

# FLYING HORSE NORTH

## PRELIMINARY PLAN/PUD

### Letter of Intent

*March 21, 2024*



Owner:  
**PRI #2, LLC**

Applicant:  
**HR Green Development, LLC**



PCD File Number:  
**PUDSP234**



FLYING HORSE  
NORTH

## Introduction

The Flying Horse Development, LLC (developer) desires to develop the remaining undeveloped land consisting of approximately 739.2 acres. As reference only the entire Flying Horse North community is approximately 1,459 acres in total with part of that total acreage in constructed which includes Filing #1 and the golf course. The FHN Sketch Plan was approved for 846 residential units and 275 hotel rooms/casitas/flats on 913.6 acres. This was approved by the El Paso County Board of County Commission on November 16, 2022. The FHN Metro District was also approved providing a necessary funding mechanism for infrastructure. Following those approvals, the developer is moving forward with platting a portion of the southwest area that is already zoned PUD for 2.5 acre lots. This is specifically at the south end of Allen Ranch Road, due south and west to Quartz Creek Drive, adjacent to the existing golf course (holes 11, 12, 13, and 14) and south of Filing No. 1 existing lots. That area is being referred to as Filing No. 3. This filing is a total of 293.7 acres which includes a replat of Filing No. 1 Golf Course Tract area and of the total acreage approximately 166.4 acres is to include 51 residential single-family rural estate lots of 2.5-acre minimum size per lot. For this Preliminary Plan/PUD submittal, the Flying Horse Development, LLC (developer) desires to develop the remaining land of approximately 739.2 acres with up to 796 residential units consisting of 2.5 acre lots, 5 acre lots on the perimeter, low and medium density residential units. The proposal includes a luxury resort hotel totaling 275 keys/units including 50 "Flats" for sale or rent. The proposal also includes some commercial areas and a potential fire station near Black Forest Road and Hodgen Road. Also, near the existing temporary golf clubhouse a new golf clubhouse, restaurant/bar and associated golf amenities and facilities are proposed.

The applicant is submitting a Preliminary Plan/PUD with the associated documents and reports and is requesting approval of all submitted items. This LOI focuses on how this application addresses all of the checklist items for the PUD (Zoning) and the Preliminary Plan. Also included in this LOI is how this application meets the review criteria for both the Preliminary Plan and PUD.

## LOI Checklist Items - PUD (Zoning)

### 1. Owner

Land Owner:	PRI #2, LLC
Developer:	Flying Horse Development, LLC
Contact Person:	Mr. Drew Balsick
Email:	DrewB@classichomes.com
Telephone No.:	(719) 785-3237

### 2. Applicant Name

Company:	HR Green Development, LLC
Contact Person:	Mr. Phil Stuepfert
Email:	pstuepfert@hrgreen.com
Telephone No.:	(720) 602-4941

### 3. Property address

5435, 5475 Old Stagecoach Road; 15268 Allen Ranch Road; Allen Ranch Road; Quartz Creek Drive; Holmes Road; 15380 Black Forest Road

#### 4. Property tax schedule number

6136004002, 6136004001, 6136004038, 6136000003, 6136000005, 5100000437, 5131000001, 5100000080

#### 5. Current Zoning of the Property

The current zoning of the property is PUD (Planned Unit Development) for 2.5 acre lots.

#### 6. Discussion detailing the specific request to include the requested zoning district and size of the area included in the request.

The overall FHN community (hereafter called “FHN”) is generally located east of Highway 83, north and south of Stagecoach Road which transverses through the center of the property in an east/west direction. The property is also southwest of the intersection of Hodgen Road and Black Forest Road. The total overall FHN community consists of approximately 1473.6 acres, however, this Preliminary Plan/PUD proposal is for the remaining undeveloped land of approximately 739.2 acres. The existing and approved Filing 1 and 2 are NOT included. Additionally Filing 3 (51 estates lots – 2.5 acre minimum lot size) are NOT included in this submittal and will be submitted and processed separately due to that area already having existing PUD zoning for 2.5 acre residential lots.

Flying Horse Development, LLC is hereby submitting the Preliminary Plan/PUD and requesting approval by El Paso County. The Plan proposes primarily residential uses at various densities. The project also includes some commercial related uses such as a luxury resort hotel, new golf clubhouse, potential fitness center and commercial uses as shown on the approved Sketch Plan. A fire station may be placed within the commercial area along the existing Black Forest Road. This community will have significant parks and open space connected by trails and walkways. The open space calculations does not include the existing golf course as that is part of Filing 1 and not included in this submittal. Below is a breakdown of the total FHN property and what is included and NOT included in this Preliminary Plan/PUD submittal.

DESCRIPTION	SUB-TOTALS	TOTALS
<b>FHN PRELIMINARY PLAN/PUD SUBMITTAL *Includes area currently within Filing No. 1 (Lots 32 and 33) and Tract K to be re-platted as a part of the PUD*</b>		<b>739.22 acres</b>
<b>REMAINING FHN PROPERTY (NOT A PART OF THIS SUBMITTAL AND FOR REFERENCE ONLY)</b>		
Filing 3 (Fifty-one 2.5 acre lots and Replat of existing Filing 1 Golf Course Tracts and Filing 2)- <u>not included in this Preliminary Plan/PUD</u>	+ - 293.68 acres	
Filing 1 existing lots- <u>not included in this Preliminary Plan/PUD</u> *Includes 14.94 ac. of area to be re-platted as a part of the PUD*	+ - 349.40 acres	
Filing 1 existing golf course outside of Filing 3 Replat Area- <u>not included in this Preliminary Plan/PUD</u>	+ - 75.54 acres	

The following land uses are shown on the Preliminary Plan/PUD and are proposed in this request.

##### **Residential Land Use:**

Parcels 3 and 4 –

FHN is primarily proposing residential land uses with the maximum number of residential units at 796 lots. FHN will offer a variety of housing choices with varying lot sizes, densities and price ranges. The largest lots (5 acre estate lots) are planned around the perimeter of the property (south/southeast, east, north and northwest). The large estate lots (5 acre and 2.5 acre) will serve as a buffer and transition to the surrounding area adjacent to the FHN property. Smaller lots are

generally placed more internal to the site which will be a minimum of 1/4 acre residential lots but will also include lots up to 1 acre. Large landscape buffers are also shown on the property perimeter with the largest buffers along Black Forest Road. Buffers far exceed the County minimum requirements.

#### **Commercial and non-residential uses:**

Three parcels are planned for commercial related uses as described below.

- Parcel 1 – On this parcel a new Golf Clubhouse/Restaurant/Bar and other related Golf Facilities are planned. The new golf clubhouse will replace the existing temporary clubhouse.
- Parcel 2 – Includes a proposed luxury hotel consisting of hotel rooms and a combination of golf casitas and flats totaling 275 keys (rooms/units). Golf casitas function as “hotel rooms” or rental units.
- Parcel 5 - A potential Fitness Center is planned on this parcel along with a large proposed park.
- Parcel 6 – This parcel as shown in the northeast corner of the property at Black Forest Road and Hodgen Road intersections intended for general commercial uses and may also include a potential fire station site for the Black Forest Fire District.

#### **Parks, Open Space and Trails:**

This application is proposing a well-designed community with significant open space (22.8%) which includes a mix of open space features described below. This far exceeds the County’s requirement of 10%. The FHN trails will ultimately connect to the County Regional Trail and the Black Forest Regional Park south of this site. Many of the existing drainageways will become part of the large open space network that will serve as the trail backbone. This design layout allows residents to circulate on trails and sidewalks internally with minimal crossings of streets and providing the important regional connection to Black Forest Regional Park. The County regional trail from Cathedral Pines through FHN will provide an ultimate connection near Hodgen Road. As shown, the following parks, open space and trail amenities are proposed:

- Large community park (south of the potential Fitness Center).
- Multiple pocket parks throughout the community.
- A County public trail (on FHN property) providing a key regional connection for this area located west of Black Forest Road.
- Miles of community wide trails internal to the FHN community.
- Miles of additional sidewalks are located within individual parcels.
- Significant landscape buffers and setbacks along Black Forest Road.

#### **Landscape Buffers:**

Large landscape buffers are provided adjacent to existing large lot residential homes on the east side of Black Forest Road. Much of the buffer area should remain undisturbed, however where it is disturbed through the construction process will be re-established with native vegetation. This large buffer will provide a significant setback from communities such as Terra Ridge that is just east of FHN. While the FHN lots will be smaller than Terra Ridge lot sizes the FHN team has recognized the importance to provide these large buffers and keep the smaller lots more internal to property away from Black Forest Road.

## **7. Discussion identifying and acknowledging any applicable overlay zoning**

The current zoning is PUD (Planned Unit Development) for 2.5 acre lots. The overall property has previously obtained a Preliminary Plan approval for 283 lots. The approved plans show 2.5 acre lots

in the forested area north of the existing Cathedral Pines community and 2.5 acre lots were originally planned for the remaining acreage. This previously approved land use allocation will remain intact as 2.5 acre lots which were originally planned for that area with the intent to preserve many of the existing trees as possible. El Paso County staff requested the Sketch Plan include that area, however, given that it is already zoned PUD for 2.5 acre lots a separate application will be submitted and processed for those 2.5 acre “estate” lots (called Filing 3).

## 8. Detailed analysis summarizing how the request complies with each of the Criteria of Approval in Chapter 4 of the Land Development Code.

This LOI provides a detailed analysis of how this application meets the review criteria. This Preliminary Plan/PUD is also in general compliance with the 2040 Major Transportation Corridors Plan, Water Master Plan, and the County Parks Master Plan as described in this LOI.

## 9. Discussion summarizing the proposed request and compliance with the applicable requirements of the Land Development Code.

This LOI provides analysis of how this application is in general compliance with the Land Development Code. Exceptions are where standards are modified through the PUD zoning document and Preliminary Plan.

Specific exceptions applied for with Deviation Request Forms are the following:

- Access drive location for commercial Parcel 1 proximity from Old Stagecoach Road and Allen Ranch Road intersection
- Allowable length of cul-de-sac roadway for an urban local residential roadway section with rural standards

Evaluation of applicable policies are stated below and how the application is in compliance with those items.

Engineering related design items are listed below with a brief description of how they are being addressed for this application:

**DRAINAGE:** An MDDP was prepared by HR Green Development and was approved by the County. For this Preliminary Plan/PUD a preliminary drainage report is provided. The level of detail for a PDR includes major basin runoff quantities and detention basin sizing to demonstrate feasibility for the proposed preliminary PUD lot layout and roadway networks with preliminary over lot grading. Future drainage details will be provided via Final Drainage Reports specific to individual filings within the PUD.

**GRADING AND EROSION CONTROL PLAN:** The Preliminary Plan/PUD does not require a Grading and Erosion Control Plan and there is not a request for Early Grading at this time. Preliminary overlot grading has been designed to depict drainage conditions for the PDR.

**TRAFFIC:** A Traffic Impact Analysis has been prepared by SM Rocha, LLC. and is included in this submittal as a separate document specific to the Preliminary Plan/PUD.

**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.

## 10. Discussion summarizing how the proposed PUD map amendment



## **(rezoning) is consistent with the El Paso County Master Plan, including all applicable elements of the Master Plan (e.g., Water Master Plan, Parks Master Plan, etc.).**

El Paso County has multiple master plans including the Master Plan (approved in 2021). The following County Master Plans are addressed in this section:

- **Master Plan (2021)**
- **Parks Master Plan**
- **Water Master Plan**

The FHN Preliminary Plan/PUD follows the approved Sketch Plan which is in general compliance and was approved by the County Board. The narrative below demonstrates how the PUD application also aligns with the goals, objectives, and policies of the County Master Plans.

## **El Paso County Master Plan (2021)**

The County recently approved the new Master Plan which replaced all previous sub-area plans and previous plans. For example, the Black Forest Preservation Plan is no longer a guiding document and therefore the new County Master Plan shall guide the decision making process for this project. This section of the LOI demonstrates compliance with many items identified in the Plan.

The bold italic narrative are elements or quotes directly from the County Master Plan. The

introduction of the Master Plan states:

***“As one of the most desirable places to live in the United States, El Paso County is experiencing unprecedented growth, and is expected to increase in population by more than 250,000 people in the next 30 years”.***

Due to this growth more housing is needed in multiple areas of the County of all types, sizes and price ranges.

### **2021 Master Plan Element: Land Use & Development**

The Master Plan lists many Land Use and Development Core Principle and Goals and the following are most relevant to the FHN proposal:

***Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.***

***Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.***

***Goal 1.3 - Encourage a range of development types to support a variety of land uses.***

***Goal 1.4 - Continue to encourage policies that ensure “development pays for itself”.***

Regarding Goal 1.1, FHN design aims to be compatible with logical land use transitions and buffering. It is understood that the surrounding Black Forest area is comprised of larger lot estates. Therefore, sensitivity was implemented in multiple ways through sound planning approaches. One example is the provision of large open spaces along Black Forest Road that will not have developed lots or open spaces. On the west side of this existing road development areas have been pulled back significantly. Furthermore, where a development parcel abuts Black Forest Road in the southeast corner, a large open space area is provided and larger lots (5 acres minimum) are placed in that area. While not a part of this PP/PUD submittal, the applicant has also placed 2.5 acre lots adjacent to Cathedral Pines (Filing 3) which has a minimum of 2.5 acre lots.

Regarding Goal 1.3, FHN encourages a range of development types to support a variety of land uses. A wide range of lot sizes are proposed from large estate lots (up to 5 acres) to smaller 1/4 acre lots. This provides housing for multiple income levels in this area of the County. Also, some commercial

uses are proposed which are needed in this region of the County.

Regarding Goal 1.4, a Metro District has been approved for this property allowing for FHN to “pay for itself” through that funding mechanism. Additionally, the utilities and infrastructure for this project will be provided by the developer through other mechanisms such as Tri-View Metropolitan District and FAWWA (or similar water/wastewater provider). Also, an HOA (Homeowners Association) or the Metro District will be utilized for the long-term maintenance of those facilities.

### **2021 Master Plan Element: Housing & Communities**

The Master Plan lists the following Housing and Communities Core Principle and associated goals. FHN meets or exceeds the following:

***Core Principle: Preserve and develop neighborhoods with a mix of housing types.***

***Goal 2.1 - Promote development of a mix of housing types in identified areas.***

***Goal 2.2 - Preserve the character of rural and environmentally sensitive areas.***

***Goal 2.4 - Support aging-in-place housing options to meet residents’ needs through all stages of life.***

Regarding Goal 2.1, FHN proposes a mix of housing types as stated previously.

Regarding Goal 2.2, FHN is proposing 2.5 acre and 5 acre estate lots on much of the perimeter to match the character of the area. Also, the major drainageways on the open (non-tree areas) are generally respected and placed within open space corridors. These corridors can provide a habitat for wildlife and as importantly permanent open space for the future residents.

Regarding Goal 2.4, FHN will provide multiple housing types (detached residential) with various lot sizes, square feet, densities and price ranges.

### **2021 Master Plan Element: Transportation & Mobility**

The Master Plan lists Core Principle and associated goals for Transportation and Mobility. FHN meets or exceeds the following:

***Core Principle: Connect all areas of the County with a safe and efficient multimodal transportation system.***

***Goal 4.1 - Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.***

***Goal 4.2 - Promote walkability and bikeability where multimodal transportation systems are feasible.***

***Goal 4.4 - Develop a sustainable funding mechanism for transportation infrastructure and maintenance.***

Regarding Goal 4.1, while the goal is focused more on regional connections for the entire County, FHN does have the east west connection of Stagecoach Road which will be kept intact with this additional development. This will maintain the connection between Highway 83 and Black Forest Road which will be the primary east-west route for this development. Connections to Holmes Road on the south and Hodgen Road to the north are also provided. FHN will have excellent evacuation ability with exits to the



North, South, East, and West. For more information regarding traffic please see the Traffic Impact Study by SM Rocha, LLC.

Regarding Goal 4.2 the FHN project promotes walkability and bike-ability with the significant open space and trail system that is well connected internally to the site and externally to the regional County Trail. This system will provide an important connection to Black Forest Regional Park allowing walkers and bikers to easily access the park. There also will be a significant amount of sidewalks throughout the FHN community that will all connect to the network of trails and this overall system. This will allow FHN residents to also walk to the multiple commercial areas including a potential recreational facility.



Regarding Goal 4.4, FHN will be utilizing the FHN Metro District that will fund a sustainable amount of the transportation, infrastructure, and maintenance. Additionally, for other major infrastructure such as sanitary sewer, FHN will connect to a District such as Tri-View Metropolitan District. While some of the final decisions have not been solidified there will be a sustainable funding mechanism in place for construction and long term maintenance likely through the FHN Metro District that is approved.

## **2021 Master Plan Element: Community Facilities & Infrastructure**

The Master Plan lists the following Core Principle and associated goals in regard to Community Facilities and Infrastructure. While many of these goals are intended for Countywide, the FHN project meets many of these goals.

***Core Principle: Continue to coordinate with local and regional agencies to provide well-managed, high-quality community facilities and services.***

***Goal 5.1 - Coordinate with agencies to provide high-quality community facilities, services, and infrastructure to enhance quality of life.***

***Goal 5.2 - Improve the effectiveness of public safety through coordination, funding, and planning.***

***Goal 5.3 - Ensure adequate provision of utilities to manage growth and development.***

***Goal 5.4 - Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.***

Regarding Goal 5.1, FHN will be utilizing the FHN Metro District (or HOA) to construct many of the high-quality facilities and plentiful parks and open space areas (for public use) such as the large park and a potential fitness center. Although there are many private facilities they do provide a community asset for future residents of FHN. The luxury resort hotel will be high quality and will serve a large geographic region and can enhance the quality of life for future residents of this community. The FHN Metro District will also be constructing miles of infrastructure such as sanitary sewer, water, and stormwater for this property.

Regarding Goal 5.2, FHN will improve the effectiveness of public safety through coordination, funding, and planning. This community will provide safe roads internal to the property as required by the codes and ordinances. By adding a municipal water system the community will provide fire hydrants throughout the project supplying the Black Forest Fire District with this important asset.





Regarding Goal 5.3, FHN will ensure adequate provision of utilities to manage growth and development by providing a municipal water and sanitary system through the use of the FHN Metropolitan District, FAWWA, and/or Tri-View Metropolitan District or other regional districts in the area.

Regarding Goal 5.4, the FHN project is providing best management practices to protect water quality and minimize impacts of flooding. A well-designed stormwater control system will be implemented that includes full spectrum detention ponds as needed. Many of the existing drainageways are respected, where feasible, that will aid in protecting water quality for the area and minimize flooding downstream. Lastly, conservation techniques will be in place for implementation of water-wise and water efficient landscapes to help conserve use per resident.

#### 2021 Master Plan Element: Water

FHN references and plans to incorporate many of the directives laid out in the El Paso County Water Master Plan including:

- Encourage development that incentivizes and incorporates water-efficient landscaping principles
- Minimize the percentage of landscaped area covered with non-native turf and increasing the percentage of landscape areas that can be covered with non-living material.
- Promote urban level development in areas served by centralized utilities

FHN will encourage restrictions on the square footage of irrigated turf each residential lot is allowed. Additionally, the open spaces will be predominately native vegetation and parks will be carefully designed to incorporate water wise landscaping as much as possible. Regardless of the provider, FHN will be served by a centralized water and wastewater system to support the level of development proposed. OWTS will be used for the larger estate lots. If the water source for the central water system is from the Denver Basin, the wells will likely be Arapahoe wells due to the productivity of that aquifer in the project area. These wells would be piped to a central water treatment plant for treatment and distribution to FHN through a central system. This further complies with the Master Plan which states that EPC should *“incentivize the use of deeper Arapahoe and Laramie-Fox Hills aquifers by central providers...”*

The Master Plan references the Pikes Peak Area Council of Governments Water Quality Management Plan (2018 Plan) regarding wastewater. One of the primary goals is to *“avoid the proliferation of individual wastewater treatment facilities and/or wastewater treatment entities.”* Wastewater from FHN is anticipated to be treated by Tri-View Metropolitan District (or other similar regional District) instead of creating it’s own treatment facility.

#### 2021 Master Plan Element: Recreation & Tourism

The Master Plan lists the following Recreation and Tourism Core Principle and associated goals. FHN meets or exceeds the following:

***Core Principle: Maintain and expand the County’s recreation and tourism options.***

***Goal 7.1 - Support high-quality, sustainable outdoor recreation as a key amenity for residents and visitors.***

***Goal 7.2 - Explore projects, programs, and initiatives for enhancing tourism in unincorporated areas.***

***Goal 7.3 - Plan for and provide a variety of parks, trails, and open space within the region.***

One of the main features FHN will provide to support the Recreation and Tourism element is a luxury resort hotel that will bring significant tourism to El Paso County. FHN also provides quality outdoor recreation with the potential fitness club, amenity center, parks, open space and trails. Ultimately the entire FHN community provides significant open space, parks and trails. The future residents of



this community can enjoy the variety of recreational amenities. The surrounding area can utilize the County trail through FHN.

### 2021 Master Plan Element: Environment & Natural Resources

The Master Plan lists Environment & Natural Resources Core Principles and associated goals. FHN meets or exceeds the following:

***Core Principle: Prioritize and protect the County's natural environment.***

***Goal 9.1 - Consider the environmental impacts related to natural resource conservation, air quality, water quality, wildlife habitat, and waste management during any planning process.***

***Goal 9.2 - Promote sustainable best practices with regard to development and infrastructure***

The FHN project has thoroughly examined the environment and natural resources of the site through various sources of data as described in the environmental report. Following review of these resources and completing the environmental study, there is minimal impact to the natural resources of the property. In some cases this project can enhance the natural resources by controlling runoff with the proposed detention ponds. Also, by preserving many of the existing drainage ways, FHN will create improved greenway corridors that will provide habitat for wildlife. The residents will be able to walk on trails and enjoy the enhanced natural resources. See the Natural Features and Wetlands Report by Bristlecone for further information.

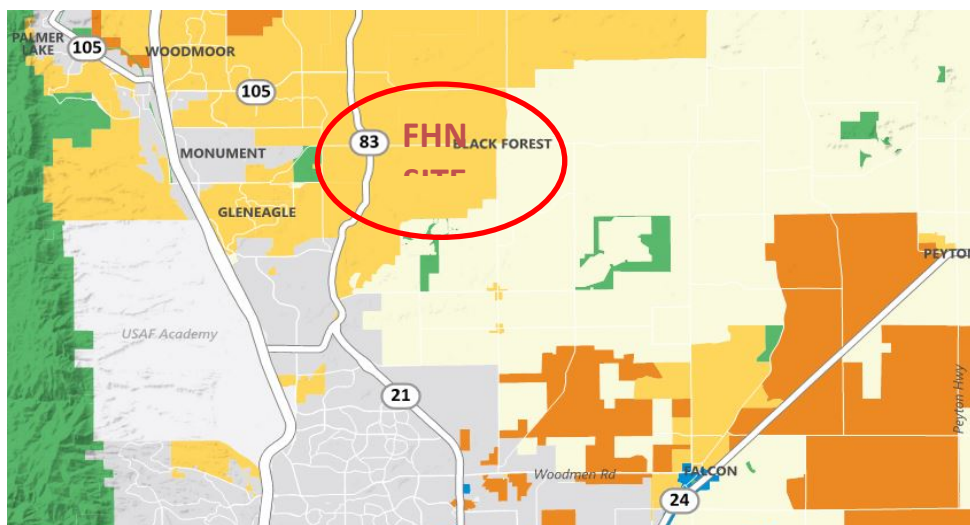
### 2021 El Paso County Master Plan - Areas of Change

The Master Plan discusses the following subject of Areas of Change by stating:

***“As El Paso County plans for growth and development over the coming decades, it is anticipated that some areas of the County will change more significantly than other areas.***

***Some areas will continue to be designated for conservation and protection, some developed areas may see some infill redevelopment, while others will be completely transformed as new development takes place in currently undeveloped areas.*** - 2021 El Paso County Master Plan

The FHN property falls within the “Area of Change-minimal” (light orange color shown on the exhibit) per the Master Plan and as shown on the graphic below. The entire Black Forest area and the Town of Monument area has experience significant growth and change in the last couple of decades. This trend is likely to continue, however the amount of vacant land is fairly scarce except for the FHN property and some property immediately west and southwest of FHN. Since this property falls within an Area of Change and a Potential Annexation area (per the County Master Plan), this site was outlined for future growth.



*The FHN property is shown in an area of change on the new County Master Plan*

The Master Plan further discusses “Minimal Change: Developed” stating:

**“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.”** - 2021 El Paso County Master Plan

The FHN remaining property is vacant and the proposal is for ¼ to 1 acre lots primarily but also includes 2.5 and 5 acre lots on the perimeter. To minimize the impact to the surrounding areas, the FHN plan proposes land use transitions (lower densities) on the edges of the property. Furthermore, large buffers are included in areas along Black Forest Road.

### **2021 El Paso County Master Plan – Priority Development Area**

The Master Plan discusses “Priority Development Areas” and the FHN property falls within this designation as seen on this exhibit below. While it is generally in an area of the County with larger lots and lower densities, this property could have potentially annexed into the City of Colorado Springs in the future. Also, the FHN property is within 10-15 minutes of significant City growth and expansion. Due to this growth in the immediate area it is logical that this region of the County will have change occurring in the future.



*FHN property is within the "Priority Development Area" identified in the County Master Plan.*

There are pockets of Suburban Residential in the region and with this property possibly being annexed to the City the proposed community master plan is appropriate. While this density is higher than the immediate surrounding area, appropriate land use transitions and buffers have been implemented. Specifically with 5 acres lots around the perimeter matching the existing lot sizes in the area.

### **2021 El Paso County Master Plan - Environmental Considerations:**

The Master Plan discusses key environmental considerations such as:

- Water Ecosystems & Habitats
- Wildlife Habitat
- Environmental Tourism
- Sense of Place
- Recreation

The relevant items are addressed below on how the FHN proposal aligns well with these considerations.

#### Water Ecosystems & Habitats

The Master Plan states:

**“Watershed planning and flood control management help protect developed areas from the impacts of natural hazards and prohibiting development in a floodplain reduces the**

**likelihood of flooding events. With water quality and access being a priority throughout the County, prohibiting development in these locations can be critical.” - 2021 El Paso County Master Plan**

FHN meets this goal by avoiding the floodplain area in the northwest part of the site near Hodgen Road. Also, the existing drainage way corridors are generally respected. The existing drainage ways have been incorporated into the significant open space and trail system throughout FHN. This open space and trail system will also connect to the County regional trail to the south which provides a regional connection to the Black Forest Regional Park. These natural drainageways will also provide wildlife habitat as they will be landscaped with Colorado native vegetation and will be permanently preserved in perpetuity.

#### Wildlife Habitat

The Master Plan states:

**“There are eight threatened species in El Paso County, and together with hundreds of other nonthreatened species, whose valued habitats cover nearly the entire County. While some areas of the County are considered higher value for the habitat they provide and the biodiversity they support, areas of valuable wildlife habitat exist throughout the County. For instance, parts of the northern riparian areas are home to the federally threatened Preble’s Meadow Jumping Mouse.” - 2021 El Paso County Master Plan**

The FHN property does not have any significant environmental issues and there is no known threatened species on the property per the environmental report prepared by Bristlecone Ecology. The FHN site provides moderate quality habitat for some grassland and woodland wildlife, including birds, mammals, reptiles, and possibly amphibians. Development of the site could impact some habitat for wildlife, but based on the findings, impacts to grassland species is relatively low, and to woodland species as moderate to low. Incorporated open spaces will conserve some of the open grassland habitats and possibly improve the quality through supplemental plantings. Implementation of a stormwater management plan will assist in protecting water quality in downstream reaches, which will provide additional benefits to aquatic species including invertebrates. Increased flows and riparian tree and shrub plantings will introduce riparian and wetland habitats that do not currently exist, diversifying the property. Detention facilities may add seasonal water features that could support additional wildlife such as waterfowl. Few sensitive species were present and only in small numbers, and thus are not expected to be affected any more than other species. No state listed species were present. Riparian tree plantings along drainageways will enhance and integrate the existing grassland habitats with high-value riparian ecosystems. The creation of detention facilities is expected to create small pockets of marshes/wetlands. Therefore, species that occur in drainageways are expected to benefit from the habitat restoration and management plan for the drainages and open space. Implementation of the stormwater management plan will assist in protecting water quality in the drainages.

Additional measures to reduce impacts to wildlife include:

- Limiting the use of herbicides, pesticides, and fertilizers;
- Minimizing the installation of fencing; and when fencing is needed, use wildlife friendly fences or include specific wildlife crossings along fence lines.
- Minimize road crossings for the open space corridors to reduce conflict with vehicles.
- Managing pets to avoid conflicts with wildlife.

## **Tourism**

The Master Plan states:

***“Each year, hundreds of thousands of people visit the County from all around the world to spend time in its state and regional parks, hike its mountains, and simply enjoy the beauty of its natural, well-protected landscape. These visitors contribute millions of dollars to the local economy through dining, lodging, transportation, retail, and entertainment. As a catalyst for tourism in El Paso County, emphasizing the natural environment is important.”*** - 2021 El Paso County Master Plan



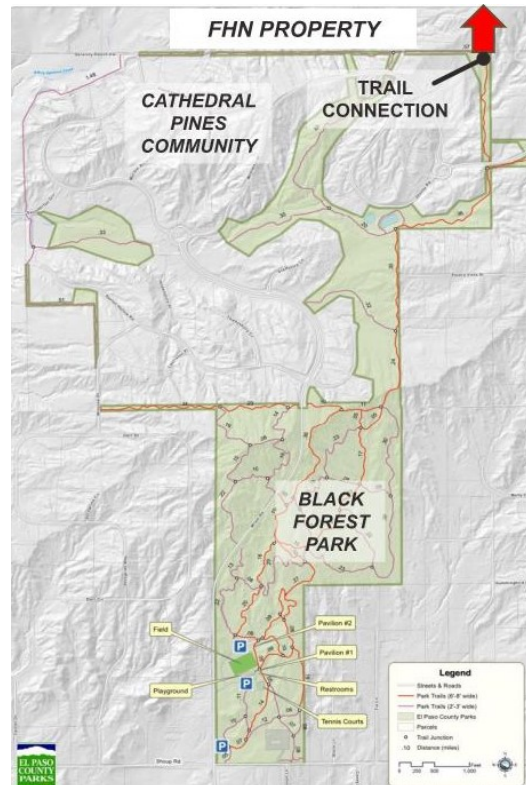
***A luxury resort hotel is planned on FHN that will serve as a major tourism destination (conceptual illustration only - subject to change).***

While the comment is intended for the entire Pikes Peak region, the FHN project supports this statement in several ways. First, the luxury resort hotel facility will bring thousands of visitors from around the United States and potentially the world to El Paso County. These visitors be able to enjoy the amenities within the FHN community and throughout the region spending dollars in El Paso County. These visitors will contribute millions of dollars to the local economy.

The Master Plan also states:

***“El Paso County’s natural environment creates opportunities for year-round active and passive recreation. These amenities provide options for exercise such as hiking the mountains, biking on the trails, or simply by spending time in nature, watching animals in their natural habitat, studying and identifying plants, or just taking a rest.”*** - 2021 El Paso County Master Plan

FHN expands on this idea of creating opportunities for year-round active and passive recreation with the plentiful parks, open space and trails that are proposed within the community. The existing natural drainageways on the property are respected and transformed into significant open space and trail corridors. Most importantly, with the existing County trail connection from FHN into the Black Forest Regional Park this will provide residents of FHN and the surrounding community to enjoy the natural environment year-round. The existing golf course also offers a recreational amenity for visitors and residents. The connection point from the Black Forest Regional Park to FHN is indicated with the red arrow on the graphic. The regional trail connection will occur at this location and will traverse through FHN all the way to Hodgen Road. This regional trail will be placed on an easement granting full public access to surrounding residents.



The Master Plan states:

***“Tourism to parks and recreation destinations bolsters patronage at local businesses and serves as an economic driver for the County”...“The legacy of the parks, opens spaces, and trail systems in the County must not only be protected and enhanced to meet the needs of the growing population, but also***

***continue to balance tourism in a sustainable and equitable manner.***” - 2021 El Paso County Master Plan

FHN supports this concept and aligns very well with this goal. The open space and trail system meets the needs of the growing population not only in this area but also throughout the County. This balance of growth yet providing areas for visitors and residents to recreate outside is implemented in the FHN master plan.

The Master Plan further states:

***“Tourism can account for a large share of a community’s economy, and this is true for El Paso County, which is a hub for outdoor recreation not only in the State, but also for the county. Millions of people visit El Paso County each year and according to Visit Colorado Springs, the tourism and promotional nonprofit for the Pikes Peak Region, in 2018 visitors spent about \$2.25 billion dollars in the region. Tourism also supports the local economy through job creation, as the third largest employment industry in the Pikes Peak Region, providing over 20,000 jobs.”*** - 2021 El Paso County Master Plan

The Master Plan goes on to address the importance of tourism and the associated economic impact from this industry stating:

***“Tourism is one of El Paso County’s strongest industries with year-round outdoor events and pristinely preserved natural resources drawing thousands of visitors to the region every year. El Paso County boasts over 55 exciting things to do and see in the region. From its rich natural features home to the Garden of the Gods... to major destinations such as the U.S. Air Force Academy”***

***“The County should continue to maintain and improve existing natural assets and destinations including parks, trails, and open space facilities that support outdoor recreation tourism in the region.”***

***“The County should support efforts secure additional funding for branding and marketing specifically targeting tourist attractions and activities in the off season to promote year-round tourism. Additionally, the County should encourage hotels and restaurants...”*** - 2021 El Paso County Master Plan

The tourism that comes along with the luxury resort hotel will help to support the local economy through job creation and adding jobs to the thriving tourism industry in the County. It will also add yet another destination in the region that will draw people from throughout the United States and beyond. FHN aligns with this recommendation of adding hotels and restaurants to promote year-round tourism. The positive fiscal impact will be significant due to the hotel facilities and additional development of the remaining property.

#### 2021 El Paso County Master Plan - Housing Mix

Regarding housing mixes the County Master Plan states:

***“Housing variety provides multiple options to support residents regardless of income, household size, and age. Providing an equitable mix of housing can ensure the viability of El Paso County as a home for all.”*** - 2021 El Paso County Master Plan

This statement aligns well with the FHN project as with a project of this size, a large variety of housing types are proposed.

## Implementation of the 2021 County Master Plan

The County Master Plan addresses implementation of the goals and principals of the plan and how applications should be evaluated. Regarding Land Use Applications and Master Plan, it states:

***“The Planning Commission and Board of County Commissioners conduct open and public hearings on land use applications and take an action on the application, which will typically include a finding of consistency or inconsistency with the Master Plan. In making this finding, the Planning Commission and Board of County Commissioners are asked to weigh the merits of each individual land use application against all applicable components of the Master Plan. Approval of a land use application does not necessarily require a finding that the application is fully consistent with each and every applicable component of the Master Plan, likewise, denial of an application does not necessarily require a finding of inconsistency with all applicable components of the Master Plan.”*** - 2021 El Paso County Master Plan

With this submittal Flying Horse Development, LLC strongly believes FHN is in substantial compliance with the following County plans:

- **Master Plan (2021)**
- **Parks Master Plan**
- **Water Master Plan**
- **2040 Major Transportation Corridor Plan (MTCP)**

The Master plan further states that the County Master Plan should be open and flexible stating:

***“A Flexible Plan - Recognizing that it is impossible to foresee or forecast all future land use or development requests and given the unpredictable nature of land use requests, this Plan was written with the intention of remaining open and flexible. Moving forward, while using the Master Plan as a foundational guide for decision-making, it will be the role of County officials to implement the Plan by making decisions on land use requests in a manner that best fits the needs and vision of El Paso County.”*** - 2021 El Paso County Master Plan

Therefore, the Master Plan it is intended to be a guide for land use decisions. This proposal is higher density than the surrounding area, however in exchange for this the following elements are proposed:

- Landscape buffers in many of the areas on the perimeter of the site
- Very large expansive buffers along Black Forest Road
- Lower densities placed on the perimeter (i.e. 5 acre lots along the perimeter of the property line east and southeast areas)
- Quality community with expansive open space, parks and trails.
- Luxury resort hotel that will be a tremendous asset for El Paso County

FHN complies substantially with the 2021 County Master Plan and other associated County Master Plans as described above.

## El Paso County Parks Master Plan

The County Parks Master Plan has several goals that FHN compliments well. The narrative below describes how this project meets the intent of many goals.

Note: Narrative that is bold is directly from the County’s Parks Master Plan.

### **OVERALL SYSTEM MISSION/ROLE**

***Goal 2: Provide a coordinated and connected system of parks, trails, and open space that is equitably distributed based on population and serves the needs of county residents.***

The proposed plan demonstrates a well-connected system of parks, trails, and open space that is

equitably distributed within the community. A Regional Trail is provided that will go through FHN connecting from the south near Cathedral Pines to the east/northeast along FHN southern boundary. Then the alignment will generally traverse north along the west side of Black Forest Road ultimately connecting to Hodgen Road. The County trail will be open to the public and will be placed in an easement. The remaining trail system for FHN will be owned and maintained by the District or a Homeowners Association.

***Goal 3: Balance passive/active use of county parks and open space and determine what is most appropriate for individual sites based on community need and master planning processes.***

FHN provides passive parks, active parks and open space that is appropriate for this site. FHN well exceeds the County 10% requirement for open space and proposes a well-designed trail and open space system. FHN has requested smaller lots than the surrounding area yet provides about 22% of the developed area in open space.

***Goal 4: Provide an overall vision for the recreation and resource preservation network, and identify gaps so that the County, local jurisdictions, and others can work together to fill them.***

With Black Forest Regional Park south of this property, it is logical to connect the FHN trail system to the existing County trail and provide an extension to the north all the way to Hodgen Road. This trail system will help fill potential “gaps” in the regional system by making this key connection.

The Master Plan discusses regional trails as follows:

#### **REGIONAL TRAILS**

***Goal 1: Work collaboratively with others to create a continuous, connected system of regional trails. Provide an overall vision for system of regional trails within the County and connected to adjacent counties and participate in the Regional Non-motorized Trails and Bike Plan Update to identify standards and address needs as part of a multi-modal transportation network. Ensure that regional trail corridors are secured.***

As mentioned previously, with this FHN project, the County is securing this Regional Trail extension all the way to Hodgen Road. The FHN team has been working with County Parks department to discuss alignments of this regional trail. This trail will be placed on an easement so it can be used by the public outside of FHN. With this project a regional trail corridor will be secured that will allow generations to utilize this important asset for the surrounding Black Forest area residents.

#### **OPEN SPACE**

***Goal 1: Protect and enhance El Paso County’s legacy of unique natural features and areas and cultural resources, working in collaboration with others to conserve high priority open space areas in the county.***

FHN will help facilitate this goal of enhancing natural features and areas by respecting the significant drainage-ways by preserving them as trail/open space corridors that will fit well within the overall County’s open space system. While a County park is not desired on this property by the Parks department, the community will provide significant parks for future residents. This concept supports the greater goal of the County Parks goal of protecting and enhancing the unique natural features.

## **El Paso County Water Master Plan**

The El Paso County Water Master Plan (WMP) identifies eight different planning regions in the County. FHN falls in Region 2 which includes the Monument area and the western portion of Black Forest. The existing central water systems in Region 2 are all located in the Monument area. Region 2 is the only region in El Paso County that is projected to have an average-year water surplus in 2060. The Falcon Area Water & Wastewater Authority (FAWWA) has signed a letter of intent to serve and provide water



and wastewater service for the proposed project, however other regional districts in the area have also expressed interest in serving this project. FAWWA has a diverse water portfolio which includes both renewable and nonrenewable water sources. FHN has valid alternatives for water/wastewater.

The following is a list of goals and policies from the WMP that the proposed project is consistent with:

***Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.***

The proposed water sources for this project are either renewable or meet the 300-year rule for quantity. The water system will be designed with redundant equipment and backup power generation for critical facilities to ensure dependability. Additionally, multiple water sources will serve to mitigate any potential single source failure.

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

The application has been coordinating with multiple water providers as stated. If FAWWA is utilized it has existing infrastructure in the project area.

***Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.***

While additional water treatment may be required for the proposed development, there are multiple districts that may supply the ultimate water source including FAWWA.

***Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.***

FAWWA has a variety of source water supplies which mitigates potential water supply emergencies.

***Policy 4.3.3 – Incentivize the use of deeper Arapahoe and Laramie-Fox Hills aquifers by central water providers, leaving or deferring the use of the shallower aquifers for the more dispersed domestic well users.***

While the exact source of water to be dedicated to the proposed development has not yet been finalized, if new wells are drilled, they are anticipated to be Arapahoe and Laramie-Fox Hills.

***Policy 5.5.1 – Discourage individual wells for new subdivisions with 2.5 acre or smaller average lot sizes, especially in the near-surface aquifers, when there is a reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when the economies of scale to do so can be achieved.***

The only area that could be served by wells is the 2.5 acre estate lots in the southwest are of the property (not a part of this application). The rest of the property will be served by an existing central water system as the average lot size is less than 2.5 acres.

***Policy 6.0.4 – Encourage development that incentivizes and incorporates water efficient landscaping principles.***

FHN will include recommendations on the square footage of irrigated sod each residential lot is allowed. Additionally, the open spaces will be predominately native vegetation and not irrigated while the parks will be designed to incorporate xeric landscaping as much as possible.

## Traffic and Access

Please see the Traffic Study for detailed information regarding traffic and transportation. The development addresses other items as outlined in the County Master Plan as follows. Bold text is taken

directly from the 2021 County Master Plan.

***“Multimodal Access - While all placetypes would benefit from a safe, walkable, and connected street network, multimodal access is a defining and critical feature in Urban Residential, Rural Center, and Regional Center placetypes and other areas that promote a mix of uses and mobility options. The County should encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when needed”.*** - 2021 El Paso County Master Plan

FHN will provide sidewalks throughout the development and a connected street and trail network as shown on the Sketch Plan. Additionally, FHN will provide the County Regional Trail in a north/south direction as shown on the plan. Details to be worked out with the County Parks department.

***Subdivision Access - Local access is key to connecting residents to the region and residents have identified subdivision access as a primary concern. Input received as part of Your El Paso County outreach process cited a need for subdivision communities to have two points of access, or two ways in and out. Generally, single access subdivisions create points of high traffic and congestion where they join the primary street network and are disconnected from other neighborhoods by roads that dead end at cul-de-sac. Having two points of access allows for a more contiguous street network and would remove these barriers.*** - 2021 El Paso County Master Plan

FHN is providing multiple points of access such as Holmes Road extension, Stagecoach connecting Black Forest Road to Highway 83 and an access at Hodgen Road. These access points provide very good east-west evacuation routes as well as to the north and south. All four points enhance what is needed to enter and exit the community. Additionally, there are fire stations on the west at Highway 83 and in the northeast area of this property near Black Forest and Hogden.

***“Providing multiple points of access to a subdivision also improves efficiency in emergency response times, and allows for better pedestrian and bicycle access across neighborhoods. Better access can be the difference between a resident or visitor choosing to walk over drive to their destination. Increased access especially with multimodal options for walking and biking has the opportunity to reduce vehicular travel and ultimately congestion and stress on roadway infrastructure. The County should continue to require that new subdivision developments in the County have multiple points of access to existing roadways to minimize congestion and improve emergency access. They should be sited in a manner that improves connectivity to adjacent areas.”*** - 2021 El Paso County Master Plan

FHN is providing the access points mentioned above, with the Holmes Road connection that will allow emergency access and as a potential fire evacuation route north and south, for current and future residents.

#### ***Biking On- & Off-Street Opportunities***

***There are existing “on and off-street” bicycle facilities throughout the County, a majority of which exist within Colorado Springs. Whether located on- and off-street, trails accommodate cyclists and pedestrians in their own delineated space as they navigate roadways. However, on major roads with high traffic volumes and higher vehicular speeds, only confident cyclists will regularly use unprotected on-street options.*** - 2021 El Paso County Master Plan

FHN is providing many on and off street bicycle facilities as shown on the plan.

## **Stormwater Management**

The FHN Preliminary Plan/PUD is in general compliance and intent of the goals, objectives, and policies of the County Master Plans as it regards to Stormwater as described below.

***“The effective management of stormwater runoff is critical due to its potential to affect stream water quality, riparian zone habitat and wetlands, flood conveyance capacity, and sediment loading and transport. Hydrologic impacts from urbanization can cause water quality problems, aggregation/degradation of stream channels, increased temperature, and sedimentation, which can have a corresponding effect on aquatic habitat, groundwater recharge and streamflow.”*** - 2021 El Paso County Master Plan

The Master plan further states:

***Stormwater detention, retention ponds, or other best management practices (BMPs) should be required to minimize flooding, maximize infiltration, and minimize water quality impacts from impervious surface contaminants. Common structural BMPs are stormwater detention and retention ponds, methods to minimize directly connected impervious surface areas, and irrigated grass buffer strips. Nonstructural BMPs include stormwater quality-control planning, adoption of criteria and standards, illicit discharge controls, and general education programs.*** - 2021 El Paso County Master Plan

FHN understands the importance of stormwater and that it is critical not only in the Black Forest area but throughout the County. The majority of the development is within the East Cherry Creek major drainage basin within areas of undeveloped land with sparse vegetation including native grasses and weeds. The east areas within the Black Squirrel Creek major drainage basin are adjacent to heavily forested areas of the Black Forest, in the area of developed estate lots within Filing No. 1 and future estate lots within Filing No. 3. Development within both major basins will utilize on-site water quality and full spectrum detention by way of extended detention basins. The PDR and Preliminary Plan/PUD design plans depict permanent control measures to provide water quality and detention for the stormwater runoff from disturbed and developed areas that are to be designed to detain and release the stormwater runoff for the WQCV, EURV, and 100-year events at required rates. Open spaces and existing golf course conditions are to remain undisturbed to the largest extent possible and include bypassing stormwater flows to keep with the existing drainage conditions. Dispersed throughout the development areas of Parcels 1 through 6, there are strategically placed detention ponds to provide attenuation of storm flows along with water quality as full spectrum detention ponds and each pond is to outfall to the most appropriate downstream location at the required release rate to follow County stormwater criteria and match historical conditions.

As described in the FHN MDDP document, this project is planning for and providing effective management of stormwater runoff that will protect the stream water quality, riparian zone habitat and flood conveyance capacity, and sediment loading and transport. The following elements from the County Master Plan are being met with the FHN project:

- *No direct discharge of stormwater into a lake, stream, or perennial drainage ways.*
- *FHN will provide erosion and sedimentation control plans at the time of Final Plat and Construction Drawings for each filing within the Preliminary Plan/PUD*
- *Disturbance management and revegetation plans will be developed at time of the construction document stage*
- *FHN will provide stabilization during disturbance*
- *Monitoring will be performed during disturbance with regular inspections*
- *Financial assurances will be secured to ensure that erosion control plans are implemented*

## **11. Discussion summarizing the provision of utilities.**

### **Districts and Utility Entities 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 – 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.
- Tri-View Metropolitan District will serve wastewater needs for the project.
- FAWWA will service water needs for the project.
- FHN Metro Districts -approved by the County Board that will serve as a major funding source for infrastructure on and off-site.

## **12. Discussion summarizing any constraints, hazards, and potentially sensitive natural or physical features (e.g., wetlands, protected species habitat, floodplain, geological, etc.) within the area included within the request and how these areas will be incorporated into the development or otherwise mitigated.**

FHN has provided protection of many of the major drainageways and avoided the floodplain in the northwest corner of the property. The drainageways have been protected and will be large open space corridors as reflected in the proposed master plan. Please refer to the Natural Features and Wetland Report by Bristlecone for more detailed information.

### **Water Features**

**Surface Water** – There is little surface water on the site. Surface water is almost entirely derived from precipitation, consisting of runoff from snowmelt and surface flows from storm events. Proposed detention facilities will temporarily detain runoff onsite and direct it into existing natural drainageways. As designed the intent is to avoid water pollution as the stormwater facilities should adequately address urban runoff into drainageways and ultimately water resources. These facilities will be designed to comply with local, state and federal guidelines.

**Riparian Areas** – There are currently few riparian areas existing on the property. Development will increase riparian availability and diversity, providing additional wildlife habitat at the site. Creation of open space tracts along drainageways will ensure preservation of new riparian areas as well as promote access to these areas for recreation through trail systems.

### **Natural Resources & Land Conservation**

**Federal & State Land** – There is no federal or state land on the site. Conservation easements will not be acquired, though open space tracts will be established and maintained by the Metro District or an HOA.

### **Wetland Habitat and Waters of the U.S.**

Please refer to the Natural Features and Wetland Report by Bristlecone Environmental for detailed information.

### **Floodplains:**

The property contains portions of floodplain in the northwest corner of the property near Hodgen Road. This development will avoid this floodplain and therefore no impacts will occur.

### **Noise**

The Land Development Code requires the impacts of noise pollution to residents to be mitigated. The proposed development is located adjacent to other residential uses and the noise impact will be very minimal. Some commercial uses are proposed however appropriate site planning and landscape buffers planned to minimize any negative impacts for air quality. For example, the commercial



planned in the northeast corner of the will have setbacks and buffers to minimize impact to adjacent residential uses. No industrial uses (or other noise pollution uses) are planned or requested on FHN and therefore noise pollution is not a significant factor.

### **Air Quality**

The proposed residential use will not significantly impact air quality. The proposed development is located adjacent to other residential uses. Some commercial uses are proposed, however, they have appropriate site planning and buffers planned to minimize any negative impacts for air quality. No industrial uses are planned or requested on FHN which could potentially affect air quality.

### **Soil Hazards and Geologic Information:**

The Soils and Geology Report prepared by Entech identifies geologic conditions that occur on the property. The site was found to be suitable for development with appropriate mitigation and avoidance. As stated in the report, approximately 62% of the site is rated 'Not Limited' for dwelling with or without basements, while approximately 33% is rated 'Somewhat Limited', and the remaining 5% of the site, on the far western edge, is rated 'Very Limited' (NRCS 2022b). This project will not interfere with the extraction of mineral deposits.

### **Vegetation**

Vegetation will be unavoidably disturbed through the development, however the existing tree areas will have the largest lots (2.5 acres), thus minimizing large clearing of vegetation. While that area is not a part of this Preliminary Plan/PUD submittal, the land that is a focus of this submittal is primarily Foothill Grasslands, which is the primary ecosystem type that will be impacted. The site is generally of moderate quality and impacts are not expected to imperil or substantially harm either of these ecosystems, though development of the site will result in the loss of a few hundred acres of grasslands. No globally-sensitive vegetation communities are present, and one state-sensitive vegetation community is present (Shortgrass Prairie).

FHN is on the fringe of the Ponderosa Pine Woodlands, a globally and state stable vegetation community. Development of the site will likely increase and improve riparian habitat along the swales in the eastern half of the site through the planting of trees along drainages and the presence of more consistent hydrologic flows. There is currently almost no riparian or wetland habitat on the property. The highest quality habitat on the site is within the forested areas, primarily in the western half of the site where large 2.5 acre lots are planned. As mentioned, these areas will largely be preserved and incorporated as part of a separate submittal, so the highest quality habitats on the site will primarily remain. See the Natural Features and Wetlands Report by Bristlecone for further information.

### **Aquatic Resources**

Per the Natural Features and Wetlands Report by Bristlecone, there are few aquatic resources on the site. Site reconnaissance also revealed that many of the aquatic resources depicted in the NWI/NHD data are not present on the site at all.

Given that the project will preserve many of the on-site drainages and adjacent open space buffer areas, there is good potential to improve native vegetation and aquatic resources by:

1. Creating a habitat restoration and management plan for the drainages and open space areas.
2. Increasing native vegetation in the disturbed shortgrass prairie areas by

seeding with native species;

3. Including requirements in the Codes, Covenants and Restrictions (CCRs) to preserve native vegetation and minimize non-native landscaping and irrigation;
4. Implementing a stormwater management plan and preparing a natural channel stabilization plan for some of the drainages
5. Implementing an integrated noxious weed management plan

### **13. Discussion summarizing any community outreach efforts by the applicant that have occurred or are planned as part of the request.**

The FHN project team has made significant efforts to do community outreach including four neighborhood meetings through the Sketch Plan process and Planning Commission and Board of County Commission public hearings. Additionally, prior to this Preliminary Plan/PUD submittal another neighborhood meeting was held to update surrounding neighbors of the progress and upcoming submittal.

Common questions and concerns are listed on the following page.



MOST COMMON QUESTIONS/CONCERNS BY NEIGHBORS	HOW THE QUESTION/CONCERN IS BEING ADDRESSED
<i>WATER - Concerns with the availability of water and how this project might impact the Dawson aquifer wells.</i>	FHN will be served by a municipal water system, likely FAWWA or similar entity. Shallow wells are not the main source of water for FHN with the exception of some 2.5 acre lots in the southwest corner of the property (not a part of this submittal). Proof of sufficiency will have to be processed through the County and State at time of Final Plat.
<i>DENSITY - Concern that the lots are too small and density is too high for this area.</i>	FHN is providing 2.5 acre lots in the forested areas next to the 2.5 acre lots in Cathedral Pines which is a good land use relationship. In other areas where adjacent estate lots exist, FHN is proposing 5 acre lots along the property line. Smaller lots are placed in the more central areas buffered by lower densities and landscape buffers on the property edge.
<i>APARTMENTS – concern that the Attached parcels will be apartments.</i>	FHN is not proposing apartments. The attached product will likely be in the hotel complex area (i.e. flats)
<i>INFORMATION NOT DISCLOSED FOR FILING 1 RESIDENTS - Some FHN Filing 1 residents feel they were not told this could type of development could happen (i.e. was not disclosed).</i>	Filing 1 residents were informed of this potential development expansion through a disclosed document that was signed by each original Filing 1 lot purchaser. It stated FHN could be annexed and higher density lots, commercial and potentially a hotel may be developed in the future.
<i>TRAFFIC – concern that this development will overload the existing roads</i>	FHN is aware some transportation improvements may be needed. Please see the Traffic Study for more detailed information.
<i>MILAM ROAD - Cathedral Pines resident expressed concern with Milam Road being extended into FHN creating significant traffic problems</i>	FHN is not proposing any changes to Milam Road extension, nor is any construction planned at this time. The Milam alignment, requested by the County as part of Cathedral Pines traverses west of FHN on property not controlled/owned by FHN.
<i>HIGHWAY 83 – concern that this road cannot handle the additional traffic</i>	CDOT controls this road, not the developer, however FHN will cooperate with future improvements as needed.
<i>COUNTY PROCESS – there was some concern about the approval process for FHN</i>	This project is following the required approval process of Sketch Plan which was approved by the Board and this current submittal of the Preliminary Plan/PUD. Future submittals will include Final Plats and Construction Documents.
<i>COUNTY MASTER PLAN COMPLIANCE – neighbors feel that the new County Master Plan is not being met with this proposal.</i>	As defined in this LOI this project substantially meets the intent of the County Master Plan and other is in general compliance with other applicable County plans and criteria.
<i>COUNTY REGIONAL TRAIL - Desire to have the trail extended through FHN and be for public use</i>	FHN will extend the regional trail through the FHN project to Hodgen Road. It will be for public use.
<i>POTENTIAL ANNEXATION - Concern if annexed to the City what would happen?</i>	FHN is processing through the County, it is not planned to annex to the City at this time.
<i>FIRE - Concern with fire hazards with FHN and the area.</i>	FHN will provide a municipal water system which also provides fire hydrants throughout the project. In the Filing 3 area a cistern is planned as requested by the fire district.
<i>LIGHTING - Concern lighting from the hotel and development will be too bright causing light pollution</i>	FHN will comply with building regulations.
<i>OPEN SPACE – questions about how much open space is being provided</i>	County requirement is only 10% and this application far exceeds that standard offering significant open space, trails and other amenities.

#### **14. Discussion regarding anticipated traffic generation and access, unless a separate traffic study is required and is being provided.**

Please see the Traffic Study for detailed information regarding traffic and transportation. Future access will generally include multiple access drives along all exterior roadways bordering the proposed development and along Old Stagecoach Road. Primary points of entry to the overall development are provided at multiple locations where County staff has requested.

#### **15. Discussion regarding how the specific request complies with the PUD General Standards and Requirements in Chapter 4 of the Land Development Code.**

This application generally complies with the PUD General Standards and Requirements in Chapter 4.

#### **16. Discussion regarding the surrounding area and how the proposal fits within the context of the area and any potential impacts that may be caused by the proposed development.**

FHN project fits within the context of the area and any impacts that may be caused by the proposed development are factored into the FHN master plan design.

##### **Identification and location of sites of historical or archeological interest:**

There are no known sites of historical or archeological interest on the property.

##### **Identification and location of sites of natural or scenic importance:**

The FHN property has part of the Black Forest in the southwest area of the site which is not a part of this submittal. This area has natural and scenic importance much like the area surrounding this property. As with other surrounding developments such as Cathedral Pines (south of FHN) and High Forest Ranch (north of FHN), this design locates the largest estate lots (2.5 acres) in this area to preserve as many trees as possible. The remaining property that is the focus of this submittal is primarily grasslands with minimal existing trees.

##### **Social Impacts**

The proposed plan provides the opportunity for a range of housing product at a variety of price points. This will provide housing for varying demands and lifestyle options, which will ensure that the proposed housing is both attractive to and attainable by a variety of purchasers. The luxury resort hotel, potential Fitness Club, numerous parks/trails and the existing golf course will be the main social activity of the community. This will provide a venue for recreational activities, social events, and community entertainment. This will help to provide a strong and connected community, which will have a positive social impact for these residents.

##### **Landscape Buffers**

As described previously, significant landscape buffers are provided that far exceed County Code requirements.

##### **Wildfire**

Wildfire hazard for FHN was evaluated using the Colorado State Forest Service's (CSFS) online Wildfire Risk Assessment Portal (WRAP; CSFS 2020). WRAP allows professionals, planners, and the public to access the best scientific information regarding wildfire risk and establish prevention and mitigation measures accordingly. According to WRAP, the wildfire risk for the Project site is approximately 30% "Moderate Risk", approximately 40% "Low Risk", and approximately 30% "Lowest Risk" (CSFS 2020; Figure 5: Wildfire Hazard Map – Wildfire Risk). "Wildfire Risk" is determined by CSFS by combining the burn probability rating of a site with the values-at-risk rating. While FHN has a low to very low rating of values and assets that would be adversely impacted by wildfire, the burn probability for the entire site is rated about 40% "Low" to "Low-Moderate" and about 60% "Moderate". Counterintuitively, the areas mapped for "Moderate" burn probability are not the forested portions of the site, but rather the areas of contiguous grasslands on the eastern half of the





site. The site is rated low in terms of values and assets present that could be lost to wildfire; it is rated low to low-moderate in terms of burn probability based on the available fuels at the site. Development of the site would result in a reduction of the available fuels for wildfires, while simultaneously increasing the values and assets present on the site. As such, the overall wildfire risk index for the Project is expected to stay close to the same as a result of development. The nearest fire response is Station 2 in the Black Forest FPD, which is 1.18 miles away. A potential new fire station will be constructed on this property within the commercial parcel at Black Forest Road and Hodgen Road. Overall the added access points and nearby fire stations provide good evacuation routes and protection. The Holmes Road extension from the south to the north and the access on to Hodgen provide additional access for future FHN residents and property owners in the area around this site.

### **17. Discussion regarding the provision of utilities.**

This review criteria closely duplicates item # 11 above. Please refer to #11 for an analysis of how this criteria is met.

### **18. Discussion detailing any proposed PUD modifications and an analysis of how the requested modifications meet the approval criteria in Chapter 4 (4.2.6) of the Land Development Code.**

This review criteria closely duplicates item # 15 above, however the below narrative demonstrates the County's code describing the purpose of the PUD District. It is also shown below how this application generally aligns with the approval criteria and purpose of a PUD. County code is listed in italic font and the applicant narrative is shown in bold font.

#### **4.2.6. PUD, Planned Unit Development District**

*(A)Purpose. The Planned Unit Development (PUD) district is a versatile zoning mechanism to encourage innovative and creative design and to facilitate a mix of uses including residential, business, commercial, and industrial, recreation, open space, and other selected secondary uses. This zoning district is established in accordance with C.R.S. §§ 24-67-101, et seq., to accomplish the following objectives.*

- To further the public health, safety and general welfare within El Paso County;*
- To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*
- To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*
- To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*
- To encourage more efficient use of land services reflecting changes in the technologies and economies of land development;*
- To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*
- To achieve development economies to minimize impacts on existing infrastructure and to encourage the most efficient use of public infrastructure while limiting the costs of providing services and to reduce the burden on existing streets and utilities by more efficient development;*
- To promote layout, design and construction of development that is sensitive to the natural land form and environmental conditions of the immediate and surrounding area, including scenic vistas,*

natural features and environmental resources;

- To ensure that provision is made for beneficial open space, to provide for active, usable open spaces, and to preserve open areas;
- To encourage integrated planning systems to achieve the objectives of and to otherwise implement the stated purpose and intent of this Code and the Master Plan;
- To create an integrated and fixed set of land use controls which allow multiple and mixed uses in 1 coordinated development; and
- To establish a basis for vested property rights for multi-year projects.

**Applicant response-**This submittal provides innovative and creative design through the careful planning and structure of the layout. It also includes a mix of uses including residential, business, commercial, recreation, and open space all designed into a cohesive and organized community with external buffering on the edges of the property (large buffers and 5 acre lots). By utilizing the PUD District, versus straight zoning, the design of this community is more creative, responds to the natural features better and includes a more robust open space and trails system.

(D) Approval Criteria For PUD Zoning. The Planning Commission and BoCC shall determine that the following criteria have been met to approve a PUD zoning district:

- *The proposed PUD District zoning advances the stated purposes set forth in this Section;*  
**Applicant response-Yes, this submittal of PUD zoning fulfills the purpose of the County's PUD District and produces a better overall designed community allowing various land uses with significant parks, open space and trails.**
- *The application is in general conformity with the Master Plan;*  
**Applicant response-Yes, as described previously in this LOI, this application is in general conformance to the County 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;*  
**Applicant response-**This application will not be significantly detrimental to the health, safety or welfare of present (i.e. surrounding neighbors) or future residents. This application is in general compliance with the requirements of this Code and applicable statutory provisions.
- *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;*  
**Applicant response-Yes, this application and property is suitable for the intended uses that are both existing around the property and proposed on-site. Land use transitions are provided on the property edges and internally between uses. For example, great efforts have been included in the design of the master plan with large landscape buffers and 5 acre lots on the perimeter to be compatible with existing and allowed land uses on the neighboring properties. The proposed hotel is surrounded by golf course and existing trees allowing a natural buffer to exist around this facility. This community is responsive to the character of the surrounding area and natural environment; and will not have significant 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;*  
**Applicant response-Yes, this community master plan provides significant external buffers and appropriate land uses transitions. Regarding the land use transitions, 2.5 acre (south of FHN) and 5 acre lots and larger surround FHN. Therefore, this application proposed 5 acre**

lots around the majority of the perimeter providing very good land use transitions from external (around FHN) to internal. Additionally, large open space areas and transitions are provided internal to the site. For example, the hotel is placed in an area with significant golf course (Filing 1) surrounds that land use.

- *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;*

**Applicant response-Yes, the allowed uses, bulk requirements and required landscaping and buffering are appropriate and are compatible to the surrounding neighborhood due to the large lots (+- 5 acres) being placed around the perimeter of the site. By doing this our land use closely matches the surrounding estate lots of similar sizes. Additional, large open space areas (and buffers) are placed along Black Forest Road and Hodgen Road. Regarding the hotel, the golf course surrounds the majority of that parcel thus providing open space buffering around that facility. The hotel will not be visible to much of the surrounding Black Forest area due to sensitively placing the hotel in an area with surrounding trees and the golf course itself. This significantly helps with the compatibility of the hotel in relationship to the surrounding area.**

- *Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;*

**Applicant response-Yes, many natural features such as existing drainages are preserved and respected, thus providing open space and trail corridors for the future residents.**

- *Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;*

**Applicant response-Yes, significant open space, parks, trails and amenities are integrated into the plan which provide a reasonable walking and biking opportunities. Most of the parks and trail are within a few minute walk of each lot.**

- *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;*

**Applicant response-A metro district has been approved by the County Board providing major infrastructure for this project, therefore will not overburden existing facilities or the lack of facilities in the area. Much of the surrounding area is on individual well and septic system. With water, instead of drilling more shallow wells, thus overburdening the shallow aquifer in the area, this proposal instead will use a centralized water system (either Tri-View MD or FAWWA). Additionally, the Black Forest Fire District and other emergency services will provide necessary support as the property falls within their District. For additional information please see the various reports submitted with this application.**

- *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;*

**Applicant response-This community has been well-designed incorporating about 22% of the property in parks, trails and open space that is well interconnected. Environmental features such as the major drainageways have been respected and set aside in open space that provide significant aesthetic features and a harmonious design overall.**

- *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;*

**Applicant response-No mineral deposits are present on this property.**

- *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;*

**Applicant response-Yes, multiple conversations with County staff have occurred working through potential deviations, some have been removed completely while others have been designed with staff input to ensure it is warranted and acceptable to the County.**

- *The owner has authorized the application.*

**Applicant response-Yes, authorized agents and the applicant has signed the application.**

- *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;*

**Applicant response-Yes, legal and physical access is provided to lots and parcels by public rights-of-way. Some access points will be finalized at time of final plat, site development plan and construction document stage.**

- *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;*

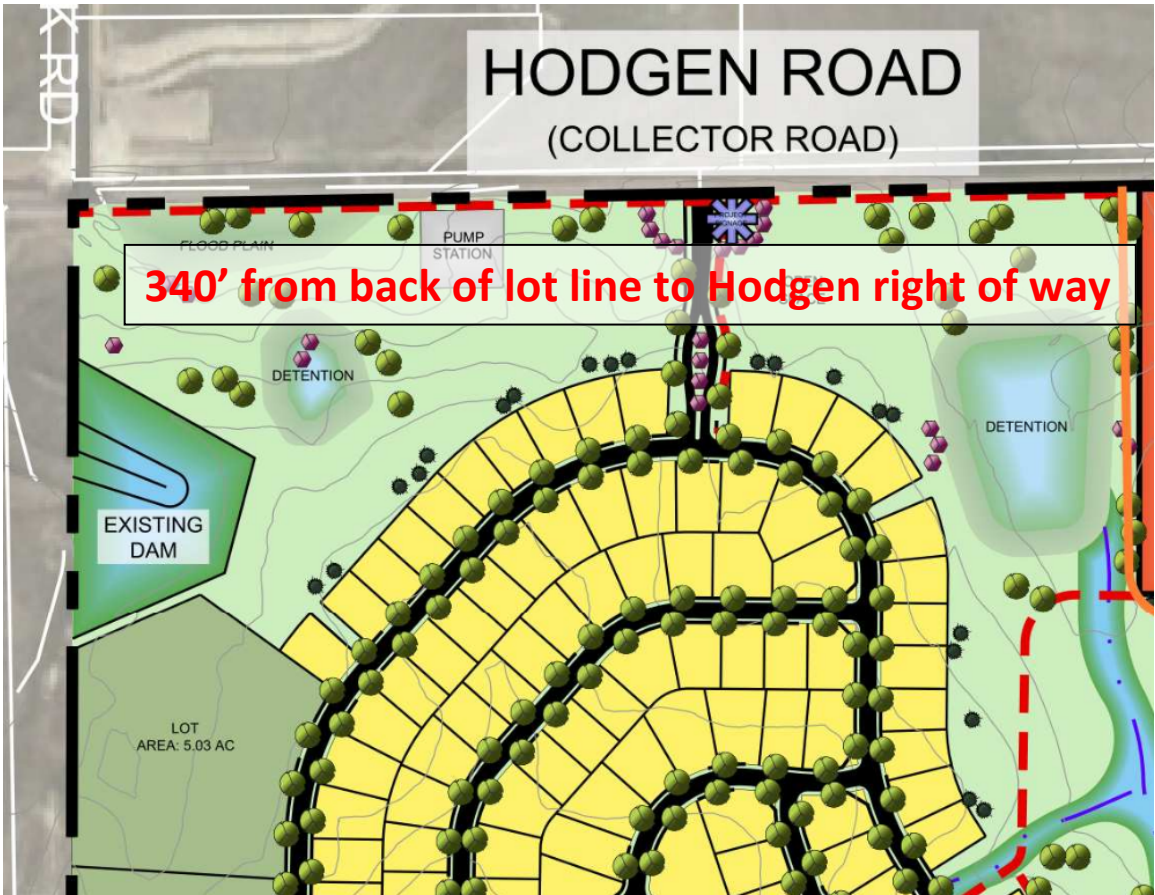
**Applicant response-Yes, this application and submittal has provided an adequate level of compatibility as follows:**

- 1) **FHN incorporates natural physical features such as the existing drainageways into the design and has provided about 22% of the site in park, open space and trails**
- 2) **FHN has incorporated site planning techniques that encourage a land use pattern that allow autos, bikes and pedestrian traffic to easily circulate the community.**
- 3) **Appropriate land use transitions have been provided as the hotel site (with flats and casitas) is surrounded by golf course. Also, large open space areas are provided on Hodgen and Black Forest Road. In many cases these open space areas and buffers are very significant that far exceeds any County code requirement. See further detail below with exhibits.**

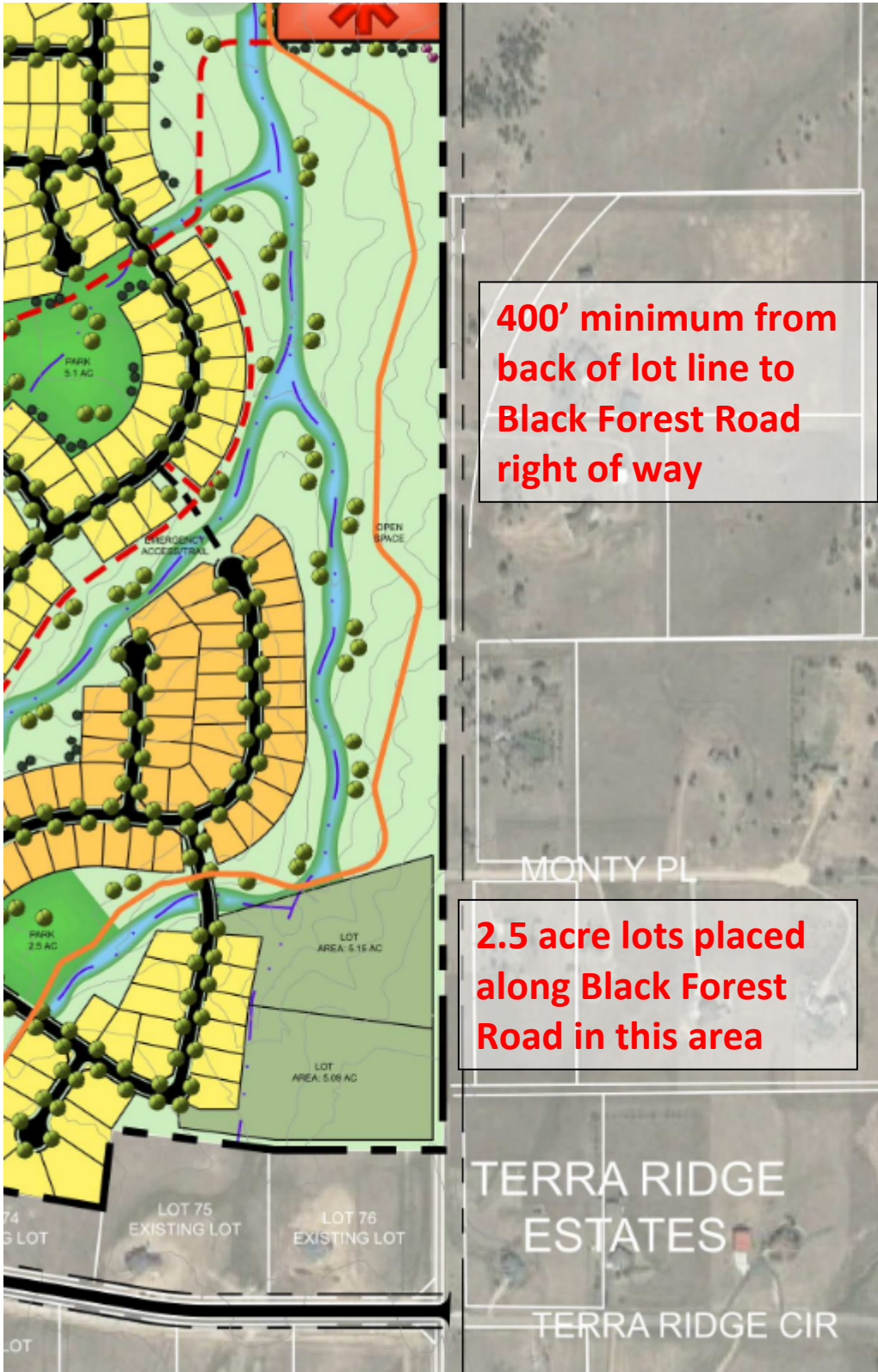
**FHN proposes large 5 acre lots on most of the perimeter providing a very good land use transition and compatibility to adjacent large estate lots. Below demonstrates the significant open space area dimensions and buffer areas shown on the plan.**

- **Hodgen Road – from right of way of Hodgen to the rear lot line is approximately 340' which is a significant setback of homes.**
- **Black Forest Road (northeast quadrant of site) – from right of way of Black Forest Road to the rear back lot line is a minimum of 400' and in some places is as much as 850' from right of way to the rear lot line.**
- **Black Forest Road (southeast quadrant of site)-In this area from right of way of Black Forest Road to the rear lot line is approximately 440'. Most important to note those lots are 5 acre lots which matches the surrounding area. Additionally, from the right of way to the smaller lots is over 1200' which is a significant land use buffer provided by FHN.**

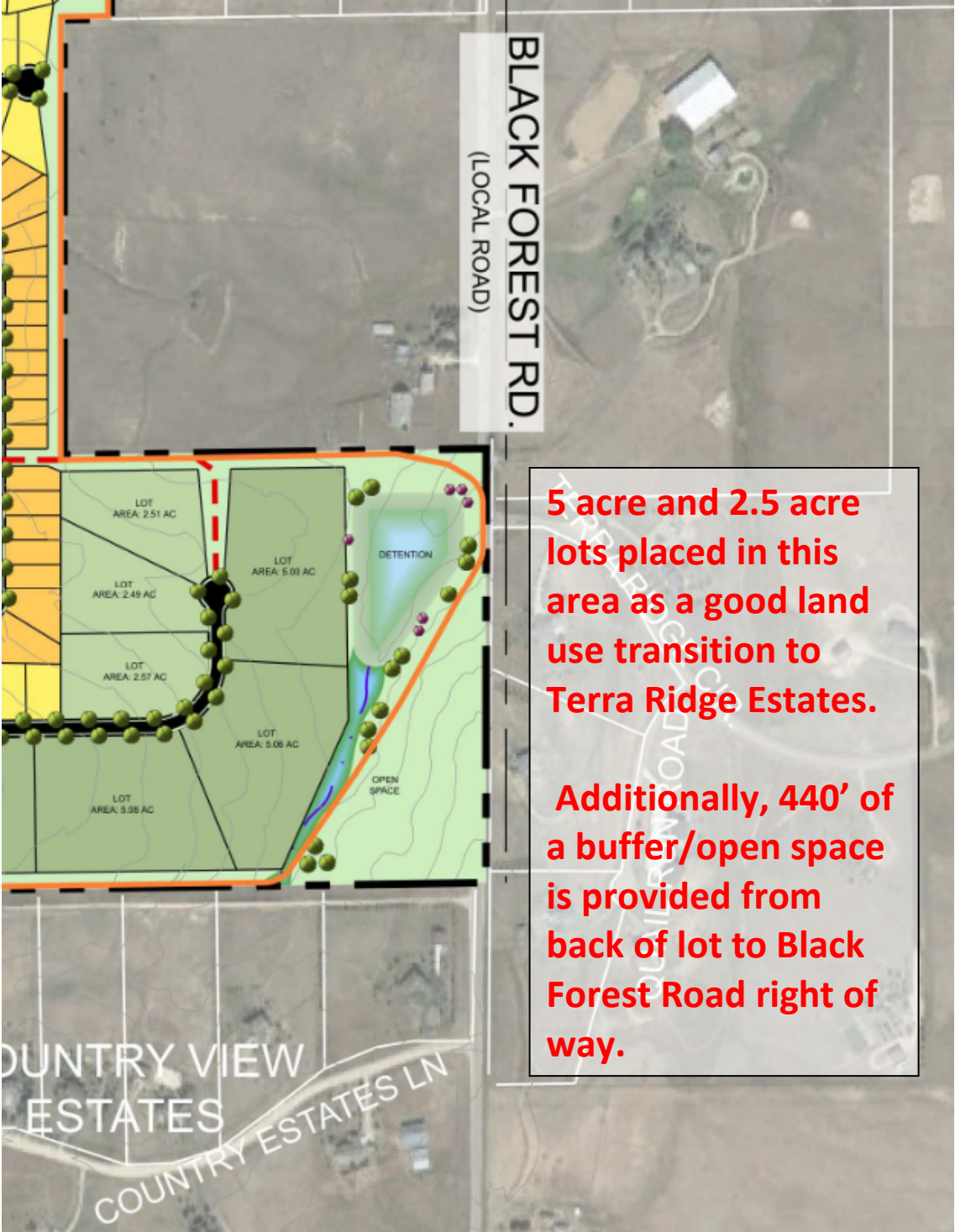
Hodgen Road open space and buffer



Black Forest Road (northeast quadrant) – An expansive buffer/open space area is provided along Black Forest Road ranging from 400’ to as much as 850’ in one area (right of way to back of lot line).



Black Forest Road (southeast quadrant)



- 4) Environmentally sensitive areas, such as the major drainageways have been placed in open space areas.
- 5) A metro district will construct most of the major infrastructure for this project that minimizes the impact to the County.
  - *Necessary services, including police and fire protection, recreation, utilities, open space and transportation systems, are or will be available to serve the proposed subdivision;*  
**Applicant response-Yes, necessary services will be provided for this project.**
  - *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;*  
**Applicant response- Yes, a metro district will construct most of the major infrastructure for this project that minimizes the impact to the County and surrounding residents in the Black Forest area. Water and Sanitary services will be provided externally by Tri-View Metro District for wastewater and FAWWA for water, or other districts in the region. A metro district has been approved by the County Board public improvements for this project, providing adequate services to meet the needs of future residents and mitigate the effects of the development on the surrounding area. Furthermore, regarding water, much of the surrounding area is on individual water wells. With the FHN proposed central water system, instead of drilling more shallow wells impacting the shallow aquifer in the area, this proposal instead will use a centralized water system (FAWWA). Additionally, the Black Forest Fire District and other emergency services will provide necessary support as the property falls within their District. For additional information please see the various reports submitted with this application.**
  - *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and*  
**Applicant response-Yes, as currently designed, the community will meet Chapter 6 of the County Code, unless modified by PUD standards approved by the County Board.**
  - *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.*  
**Applicant response- The community will meet Chapter 6 of the County Code, unless modified by PUD standards approved by the County Board.**

## 19. Discussion regarding any community outreach completed or planned as part of the development.

This review criteria closely duplicates item # 13 above. Please refer to #13 for an analysis of how this criteria is met.



## **LOI Preliminary Plan Checklist Items**

El Paso County requires a PUD to demonstrate how the proposal meets the Criteria for Approval. Many of the criteria for the Preliminary Plan are duplicated within the PUD (zoning) review criteria checklist. Therefore, those criteria are noted and reference numbers are provided pointing to the PUD (zoning) narrative to minimize duplication.

### **1. Owner**

Land Owner: PRI #2, LLC  
Developer: Flying Horse Development, LLC  
Contact Person: Mr. Drew Balsick  
Email: DrewB@classichomes.com  
Telephone No.: (719) 785-3237

### **2. Applicant Name**

Company: HR Green Development, LLC  
Contact Person: Mr. Phil Stuepfert  
Email: pstuepfert@hrgreen.com  
Telephone No.: (720) 602-4941

### **3. Property address**

5435, 5475 Old Stagecoach Road; 15268 Allen Ranch Road; Allen Ranch Road; Quartz Creek Drive; Holmes Road; 15380 Black Forest Road

### **4. Property tax schedule number**

6136004002, 6136004001, 6136004038, 6136000003, 6136000005, 5100000437, 5131000001, 5100000080

### **5. Current Zoning of the Property**

The current zoning of the property is PUD (Planned Unit Development) that was approved per the Sketch Plan for up to 846 units including the 796 detached single-family units. This application does not exceed the Sketch Plan total unit count and gross density.

### **6. Discussion detailing the specific request and size of the area included in the request.**

See criteria # 6 explanation under the zoning section.

### **7. Discussion identifying and acknowledging any applicable overlay zoning.**

See criteria # 7 explanation under the PUD (zoning) section.

### **8. A summary of the proposed request and how it complies with each of the Criteria of Approval in Chapter 7 of the Land Development Code and the Subdivision Design Standards in Chapter**

See criteria # 8 explanation under the PUD (zoning) section.

**9. Discussion summarizing how the proposed preliminary plan is consistent with the El Paso County Master Plan, including all applicable elements of the Master Plan (e.g., Water Master Plan, Parks Master Plan, etc.).**

See criteria # 10 explanation under the PUD (zoning) section.

**10. Discussion summarizing the provision of utilities.**

See criteria # 11 explanation under the PUD (zoning) section.

**11. Discussion summarizing any constraints, hazards, and potentially sensitive natural or physical features (e.g., wetlands, protected species habitat, floodplain, geological, etc.) within the area included within the request and how these areas will be incorporated into the development or otherwise mitigated.**

See criteria # 12 explanation under the PUD (zoning) section.

**12. Discussion regarding anticipated traffic generation and access, unless a separate traffic study is required and is being provided.**

See criteria # 14 explanation under the PUD (zoning) section.

**13. Discussion regarding the surrounding area and how the proposal fits within the context of the area and any potential impacts that may be caused by the proposed development.**

See criteria # 16 explanation under the PUD (zoning) section.

**14. Discussion summarizing all proposed public and private improvements, including onsite and offsite improvements, and the plan for ongoing ownership and maintenance of each improvement.**

The proposed roadways will be public rights-of-way including typical roadway sections, including urban local and collector roadways. These typical sections include asphalt pavement, curb and gutter, sidewalks, and future public stormwater infrastructure as needed. The roadway sections include typical public utilities such as wastewater main to be owned and maintained by Tri-View Metro District and water main to be owned and maintained by FAWWA, that will be determined at final plat stage. Drainage and utility easements are sited for the continued maintenance of any utilities or drainage improvements outside of the typical right-of-way sections. Private improvements include the full spectrum detention ponds, as depicted on the Preliminary Plan and PDR. Any storm infrastructure outside of the public right-of-way is privately owned and maintained by a Flying Horse North Homeowners Association.

## 15. A discussion detailing any proposed waivers and an analysis of how the requested waiver meets the approval criteria in Chapter 7 of the Land Development Code.

There are no waivers being requested for this development.

## 16. A discussion detailing any proposed or approved deviations from the County's Engineering Design Standards (e.g., Engineering Criteria Manual).

HR Green Development has discussed potential deviations with County staff. The following deviations are anticipated at this time:

1. Monument structures and ornamental landscaping within raised median roadways with widened public rights-of-way that will require license agreements and further review of the proposed infrastructure.
2. Intersection spacing for access points to commercial Parcel No. 5. Review and approval of access to this parcel will be determined at the time of Site Development Plan for this site.
3. Access spacing for commercial Parcel No. 6 with consideration for future land use and subdivision lot layout. At present, a single access point on Black Forest Road meets ECM criteria and additional access points will require a deviation. Consideration for the future alignment of Black Forest Road and the need for multiple access points, including one at Hodgen Road, is to be reviewed further at later date.
4. Access spacing for commercial Parcel No. 1 (Permanent Clubhouse location) to be considered as the proposed access point would be too close to the Old Stagecoach Road roundabout located to the east of the parcel. Consideration for the need for secondary access for this parcel is to be reviewed by the County.
5. A Deviation for the length of a cul-de-sac roadway that is an urban local residential section within a rural estate lot area.

## 17. Discussion summarizing any community outreach efforts by the applicant that have occurred or are planned as part of the request.

See criteria # 19 explanation under the PUD (zoning) section.

### Preliminary Plan Review Criteria

Listed below are the El Paso County review criteria (*italic font*) and the applicant response to how this FHN submittal meets those criteria.

*The BoCC shall find that:*

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

**Applicant response- As described in this LOI, FHN is in general conformance with the goals, objectives, and policies of the Master Plan**

- *The subdivision is consistent with the purposes of this Code;*

**Applicant response- As described in this LOI, FHN is consistent with the purposes of the EPC Code.**

- *The subdivision is in conformance with the subdivision design standards and any approved sketch plan;*

**Applicant response- As described in this LOI, FHN is conformance with the subdivision design standards and the 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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);*

**Applicant response-FHN has a will serve letter from FAWWA. Final water findings will be determined at time of Final Plat.**

- *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;*

**Applicant response- FHN has a will serve letter from Tri-View. Additionally, the FHN Metro District will construct the sanitary system on-site to serve this community.**

- *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)];*

**Applicant response-As described in this LOI, the property has no significant soil or topographic hazards.**

- *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;*

**Applicant response- Adequate drainage improvements are provided and comply with State law and the requirements of the EPC Code and the EPC Engineering Criteria Manual.**

- *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;*

**Applicant response- The FHN 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 FHN Metro District will construct many of the public improvements needed to serve the future residents.**

- *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;*

**Applicant response- Legal and physical access is provided via multiple access points provided connections to Highway 83, Hodgen Road and Black Forest Road. Internal to the FHN community legal and physical access is provided to every parcel and lot.**

- *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;*

**Applicant response-As described in this LOI, FHN provides an adequate level of compatibility.**

• *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;*

**Applicant response-As described in this LOI, necessary services, including police and fire protection, recreation, utilities, open space and transportation system, 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*

**Applicant response- FHN has provided evidence to show that the proposed methods for fire protection comply with Chapter 6 of the EPC Code.**

• *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code*

**Applicant response- FHN meets applicable sections of Chapter 6 and 8 of the EPC Code.**

