

FLYING HORSE NORTH
FINAL PLAT SUBMITTAL-
Filing No. 3

Letter of Intent

March 5, 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 policies and standards to be applied comprehensively. The project is in compliance with applicable Chapter 7 and 8 LDC policies and land use decisions are consistent throughout the filing.

Chapter 7 of the El Paso County Land Development Code states that the project shall Ensure compliance with C.R.S. §§ 30-21-101 et seq., and the Master Plan C.R.S. § 30-28-106. The proposed Filing No. 3 project meets the final plat criteria and is in general compliance with the proposed land uses, roadway networks, lot standards, lot sizes, and subdivision design standards. This area of Flying Horse North. The project shall comply with the standard parcel design standards.

Additional criteria include the following:

Provide efficient subdivision design and subdivision standards;

- Ensure efficient subdivision design and subdivision standards; recording of property

- Ensure efficient subdivision design and subdivision standards; *long roads and dead-end*

- Prevent subdivision design and subdivision standards; *of physical*
improve subdivision design and subdivision standards; cy of physical
improve subdivision design and subdivision standards; it may result in delays in processing of this application.

Same comments as previous review. Not sure where these 'criteria' points are coming from. They are different from the policies that were listed in the 1st review LOI; however, these new points are NOT the Chapter 7 criteria of approval for a final plat. They are not in the Master Plan or the Land Development Code. This section of the letter should provide analysis of the final plat review criteria from Chapter 7 of the LDC, which includes the Master Plan analysis. Additionally, the CRS references are outdated. Appropriate CRS reference for this type of proposal is § 30-28-133. Please update this section and note, upon resubmittal if it has not been appropriately updated, it may result in delays in processing of this application.

- Ensure that a division of land complies with other rules and regulations, such as zoning and environmental regulations, pertinent to the development; ***All division of land for this filing are in compliance with other rules and regulations.***
- Ensure safe and convenient traffic control; ***Permanent traffic control measures are provided such as signage.***
- Prevent flooding within developments by providing adequate flood control and drainage facilities; ***Drainage facilities to convey stormwater to detention basins are implemented in the plan. The Final Plat includes drainage easements to delineate no-build areas of critical flow conditions to ensure that permanent structures are not built within stormwater conveyance areas.***
- Ensure the installation of necessary and adequate roads, water, wastewater, and sidewalk facilities. ***Construction of such facilities are included in the filing. Additional engineering details are provided below.***

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