

**FLYING HORSE NORTH**  
**FINAL PLAT SUBMITTAL-**  
**Filing No. 3**

**Letter of Intent**

**April 20, 2024**



Owner:  
**Flying Horse Development, LLC**

Applicant:  
**HR Green Development, LLC**



**FLYING HORSE**  
**NORTH**

## Introduction

The entire Flying Horse North community (hereafter called FHN) is approximately 1,459 acres in total with part of the property already constructed including the Filing 1 estate lots and a private golf course. The Flying Horse Development, LLC (owner) desires to develop a portion of the subdivision located at the south end of Allen Ranch Road due south and west to Quartz Creek Drive, adjacent to the existing golf course and Filing No. 1 existing lots.

The area of proposed development is to be formally platted as Filing No. 3. The filing is approximately 293.7 acres in total including the replat of some Golf Course tracts (120.2 acres) and 51 residential single-family rural estate lots of 2.5-acre minimum size per lot with four tracts A through D and rights-of-way (173.5 acres). The filing also contains three 60' public rights-of-way including a stretch of local urban roadway. Most of the development consists of local rural roadways in the area of the single-family community. The northeast connection to the existing Allen Ranch Road roadway near the existing Clubhouse stretches due south to the FHN property boundary and is east of a future filing planned a future luxury hotel site, casitas development area, and condominium development area. However, these future plans are not included within Filing No. 3. The connection to Filing No. 1 is to Quartz Creek Drive located to the southwest of the FHN Filing No. 1 property boundary.

The FHN team is submitting a Final Plat application with the associated documents and reports and is requesting approval of all submitted items including:

- Letter of Intent (hereafter called LOI) by HR Green Development, LLC
- Final Drainage Report by HR Green Development, LLC
- Construction Documents by HR Green Development, LLC
  - Construction Drawings
  - Grading & Erosion Control Plan and Checklist
  - Stormwater Management Plan & Checklist
  - Stormwater Detention & Infiltration Design Data
- Fire Commitment Letter provided by Black Forest Fire Protection District
- Fire Protection Report by HR Green Development, LLC.
- Legal Description, Easements, and Closure Sheets by Edward James Surveying
- Final Plat by Edward James Surveying
- Traffic Impact Study by SM ROCHA, LLC
- Geology and Subsurface Soils Investigation by Entech
- Onsite Wastewater Treatment System Report by Entech
- Preliminary Wetland Delineation Report including Noxious Weed Management Plan and Impact Identification Report by Bristlecone Ecology
- Natural Features Report by Bristlecone Ecology
- Forestry Management Plan by Bristlecone Ecology
- Wildland Fire & Hazard Mitigation Plan by Bristlecone Ecology
- Water Resources and Wastewater Disposal Report by HR Green Development, LLC
- Water Supply Information Summary
- Will serve letters from Black Hills Energy and Mountain View Electric Association (MVEA)
- All applicable El Paso County Plat, Engineering, and Planning Application Forms, including:
  - Adjacent Property Owner Notification
  - Application/Petition Form
  - Vicinity/Location Map
  - Mineral Rights Certification
  - Erosion and Stormwater Quality Control Permit Application



- PDB/BMP Operations & Maintenance Manual
- Subdivision Summary Sheet
- Financial Assurance Form
- Legal Documents provided by the Owner and/or El Paso County, including:
  - Subdivision Improvement Agreement
  - Declaration of Covenants
  - HOA Articles of Incorporation and Bylaws
  - Secretary of State Certification
  - State Water Finding
  - County Attorney Water Finding

The format of this document follows the Final Plat checklist and also addresses each of the Final Plat Criteria for Approval.

## LOI CHECKLIST ITEMS

El Paso County’s Final Plat Review Criteria are also listed throughout the LOI. Each item listed below are addressed when relevant subjects are discussed. This LOI provides description on how FHN has met each Review Criteria.

### 1. Owner 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. Phil Stuepfert  
 Email: pstuepfert@hrgreen.com  
 Telephone No.: (720) 602-4941

### 3. Property Address

The current zoning of the property is PUD (Planned Unit Development) with the previous plan showing 2.5 acre lot size.

### 4. Property Tax Schedule Nos.

The following properties are included in this filing:  
 Schedule No. 6136000005  
 Schedule No. 6136000003

### 5. Current Zoning of the Property

The current zoning of the property is PUD for 2.5 acre lots and is to remain zoned PUD for Filing No. 3. No zone change is requested.

## 6. A Discussion Detailing the Specific Request and Size of the Area Included in the Request

The specific request of Filing No. 3 is approximately 166.4 acres with 51 single-family residential estate lots of a minimum 2.5-acres per lot and 60' rights-of-way that are both rural and urban local sections. The request is for approval of a final plat and construction documents.

## 7. A Discussion Identifying and Acknowledging Any Applicable Overlay Zoning (e.g., CAD-O, etc.)

There are no overlay zone applicable to this filing. The zoning of the property is currently PUD and is zoned for 2.5 acre lots.

## 8. A Summary of the Proposed Request and How It Complies with Each of the Criteria of Approval in Chapter 7 and the Subdivision Design Standards in Chapter 8 of the Land Development Code

Flying Horse North Filing No. 3 conforms to the following goals and Policies of the El Paso County Policy Plan.

The purpose and intent of the Filing No. 3 Final Plat Application is considered a holistic application that is in conformance with County and specifically the Final Plat review criteria.

Note: County criteria is listed with italic font and the applicant response is in bold font.

- *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;*  
**Applicant response: Overall, Filing No. 3 is consistent with the intent of the Master Plan. The goals and objectives listed in the Master Plan are reflected in this submittal. Lots to the south of filing no. 3 are zoning PUD and area equivalent in size to the proposed 2.5-acre lots allowing a seamless transition of residentially sized lots. West of the site, the adjacent zoning is RR-5. 2.5 acre lots create a smooth transition from the future 5 acre lots and allows for the eventual extension of Milam Road to create connectivity between developments. The stated purpose of the Code is to preserve and improve the public health, safety, and general welfare of the citizens and businesses. This submittal aligns with many aspects of the current code and Master plan standards set forth in approved Master Plan.**

- *The subdivision is in substantial conformance with the approved preliminary plan;*  
**Applicant response: Filing No. 3 is in conformance with the approved preliminary plan. The approved preliminary plan calls for 2.5-acre minimum lots, aligning with the previous approved zoning. The final plat, as displayed in this submittal, proposes lots 2.5 acres or greater and allows for better building locations and preservation of existing trees.**

- *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;*  
**Applicant response: The proposed Filing No. 3 is in conformance with all planning, engineering, and surveying requirements of the County. The subdivision design standards and regulations are met except where modified by this Final Plat submittal. The majority of the roadways throughout the filing are rural local residential roadways which is consistent with the area and adjacent filings. The**



one exception is a modified urban local section that is proposed to accommodate future traffic needs. Stormwater considerations are integral to the design of the filing by incorporating roadside ditches and platting drainage easements for existing tertiary channels throughout the site to be designated as no-build areas.

- *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;*

**Applicant response:** Previous approval by BOCC was granted at the time of Filing No. 1 final plat approval for water use by wells. Future lots within this Filing No. 3 area were included for consideration with the Filing No. 1 application. Water sufficiency and rights were provided as a part of Filing No. 1 PUD approval which included the future build out of this filing (including the single lot that was platted as Filing No. 2, now Lot 4 within Filing No. 3). These documents have been provided as a part of this Final Plat application.

- *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:** Other methods of sewage disposal are proposed. As these are large estate lots, on-site wastewater systems (OWTS) are proposed for each individual lot for septic needs. Individual lot development will require approved plans and reports for construction of these systems.

- *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)];*

**Applicant response:** The geological conditions encountered at the site are relatively common to the immediate area and mitigation can be accomplished by implementing common engineering, design, and construction practices. None of these conditions are anticipated to preclude the proposed development. Drainage Easements have been platted based on engineering analysis of existing and proposed swales, ditches, and channels throughout the site and any mitigation efforts such as earthwork, berming, and diversion ditches are to direct stormwater runoff to these easements. There are no identified geologic hazards that constitute no-build areas.

- *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;*

**Applicant response:** Drainage improvements are addressed in the Drainage Report and specific submittal documents for Filing No. 3. Detention and water quality are provided on site and will meet the DCM criteria. Lots identified in the Drainage Report that drain directly offsite meet the large lot exclusion criteria for Water Quality and over-detention within Ponds A and B are provided to meet criteria and have release rates at or below historic rates.

- *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;*

**Applicant response:** The entirety of Filing No. 3 have legal access via the existing Quartz Creek Drive and the extension of existing Allen Ranch Road which will connect to the existing Old Stagecoach Road. Two points of access are provided meeting County code requirements. All lots have a frontage road for access. Fire cistern access is provided with a hammerhead turnaround and an Emergency Access Easement south of the intersection of Allen Ranch Road and Quartz Creek Drive.

- *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*

**Applicant response:** The required will-serve letters were provided as a part of the Final Plat Application and all other entities including police, fire protection, maintenance, and recreation are available and will have access via the public roadways and provided access easements.

- *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;*

**Applicant response:** As displayed in this submittal, methods have been implemented to comply with fire protection and Chapter 6 of the code. A Fire Protection Report was provided as a part of the application and the local fire district has approved this report. A fire cistern is sited within the subdivision and the required access easement and design for a firetruck turnaround are implemented in the design plans. Roadways have been designed to meet county standards and ECM emergency vehicle access. Analysis of wildfire risk has determined that filing no. 3 is classified as low and lowest risk. Mitigation of forested areas, through the implementation of wildfire hazard reduction and the overall improvement to forest health with construction, further reduces risks.

- *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;*

**Applicant response:** Off-site impacts were evaluated and related off-site improvements are assessed as needed. Stormwater impacts due to development were evaluated in the Drainage Report and no downstream infrastructure require improvements. There are no other identified off-site impacts due to development.

- *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;*

**Applicant response:** The Final Plat Application includes Construction Drawings that include all required public and private facilities and infrastructure for the development. There are no off-site improvements required or cash-in-lieu items identified as a part of the SIA. There are no off-site roadway improvements required due to the development of this filing.

- *The subdivision meets other applicable sections of Chapter 6 and 8; and*

**Applicant response:** The subdivision is meeting all general development standards (Chapter 6) and subdivision design, improvements, and dedications (Chapter 8) except where modified by this Final Plat submittal. Deviations for this filing are to be approved by the County for any modifications to any non-standard roadways or infrastructure design.

- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]*

**Applicant response:** 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.

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 in 2022 and was approved by the

County. A FDR/PDR was prepared by Classic Consulting Engineers & Surveyors for the Filing No. 1 and future plans for the Filing No. 3 area. A Final Drainage Report for this Filing No. 3 was prepared by HR Green Development and is included in this Final Plat Application.

**GRADING AND EROSION CONTROL PLAN:** HR Green Development has prepared a Grading and Erosion Control plan for the portions of the site for which an Early Grading Permit is requested.

**TRAFFIC:** A Traffic Impact Analysis has been prepared by SM Rocha, LLC. and is included in this submittal as a separate document specific to Filing No. 3.

**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.

## 9. A discussion summarizing the Final Plat consistency with Any Applicable Preliminary Plan and the Associated Zoning District Standards

The Final Plat for Filing No. 3 is consistent with the County approved PUD Zoning (2.5 acre lots) for that includes this filing's boundary. The Filing is also consistent with an approved Master Development Drainage Plan Report developed by HR Green Development, LLC. and approved by the County in September of 2022. The Filing is also consistent with a FDR/PDR developed by Classic Consulting Engineers & Surveyors, approved by the County in 2018.

## 10. A discussion detailing provision of utilities, including any proposed phasing.

### 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 – Donald Wescott Fire Protection District; Black Forest Fire Protection District. Will serve letter included in the application.

Schools – Lewis-Palmer School District No. 38; Academy School District No. 20. Neither School District has requested a school site.

El Paso County Conservation District

Filing No. 3 consists of 51 single-family residential estate lots of minimum 2.5-acres per lot qualifying for the use of a water well and onsite wastewater treatment systems (septic) for each individual lot. Well and septic are to be constructed for each lot and no water main nor sanitary sewer within the public rights-of-way are proposed. Electric is proposed within the filing with provided 10' electric easements. Natural gas is proposed within the filing and to be sited per Black Hills Energy design plans, anticipated to be within the right-of-way.

There is no construction phasing for Filing No. 3 at this time and construction sequencing of the roadway with temporary turnarounds at any termination points during construction sequencing is to be installed. and private storm sewer is to be constructed during the interim phase of construction for the filing.

## 11. A discussion detailing any constrains, 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 have been incorporated into the development or will otherwise be mitigated.**

The Final Plat for Filing No. 3 is consistent with the County approved PUD zoning (2.5 acre lots) for the greater Flying Horse North subdivision that includes this filing's boundary. The Filing is also consistent with an approved Master Development Drainage Plan Report developed by HR Green Development, LLC. and approved by the County in September of 2022. The Filing is also consistent with a FDR/PDR developed by Classic Consulting Engineers & Surveyors, approved by the County in 2018.

**12. A discussion detailing anticipated traffic generation and access, unless a separate traffic study is required and is being provided.**

A Traffic Impact Letter is included in the Final Plat application which speaks to the traffic generation associated with Filing No. 3 and its impacts to surrounding accesses, both existing and future.

**13. A discussion detailing the proposed payment of the County's Road Impact Fee (e.g., inclusion into a PID, payment at time of building permit, etc.)**

The Road Impact Fee for Filing No. 3 is to be paid at the time of building permit. It is anticipated that the time of construction may not commence for several years, and as such, the requirement to pay the impact fee is proposed to be at the time of construction.

**14. A discussion detailing all proposed public and private improvements, including onsite and offsite improvements, and the plan for ongoing ownership and maintenance for each improvement.**

The proposed roadways within Filing No. 3 are 60' public right-of-way including a typical roadway section that is Rural Local Residential for most of the filing and a Modified Urban Local Residential section toward the east of the filing along Allen Ranch Road. The Rural Local Residential section is per the County standard detail that includes asphalt pavement, a gravel shoulder, and roadside swales. The Modified Urban Local Residential section closely matches the County standard Urban Local Residential section with a wider tree lawn area and designated electric easement adjacent to the right-of-way as required by Mountain View Electric Association. The section includes asphalt pavement, concrete curb and gutter, a treelawn section, and a concrete pedestrian sidewalk. Drainage and utilities easements are sited for the continued maintenance of any utilities or drainage improvements outside of the typical 60' right-of-way sections. Private improvements include the full spectrum detention ponds, Pond A and Pond B including their stormwater infrastructure that are sited outside of the rights-of-way and easements. Public storm sewer is included within the local urban right-of-way to the east of the filing and any storm infrastructure outside of the public right-of-way is privately owned and maintained by the 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 that were not otherwise approved with any applicable preliminary plan.**



There are no requested waivers associated with this Final Plat application for Filing No. 3.

**16. A discussion detailing any proposed or approved deviations from the County's Engineering Design Standards (e.g., Engineering Criteria Manual) that were not otherwise presented with any applicable preliminary plan.**

The following are deviation(s) are being requested with this application:

1. Deviation Request for a Modified Urban Local Residential roadway section

**17. A discussion summarizing any community outreach efforts by the applicant that have occurred or are planned as a part of the request.**

Outreach efforts were made during the Sketch Plan process which includes the Filing No. 3 single-family residential area that did not require a zoning change or any deviations from County zoning ordinances.

**Reports Included by Reference**

*Soil, Geology, Geologic Hazard, and Wastewater Study, Flying Horse North Filing No. 3* by Entech Engineering, Inc.

*Flying Horse North Filing No 3 Traffic Impact Study* by SM Rocha, LLC.

*Natural Features Report* by Bristlecone Ecology

*Forest Management and Fire Mitigation Report* by Bristlecone Ecology

*Noxious Weed Management Plan* by HR Green Development

*Preliminary Drainage Report for Flying Horse North Preliminary Plan* by Classic Consulting Engineers & Surveyors

*Final Drainage Report for Flying Horse Filing No. 3* by HR Green Development