

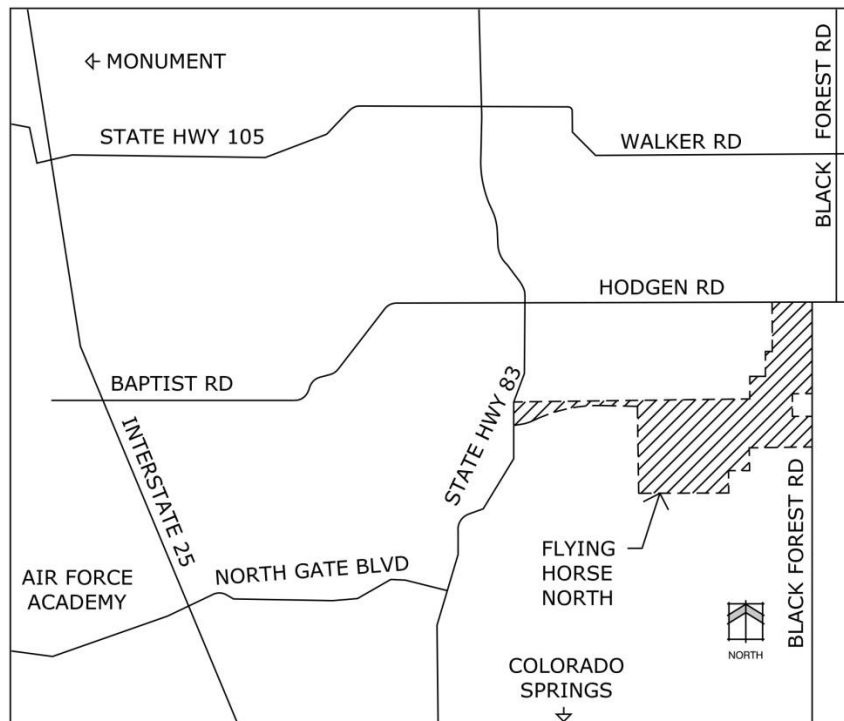
LETTER OF INTENT
FLYING HORSE NORTH PRELIMINARY PLAN and Filing #1 FINAL PLAT
November 2017

Owner /Developer: PRI #2 LLC
6385 Corporate Center Drive
Colorado Springs, CO 80919

Planner: N.E.S. Inc.
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(719) 471-0073

Engineer: Classic Consulting Engineers & Surveyors
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SITE LOCATION: Flying Horse North encompasses 1417 acres bounded by State Highway 83 on the west and Black Forest Road on the east in El Paso County, Colorado.



Requesting at the final plat, not preliminary plan.

INTRODUCTION: The Flying Horse North PUD was approved by the El Paso County Board of County Commissioners in December of 2016. These applications are for a Preliminary Plan for the PUD and for a Final Plat for Phase One of the project consisting of 80 lots. An Early Grading Permit has been approved for the site; it is currently being graded per the permit for the Golf Course, drainage detention ponds and the phase one street system.

PROPOSAL: The applications covered by this Letter of Intent are for approval of the Preliminary Plan for the site; for the Final Plat for Phase One; and for the Landscape Plan which was deferred to the Plat stage of approvals. The Water Report is also a requirement of this stage.

THE PLAN: Flying Horse North is a planned community of 283 lots on 1417 acres with a focus on golf, open space and recreation. The community straddles the Palmer Divide, which forms the general boundary of timbered area to the west and grasslands to the east. Housing units will be single family structures on individual lots. Central to the community is a golf club that provides a recreational amenity to homes and also creates an open separation of residences. The golf course is designed to unify the two environments found on the site: timbered area and grasslands. Two Open Space Parks are shown on the Preliminary Plan in the grasslands. These two parks will be owned and maintained by the Home Owners Association. Language guaranteeing that these two parks will not be converted to lots has been submitted with these applications.

A County Regional Multi-use Trail is shown on the El Paso County Parks Trails Master Plan the alignment of which would go north/south from Hodgen Road to Black Forest Park through Flying Horse North. The proposed trail through Flying Horse North is shown in an alignment from the southeastern corner of Sundance Ranch to the eastern edge of Cathedral Pines where multi-use Regional Trail dedication has previously been made. The Trail will follow Cherokee Metropolitan District water line easements, traverse the larger of the two internal parks, and then follow the southern boundary of Flying Horse North.

amend per E-911 roadnames throughout

An internal trail system that will be on easements on lots will be developed as indicated on the Preliminary Plan. This internal system will be owned and maintained by the Flying Horse North Homeowners Association.

Access to Flying Horse North will be provided by a new collector to be named Stagecoach Road that will link State Highway 83 and Black Forest Road at the northern intersection of Terra Ridge Circle. The Stagecoach Road access point has been permitted by CDOT in conjunction with the Wescott Fire Station. Holmes Road will provide access from the south and will intersect Stagecoach Road approximately one mile from Black Forest Road. A second access to Black Forest Road is shown approximately one half mile south of the Stagecoach Road intersection.

Land use adjacent to Stagecoach Road from Highway 83 to the Section 36 boundary will be rural residential with lots served by well and individual wastewater systems. Lot sizes will be 2.5 – 8 acres. Lots will be located north of Stagecoach Road. The road will form the boundary between Flying Horse North and the Shamrock Ranch to the south and will serve as a fire break.

The majority of the property is located east of the westerly line of Section 36. Although the Black Forest Fire burned north/south through this area, there was limited impact here to the Ponderosa Pine forest which characterizes this portion of the site as the forest fire did not burn as hot here as it did elsewhere. An 18 hole golf course with club house, maintenance facility and driving range will be the focus of the residential development. Lots of varying sizes, but all 2.5 acres or larger, will use the golf course as an open space amenity. Lots sizes along the perimeter of the property have been designed to be compatible in size to adjacent subdivided lots, with lots of five acres or more adjacent to comparably sized lots along the project perimeter. All lots will have individual wells and wastewater disposal systems.

The Phase One Final Plat includes 80 of the total number of proposed lots. The Phase One Plat includes Stagecoach Road from Highway 83 to just past proposed Laredo Drive. 8 lots and a block of Stagecoach west of Black Forest Road are also included in the Phase One Plat. Stagecoach Road will be paved from Highway 83 to Black Forest Road in Phase One. The remainder of the land within Flying Horse North is shown in tracts, to be subdivided in the future.

BUFFERS: Buffers along the perimeter of Flying Horse North are provided in several ways. In general, lot sizes have been used to provide transitions to higher density lots within the PUD so that no buffer is needed. The Preliminary Plan shows lot sizes equal to or greater than adjacent lots. Five acre lots are provided adjacent to existing RR-5 zoned land, and 2.5 acre or greater lots are provided adjacent to PUD zoned lots.

A landscape buffer area is depicted on the Plan along the south boundary of High Forest Ranch where no lots are shown between Stagecoach Road and High Forest Ranch lots

LANDSCAPE INTENT: Landscaping will be provided along Stagecoach Road and at entryways. Themed signage will be placed along Stagecoach Road that will be directional in nature. The two distinct landscape regimes found on Flying Horse North warrant two different approaches to landscape treatment. Within the forested area, emphasis will be placed on preservation of healthy trees. This approach includes removal of trees damaged by fire, and removal of trees where recommended by good management practices and fire-wise development. Trees will be planted to supplement the existing forest where appropriate and where the Black Forest Fire affected the forest.

Within the prairie landscape, a landscape theme will be employed that will augment the landscape with native species, and with transplanted trees from the forested area where trees would be removed as a result of road and golf course construction.

JUSTIFICATION:

Conformance with the El Paso County Policy Plan

Flying Horse North conforms to the following goals and Policies of the El Paso County Policy Plan.

PURPOSE AND INTENT. Holistic Application.

The applicable policies in this document should be considered and applied comprehensively rather than singularly. Most development proposals will naturally be consistent with some policies while inconsistent with others. The appropriate approach is to evaluate all of the relevant policies and then make a land use decision with respect to overall consistency based on a preponderance of policies within this Policy Plan.

Policy 2.1.11 Encourage approaches to natural system preservation and protection which also accommodate reasonable development opportunities. *Development pattern is based on a Land Suitability Analysis.*

Policy 2.2.3 Evaluate the impact from proposed developments on watersheds and wildlife habitat with appropriate government agencies early in the development process. *The drainage Report, the Fire Report, and the Wildlife Impact Assessment address this policy.*

Policy 2.2.10 Encourage the preservation of open space in the design of subdivisions. *Open Space is provided in the form of a golf course and two open space parks.*

Policy 2.3.1 Preserve significant natural landscapes and features. *The most significant natural feature of the site is the Palmer Divide and the Ponderosa Pine forest. These features are respected by the Plan.*

Policy 2.3.7 Encourage the mitigation of visual impacts caused by construction including road cuts, utility lines, outside storage, water tanks and building scale. *Visual impacts are addressed in the Land Suitability Analysis. Transitional lot sizes along Black Forest Road further this policy. Transplanting of ponderosa pine trees from the forested area into the grasslands has been provided.*

Policy 2.3.8 Encourage incorporating significant natural landscapes and waterways into parks and open space where feasible. *This has been done. Drainage ways are either incorporated into the rear of lots or are primarily within proposed golf course and open space parks.*

Policy 3.1.8 Promote water supply systems and augmentation arrangements which maximize the effective use of near-surface ground water supplies without jeopardizing existing water rights or established wells. *This development meets the 300 year water supply requirement and has limited all property owners to a maximum of 5000 square feet of irrigated landscaping per lot. Watering of the golf course will be done from a deep well in the Arapahoe formation which will not impact shallow domestic wells within FHN or surrounding areas.*

Policy 3.3.6 Evaluate the consequences of surface water from new development including run off of natural soils, as chemical compounds that may result from the proposed uses including pesticides, herbicides and hydrocarbons. *Full spectrum detention is being utilized to address this policy. Detention ponds will include water quality control.*

Policy 4.1.1 Support a systematic inventory to identify and categorize historic sites, structures, and artifacts. *An inventory of cultural features was performed – none exist on site.*

Policy 6.1.6 Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently. *While this is a rural subdivision, it will be served with urban fire protection services by two fire providers.*

Policy 6.1.7 Encourage infill development which complements existing uses, is consistent with Small Area and other adopted plans. *This plan is consistent with the Black Forest Preservation Plan as detailed below.*

Policy 6.1.11 Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses. *Land uses in the Plan are consistent with those of surrounding subdivisions. A Context map was submitted with the zone change application which illustrates the relationship of the proposed Plan with adjacent zoning and lot pattern.*

Policy 6.1.13 Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use. Conservation of open space and reduction of infrastructure costs. *This Plan clusters development by employing 2.5 acre lots so that open space in the form of golf course and two parks can be created while maintaining an overall density of 5 acres per lot.*

Policy 6.1.14 Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County. *This policy response is detailed in the comments about the conformance with the Black Forest Land Use Plan below.*

Policy 6.2.2 Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel. *The focal point of Flying Horse North is the proposed golf course. The size of the property allows for an additional focal point of the internal parks and trails.*

Policy 6.2.3 Encourage land use planning and design approaches which create or reinforce the neighborhood concept. *Upon development of this property, Flying Horse North will be seen as a unique rural residential neighborhood and as a part of the Black Forest.*

Policy 6.2.4 Encourage the use of innovative techniques to mitigate negative impacts of proposed land uses that differ from zoning in established neighborhoods. *The cluster approach to this Plan provides the density of a traditional 5 acre lot subdivision while preserving open space in the form of parks and golf.*

Policy 6.2.5 Encourage the development of unique and diverse neighborhoods within unincorporated areas. *Flying Horse North will be unique to the Black Forest in that it will have a golf course and open space parks as focal points.*

Policy 6.2.7 Utilize the PUD (Planned Unit Development) zone district approach to allow for the accommodation of neighborhood-oriented design features. *The property has been zoned PUD.*

Policy 6.2.10 Utilize buffer zones to promote mutually compatible transitions between neighborhoods and adjoining development with differing uses or densities. *Transitions are internal to the project since the densities of adjacent properties are mirrored within Flying Horse North.*

Policy 8.2.1 Encourage implementation of the County's Parks, Trails and Open Space Master Plan. *The County trails element of the Park Plan is reflected in the Plan. The multi-use trail on the County Plan is incorporated into the Preliminary Plan.*

Policy 8.3.1 Encourage development plans which appropriately incorporate parks, trails and open space into their design. *The Preliminary Plan incorporates the County planned trail, internal open space parks, and an internal trails system into the design.*

Goal 8.4 Provide for community and neighborhood parks, local trails, and recreational facilities in developed unincorporated areas. *The Preliminary Plan incorporates internal open space parks and an internal trails system into the design.*

Policy 9.2.3 Strictly limit direct access onto major transportation corridors in order to preserve their functional capacity. *The access to this development respects the access plan for adjacent County roads.*

Policy 11.1.2 Encourage an approach based on the entire watershed, to flood protection which incorporates a combination of on-site, sub-regional and regional retention and detention facilities to effectively reduce negative downstream impacts including erosion, flooding, channel and water quality degradation. ***The drainage plan uses full spectrum approach in the multiple detention facilities while providing required stormwater quality within these facilities.***

Policy 11.1.14 Require development plans to effectively address both quantitative and qualitative impacts of drainage within the project site. ***The Drainage Plan addresses this policy and meets all requirements per the DCM.***

Policy 11.3.1 Where feasible, support the use of natural or naturalistic drainage approaches rather than hard line solutions. ***The Drainage Plan addresses this policy with the use of grass buffers and swales adjacent to the roadways.***

Policy 11.3.4 Promote the effective use of innovative short and long term strategies including sediment ponds, buffer strips, and constructed wetlands as a means of reducing peak flows and improving storm water quality. ***The Drainage Plan addresses this policy and incorporates the use of such facilities.***

Policy 11.3.5 Protect the integrity of wetlands, riparian areas and associated wildlife habitat through a combination of careful land development and drainage system design. ***The Drainage Plan addresses this policy.***

Policy 11.3.6 Encourage the effective use of control measures to mitigate the short and long term erosion impacts of development. ***The Drainage Plan addresses this policy by utilizing the improvements mentioned above.***

Policy 11.4.1 Strongly discourage land use development from locating in floodplains. ***No development will occur in the minor floodplain area adjacent to the NE corner of Sundance Ranch.***

Policy 11.4.2 Strongly discourage land use development from locating in areas below dams, spillways, and levees that would require the State Engineer to upgrade the classification of these structures. ***No structures will be placed below the golf course ponds.***

Policy 11.4.8 Encourage “prudent line” approaches which adequately set structures back from floodplain boundaries, especially in areas which may be prone to bank erosion. ***The site plan layout and design along with drainage design addresses this policy.***

Policy 12.1.3 Approve new urban and rural residential development only if structural fire protection is available. ***This site is located between to existing fire stations in two districts. Fire protection is available.***

Policy 12.1.9 Develop and implement area-wide and parcel-specific Wildfire Mitigation Plans in zones identified as having high wildfire potential. ***A Wildfire Hazard Report and mitigation plan was submitted with the PUD application.***

Policy 12.2.3 Encourage all land owners to use Best Management Practices, which may include chemical, fire, mechanical, biological, cultural control for weeds; chemical, physical, and cultural control for vertebrate pests; and chemical, biological, and cultural control for insects. ***Noxious weeds are generally not present on this site. A management plan is being submitted with the Preliminary Plan addressing control of noxious weeds in the development process.***

Policy 15.3.3 Encourage innovative approaches to the problem of financing solutions to the off-site fiscal impacts of development. ***This project will be required to participate in the El Paso County Road Impact Fee Program. Applicants will participate in the fee program by including the property in the 10 mil PID.***

Black Forest Preservation Plan

The Black Forest Preservation Plan is a Small Area Plan that includes Flying Horse North within its boundaries. The Plan was originally approved in 1974 and updated in 1987. In the past 29 years since the update to the Plan, a number of significant changes occurred. Those changes include:

- Approvals for and construction of High Forest Ranch and Cathedral Pines as north and south neighbors to Flying Horse North
- Voter approval of a County tax to fund County Sheriff activities
- Construction of two new fire stations at the east end (Black Forest Fire Station No. 2) and one at the west end (Donald Wescott Fire Station No. 3) of Flying Horse North.
- The Black Forest Fire, which has raised awareness of fire safety and prevention, as well as mitigation of the effects of the fire
- Adoption of the Countywide Transportation fee
- Adoption of a comprehensive PUD Zone that provides a control mechanism for insuring that land dedications and density caps can be administered effectively.
- Failure of an election to incorporate the Black Forest with a stated purpose of administering the Black Forest Preservation Plan
- Pressures on County resources coupled with a commitment by County Elected Officials to make county government as efficient as possible have made clustered development a desirable design form that reduces the amount of street per dwelling unit, thereby

making the provision of County services more efficient than standard rural residential designs.

When viewed in the context of these changes, and while looking at the broad recommendations of the Black Forest Preservation Plan, Flying Horse North proposes a unique way of preserving the character of development envisioned by the Plan. Flying Horse North is envisioned as a new community focused internally to a recreational set of amenities.

- The Plan for Flying Horse North retains, and provides a management entity through the Homeowners Association, for a significant portion of timbered area.
- The Plan preserves long range views. See visual analysis prepared by N.E.S. Inc. included in the PUD application materials.
- The Plan internalizes density while providing land use transitions to adjacent rural residential properties.

Flying Horse North is in conformance with the land use recommendation of the Black Forest Preservation Plan, which states that all development be based on a density of one unit per 5 acres of land. Applicants propose a development that will have a gross density of one unit per five acres. The applicants believe that a strict 5 acre lot approach to this unique property would create “Anywhere Black Forest” and lose sight of the opportunity to create a signature development on a unique parcel of land. By incorporating open space into a golf course, by providing open space parkland, and by providing a variety of rural residential lot sizes Flying Horse North will become a legacy project for both the land owner, and for El Paso County.

As stated in the Introduction to the Plan, “...The consistency or inconsistency of an application with a single policy or recommendation should be of less importance than its relationship to the overall spirit and intent of the elements when taken together.” The following Goals and Policies of the Black Forest Preservation Plan are implemented with this request:

- Policy 1.5. Preserve open space as a means of retaining natural features and the separate identity of the Black Forest Planning Area. ***Open Spaces are provided in the Plan through parkland and by the proposed golf course.***
- Action 1.d. Applicants for subdivisions, zone changes, special use approvals, and variances should address consistency with the Black Forest Preservation Plan as a part of their submittals. ***This Letter of Intent addresses conformity with the Black Forest Preservation Plan.***
- Policy 2.3. Support clustered development alternatives which result in the creation of permanently dedicated and maintained open space. ***Proposed lots are clustered around a proposed golf course and proposed parks. Parkland will be owned and maintained by a Homeowners Association.***

- Action 2.a. Planned developments should be designed so that they adequately buffer existing agricultural uses. ***Five acre lots are proposed along the boundary of Flying Horse North where the project abuts RR-5 zoned land and development.***
- Goal 3.A. Promote a residential environment which perpetuates the rural-residential character of the Black Forest Planning Area. ***Rural Residential lots, open space, and golf course, which is an open space recreational use, are the only land uses proposed.***
- Policy 3.2. Give careful consideration to clustering alternatives in areas appropriate for subdivision as a means of preserving more open space, minimizing costs and environmental impacts, and promoting aesthetic quality. ***By proposing rural residential lots that vary from 2.5 acres in size to over 5 acres in size, while maintaining an overall gross density of one unit per five acres of land, an efficient development pattern is created that minimizes the amount of street per lot. Preservation of open space parkland in the grassland area of the property promotes a rural character while promoting views.***
- Policy 3.5. Generally support residential development which compliments and enhances the area's terrain, vegetation and natural resources. ***The proposed land use plan is consistent with this policy.***
- Action 3.i. Developers who propose projects which involve land to be held in common ownership should address the degree to which their proposed means of maintenance will ensure that the land remains in open space in relative perpetuity. ***As proposed, open space land will be owned and maintained by the Flying Horse North Homeowners Association.***
- Goal 6.1. Design the transportation system so that disruption of sensitive environmental features, agricultural operations, and existing or platted residential areas is minimized. ***The proposed transportation system accomplishes this goal.***
- Policy 6.2. Discourage unnecessary traffic through the forested and low density residential areas by providing alternative alignments and, where appropriate, incorporating designs which limit through traffic. ***The size of this parcel dictated some roadway connectivity. Access points have been minimized while providing a safe and efficient network.***
- Policy 6.9. Ensure that roads within forested areas meet Wildfire Hazard Guidelines developed by the Colorado State Forest Service. ***This policy will be employed in final road design. Treatment of roadways, and all of the forested area, will follow the recommendations of the Wildfire Hazard Study provided with this application.***
- Policy 8.2. Protect and maintain the area's drainage courses in their natural condition by promoting designs and densities that are sensitive to natural drainage patterns. ***The Drainage Plan prepared by CCES addresses this policy.***

- Policy 8.5. Encourage selective timber cutting to protect the health of the remaining stand and to mitigate wildfire hazards. ***Treatment of the timbered area will be addressed as recommended by the Wildfire and Forest Management Plan prepared for this project. Mitigation as a result of the Black Forrest Fire has already been accomplished.***
- Policy 9.4. Encourage cooperation between the County, other governmental entities, the development community and area school districts to reserve adequate and appropriate school sites in a timely manner. ***Land in Flying Horse North is within two school districts. SD #38 and SD #20. This applicant has previously dedicated a school site to SD #38 nearby which has not been used. Neither School District needs a school site based on discussions with the Districts.***
- Policy 9.6. Support the provision and enhancement of both useable and perpetual open space. ***Useable open space has been provided in the form of a proposed golf course and by both public and HOA maintained trails. HOA owned parkland of approximately 85 acres is proposed.***
- Policy 9.9. Encourage larger subdivision to provide and maintain useable and preferably connected open space. ***Open Space parkland is proposed that will be connected by both public and HOA maintained trails.***
- Policy 10.2. Mitigate adverse visual impacts caused by road cuts, utility lines, outside storage, water tanks, building scale, through the use of color, siting, screening and berming. ***This policy has been addressed in the Flying Horse North Design Guidelines.***

DRAINAGE: An MDDP for Flying Horse North has been prepared by Classic Consulting Engineers & Surveyors and is included in this submittal as a separate document.

GRADING AND EROSION CONTROL PLAN: Classic Consulting Engineers & Surveyors has prepared a Grading and Erosion Control plan for the portions of the site for which an Early Grading Permit is requested.

TRAFFIC: A Traffic Impact Analysis has been prepared by LSC Transportation Consultants, Inc. and is included in this submittal as a separate document.

MINERAL DEPOSITS: Entech Engineering, Inc. has evaluated the site for the presence of commercially viable mineral deposits and has found that such deposits are either absent or are not commercially viable.

WAIVERS

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- Waiver of the requirement for a 300 year supply of water for ONLY the Flying Horse North Golf Course. The Golf Course will only use water from the Arapahoe Aquifer which has in excess of a 100 year supply. Should the Golf Course cease to have enough water to function, it will become open space as provided in the PUD Development Plan.
- Waiver to allow leased water to be used for residential development. Applicant has a lease with the State Land Board for water under Section 36. The lease runs for through 2048 after which the Dawson and Laramie Fox Hills aquifer water rights will be owned outright by the Flying Horse North Home Owners Association which manages water use for its members. An Escrow Agreement has been put in place (document included in the electronic submittal) to guarantee that the lease will be funded until the ownership of the Dawson and Laramie Fox Hills aquifer water rights transfers to the Flying Horse North Home Owners Association.
- Waiver for tree planting along Stagecoach Road, Black Forest Road and Hodgen Road. These three street frontages are in a Prairie environment where native grasses are the predominant vegetation. The applicant has planted trees along Stagecoach Road within the prairie. Homeowners will plant additional trees as they develop their lots per covenants and landscape design guidelines. Since there will be no way to irrigate plantings until homes are occupied applicant does not propose plantings for which no water will be available.

JURISDICTIONAL IMPACTS

Districts Serving the Property

- Natural Gas – Black Hills Energy. Will Serve Letter included in application
- Electricity – Mountain View Electric. Will Serve Letter included in application.
- Fire – Donald Wescott Fire Protection District; Black Forest Fire Protection District. Will serve letter included in the application.
- Schools – Lewis-Palmer School District No. 38; Academy School District No. 20. Neither School District has requested a school site.
- El Paso County Conservation District

Reports Included by Reference

- Soil, Geology, Geologic Hazard, and Wastewater Study, Flying Horse North Filing No. 1 by Entech Engineering, Inc.
- Flying Horse North Filing No 1 Traffic Report by LSC Transportation Consultants, Inc.
- Habitat Assessment Report by CORE Consultants
- Noxious Weed Management Plan by CORE Consultants

- Preliminary Drainage Report for Flying Horse North Preliminary Plan and Final Drainage Report for Flying Horse Filing No. 1 by Classic Consulting Engineers & Surveyors
- Forest Management and Fire Mitigation Report by Steve Spaulding, Forestry and Landscaping Consultant
- Land Suitability Analysis by N.E.S. Inc.