

# FLYING HORSE NORTH

## PUD PRELIMINARY PLAN MINOR AMENDMENT / FINAL PLAT

Filing No. 4

### Letter of Intent

September 19, 2024



Owner:

**Flying Horse Development, LLC**

Applicant:

**HR Green Development, LLC**



PCD File Number:  
**PUDSPXXX**

Update file number. If this is a composite LOI for the PUDSP and final plat, include both file numbers



FLYING HORSE  
NORTH

## Owner / Applicant Information

### Owner:

Company: PRI #2, LLC.  
Contact Person: Mr. Drew Balsick  
Email: DrewB@classichomes.com  
Telephone No.: (719) 785-3237

### Applicant

Company: HR Green Development, LLC  
Contact Person: Mr. Blaine Perkins  
Email: blaine.perkins@hrgreen.com  
Telephone No.: (719) 394-2430

## Property Tax Schedule Nos.

The following property is included in this filing: Schedule No. 5131000002, 513000003, 513000006, and 513000007.

## Reports Included by Reference

- *Soils and Geology Study, Flying Horse North Filing No. 4* by Entech Engineering, Inc.
- *Flying Horse North Filing No 3 Traffic Impact Study* by SM Rocha, LLC.
- *Wastewater Study, Flying Horse North Filing No. 4* by Entech Engineering, Inc.

## Application Request

HR Green Development, LLC on behalf of Flying Horse Development, LLC requests approval on the following applications within El Paso County.

- A Minor Amendment to the approved 2016 Flying Horse PUD, PUD Preliminary Plan Flying Horse North No. 4.
- A Final Plat for Flying Horse North No. 4 consisting of 48 single-family residential lots on 175.78 acres, more or less.
- A finding of water sufficiency for quantity, quality and dependability with both applications to be approved administratively.

## Project Description

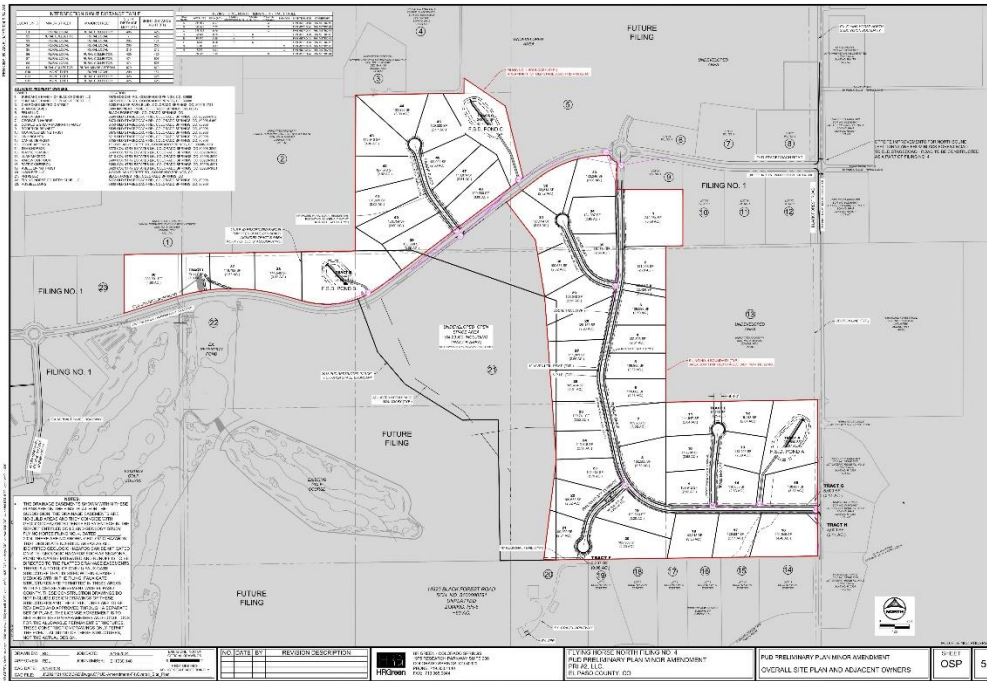
The overall Flying Horse North community (hereafter called "FHN") is generally located east of Highway 83, north and south of Old Stagecoach Road which transverses through the center of the property in an east/west direction. The property is also southwest of the intersection of Hodgen Road and Black Forest Road. The total overall FHN community consists of approximately 1473.6 acres, however, this minor amendment to the approved 2016 PUD, Filing No.4 PUD Preliminary, proposal is for 48 single-family detached residential units on 175.78 acres. The existing and approved Filings 1 and 2 are NOT included. Additionally, Filing 3 (51 estates lots – 2.5-acre minimum lot size) is NOT included in this submittal application.

Identify that the total number of lots within the FHN boundary is not projected to change, therefore qualifying this as a minor amendment to the PUD.

Not sure what is meant here. There should already be an established finding of sufficiency for FHN.



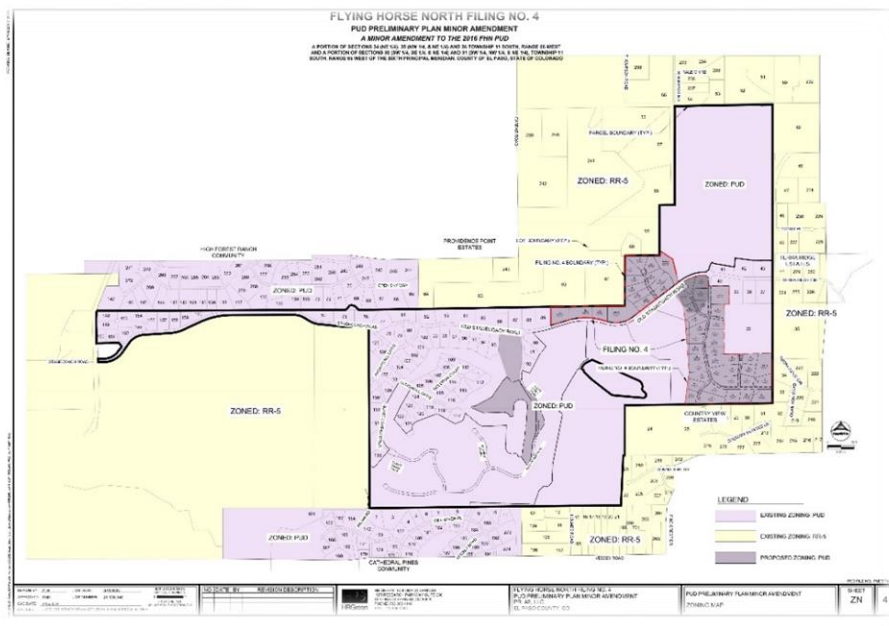
## FLYING HORSE NORTH #4 PUD PRELIM PLAN



### LAND USE TRANSITION

In the context of the surrounding PUD zoning within the existing filings of FHN and the adjacent RR-5 zoning, the proposed Filing No. 4 provides an appropriate land use transition within this area of El Paso County. Although the minimum lot size for the Filing No. 4 PUD Preliminary Plan is 2.5-acres the majority of the lots proposed are well over that minimum requirement and closer to 5-acres. Filing No. 4 also provides the first of many regional trail connections within the overall FHN PUD that will ultimately connect to the existing trails south of the property boundary.

### ZONING MAP



### SUBDIVISION CIRCULATION & ACCESS POINTS

SM Rocha, LLC Traffic and Transportation Consultants prepared an updated traffic analysis for FHN Filing No. 4, which can be found within the Final Plat submittal documents. Based on the proposed subdivision layout one new connection from Old Stagecoach Roundabout to the existing Black Forest Road public right-of-way is being provided. This connection is one of five new public rural local roads proposed within Filing No. 4. Each roadway meets the design criteria outlined in the El Paso County ECM and EPC Fire. Consistent with other existing rural local roads in FHN, a 5' public improvement easement and 10' MVEA electric utility easement is proposed adjacent to the right of way. Roadside swales will convey surface stormwater runoff to nearby proposed full spectrum detention ponds and 5' gravel trail will be provided connecting to existing gravel trails within the subdivision.

### FLOODPLAIN

FHN Filing No. 4 does not lie within a designated floodplain per the FEMA flood insurance rate map 08041CO315, effective date December 7, 2018.

### GEOLOGIC HAZARDS

Entech Engineering has provided an updated Soils and Geology Report within the Filing No. 4 PUD Preliminary Plan. Within this report is a detailed analysis showing the current potential geologic hazard constraints and mitigation measures that will be necessary for development. A map of these constraints showing their location has also been provided within the PUD Preliminary Plan that was submitted for review. There are no prohibitive geologic hazards within the Filing No. 4 boundary that are considered no-build areas and all listed geologic constraints can be mitigated with construction measures such as earthwork, over-excavation, and/or foundation perimeter drains. Shallow groundwater preventing the construction of permanent dwelling unit structures was not identified.

### MINERAL RIGHTS CERTIFICATION

A mineral rights certification affidavit was submitted with the FHN Filing No. 4 Final Plat application showing that there was not a mineral estate owner on the property.

### WATER

The FHN Filing No. 4 development consists of estate lots that are a minimum of 2.5 acres. These lots are to have domestic water serviced via private wells on their respective lots. The Water Supply Memo verifying water sufficiency demonstrates compliance with the County and State's requirements for water supply and quality for the proposed development. This document was approved by the State and the Board of County Commissioners for the FHN subdivision.

### WASTEWATER

The FHN Filing No. 4 development consists of estate lots that are a minimize of 2.5 acres. These lots are to have private on-site wastewater systems consisting of the requisite domestic septic infrastructure such as piping, tanks, and leach fields on respective lots. The septic systems are to be designed by a State of Colorado Professional Licensed Engineer on a lot by lot basis and installed by certified contractors. The systems are to be reviewed and approved by the County and State prior to construction. The Final Plat application includes a Wastewater Report and a Soils and Geology Report that assesses the greater Filing No. 4 area in regards to OWTS compliance and recommendations. It is expected that individual lot OWTS systems will require specific test pits and reports for their respective designs and installations. There are no geologic hazards or environmental features that prohibit the use of private OWTS on the proposed lots. Any OWTS no-build areas are identified on the Plat and are typically delineated Drainage Easements for



anticipated ponding stormwater. All private lot OWTS is to meet County and State requirements for setbacks from property boundaries, lot lines, roadways, wells, and drainageways.

### DRAINAGE

There are three proposed full spectrum detention ponds within FHN Filing No. 4. Additionally, a Final Drainage Report and Stormwater Management Plan report prepared by HR Green Development, LLC were submitted with the final plat application. Natural tertiary drainageways throughout the site were assessed for any required permanent erosion and sediment control measures and any proposed turf rolled matting to be installed is shown on the Grading and Erosion Control Plan set within the Final Plat application. Overland flow across undisturbed areas is the most common method of conveyance within this filing and proposed roadside swales, public and private culvert pipes, and proposed drainage swales are implemented within the design to convey stormwater to the respective Ponds A, B, or C for full spectrum detention. The ponds and their outlet structures are designed for detention and release rates to drain off-site at or below historical rates, as required. Water quality is provided within the ponds for disturbances for the construction of the public roadways and the estate lots are considered a large lot water quality exclusion according to the County PBMP Part II.E Exclusion Evaluation table. It is not anticipated that any proposed development within this filing will have detrimental impacts to the existing drainageways or adjacent subdivisions.

### SCHOOLS

FHN Lies within the Lewis-Palmer School District #38 and Academy School District #20. Neither school district has requested land for a future school site within FHN.

### ECOLOGIC/WILDLIFE ANALYSIS

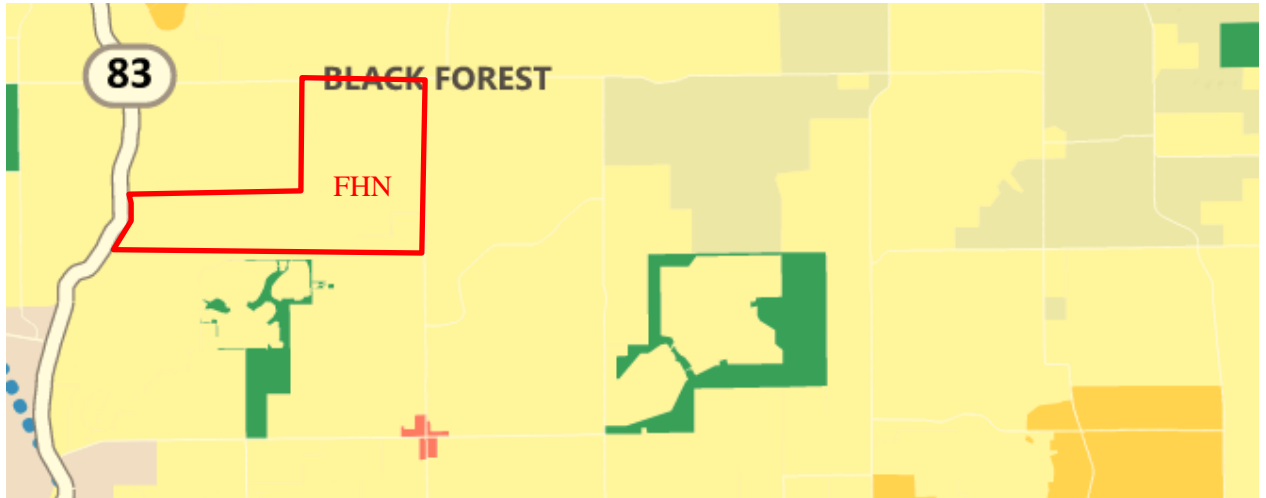
The FHN property does not have any significant environmental issues and there is no known threatened species on the property per the environmental report prepared by Bristlecone Ecology. The FHN site provides moderate quality habitat for some grassland and woodland wildlife, including birds, mammals, 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.

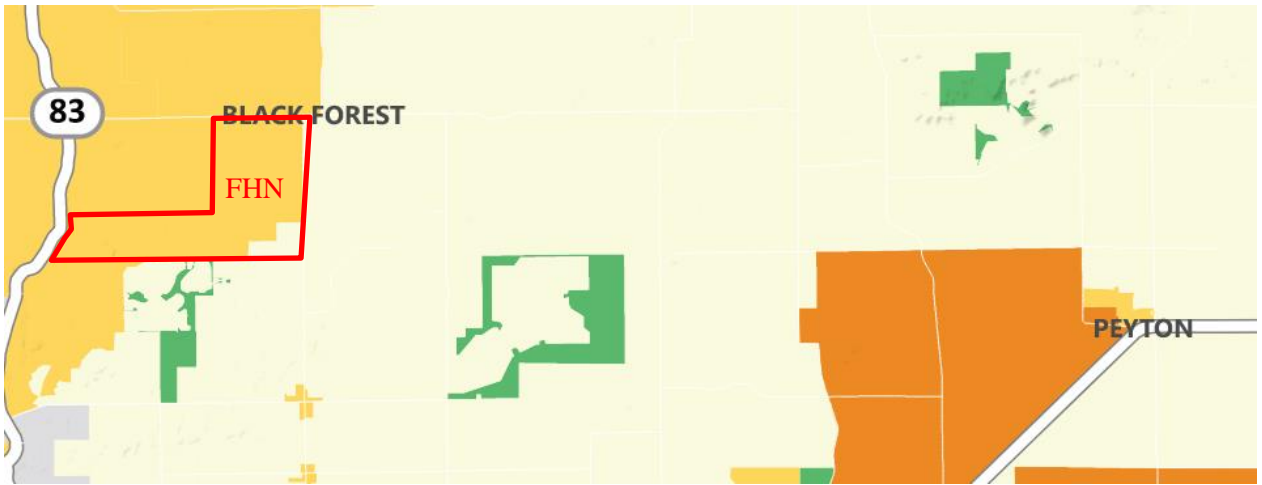
- Managing pets to avoid conflicts with wildlife.

#### EL PASO COUNTY MASTER PLAN

Per the 2021 *'Your El Paso County Master Plan'* FHN is listed as Large-Lot Residential placetype. The existing 2016 FHN PUD and the proposed minor amendment are both in keeping with this identified placetype and its primary land use of single-family detached residential. The proposed 2.5 acre minimum lot size conforms with the “character” of the large-lot residential placetype.



Additionally, the FHN overall subdivision lies within the minimal change: developed category for the areas of change listed in the current master plan. Per this designation, “these areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.” FHN is categorized as a planned subdivision with its approval in 2016 but still has large areas left to develop. However, the identity of this subdivision is set and there is little to no chance of significantly impacting the character of the surrounding area.



The EPC Master Plan also identifies key areas within the county for priority of development. FHN is listed as a “priority development area” for housing and communities within this graphic. More specifically, FHN is located within the large-lot residential priority development area: Black Forest/North Central Area. Based on the previous statements of preserving the natural forest and prairie environments in this area FHN further complies with the planning strategies outlined in this section of the master plan.



#### 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. There is no public water infrastructure proposed for FHN Filing No. 4 as all 48 private single-family residential lots will have private wells. There is no proposed infrastructure within the Filing that requires a service letter or contract with a Metro District or any other entity, at this time.



## Project Justification

Per Chapter 4.2.6.D, 7.2.1.D2(e), and 7.2.1.D3(f), the following criteria listed below outline the approval process for a PUD Preliminary Plan within El Paso County. The proposed Minor Amendment to the overall 2016 Flying Horse North PUD Plan, Filing No. 4, substantially complies with all approval criteria.

### PUD ZONING

1. **THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATED PURPOSES SET FORTH IN THIS SECTION;**

PUD zoning is not being proposed with this application. The PUD zoning for FHN has already been approved with the original 2016 PUD that was approved. This proposed minor amendment to that original 2016 PUD continues to advance the stated purposes that were agreed upon.

2. **THE APPLICATION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;**

The proposed FHN Filing No. 4 minor amendment generally conforms to all EPC adopted plans including, 'Your El Paso County Master Plan' with an adopted date of May 26, 2021.

3. **THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE AND ALL APPLICABLE STATUTORY PROVISIONS AND WILL NOT OTHERWISE BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE PRESENT OR FUTURE INHABITANTS OF EL PASO COUNTY;**

No elements within the proposed minor amendment will be detrimental to the health, safety, or welfare of the present or future inhabitants of EPC. 2.5-acre minimum lot sizes are being adhered to with this Filing No. 4 plan and the framework for future trail connections will begin linking existing systems to the south of FHN.

4. **THE SUBJECT PROPERTY IS SUITABLE FOR THE INTENDED USES AND THE USE IS COMPATIBLE WITH BOTH THE EXISTING AND ALLOWED LAND USES ON THE NEIGHBORING PROPERTIES, WILL BE IN HARMONY AND RESPONSIVE WITH THE CHARACTER OF THE SURROUNDING AREA AND NATURAL ENVIRONMENT; AND WILL NOT HAVE A NEGATIVE IMPACT UPON THE EXISTING AND FUTURE DEVELOPMENT OF THE SURROUNDING AREA;**

As mentioned previously in the section regarding EPC placetypes this proposed minor amendment completely conforms with the character of the large-lot residential primary use. The proposed lot sizes conform with the surrounding RR-5 zoning and further enhance the value of the surrounding neighborhoods.

5. **THE PROPOSED DEVELOPMENT PROVIDES ADEQUATE CONSIDERATION FOR ANY POTENTIALLY DETRIMENTAL USE TO USE RELATIONSHIPS (E.G. COMMERCIAL USE ADJACENT TO SINGLE FAMILY USE) AND PROVIDES AN APPROPRIATE TRANSITION OR BUFFERING BETWEEN USES OF DIFFERING INTENSITIES BOTH ON-SITE AND OFF-SITE WHICH MAY INCLUDE INNOVATIVE TREATMENTS OF USE TO USE RELATIONSHIPS;**

There are no proposed or identified detrimental use to use relationships associated with this application that would require additional buffering or separations.

6. **THE ALLOWED USES, BULK REQUIREMENTS AND REQUIRED LANDSCAPING AND BUFFER ARE APPROPRIATE TO AND COMPATIBLE WITH THE TYPE OF DEVELOPMENT, THE SURROUNDING NEIGHBORHOOD OR AREA AND THE COMMUNITY;**

The proposed landscaping elements associated with the overall FHN PUD area which seek to preserve the existing prairie and forest characteristics further enhance this part of EPC. Additional landscaping is being proposed with future monumentation in FHN to provide complimentary design elements that match the surrounding landscape and neighborhoods.

7. **AREAS WITH UNIQUE OR SIGNIFICANT HISTORICAL, CULTURAL, RECREATIONAL, AESTHETIC OR NATURAL FEATURES ARE PRESERVED AND INCORPORATED INTO THE DESIGN OF THE PROJECT;**

There are no areas with unique or significant historical, cultural, recreational, aesthetic or natural features associated with this Filing in FHN.

8. **OPEN SPACES AND TRAILS ARE INTEGRATED INTO THE DEVELOPMENT PLAN TO SERVE AS**



**AMENITIES TO RESIDENTS AND PROVIDE A REASONABLE WALKING AND BIKING OPPURTUNITIES;** Trail connections are proposed throughout Filing No. 4, providing necessary connections to existing gravel trails within FHN linking future residents to the golf course and future filings within FHN. Additionally, the first regional trail connection in FHN is being proposed along the southern boundary of this filing that will ultimately connect to a larger system within FHN and to the existing trail system to the south.

9. **THE PROPOSED DEVELOPMENT WILL NOT OVERBURDEN THE CAPACITIES OF EXISTING OR PLANNED ROADS, UTILITIES AND OTHER PUBLIC FACILITIES (E.G. FIRE PROTECTION, POLICE PROTECTION, EMERGENCY SERVICES AND WATER AND SANITATION), AND THE REQUIRED PUBLIC SERVICES AND FACILTIES WILL BE PROVIDED TO SUPPORT THE DEVELOPMENT WHEN NEEDED;** An updated traffic analysis conducted by SM Rocha has been provided with the application. It is not anticipated that any traffic related to this filing will overburden existing or planned roadways.
10. **THE PROPOSED DEVELOPMENT WOULD BE A BENEFIT THROUGH THE PROVISION OF INTERCONNECTED OPEN SPACE, CONSERVATION OF ENVIROMENTAL FEATURES, AESTHETIC FEATURES AND HARMONIOUS DESIGN, AND ENERGY OF EFFICIENT SITE DESIGN;** The proposed full spectrum detention facilities and revised lot layout in Filing No. 4 provide better opportunities to capture existing and future conveyed flows preserving natural drainageways within FHN. Proposed local trails linking to existing trails within the community are being provided for future residents to traverse the site more easily. One additional regional trail easement has also been provided for connection into a future park site in FHN.
11. **THE PROPOSED LAND USE DOES NOT PERMIT THE USE OF ANY AREA CONTAINING 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;**  
Per the affidavit that was submitted with the application there are no mineral rights associated with this property.
12. **ANY PROPOSED EXCEPTION OR DEVIATION FROM THE REQUIREMENTS OF ZONING RESOLUTION OR THE SUBDIVISION REGULATIONS IS WARRANTED BY VIRTUE OF THE DESIGN AND AMENITIES INCORPORATED IN THE DEVELOPMENT PLAN AND DEVELOPMENT GUIDE; AND**  
No deviations or exceptions are being requested with this application.
13. **THE OWNER HAS AUTHORIZED THE APPLICATION.**  
Yes, the owner of the property has authorized this application.

#### PUD PRELIMINARY PLAN

1. **THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;**  
See above information regarding master plan. Addittionally, goals that are being satisfied with this application are listed below.
  - Goal 1.1: Ensure compatibility with established character and infrastructure capacity.
  - Goal 1.4: Continue to encourage policies that ensure “development pays for itself”.
  - Goal 2.2: Preserve the character of rural and environmentally sensitive areas.
  - 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 bikability where multimodal transportation systems are feasible.
  - Goal 5.4: Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.
2. **THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;**  
See above information. The proposed application substantially complies with all provisions and

requirements of the current EPC Land Development Code.

3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;

The proposed PUD minor amendment complies with all development guidelines set forth in the original 2016 FHN PUD. A list of the FHN Development Guidelines and Standards, including lot typical, can be found on the cover sheet of the PUD.

4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S § 30-28-133(6)(a)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE (THIS FINDING MAY NOT BE DEFERRED TO FINAL PLAT IF THE APPLICANT INTENDS TO SEEK ADMINISTRATIVE FINAL PLAT APPROVAL);

Yes, water sufficiency and quality has been determined and the proper documents are supplied as a part of the Final Plat application, specifically a Water Supply Memo which is the State and Board of County Commissioners Water Supply document.

5. A PUBLIC SEWAGE DISPOSAL SYSTEM HAS BEEN ESTABLISHED AND, IF OTHER METHODS OF SEWAGE DISPOSAL ARE PROPOSED, THE SYSTEM COMPLIES WITH STATE AND LOCAL LAWS AND REGULATIONS, [C.R.S § 30-28-133(6)(b)] AND THE REQUIRMENTS OF CHAPTER 8 OF THIS CODE;

There is no proposed public sewage disposal system for this Filing. All proposed lots within the subdivision filing are estate lots of a minimum 2.5 acres, qualifying individual lots to have private OWTS. Respective lot builds are to obtain their own OWTS permits for their individual builds.

6. ALL AREAS OF THE PROPOSED SUBDIVISION, WHICH MAY INVOLVE SOIL OR TOPOGRAPHICAL CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS, HAVE BEEN IDENTIFIED AND THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS. [C.R.S. § 30-28-133(6)(C)];

All areas within the application that present geologic hazard constraints have been identified within the Soils and Geology Report prepared by Entech Engineering. Mitigation measures for development can be found within the report. Based on the findings within Entech's report, this site is suitable for development as proposed.

7. ADEQUATE DRAINAGE IMPROVEMENTS COMPLYING WITH STATE LAW [C.R.S. § 30-28-133(3)(C)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM ARE PROVIDED BY THE DESIGN;

The Final Drainage Report and Construction Drawings within the Final Plat application demonstrate compliance with the County Drainage Criteria Manual and best practices for stormwater conveyance and full spectrum detention. Full Spectrum Detention Ponds are proposed for detention and designed release rates at or below historical rates. Hydraulic design of the filing via drainageways and storm system infrastructure such as culvert pipes are designed to meet criteria for the minor and major storm events.

8. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;

The proposed public improvements, including utilities, drainage and roadways, have been designed to provide adequate service for the future single-family residential lots without overburdening the existing infrastructure in place.

9. LEGAL AND PHYSICAL ACCESS IS OR WILL BE PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;

Each lot within this subdivision will have public access to the proposed public rural-local roadways that were planned and designed accordingly with the current ECM. Connections onto Old Stagecoach Road and Black Forest Road have been designed with the appropriate intersection spacing.

10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY
- a. (1) INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;  
Based on the new lotting configuration proposed with this amendment more well thought out open space areas and full spectrum detention facilities are being proposed to compliment existing drainage corridors and low spots within FHN. On the original 2016 PUD there was only area identified for detention and this amendment proposes three facilities. Additionally, consideration was given to adding additional trail connections to existing trails.
  - b. (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;  
Appropriate designs of proposed roadways linking to existing roadways with FHN are being provided with this amendment. With the current rural local roadway cross sections, pedestrians will have a safe means of walking throughout the neighborhood with a roadside swale buffering the trail to the street.
  - c. (3) INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;  
Per the zoning map context provided earlier in the letter there was not a need to provide physical buffers between FHN Filing No. 4 and the adjacent subdivision to the south. The PUD framework of FHN is complimentary in lot size to the RR-5 that surrounds the property.
  - d. (4) INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND  
There are no environmentally sensitive areas identified within FHN Filing No. 4.
  - e. (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;  
See above analysis regarding the updated traffic analysis that was submitted with this application. Based on the findings of SM Rocha's report it is not anticipated that this Filing will not negatively impact any county services or facilities.
11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEM, ARE OR WILL BE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;  
A brand-new fire station was built to service this area of the Black Forest within FHN Filing No. 1. Recreation has also been provided with a 191-acre golf course for the residents and members to use. Future Park land, open space and trail connections will continue to be provided with future filings in FHN. Proposed utilities are apart of this application for review and consideration by the EPC staff. An updated traffic analysis has also been provided showing this filing is in compliance with anticipated trip generations.
12. THE SUBDIVISION PROVIDES EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE; AND  
FHN in its entirety lies within the Black Forest Protection District. A letter of service commitment has been provided with this application. All roadways and termination points of public right-of-way have been designed for fire protection vehicle maneuvering with sufficient cul-de-sac turnarounds. There is no proposed fire cistern for this Filing.
13. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.  
The proposed application satisfies all applicable sections of the current EPC LDC.

## FINAL PLAT

1. THE SUBDIVISION IS IN CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;  
See above information for reference.
2. THE SUBDIVISION IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PRELIMINARY PLAN;  
The proposed Final Plat for FHN Filing No. 4 is being submitted concurrently with the PUD/Preliminary Plan minor amendment and conforms with all design standards and code sections.
3. THE SUBDIVISION IS CONSISTENT WITH THE SUBDIVISION DESIGN STANDARDS AND REGULATIONS AND MEETS ALL PLANNING, ENGINEERING, AND SURVEYING REQUIREMENTS OF THE COUNTY FOR MAPS, DATA, SURVEYS, ANALYSES, STUDIES, REPORTS, PLANS, DESIGNS, DOCUMENTS, AND OTHER SUPPORTING MATERIALS;  
The proposed Final Plat application is consistent with all applicable design standards. No deviations or exceptions are being requested with this application.
4. EITHER 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, OR, WITH RESPECT TO APPLICATIONS FOR ADMINISTRATIVE FINAL PLAT APPROVAL, SUCH FINDING WAS PREVIOUSLY MADE BY THE BOCC AT THE TIME OF PRELIMINARY PLAN APPROVAL;  
Yes, water sufficiency and quality has been determined and the proper documents are supplied as a part of the Final Plat application, specifically a Water Supply Memo which is the State and Board of County Commissioners Water Supply document.
5. A PUBLIC SEWAGE DISPOSAL SYSTEM HAS BEEN ESTABLISHED AND, IF OTHER METHODS OF SEWAGE DISPOSAL ARE PROPOSED, THE SYSTEM COMPLIES WITH STATE AND LOCAL LAWS AND REGULATIONS, [C.R.S. § 30-28-133(6)(B)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE;  
There is no proposed public sewage disposal system for this Filing. All proposed lots within the subdivision filing are estate lots of a minimum 2.5 acres, qualifying individual lots to have private OWTS. Respective lot builds are to obtain their own OWTS permits for their individual builds.
6. ALL AREAS OF THE PROPOSED SUBDIVISION WHICH MAY INVOLVE SOIL OR TOPOGRAPHICAL CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS HAVE BEEN IDENTIFIED AND THAT THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS [C.R.S. § 30-28-133(6)(C)];  
See above information the PUD Preliminary section.
7. ADEQUATE DRAINAGE IMPROVEMENTS ARE PROPOSED THAT COMPLY WITH STATE STATUTE [C.R.S. § 30-28-133(3)(C)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM;  
The Final Drainage Report and Construction Drawings within the Final Plat application demonstrate compliance with the County Drainage Criteria Manual and best practices for stormwater conveyance and full spectrum detention. Full Spectrum Detention Ponds are proposed for detention and designed release rates at or below historical rates. Hydraulic design of the filing via drainageways and storm system infrastructure such as culvert pipes are designed to meet criteria for the minor and major storm events.
8. LEGAL AND PHYSICAL ACCESS IS PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;  
See above information the PUD Preliminary section.
9. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, AND TRANSPORTATION SYSTEMS, ARE OR WILL BE MADE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;  
See above information the PUD Preliminary section.

10. THE FINAL PLANS PROVIDE EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE;  
See above information the PUD Preliminary section.
11. OFF-SITE IMPACTS WERE EVALUATED AND RELATED OFF-SITE IMPROVEMENTS ARE ROUGHLY PROPORTIONAL AND WILL MITIGATE THE IMPACTS OF THE SUBDIVISION IN ACCORDANCE WITH APPLICABLE REQUIREMENTS OF CHAPTER 8;  
Off-site impacts were evaluated for stormwater drainage as well as traffic impacts. The Final Drainage Report assesses on-site and off-site areas impacted by this development and addresses mitigation required, as shown on the Grading and Erosion Control Plans and Construction Drawings. Full spectrum detention ponds designed to detain stormwater and release at rates at or below historical runoff quantities are to be constructed to be in compliance with drainage criteria. A Traffic Impact Report has been provided with the Final Plat application to demonstrate compliance with the County Traffic Criteria Manual. Off-site roadways are assessed within the study and any improvements shown within the engineering design plans are included to follow the recommendations within the report.
12. ADEQUATE PUBLIC FACILITIES OR INFRASTRUCTURE, OR CASH-IN-LIEU, FOR IMPACTS REASONABLY RELATED TO THE PROPOSED SUBDIVISION HAVE BEEN CONSTRUCTED OR ARE FINANCIALLY GUARANTEED THROUGH THE SIA SO THE IMPACTS OF THE SUBDIVISION WILL BE ADEQUATELY MITIGATED;  
An SIA has been provided with the Final Plat application.
13. THE SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8; AND  
The proposed application satisfies all applicable sections of the current EPC LDC.
14. THE EXTRACTION OF ANY KNOWN COMMERCIAL MINING DEPOSIT SHALL NOT BE IMPEDED BY THIS SUBDIVISION [C.R.S. §§ 34-1-302(1), ET SEQ.]  
There are no known commercial mining deposits located with FHN.

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