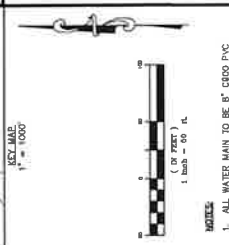




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FALCON HIGHLANDS SOUTH  
EL PASO COUNTY, COLORADO  
PRELIMINARY UTILITY PLANS  
SITE 6

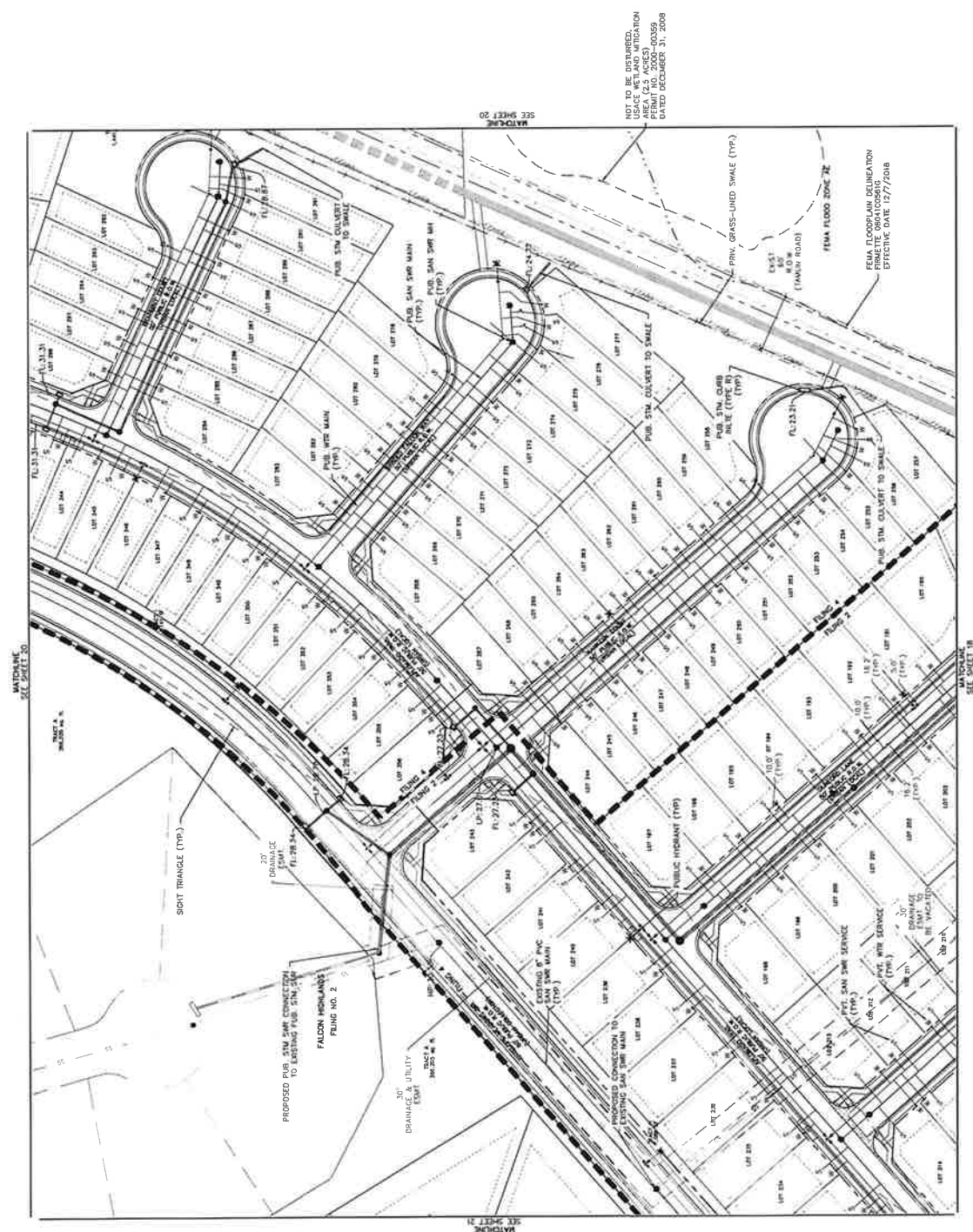
CHATEAUX HOMES	8805 EXETER DRIVE SUITE 250 COLORADO SPRINGS, CO 80910
719.598.5192	
CONTACT: JIM BYERS	

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- NOTES:**
1. ALL WATER MAIN TO BE 8" C900 PVC

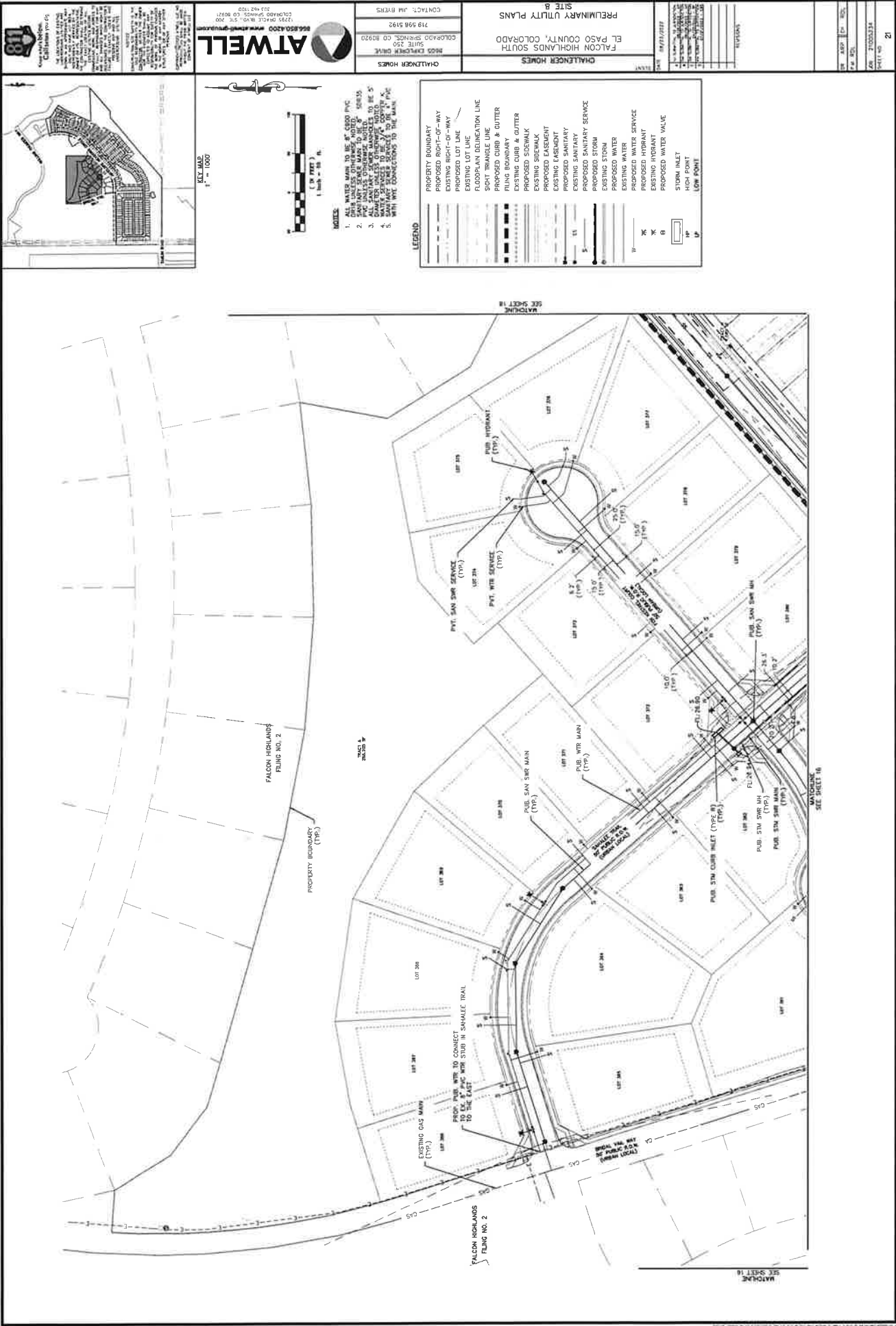
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EXISTING WATER MAIN	PROPOSED WATER SERVICE
EXISTING RIGHT-OF-WAY	PROPOSED HYDRANT
PROPOSED LOT LINE	PROPOSED WATER VALVE
EXISTING LOT LINE	STORM INLET
FLOODPLAIN DELINEATION LINE	HIGH POINT
SIGHT TRIANGLE LINE	LOW POINT
PROPOSED CURB & GUTTER	
EXISTING CURB & GUTTER	
EXISTING SIDEWALK	
EXISTING SIDEWALK	
PROPOSED EASEMENT	
EXISTING EASEMENT	
PROPOSED SANITARY	
EXISTING SANITARY	
PROPOSED STORM	
EXISTING STORM	
PROPOSED WATER	
EXISTING WATER	
PROPOSED HYDRANT	
EXISTING HYDRANT	
PROPOSED WATER VALVE	
STORM INLET	
HIGH POINT	
LOW POINT	



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AREA (2.5 ACRES)  
PERMIT NO. 2000-00359  
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**CHALLENGER HOMES**  
8625 CHALLENGER DRIVE  
SUITE 200  
COLORADO SPRINGS, CO 80920  
719.596.5192  
CONTACT: JIM BYRNS

**CHALLENGER HOMES**  
EL PASO HIGHLANDS SOUTH  
FALCON HIGHLANDS SOUTH  
SITE B  
PRELIMINARY UTILITY PLANS

- LEGEND**
- PROPERTY BOUNDARY
  - PROPOSED RIGHT-OF-WAY
  - EXISTING LOT LINE
  - PROPOSED LOT LINE
  - FLOODPLAIN DELINEATION LINE
  - SIGHT TRIANGLE LINE
  - PROPOSED TRUNK LINE
  - EXISTING CURB & GUTTER
  - PROPOSED SCURVIX
  - PROPOSED CUBI & GUTTER
  - PROPOSED EASEMENT
  - EXISTING EASEMENT
  - PROPOSED SANITARY
  - EXISTING SANITARY
  - PROPOSED STORM
  - EXISTING STORM
  - PROPOSED WATER
  - EXISTING WATER
  - PROPOSED HYDRANT
  - EXISTING HYDRANT
  - PROPOSED WATER VALVE
  - STORM INLET
  - HIGH POINT
  - LOW POINT

**NOTES**

1. ALL WATER MAIN TO BE 8" C900 PVC
2. ALL SANITARY MAIN TO BE 8" C900 PVC
3. ALL UTILITY MAIN TO BE 8" C900 PVC
4. ALL UTILITY MAIN TO BE 8" C900 PVC
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10. ALL UTILITY MAIN TO BE 8" C900 PVC



LANDSCAPE SETBACKS		STREET		SETBACK DEPTH		LINEAR	
ANNUITY	ZONE ENDSIDE	COLLECTION	PROV	REQD	FOOTCUT	REQUIRED	PERCENT
AN	ANTIDOTE MEADOWS	COLLECTOR	10'	10'	10'	10'	100%
AN	ANTIDOTE MEADOWS	COLLECTOR	10'	10'	10'	10'	100%
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AS	NO	PROV	0	0	0	0	0
AS	NO	PROV	0	0	0	0	0
AS	NO	PROV	0	0	0	0	0



NO	DATE	DESCRIPTION	BY
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3	10/07/02	PER COUNTY COMMENTS	AP
4	10/07/02	PER COUNTY COMMENTS	AP
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FALCON HIGHLANDS PUDSP  
LANDSCAPE PLAN

EL PASO COUNTY, CO  
OCTOBER 10, 2023

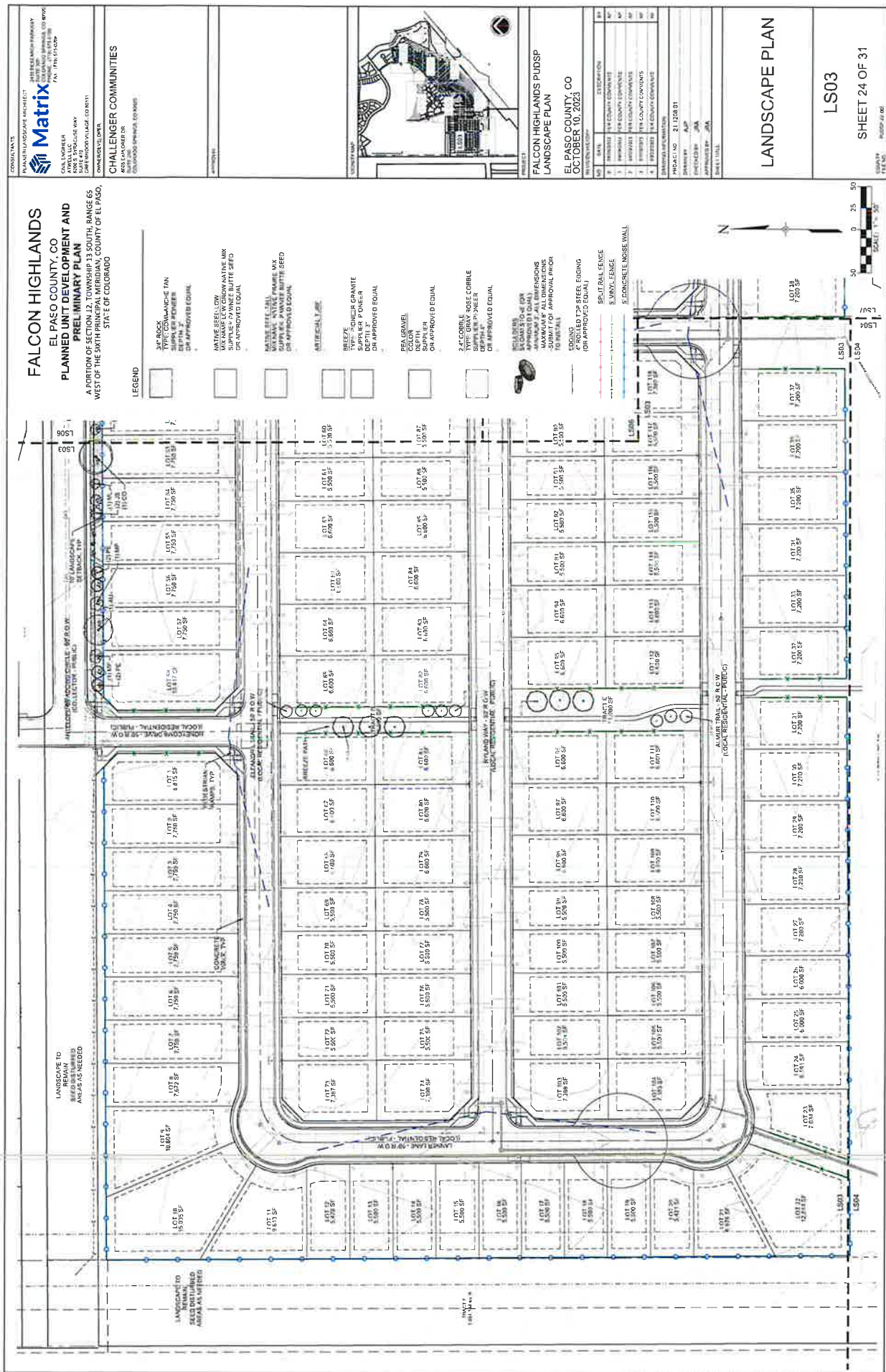
LANDSCAPE  
COVER

LS01

SHEET 22 OF 31

CUMULATIVE  
PAGE 22022







**FALCON HIGHLANDS**  
**EL PASO COUNTY, CO**  
**PLANNED UNIT DEVELOPMENT AND**  
**PRELIMINARY PLAN**  
 A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
 STATE OF COLORADO

PLANNED LANDSCAPE ARCHITECT  
**Matrix**  
 10000 N. GARDEN  
 SUITE 100  
 DENVER, CO 80231  
 PHONE: (303) 733-1111  
 FAX: (303) 733-1112  
 WWW.MATRIX-PA.COM

OWNER  
 CHALLENGER COMMUNITIES  
 6000 CHALLENGER  
 DENVER, CO 80221

DATE: 10/10/2023  
 DRAWN BY: JMA  
 CHECKED BY: JMA  
 SCALE: 1" = 50'

PROJECT NO.: 23-1308-01  
 SHEET NO.: 25 OF 31  
 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP

DATE: 10/10/2023  
 DRAWN BY: JMA  
 CHECKED BY: JMA  
 SCALE: 1" = 50'

PROJECT NO.: 23-1308-01  
 SHEET NO.: 25 OF 31  
 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP

DATE: 10/10/2023  
 DRAWN BY: JMA  
 CHECKED BY: JMA  
 SCALE: 1" = 50'

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 PROJECT NAME: FALCON HIGHLANDS PUDSP

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 SHEET NO.: 25 OF 31  
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DATE: 10/10/2023  
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 SCALE: 1" = 50'

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PROJECT NO.: 23-1308-01  
 SHEET NO.: 25 OF 31  
 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP

DATE: 10/10/2023  
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 SCALE: 1" = 50'

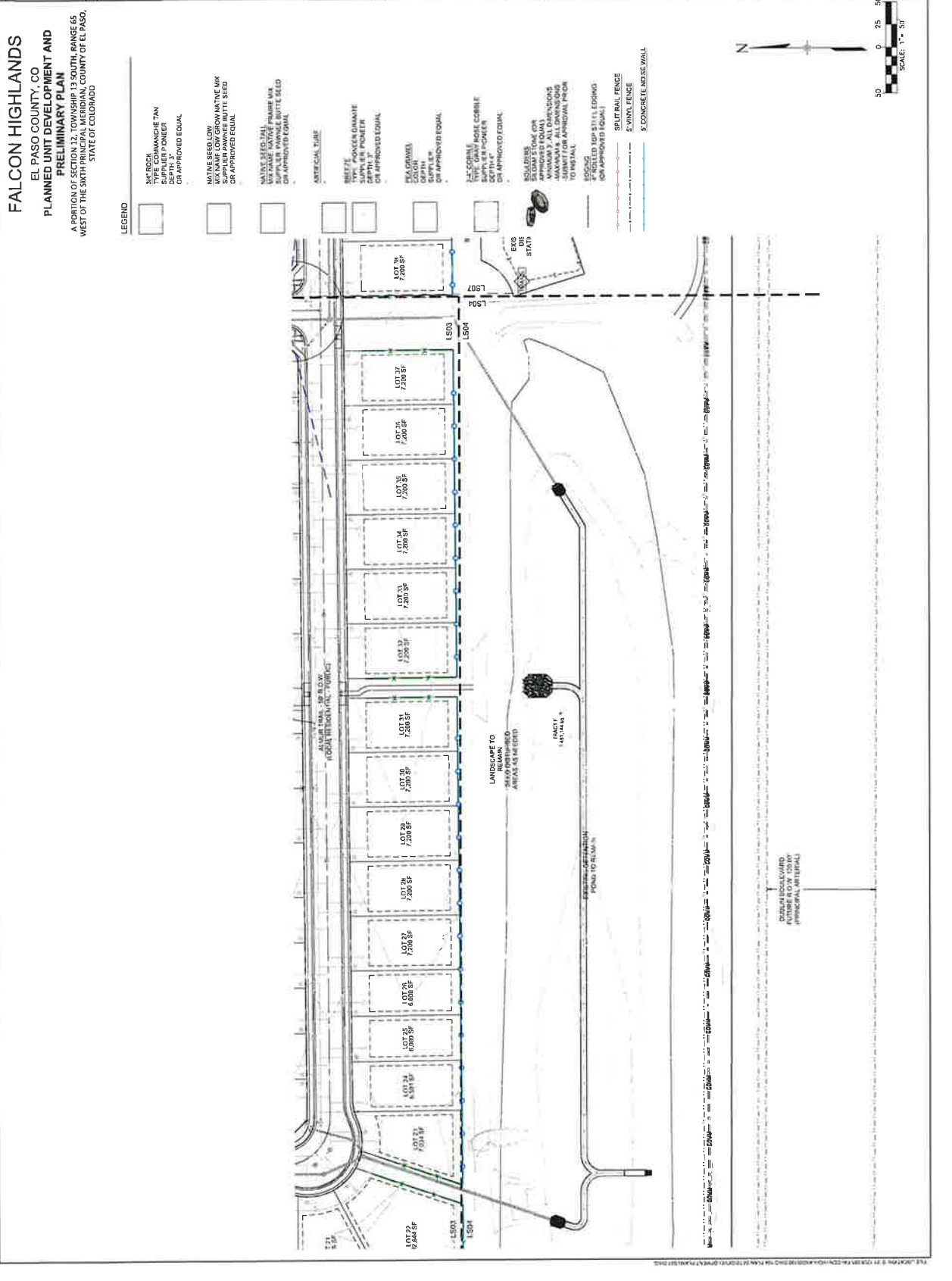
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 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP

DATE: 10/10/2023  
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 SCALE: 1" = 50'

PROJECT NO.: 23-1308-01  
 SHEET NO.: 25 OF 31  
 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP

DATE: 10/10/2023  
 DRAWN BY: JMA  
 CHECKED BY: JMA  
 SCALE: 1" = 50'

PROJECT NO.: 23-1308-01  
 SHEET NO.: 25 OF 31  
 COUNTY: EL PASO, CO  
 PROJECT NAME: FALCON HIGHLANDS PUDSP



A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
STATE OF COLORADO

A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
STATE OF COLORADO

11

- 3/4" ROCK  
TYPE COMMANCHE TAN  
SUPPLIER PONEER  
DEPTH 3"  
OR APPROVED EQUAL

- NATIVE SEED • LOW  
MIN. ORDER • GROW NATIVE MIX  
SUPPLIES • WHOLE BUTTE SEED**

- NATIVE SEED TALL  
MIX NAME NATIVE PRAIRIE MIX  
SUPPLIER PRAIRIE BUTTE SEED  
OR APPROXIMATE EQUAL

- BREEZE  
TYPE: PIONEER GRANITE  
SAMPLER POWER  
DEPTH 3"  
OR APPROX. EQUAL**

- | PEA GRAVEL | COLOR | DEPTH | SUPPLIER | OR APPROVED EQUAL |
|------------|-------|-------|----------|-------------------|
|            |       |       |          |                   |

- 2-4" COBBLE  
TYPE GRAY ROSE COBBLE  
SUPPLIER PIONEER  
DEPTH 4"  
OR APPROVED EQUIV.

- 
- INDICATES  
SILICAM STONE (OR  
APPROVED EQUAL)  
MINIMUM 2. ALL DIMENSIONS  
MAXIMUM 6. ALL DIMENSIONS

- EDGING  
4" ROLLED TOP STEEL EDGING  
(ICM APPROVED EQUAL)

- SPLIT RAIL FENCE**
- S VINYL FENCE**

- ## 5 CONCRETE NOISE WALL



## LANDSCAPE PLAN

LS05

SHEET 26 OF 31

COUNTY  
FIDSP 22-005



**Matrix**  
 LANDSCAPE ARCHITECTS  
 1400 S. UNIVERSITY AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 FAX: 303.733.1112

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 LANDSCAPE ARCHITECTS  
 1400 S. UNIVERSITY AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
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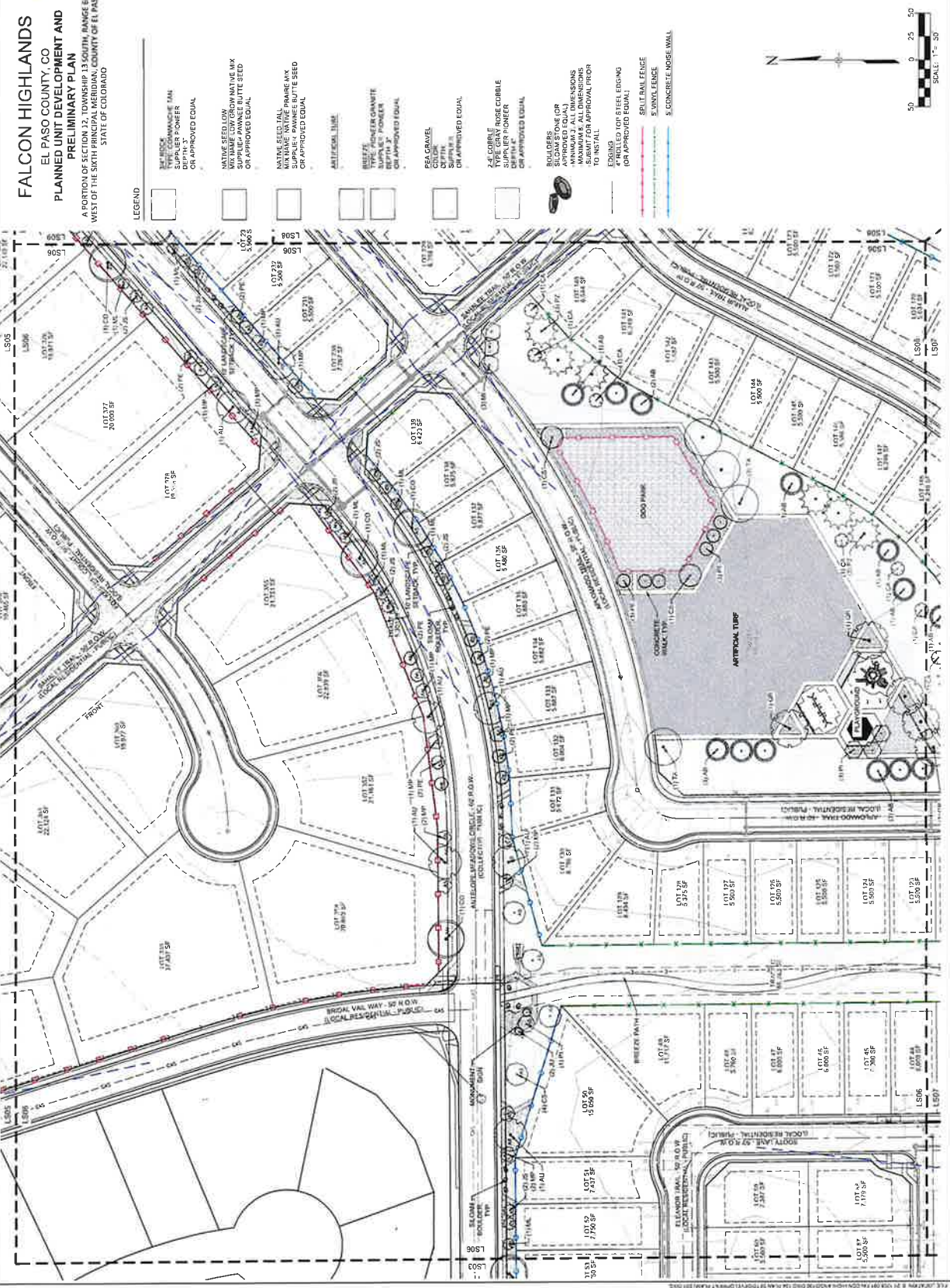
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 EL PASO COUNTY, CO  
 PLANNED UNIT DEVELOPMENT AND  
 PRELIMINARY PLAN  
 A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO  
 STATE OF COLORADO

**CHALLENGER COMMUNITIES**  
 400 S. UNIVERSITY AVENUE, SUITE 100  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 FAX: 303.733.1112

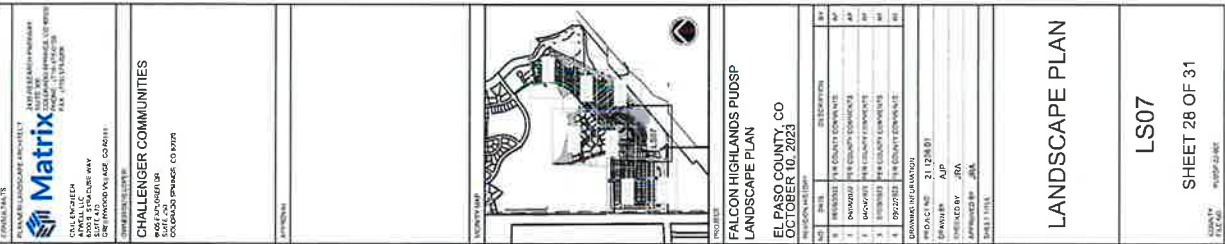
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 EL PASO COUNTY, CO  
 OCTOBER 10, 2023

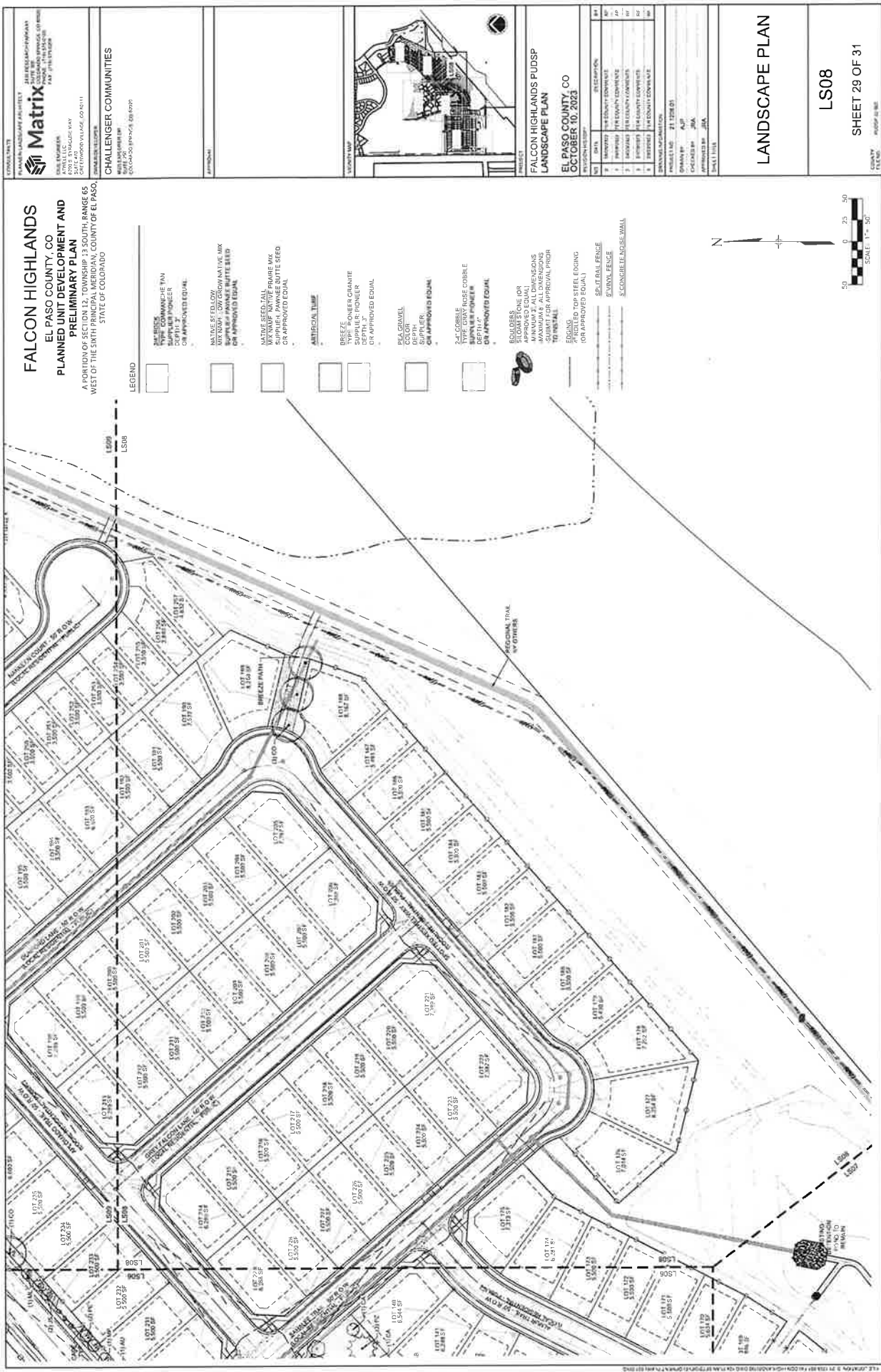
**LANDSCAPE PLAN**  
 EL PASO COUNTY, CO  
 OCTOBER 10, 2023

**LANDSCAPE PLAN**  
 EL PASO COUNTY, CO  
 OCTOBER 10, 2023





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**FALCON HIGHLANDS**  
EL PASO COUNTY, CO  
PLANNED UNIT DEVELOPMENT AND  
PRELIMINARY PLAN  
A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
STATE OF COLORADO

**Matrix**  
LANDSCAPE ARCHITECTS  
2300 HILLTOP DRIVE  
SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1111  
WWW.MATRIX-PA.COM

**CHALLENGER COMMUNITIES**  
2300 HILLTOP DRIVE  
SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1111

**LANDSCAPE PLAN**

**LS08**

**SHEET 29 OF 31**

**EL PASO COUNTY, CO**  
**OCTOBER 10, 2023**

NO.	DATE	DESCRIPTION
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3	10/10/23	REVISIONS
4	10/10/23	REVISIONS
5	10/10/23	REVISIONS
6	10/10/23	REVISIONS
7	10/10/23	REVISIONS
8	10/10/23	REVISIONS
9	10/10/23	REVISIONS
10	10/10/23	REVISIONS

**LANDSCAPE PLAN**

**EL PASO COUNTY, CO**  
**OCTOBER 10, 2023**

**LANDSCAPE PLAN**

**EL PASO COUNTY, CO**  
**OCTOBER 10, 2023**



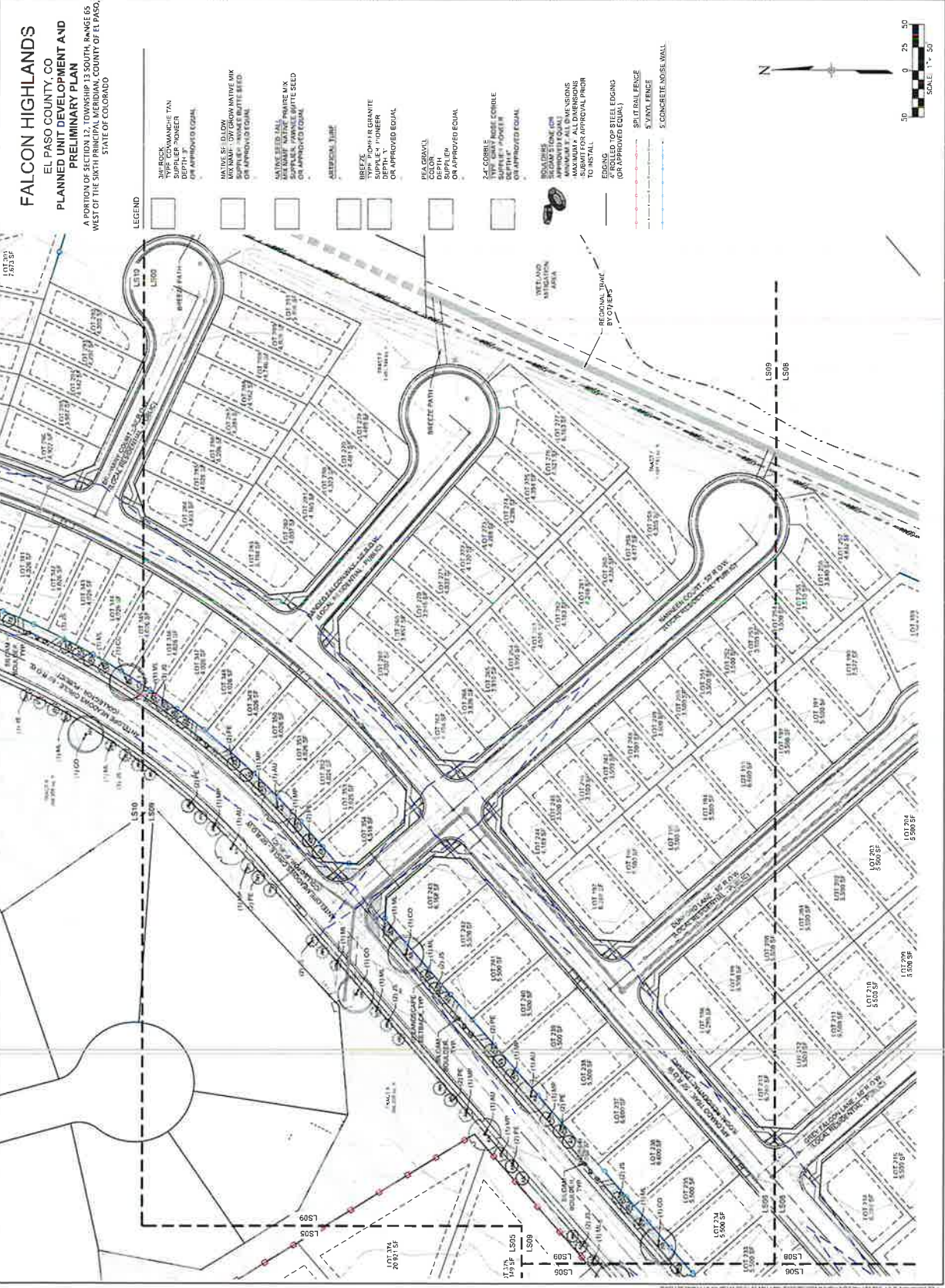
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**EL PASO COUNTY, CO**  
**PLANNED UNIT DEVELOPMENT AND**  
**PRELIMINARY PLAN**  
 A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65  
 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO,  
 STATE OF COLORADO

**CHALLENGER COMMUNITIES**  
 1400 S. CHALLENGER  
 EL PASO, TEXAS 79902  
 (915) 785-1234

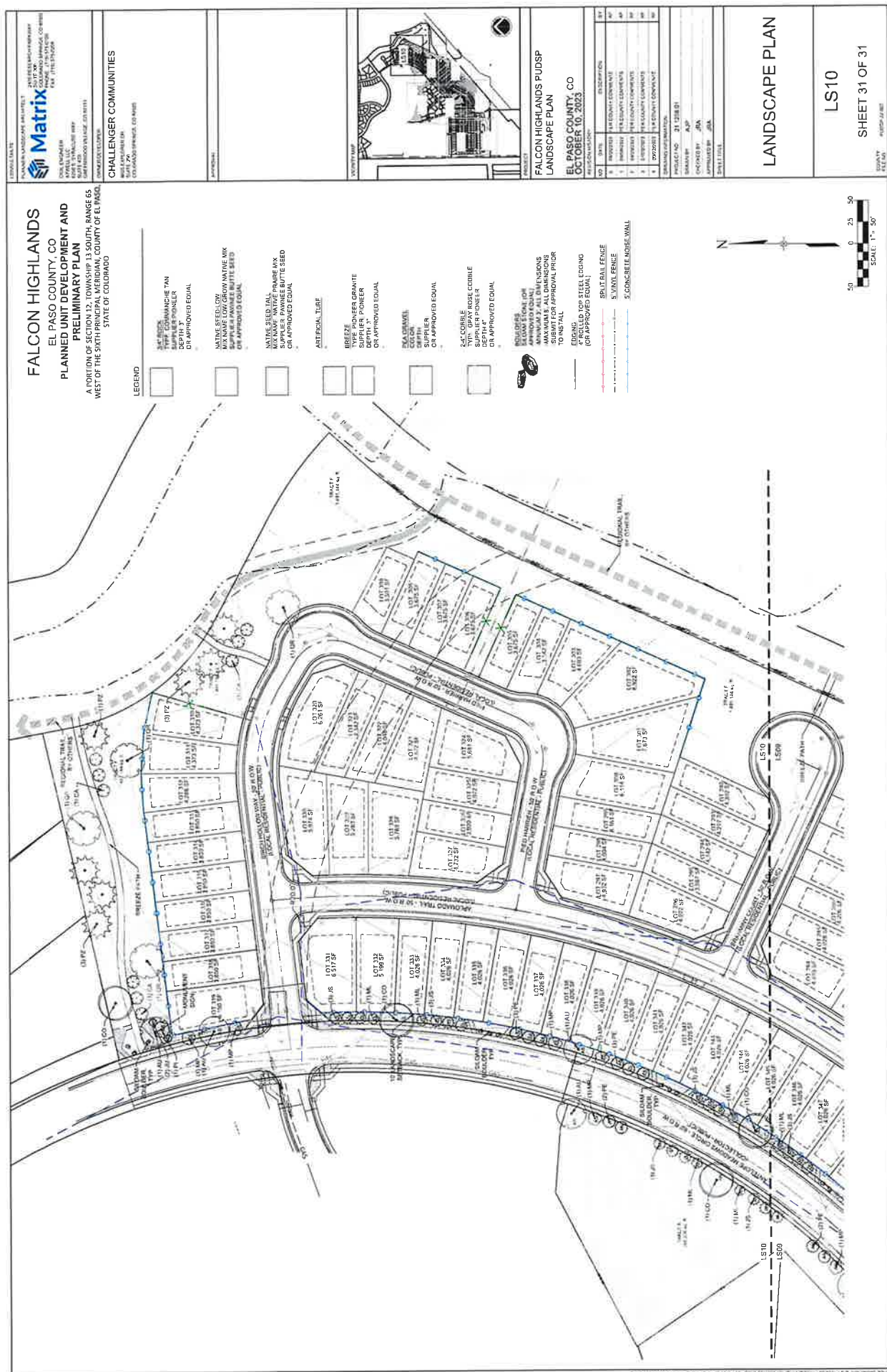
**Matrix**  
 LANDSCAPE ARCHITECT  
 4000 S. VINTAGE WAY  
 EL PASO, TEXAS 79902  
 (915) 785-1234

PROJECT NO. 21-1008-B  
 SHEET NO. 30 OF 31  
 DATE: 10/10/2023

**LANDSCAPE PLAN**  
**LS09**







Miranda Benson2

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**From:** Robert <dimpleminded@hotmail.com>  
**Sent:** Friday, November 3, 2023 6:09 PM  
**To:** PCD Hearings  
**Subject:** Opposition of PUDSP225

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There are multiple negative impacts this proposal will create on our District (water resources, failing infrastructure, etc. to name a few), as our current Board isn't addressing issues plaguing their existing property owners/constituents within the District.

This is just one of the current issues going on in Falcon Highlands:

<https://newfalconherald.com/groundwater-seepage-in-falcon-highlands/>





FEATURE ARTICLES

# Groundwater seepage in Falcon Highlands

🕒 5 days ago 👤 Marylou Doehrman Bride 📖 9 Min Read



Some residents in Falcon Highlands are frustrated because of groundwater that is seeping everywhere: Basements are flooded, the sump pumps are overworked and the excess groundwater is flowing freely throughout the neighborhood.





Bob Aamodt has lived in Falcon Highlands Filing 1 since 2008. For years, his sump pump saw no activity despite heavy rains at various times. In May 2021, his sump pump started pumping out water — and it hasn't shut down since.

f x p in

24/7 and is currently pumping 1.6 million gallons of water out of his home each month, he said. That amount of water could fill the Falcon Highlands Metro District's water holding tank 1.5 times. (See the bucket test link at the end of this article.)

He said his neighbor on the south side of his home started receiving excessive groundwater as well in the spring of 2021, and was pumping it out up until late last year. Aamodt theorizes that the neighbor's connecting lateral lines have since been blocked off because the clog in the mainline has grown larger. "As of May 2023, groundwater that previously backed up through the underdrain to that house has now found its way to a historically dry home across the street," he said.

Aamodt said if the underdrain system is not properly maintained, it is going to further affect property values in the neighborhood, and he feels his property is currently unsellable in its current condition.

In early June, Kyle and Elizabeth Geitzenauer had 4 inches of water in their basement. Once that was cleared, more water appeared. Geitzenauer said he has replaced the sump pump several times, adding that he knows of many homeowners who have had to do the same. Mold has set in as well. Multiple engineers who have evaluated their house came to the same conclusion: Their house is sinking.

Cristina Welch has been in her home in Falcon Highlands Filing 1 for 17 years. She said the sump pump never ran until this past May, when it began continuously pumping out water. It hasn't shut off since. They have replaced the sump pump twice and created an additional backup system, adding another sump pump. Welch said their sump pump is pumping 25 to 30 gallons of water per minute.

"The underdrain systems are intended to work as a first line of defense so our sump pumps don't have to come on as often, if at all," Welch said.

Some residents, including Welch, have hired engineers and they have all concluded that the underdrain system in Filing 1 is not functioning as intended and is either damaged or clogged.

### **The root of the problem**

Most likely, the root of the problem is the underdrain system, said Billy Hudson, who lives in Falcon Highlands and also works for a utility maintenance company. Falcon Highlands was required to put in an underdrain system and also advised to avoid basements within the development.

An underdrain system is designed to collect subsurface water before it saturates road surface or the road ditch. By intercepting springs and groundwater, underdrains can help stabilize the road base, road ditches, and banks that would otherwise be softened by emerging springs and seeps. Underdrains prevent water from accumulating under the pavement and causing premature subgrade failure, according to a Penn State Technical Bulletin.

The underdrain system has holes in it so the water can go through it; however, it has to be encased in rock with netting on top of the rock so the dirt cannot get in and plug the holes, Hudson said. "Think of a burrito," he said. The pipes are wrapped in rocks and netting.

The sump pump is placed in a basement to remove accumulated water from a basement or crawl space, basically to prevent flooding and maintain a dry area. The sump pump is attached to the drainage pipes. Hudson said the sump pump pumps water out from seepage that is usually from groundwater or springs. Hudson said he believes the amount of water from rain is the problem, and most likely the underdrain is clogged. He doubts that the pipes are broken somewhere. "In the hundreds we have dealt with, we only found two breaks in the system," Hudson said.

He said the system needs to be maintained by someone. “Usually, the responsibility for infrastructures is turned over to metro districts after the development is finished,” he said.

f x p in

So far, in Filing 2, the water is moving as it’s supposed to, exiting to creeks, he said.

Filing 3 should definitely be on hold until they get Filing 1 fixed, he said.

Aamodt believes the roadwork performed in 2020 could have “stirred things up and caused fine material to settle into the underdrain system,” which was installed as a requirement in the development to help mitigate the high groundwater conditions in the area. “It can take time for sediment to move down the line, but eventually it can build up and clog an underdrain system,” he said.

### **The Rolling Thunder issue**

The residents from Falcon Highlands have had two meetings — one on Sept. 9 and the other on Oct. 7. More than 80 people attended the first one and about “55-plus” people attended the October meeting. In the September meeting, the issue of the county’s plans to repave Rolling Thunder Way was discussed. Welch and others are concerned that the work on the road could make things worse. From the meeting minutes, “Road repaving and compaction will disrupt the soils. As the underdrain system is already compromised and inaccessible, it is impossible to predict what type of impact this would have on the system. Potentially, new clogs or failure points could form along the line; and, as a result, additional homes could be impacted.

“Bridge paving over a compromised system without first addressing the condition of the underdrain system would be a waste of taxpayer money, as it will be significantly more expensive to address the underlying issues in the future.”

Carrie Geitner, county commissioner for District 2, told the NFH in a phone call on Oct. 27 that the county will work with the community and Welch to “minimize the impact” caused by the road work.

### **Taking responsibility**

Welch contacted both Woodmen Hills and Falcon Highlands metro districts. According to Woodmen Hills, the excess water is groundwater, and that’s not their problem. Welch called Josh Miller, who represents Falcon Highlands, on May 1. He returned the call June 27 and said it’s not their problem either.

When the NFH called Miller in October, he said, “No comment.”

Welch, dissatisfied with the responses, began investigating the situation and reviewed numerous reports, from the development records to the Falcon Highlands master development drainage report. She tried to determine through her research the source responsible for the maintenance of the underdrain system.

According to El Paso County, the county transferred responsibility to the Falcon Highlands Metro District. And the metro district claims they have no document stating the county conveyed the responsibility to them.

In mid-October, Geitner called Welch to say their lawyers were finished reviewing the situation and concluded that in the planning stages it was clear that Falcon Highlands would be responsible for the underdrain system, but they also admitted that this responsibility was not as clearly defined as perhaps it should have been.

However, Geitner said, in a follow-up phone call and text to the NFH on Oct. 27, further research of the archived records indicate clearly defined intent. “We have historical documentation that clearly shows the intent is for the metro district to maintain this underdrain,” she said. “We are working to get that information to the metro district and the community for clarity and transparency.”

## What now?

“We need board members with integrity and honesty — a ‘golden rule’ mentality,” he said.

Currently, two board members have resigned; one of them has put his house up for sale. Two other board members are representatives of Challenger Homes.

Recently, a seat was vacated on the FHMD board. Active board members can appoint anyone to the position since it’s not an election year for them, but they have said they will consider homeowners. Aamodt and other neighbors have volunteered for the position. The next regular election is in 2025, and Aamodt said if he is not appointed this fall, he plans to run in the future.

Meanwhile, a recall of the Falcon Highlands board is in the works. Welch has hired lawyers and has filed a claim against Falcon Highlands Metropolitan District.

## Water commissions weigh in

Dave Doran, president of the Upper Black Squirrel Ground Water District, said the commission has jurisdiction only for water rights. The state, however, has sent a letter to Falcon Highlands instructing them to file a replacement plan.



“The groundwater emerging from the ground is part of the alluvial aquifer system and it cannot be used for anything else,” Doran said. “The water comes from non-renewable aquifers. You can’t expose groundwater. You cannot waste groundwater for any reason.”

Doran agreed that Filing 3 should be on hold until the problems with Filing 1 are determined.

Doran said the groundwater is not safe. “It has effluent (sewage) in it; do not let kids play in it or ride their bikes through it.”

“Excessive rains did compound it (the groundwater excess) but the sheer volume of growth is part of the problem,” Doran said. This could be just the beginning of problems like this, he said.

Editor’s note: The New Falcon Herald will follow up with the Falcon Highlands saga in the next issue.



**From:** CHofFHD <choffalconhighlandsdev@gmail.com>  
**Sent:** Wednesday, November 8, 2023 4:42 PM  
**To:** PCD Hearings  
**Subject:** Opposition of PUDSP225  
**Attachments:** FHSouthPud - SP.jpg; FHSouthPud - SP-Comment-Detail.jpg

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Name: Cristina Welch  
Phone: 719-761-0729  
Project File Number: PUDSP225

Participating: In-Person

I would like to make a statement in opposition of the proposed PUDSP225.

Planning comments (shown in dark blue) on the first page of a draft version of the Falcon Highlands South PUD from earlier this summer stated "Add a note that an underdrain system will be provided and maintained by the FHMD and/or basement limitation lots." It was also specified in the notes that *the notes had been added* (See attached comment detail screenshot).

Upon comparing this draft to the current version of PUDSP225 - it would appear that the portion of the note specifying FHMD's maintenance responsibility for the underdrain was disregarded.

It should be noted, that portions of the mainline of the undedrain system have already been installed parallel the existing sanitary sewer lines in PUDSP225. This infrastructure interconnects with two existing systems in the neighboring Falcon Highlands Filing 2; and it was originally designed to "daylight" / drain both systems to the detention ponds on the south side of PUDSP225.

As required by engineers, the existing underdrain systems in the PUDSP225 are constructed from slotted pipe. Because the pipe is slotted, it works as a subdrain in the sanitary sewer trench and provides a stabilizing benefit to the existing sewer lines.

The comment displayed earlier this summer stating that "Add a note that an underdrain system will be provided and maintained by the FHMD" should not have been dismissed as an "and/or" requirement.

Regardless of whether or not basements are constructed in PUDSP225, the existing underdrain system was designed to serve a purpose in the Sanitary Sewer trench, and it provides a pathway through which the connected systems in Falcon Highlands Filing 2 were intended to drain. Over 200 neighboring homes in Falcon Highlands Filing 2 currently depend on this system, and it is imperative that it be accessible and properly maintained through the PUDSP225 so that it can function properly in the future.

In conclusion, the FHMD Maintenance responsibilities for the underdrain system within the PUD need to be clearly specified regardless of whether or not anyone plans to build basements in the future.

Failure to do so at this stage is guaranteed to result in unnecessary confusion in the future, and will likely put the health and safety of the neighboring community and the future development at risk (as is currently the case in Falcon Highlands Filing 1).

Please consider that there needs to be a condition of approval that requires the applicant to clearly specify who will be responsible for the MAINTENANCE of the underdrains system beneath the ride-a-ways in the Falcon Highlands South PUD; and that this responsibility should be clearly stated without exceptions or room for confusion.

Thank you







BUILDER TO ENSURE ADA ACCESSIBILITY DURING CONSTRUCTION OF THE SIDEWALKS.

## FLOODPLAIN NOTE

Update map number

Note has been updated

1. THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 083410C075C, EFFECTIVE DATE DECEMBER 7, 2018.

Addressed

## GEOLOGY AND SOILS NOTE

1. A "SOILS AND GEOLOGY STUDY", FALCON HIGHLANDS, EL PASO COUNTY, COLORADO" (RMG ROCKY MOUNTAIN GROUP, DATED OCTOBER 8, 2021) IS INCLUDED WITH THE SUBMITTAL PACKAGE. AS PART OF THIS STUDY, 11 EXPLORATORY TEST BORINGS WERE COMPLETED. GEOLOGIC HAZARDS (AS DESCRIBED IN SECTION XX OF THE REPORT) WERE NOT FOUND TO BE PRESENT AT THIS SITE. POTENTIAL GEOLOGIC CONSTRAINTS (AS SO AS DESCRIBED IN SECTION 6 OF THE REPORT) WERE FOUND ON SITE TO INCLUDE: EXPANSIVE SOILS, AND SHALLOW GROUND WATER. WHERE AVOIDANCE IS NOT READILY ACHIEVABLE, THE EXISTING GEOLOGIC AND ENGINEERING CONDITIONS CAN BE SATISFACTORILY MITIGATED THROUGH PROPER ENGINEERING, DESIGN, AND CONSTRUCTION PRACTICES. EXTERIOR PERIMETER FOUNDATION DRAINS SHALL BE INSTALLED AROUND BELOW-GRADE HABITABLE OR STORAGE SPACES. SURFACE WATER SHOULD BE EFFICIENTLY REMOVED FROM THE BUILDING AREA TO PREVENT PONDING AND INFILTRATION INTO THE SUBSURFACE SOIL.

This note should also be updated to include which lots (or if all lots) are encumbered by geologic constraints

## STREET NOTES

Include all constraints: undocumented fill, fault & seismicity, radon, flooding & surface drainage, erosion & corrosion, surface grading & drainage

1. ALL STREETS SHALL BE PROVIDED WITH UNDOCUMENTED FILL, FAULT & SEISMICITY, RADON, FLOODING & SURFACE DRAINAGE, EROSION & CORROSION, SURFACE GRADING & DRAINAGE.
2. LANDSCAPING AREAS, COMMON OPEN SPACE AND BUFFERS SHALL BE OWNED AND MAINTAINED BY THE FALCON HIGHLANDS METROPOLITAN DISTRICT.
3. STREETS WITHIN THIS DEVELOPMENT PROVIDE FOR LEVELS OF VEHICULAR CIRCULATION REQUIRED BY THE TRAFFIC STUDY. SIDEWALKS SHALL BE PROVIDED ON BOTH SIDES OF ALL STREETS AS ILLUSTRATED ON THIS PLAN.
4. 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 REUJING 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.

Updated

Add a note that an underdrain system will be provided and maintained by the FHM and/or basement limitation lots.

Notes added

20 NORTH 34° 30'  
21 NORTH 62° 01'  
22 SOUTH 85° 55'  
23 SOUTH 72° 11'  
CENTER WH  
24 7.53 FEET AL  
25 SOUTH 72° 24'  
CENTER WH  
26 540.58 FEET  
27 NORTH 77° 00'  
28 SOUTH 10° 24'  
29 215.59 FEET  
30 SOUTH 62° 11'  
31 105.19 FEET  
32 SOUTH 47° 22'  
33 SOUTH 42° 11'  
34 197.16 FEET  
35 SOUTH 24° 11'  
36 NORTH 88° 22'

THENCE ALONG

1. SOUTH 49° 30'  
2. NORTH 89° 00'  
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MAP AMENDMENT (REZONE) – PLANNED UNIT DEVELOPMENT (PUD) AND  
PRELIMINARY PLAN (SP) (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP225  
FALCON HIGHLANDS SOUTH

WHEREAS, Challenger Communities, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the PUD (Planned Unit Development) zoning district to the PUD (Planned Unit Development) zoning district with a preliminary plan proposing 378 single-family residential lots and nine (9) tracts, including 39.9 acres of open space and 19.9 acres dedicated for public rights-of-way; and

WHEREAS, a public hearing was held by this Commission on November 16, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;

5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and Board of County Commissioners shall determine that the following criteria for approval outlined in Section 4.2.6 and Section 7.2.1 of the El Paso County Land Development Code (as amended) have been met to approve a PUD zoning district and Preliminary Plan:

1. The proposed PUD district zoning advances the stated purposes set forth in Chapter 4 of the Land Development Code.
2. The application is in general conformity with the Master Plan;
3. The proposed development is in compliance with the requirements of the 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;
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;
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;
6. 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;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;



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;
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;
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;
12. 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
13. The owner has authorized the application.

WHEREAS, the applicants have also requested the proposed PUD be reviewed and considered as a Preliminary Plan, the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (as amended) for a Preliminary Plan requires the Planning Commission and the Board of County Commissioners find that the following additional criteria for approval of a Preliminary Plan have also been met:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
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 the Code;
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 the Code;

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)];
7. Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
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;
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 the Code and the ECM;
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; (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;
11. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, a finding of sufficient water supply in terms of quantity, quality, and dependability is hereby postponed until the final plat. With each final plat filing the applicant shall submit documentation 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 the Land Development Code and shall make a request to the Board of County Commissioner for a finding of water sufficiency.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Challenger Communities, LLC for an amendment to the El Paso County Zoning Map to

rezone property located in the unincorporated area of El Paso County from PUD (Planned Unit Development) zoning district to PUD (Planned Unit Development) zoning district with a preliminary plan proposing 378 single-family residential lots and nine (9) tracts, including 39.9 acres of open space and 19.9 acres dedicated for public rights-of-way be approved by the Board of County Commissioners with 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. 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 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. Developer shall coordinate with El Paso County on the disposition of the existing Tamlin Road right-of-way at the time of final plat submittal(s).

#### NOTATIONS

1. Subsequent Final Plat Filings are not eligible to be administratively approved by the Planning and Community Development Director and will require Board of County Commissioners approval unless the applicant processes an amendment to the Preliminary Plan to establish a water sufficiency finding.
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.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Falcon Highlands South Subdivision.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of \_\_\_to\_\_\_ by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 16th day of November 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Tom Bailey, Chair

## EXHIBIT A

A PORTION OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS PLS 38256" AND AT THE NORTH END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "PLS 4842". SAID WEST LINE BEARS NORTH 00°23'31" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 12;

THENCE SOUTH 89°36'22" WEST 100.00 FEET TO THE WEST LINE OF THE EAST 100 FEET OF SECTION 11, TOWNSHIP 13 SOUTH, RANGE 65 WEST;

THENCE ALONG SAID WEST LINE NORTH 00°23'31" WEST 1169.39 FEET TO THE SOUTHWEST CORNER OF FALCON HIGHLANDS FILING NO. 2 AS SHOWN ON THE PLAT RECORDED AT RECEPTION NO. 206712369, EL PASO COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID FALCON HIGHLANDS FILING NO. 2 THE FOLLOWING THIRTY-SIX (36) COURSES:

1. NORTH 89°30'24" EAST 1345.41 FEET;
2. NORTH 00°29'36" WEST 29.99 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1025.00 FEET;
3. 302.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°55'34";
4. NORTH 17°24'20" WEST 554.86 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1030.00 FEET;
5. 376.91 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°57'59";
6. SOUTH 86°13'54" EAST 54.48 FEET;
7. SOUTH 31°51'00" EAST 85.17 FEET;
8. SOUTH 52°36'41" EAST 76.95 FEET;
9. SOUTH 73°19'02" EAST 65.73 FEET;
10. SOUTH 74°06'49" EAST 291.13 FEET;
11. SOUTH 79°13'17" EAST 145.07 FEET;
12. SOUTH 85°23'13" EAST 145.17 FEET;
13. NORTH 88°52'41" EAST 145.19 FEET;
14. NORTH 83°36'10" EAST 131.74 FEET;
15. SOUTH 10°35'23" WEST 114.54 FEET;
16. SOUTH 31°38'08" EAST 124.91 FEET;
17. SOUTH 62°45'04" EAST 116.47 FEET;
18. NORTH 85°18'48" EAST 119.21 FEET;
19. NORTH 46°48'18" EAST 296.18 FEET;
20. NORTH 34°36'03" WEST 203.48 FEET;
21. NORTH 62°18'11" EAST 203.67 FEET;
22. SOUTH 85°51'10" EAST 75.24 FEET;
23. SOUTH 72°16'09" EAST 30.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 810.00 FEET AND A CENTER WHICH BEARS NORTH 72°16'30" WEST;
24. 7.53 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°31'58";



25. SOUTH 72°48'14" EAST 60.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 870.00 FEET AND A CENTER WHICH BEARS NORTH 72°43'54" WEST;
26. 540.58 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°36'03";
27. NORTH 77°04'11" EAST 391.37 FEET;
28. SOUTH 10°42'58" EAST 32.97 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET;
29. 215.59 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°28'06";
30. SOUTH 62°11'05" EAST 135.79 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 410.00 FEET;
31. 105.19 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°42'02";
32. SOUTH 47°29'03" EAST 15.72 FEET;
33. SOUTH 42°12'30" WEST 45.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 630.00 FEET;
34. 197.16 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17°55'51";
35. SOUTH 24°16'39" WEST 681.69 FEET;
36. NORTH 88°25'54" EAST 861.83 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY;

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. SOUTH 49°35'24" WEST 808.48 FEET;
2. NORTH 89°54'42" WEST 154.05 FEET;
3. SOUTH 49°35'01" WEST 2027.95 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE ALONG SAID SOUTH LINE NORTH 89°50'23" WEST 1610.14 FEET TO THE POINT OF BEGINNING;  
EXCEPT THAT TRACT OF LAND CONVEYED TO FALCON HIGHLANDS METROPOLITAN DISTRICT IN WARRANTY DEED RECORDED AT RECEPTION NO. 206055833, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12;  
THENCE NORTH 80°11'23" EAST 1127.58 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 17°27'11" WEST 81.74 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 55.00 FEET AND A CENTER WHICH BEARS NORTH 12°43'13" WEST;  
THENCE 55.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°25'06";  
THENCE NORTH 89°30'24" EAST 103.43 FEET;  
THENCE SOUTH 72°19'33" WEST 142.43 FEET TO THE POINT OF BEGINNING;

CONTAINING 5,469,425 SQUARE FEET, OR 125.56 ACRES, MORE OR LESS.

