

FLYING HORSE NORTH
FINAL PLAT SUBMITTAL-
Filing No. 3

Letter of Intent

November 22, 2023



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 166.4 acres and is to include 50 residential single-family rural estate lots of 2.5-acre minimum size per lot. 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 property boundary.

 Filing 1?

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 50 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. Evaluation of all applicable policies are stated below and land use decisions to be consistent throughout the filing have been made.

Policy 2.1.11 Encourage the development of subdivisions that accommodate residential development. *The development layout is designed to minimize significant impacts on the environment.*

Where are all these policies coming from? 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.

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

Policy 2.2.10 Encourage the preservation of open space in the design of subdivisions. *The proposed plat is for 2.5 acre lots so the open space planned is beyond the County requirement of 10%.*

Policy 2.3.1 Preserve significant natural landscapes and features. *The most significant natural feature of the site is the Ponderosa Pine forest. These features are respected in the layout of the roads and lots. Building envelopes will be placed on each lot that is ideal for a homesite with the intent to minimize cut and fill where feasible..*

Policy 2.3.7 Encourage the mitigation of visual impacts caused by construction including road cuts, utility lines, outside storage, water tanks and building scale. *The large 2.5 acre estate lots conform to this policy. Preservation of ponderosa pine trees from the forested area into the grasslands has been provided where feasible except for the grading of the road corridors and immediate surrounding area as needed to accommodate roadside ditches and stormwater conveyance.*

Policy 2.3.8 Encourage incorporating significant natural landscapes and waterways into parks and open space where feasible.

The existing natural tertiary drainage ways are to be reinforced for erosion and sediment control and remain undisturbed within open space areas and on the lots.

Policy 3.1.8 Promote water supply systems and augmentation arrangements which maximize the effective use of near-surface ground water supplies without jeopardizing existing water rights or established wells.

This development meets the 300 year water supply requirement and has limited all property owners to 0.7 ac-ft per year per lot. The lots will be annexed into the Flying Horse North Homeowners Association. The FHN HOA has water dedicated and recorded to allow for wells on these lots.

Policy 3.3.6 Evaluate the consequences of surface water from new development including run off of natural soils, as chemical compounds that may result from the proposed uses including pesticides, herbicides and hydrocarbons.

Full spectrum detention is being utilized to address this policy. Detention ponds will include water quality control.

Policy 4.1.1 Support a systematic inventory to identify and categorize historic sites, structures, and artifacts.

An inventory of cultural features was performed as a part of the approved Sketch Plan application that Filing No. 3 falls within those studies – none of these features exist on this filing.

Policy 6.1.6 Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

While this is a rural subdivision, it will be served with urban fire protection services by the Black Forest Fire Protection District. This filing is within this District.

Policy 6.1.11 Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Filing 3 is a very similar approach to Filing 1 and compliments it very well as the proposed 2.5 acre lots match the existing 2.5 acre lots throughout Filing 1.

Policy 6.1.14 Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County.

The proposed 2.5 acre lots on Filing 3 compliment the existing 2.5 acre lots within Filing 1.

Policy 6.2.2 Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.

The focal point of Flying Horse North is the proposed golf course, which is outside of this filing.

Policy 6.2.3 Encourage land use planning and design approaches which create or reinforce the neighborhood concept.

Upon development of this property, Flying Horse North Filing 3 will be seen as a unique rural residential neighborhood that compliments the existing Filing 1 development.

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

The property has been zoned PUD for 2.5 acre lots. No rezoning is requested.

Policy 6.2.10 Utilize buffer zones to promote mutually compatible transitions between neighborhoods and adjoining development with differing uses or densities.

Transitions are internal to the project since the densities of adjacent properties match Filing 1 of Flying Horse North.

Policy 8.2.1 Encourage implementation of the County's Parks, Trails and Open Space Master Plan.

The County trails element of the Park Plan is reflected in the approved Sketch Plan and is a part of various areas of Flying Horse North. This filing will provide a connection to the greater trail system in Filing 1 and future filings as shown on the approved Sketch Plan.

Policy 8.3.1 Encourage development plans which appropriately incorporate parks, trails and open space into their design.

The Preliminary Plan incorporates the County planned trail, and detention areas.

Policy 11.1.2 Encourage an approach based on the entire watershed, to flood protection which incorporates a combination of on-site, sub-regional and regional retention and detention facilities to effectively reduce negative downstream impacts including erosion, flooding, channel and water quality degradation.

The drainage plan uses full spectrum approach while providing required stormwater quality within these facilities.

Policy 11.1.14 Require development plans to effectively address both quantitative and qualitative impacts of drainage within the project site.

The Drainage Plan addresses this policy and meets all requirements per the DCM.

Policy 11.3.1 Where feasible, support the use of natural or naturalistic drainage approaches rather than hard line solutions.

The Drainage Plan addresses this policy with the use of grass buffers and swales adjacent to the roadways.

Policy 11.3.4 Promote the effective use of innovative short and long term strategies including sediment ponds, buffer strips, and constructed wetlands as a means of reducing peak flows and improving storm water quality.

The Drainage Plan addresses this policy and incorporates the use of such facilities.

Policy 11.3.5 Protect the integrity of wetlands, riparian areas and associated wildlife habitat through a combination of careful land development and drainage system design.

The Drainage Plan addresses this policy.

Policy 11.3.6 Encourage the effective use of control measures to mitigate the short and long term erosion impacts of development.

The Drainage Plan addresses this policy by utilizing the improvements mentioned above.



Policy 11.4.1 Strongly discourage land use development from locating in floodplains.
No development will occur in the floodplains.

Policy 11.4.2 Strongly discourage land use development from locating in areas below dams, spillways, and levees that would require the State Engineer to upgrade the classification of these structures.
No structures in such areas are proposed and no State Engineer review is required for the proposed infrastructure within the filing.

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

Policy 12.1.3 Approve new urban and rural residential development only if structural fire protection is available.
This site is located within the Black Forest Fire Protection District.

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 - Black Forest Fire Protection District. Will serve letter included in the application.
Schools –Academy School District No. 20. Neither School District has requested a school site.
El Paso County Conservation District

Filing No. 3 consists of 50 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. The lots will be annexed into the FHN HOA.

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. **these differ from the preliminary plan and require deviation requests**

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 typical roadway sections, **both local urban** and local rural. These typical sections include asphalt pavement, **curb and gutter**, sidewalks, and/or roadside swales. 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 Final Plat application includes a memorandum describing the aquifer water rights owned outright by the Flying Horse North Home Owners Association which manages water use for its members. There are no other requested deviations associated with this Final Plat application for Filing No. 3.

Describe all engineering deviations. Staff recommends a separate submittal to address deviations before resubmitting the entire project.

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

