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February 14, 2019

Re: **Fillmore South – PUD Concept Plan / Zone Change / Master Plan Amendment**

Dear Ms. Thelen,

On behalf of the Pine Valley, LLC II and Goodwin Knight, LLC, HR Green is requesting a PUD Concept Plan, Zone Change and Master Plan Amendment approval for the 66.8 acres of land generally located southwest of the intersection of Fillmore Street and Centennial Boulevard in Colorado Springs, CO. The following project narrative, including responses to the PUD Concept Plan Criteria and addresses compliance with the newly adopted PlanCOS. The City’s criteria and PlanCOS items are shown in italic and underlined. The applicant’s responses are shown in bold text.

1. A clear description of the proposed development. Describe the changes proposed from the currently approved plan:

The PUD Concept Plan proposes a range of 135-150 townhome units and 279-350 apartment units on approximately 66.8 acres. Total units on the property will range from 414 to 500 units. The proposed density will be in the range of 6.19-7.49 DU/AC (gross). The current zone classification for the property is as follows (See Zone Change Exhibit).

2.5 acres	R SS HS
.8 acres	R SS HS
2.7 acres	R SS HS
6.8 acres	R R5 HS
9.4 acres	R SS HS
44.6 acres	R PUD SS HS

Zoned properties immediately adjacent to the parcel are shown on the Zone Change Exhibit. The property will also include a clubhouse with tenant amenities. The proposed land use is a change from the Amended Master Plan for this area as it is shown as Private Open Space. As further described below in this narrative the City has stated they do not want this specific property for public open space (per verbal communication and written from Connie Perry-City Parks, Recreation, and Cultural Services). Therefore, the applicant is proposing a clustered development approach where 48.9 acres (73% of the site) is preserved in privately maintained open space and some areas have pockets of residential development.

2. A Justification based on the review criteria addressing why the proposed project should be approved:

Response:

This project should be approved for the following reasons:

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a) Existing use of the land is not appropriate and may cause future safety concerns if nothing is done with the property. Current uses include trespassing by vagrants and all-terrain vehicle abuse. The property has also become an illegal dumping ground with areas where trash and litter has been deposited. These current uses are not sustainable and if nothing is done will likely get worse with time.

1. Homeless camps:

- The land owner along with Colorado Springs Police Officers identified estimated twenty homeless camps in the summer of 2018.
- The trespassers regularly dispose of human waste and trash near the creek and wetland areas. It's important to note that the primary water source for the creek come from an underground spring near the north west corner of the property. It filters down through the wetlands and directly through several homeless camp sites. During the dry months that spring is the only water source.
- When a campsite becomes too heavily contaminate they often move to a new unspoiled location on the property which has occurred for years on the property.
- In October of 2018 a wild fire was started a one of the camps resulting in the evacuation of the Mesa Point subdivision to west. This problem costs the tax payers possibly thousands of dollars annually in court time, Police Department and Fire Department man hours.
- According to the City Police officers, several of the homeless have been camping illegally on the site for as long as five years, despite being issued citations.

2. All-terrain and Four-wheel drive vehicles:

- Eyesore; All-terrain vehicle have destroyed the site, surrounding valley and hillsides for decades.
- Barricades have failed to deter all-terrain vehicle travel as the trespassers drive over and or around any and all obstacles, destroying native trees, plants and even wetlands. In the past, barred wired fencing has only deterred hikers. The all-terrain vehicle trespassers and those illegally dumping simply cut the wire and tear out the posts. No trespassing signs have been posted at numerous times only to be torn down.

3. Dumping:

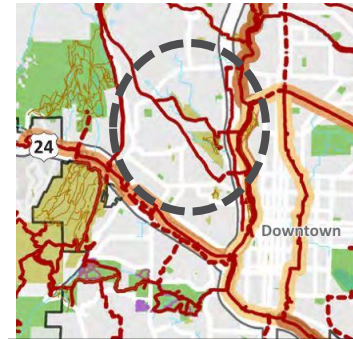
- Waste and garbage, building materials, appliances, auto parts, etc. are often dumped on the site. Several forty-yard dumpsters are filled annually. Some loads of trash have been dumped directly into or next to the creek by trespassers.
- Current and past land owners have spent thousands of dollars annually on site cleanup only to begin the process again a few weeks later. These current uses are not sustainable and if nothing is done will likely get worse with time.
For a more detailed history of the problems dealing with the trespassers and damage, please feel free to contact the Officer Kippel with the Colorado Springs Homeless Outreach Program at kippelti@springgov.com – Phone 719-444-7666.

b) The proposed use supports the intent of the COSPlan as described in this narrative document (#11 below). Most importantly this proposed plan and land use aligns very well with PlanCOS statement that “housing demands point to more infill”. This property is an ideal infill site for the clustered townhomes and apartments the applicant is proposing.

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c) The proposed design is carefully integrated into the existing landforms and will offer Colorado Springs residents innovative outdoor and recreation focused housing choices in this region of the City.

d) 48.9 acres (73%) of the site will remain in permanent open space (i.e. wetland preservation, wildlife habitat and recreational uses) for residents to enjoy for generations. The general public will also gain access to the proposed trail that will follow the East Fork of the Mesa drainage corridor. This proposed trail system could ultimately connect Garden of the Gods Park (to the west) to Sonderman Park (southeast), a key goal of PlanCOS. The City's Park System Master Plan describes the Mesa Drainageway as the "Mesa Greenway". Per the Park System Master Plan (2014) "No specific candidate acres are identified" and "the Mesa Greenway spans the recently expanded Ute Valley Park, the Austin Bluffs Open Space, Palmer Park and proposed candidate open space areas, roughly following the stream channels of South Rockrimmon, and Templeton Gap North Tributary and Floodway. While the area is highly developed, small pockets of woody wetland vegetation and riparian areas remain that may be targeted for conservation." That said, it has been clearly communicated to



The Parks Master Plan shows a potential trail connection through the Fillmore South property

the applicant the City does not want to own and maintain this particular property. However, the applicant proposes to preserve much of the site in permanent, privately funded open space and provide an important trail connection as described in the master plan.

e) The proposed land use is appropriate to the surrounding existing and future lands uses. Townhomes that are clustered with significant open space will be a good transition to the off-site apartments (north and northwest) of the subject property. Residential uses are planned west of the subject site which will be an appropriate land use transition going from this property to the west. Apartments are proposed on the southeast portion of this property providing an appropriate transition from existing and planned commercial and non-residential uses east and south of the subject site.

3. An Issue List stating how each of the pre-application issues, as communicated to the applicant/owner by the reviewing planner, has been addressed in the approved development plan.

Response:

Pre-application issues communicated to the applicant/owner are below in italic with the responses following in bold:

- *The Garden of the Gods Club Master Plan shows this area as a density of 2-3.49 du/ac.*

The original master plan has not been revised in this area, however many parcels have been divided and sold to multiple entities over the years making this subject site unusable as "private open space" as originally intended. Therefore, with market changes, ownership changes, and overall community needs changing over the years, the Master Plan for this area is somewhat out of date. This application submittal with the proposed uses fits the area and current situation much better in this area of the City. Further justification is provided below.

- *CPC CP 14-00035 - the concept plan for the site to allow R1-6 and a density of 2-3.49 DU per acre.*

The applicant is proposing a zone change to a PUD and a density range of 6.19 du/ac to a maximum of 7.49 du/ac.

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- A change to apartments and townhomes would require a master plan amendment, zone change, concept plan amendment, development plan and plat. Staff is not able to provide support at this time. A land suitability analysis and a neighborhood meeting will need to be completed to provide staff a better picture of the change of use proposed. The applicant will be required to justify the change of use to multi-family from single-family.

The submittal for the Master Plan Amendment, Zone Change, Concept Plan Amendment, (and Development Plan and Plat at a later date) outlines the justification for the change of use from single-family to multi-family. This is an infill site adjacent to existing apartments and non-residential uses to the east of the property so this proposed use fits the surrounding area very well. Therefore, the proposed uses are appropriate in this region and the site plan clearly fits well on the existing land forms and much of the site will remain in permanent open space.

Staff originally voiced they were not able to support primarily due to the area being designated as open space. However, the City has since determined they do not want the property for that purpose.

A Land Suitability Analysis is included with this submittal. Informal meetings with some of the neighbors has already occurred and another neighborhood meeting will be schedule within 2 weeks of the submittal.

- The site currently shows residential development and an area reserved for open space. If the area of open space is to be changed, the applicant will need to provide justification for why the line should be moved. The new area gained should contain vegetation and grades to be preserved and the area removed should not contain significant vegetation and grade.

The City has indicated that fees, rather than land, will be pursued as condition of formal plat approval. On October 10, 2018 the applicant met with the Britt Haley and Connie Perry (City Parks, Recreation, and Cultural Services Department) on the property to walk the site. Following the on-site walks there has been further communication that the City is not interested in this property for public use and ownership. However, the applicant proposes that much of the property still be preserved in permanent open space associated with the development of townhomes and apartments. 48.9 acres (73%) will be preserved in open space for adjacent neighborhoods to use and future residents of this community but the City will not have to maintain it long term. The open space and a trail system will be built by the developer and maintained by the HOA (Homeowners Association) and with the assistance Trails and Open Space Coalition (TOSC). Additionally, a trail through this site, along the East Fork Mesa Drainageway, could connect Garden of the Gods Park (west) to Sonderman Park (southeast) to Monument Valley Park and ultimately to the greater Colorado Springs open space/trail system.

Much of the existing grade and vegetation will not be altered and the proposed site plan has been carefully planned to minimize disruption to natural features. Some vegetation (scrub oak primarily) will be removed in areas of development but much of the site will remain untouched (see no build zones on the Land Suitability Analysis). As site work progresses, the hillside all-terrain vehicle damage and erosion that currently scares the hillside will be restored.

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4. Will the proposed development have a detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood of the proposed development?

Response:

The proposed development should not have detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood. As stated previously current uses include trespassing by vagrants and all-terrain vehicles and four-wheel drive vehicles that are causing site damage and soil erosion. The property has also become a dumping grounds with areas where trash and litter has been deposited. By developing this site and converting it into a beautiful residential community with plentiful wildlife habitat, open space, and regional trail connection this project will have a positive impact on the surrounding neighborhoods. Additionally, the residents of this new community will be responsible for the financial burden of maintaining the open space used by the public to enjoy in perpetuity. The proposed development will follow appropriate development standards (code, etc.) required by the City to improve the general health, welfare and safety of the residents and the surrounding area.

5. Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off site?

Response:

The proposed PUD zone change provides the allowable (permitted) uses for the site that are compatible and in some cases less density than the off-site uses (i.e. apartments to the northwest and immediate north of this property). The proposed building square footages and heights are appropriate for the area as they are very comparable to heights of surrounding buildings. Non-residential uses and buildings with significant height exist east of this property. The applicant has placed the apartments in the southeast corner of this property to provide an appropriate land use transition from more intense uses to the east to less intense uses west of the subject site. The townhomes on the rest of the site are “stair-stepped” into the existing topography and have significant open space (73%) throughout the project providing adequate light and air on and off the site. The project will be landscaped with primarily Colorado native street trees and open space areas will be stabilized with native vegetation further adding a positive effect to adequate light and air on and off the property. The overall concept plan strives to integrate townhomes and apartments into the existing topography as well as enhance and improve the beautiful existing natural landscape. For these reasons the proposed density, land uses and square footages are consistent and compatible with the established adjacent developments.

6. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?

Response:

This proposed PUD provides the allowable (permitted) uses for the site that are compatible with the surrounding neighborhood and community. The proposed use, bulk requirements and landscaping is very similar to the adjacent developments. In some cases (proposed townhome area) is less density than the off-site uses (i.e. apartments to the northwest and immediate north of this property). Currently the surrounding properties uses are as follows:

North: Apartments (multi-family) newly constructed

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East: some vacant but planned for non-residential uses

South: currently vacant and potentially planned for church and high density residential

West: currently vacant and planned for high density residential uses

Northwest: Existing apartments (multi-family)

The proposed building square footages and heights are appropriate for the area. Lastly, landscape requirements will be per the City Landscape Policy and Codes with street trees, streetscape improvements and open space stabilized with native vegetation. This will be appropriate to the type of development, the surrounding neighborhood and community.

7. Are the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site?

Response:

Ingress / egress is proposed connecting to Grand Vista Circle and then to Fillmore St. north of the subject site. On the south ingress/egress is proposed through the apartment area ultimately connecting to Van Buren Street and the Centennial extension. Traffic circulation, parking areas, and pedestrian areas are designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site. The PUD Concept proposes one use which is residential so there will be no loading and service areas. Pedestrian and vehicular connectivity to adjacent uses is uninterrupted and will be improved. A trail connection along the East Fork Mesa Drainageway will allow for public access and pedestrian movement on, off and through the site. Currently there is significant trespassing that occurs on the property that is uncontrolled so this development will improve this situation.

Proposed parking stalls and lots will be configured to meet or exceed the City design standards and codes. Proposed parking ratios will meet the city required spaces for the proposed use. Access to the proposed parking areas will be safe and convenient.

8. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?

Response:

The proposed development should not overburden the capacities of existing streets, infrastructure, utilities, parks, schools and other public facilities. The development will tie into the existing public facilities and utilities in the immediate area.

Water service will be extended through the site with one connection point on a 12-inch water main located inside the ROW of Grad Vista Drive and a second connection point on a 6-inch water main located in the Mesa Valley Road ROW. Sanitary sewer service connection points include two options. One option is an existing 12-inch sanitary main located south of the project site, just north of Mesa Valley Trail. The other option is an existing 8-inch sanitary main located in the Mesa Valley Road ROW

The proposed plans will meet the required parking spaces per the city's parking requirements. Access into and out of the site will be located along Grand Vista Circle (Local Street) which intersects Fillmore Street to the north.

The location of this property provides convenient walking and driving to bus routes, trails and parks. The City's Metro Transit system is along the Fillmore Street corridor providing connections to downtown Colorado Springs and the greater region. Bike lanes run along both sides Fillmore Street and connects to the greater Colorado Springs area. The location of the proposed development is adjacent to many of the City's Open Space and Parks trails system.

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The proposed trail in this development will provide future connections to these regional systems. The proposed plan supports the intent of the PlanCOS goals ML-1: “Provide for accessible, safe, engaging, and sustainable parks and open space systems and facilities for all city residents and visitors.” The proposed plan is also in alignment with Goal ML-2 “Activate and expand sustainable community use and interaction with open spaces, parks, and cultural resources”. While the City does not want to own this site for permanent public open space the applicant is going to set aside much of the site as permanent private open space and provide public access via the trail along the East Fork Mesa Drainageway meeting the intended goals of PlanCOS. Regarding land dedication or fee in lieu for schools the City is not requesting land and instead requests the fees.

9. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?

Response:

The proposed townhome and apartment (multi-family) residential uses will provide an appropriate transition and/or buffering between the more intense mix uses along the Centennial Blvd (major arterial) corridor and the non-residential uses to the east. This development will provide a good transition and stabilization from east (non-residential) to the west (residential single family detached and attached). Lastly, the site plan is sensitively designed with the existing topography with large areas of open space that will remain for generations.

10. Does the concept plan show how any potentially detrimental use to use relationships (e.g. commercial use adjacent to single-family homes) will be mitigated?

Response:

The proposed townhome and apartment (multi-family) residential uses will provide an appropriate transition and/or buffering between the more intense mix uses along the Fillmore Street (major arterial) corridor and the non-residential uses to the east. North and northwest of this property a significant amount of apartments, therefore this proposed land use of townhomes and apartments is appropriate for this site. Significant open space is provided that makes this development fit the area very well. Lastly, this site is an infill property and per the City’s COSPlan document infill development is encouraged and needed. This project does not have potentially detrimental use to use relationships.

Does the development provide a gradual transition between uses of differing intensities?

Response:

The proposed PUD use (multifamily residential) provides for a positive infill project for the neighborhood. An existing multi-family (252 apartment complex) is located directly to the north/northwest of this site. Professional office buildings and residential zoned areas surrounding this immediate area does not pose a detrimental relationship to the differing land use intensities, in fact the proposed use and density fit very well with the adjacent properties.

11. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan?

Response:

The development lies within the Hill Properties Master Plan and is fairly consistent with the allowable/recommended uses for proposed development. See the Master Plan Amendment Exhibit. While some of the area is shown as open space the City has communicated they do not

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want to own and maintain the property however are highly encouraging connections to public trail and open space systems.

Land Suitability Analysis and Geotech Report

The LSA and Geotech Report is required and is submitted with this package. The Geo-hazard report is also required and included in this submittal.

Zoning Code

The proposed zone change, from R (Estate Single Family Residential) to PUD (Planned Unit Development), is intended to provide the means through which the proposed uses can be developed per the Zoning Code. The classification will allow flexibility in design in order to create a better living environment, provide services in a more economic manner and allow specific development standards for a creative multi-family development.

Subdivision Code

The project will meet requirements of the Subdivision Code.

Comprehensive Plan – PlanCOS

The Fillmore South PUD Concept Plan supports and meets many of the goals and strategies of the City’s recently approved Comprehensive Plan (PlanCOS). PlanCOS focuses on several themes such as: Vibrant Neighborhoods, Unique Places, Thriving Economy, Majestic Landscapes, Community Focal Points, Reducing Erosion, Open Space Amenities and Preservation of Natural Systems. Provided below is description on how this development supports and integrates the concepts of those items.

Plan COS goal-Vibrant Neighborhood:

This proposed community will be an integrated community that is a vibrant place to live nestled in the beauty of the site. The surrounding area is well developed and the location of this site is in a vibrant region of the City. Around the property there is a mix of land uses, plentiful employment opportunities, views to the mountains, and significant parks and open space. On the actual property this community will be a safe and vibrant neighborhood with quality homes, natural areas, tree lined streets, gathering areas, a trail connection and overlooks/resting areas. This will be a neighborhood in which the residents will have great pride in their community.

PlanCOS goal-Strong Connections:

This community will provide good vehicular and pedestrian connections to the surrounding area. A connection to the regional Mesa Valley Trail will be provided connecting this area to the Garden of the Gods Park. While not a public trail the applicant is willing to fund and maintain this important trail connection that is important to the surrounding neighborhoods and region. Also the applicant proposes a sidewalk through the central spine of the community that can connect the neighborhood together and connect to regional destinations. This development will provide vehicular connections to Van Buren Street through the apartment and townhome parcels to Grand Vista Circle which ultimately connects to the more significant transportation routes of Centennial Boulevard and Fillmore Street. The townhome area will provide a direct connection to Grand Vista Circle and ultimately Fillmore Street.

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PlanCOS goal-Thriving Economy:

This community encourages and compliments the established mixed uses in the region and positively responds to the goals and objectives of the thriving economy concept. PlanCOS clearly identifies the concept of infill sites and building the heart of the City, not only downtown, but existing urban areas of the city. This site is a perfect example of an infill site that should not be low density spanning every square foot of the property. This would be a “low density sprawl concept” in the middle of the City. Rather, this proposed concept of clustering attached units in more developable areas of the site while preserving and improving larger areas for open space (73%) is an ideal approach to this property. Residents will be provided ample opportunity to enjoy the open space within minutes of Downtown Colorado Springs. This approach supports the theme and ideas in PlanCOS.

PlanCOS goal-Majestic Landscapes:

The proposed plan fits well into the PlanCOS Majestic Landscape concept. A design that is functional, sustainable, and provides for public safety, flood hazard mitigation, and maintenance of all associated facilities. This proposed development is clustered to preserve 73% of the site in naturalized landscape and open space.

PlanCOS goal-Community focal points for open space and recreation:

This community is also not far Garden of the Gods Park, a focal point of this region and the State of Colorado. This proposed plan incorporates significant open space (73%) and a trail that will ultimately connect to Garden of the Gods Park. This connection on this property can occur along the East Fork of the Mesa Drainageway. Additionally, the location of the development offers convenient bicycle access to the Pikes Peak Greenway trail. The site sits just nine blocks from the existing paved bike paths west of I-25 offering residents safe and easy bike commute to Downtown Colorado Springs.

The site plan carefully and sensitively integrates development into this landscape to preserve the character within the development. Some trail corridors will have views and overlooks facing west towards the mountains.

PlanCOS goal-Amenities for park and recreation users:

While the City does not want ownership of this site for public open space the applicant is setting aside much of the site in open space and providing a trail along the East Fork Mesa Drainageway for the public to utilize. On-site there will be scenic overlooks, a playground and resting places for residents and the general public to meet and socialize.

PlanCOS goal-Preservation of and creation of additional important native habitat and natural systems within and surrounding the city:

Much of the site will remain as-is and the native habitat and natural systems will be untouched. Some of the open space areas will need restoration to repair historic destruction of native habitat by trespassers, all-terrain vehicles and four-wheel drive vehicles. Where development does occur the re-establishment of native vegetation will be implemented.

PlanCOS goal-A culture of environmental stewardship:

48.9 acres (73% of the site) will be permanently preserved through respect and protection of the Mesa Drainageway and many of the steep slopes with native vegetation will remain untouched. Additionally, the applicant is proposing trails through the site that will ultimately

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connect to the greater Colorado Springs Trail System. Native street trees are a key component called out in the Majestic Landscape section of PlanCOS. This project proposes significant street trees throughout the development. Also, most all of the open space areas will remain as native vegetation and disturbed areas will be re-established with Colorado native species. Lastly, through the applicants geotech study several areas were identified as potential hazards and therefore proposed development has been avoided in those locations. Additionally, much of the site has been severely eroded by all-terrain vehicles and four-wheel drive vehicles so these damaged areas will be restored to a more natural landscape condition.

Policy SC-3.B: Design stormwater infrastructure as an integral and connected part of new development and redeveloping areas and preserve or incorporate naturalistic stream profiles and features where feasible and Strategy SC-3.B-1: Design and construct stormwater improvements to incorporate recreational opportunities and protect infrastructure.

The stormwater design for this site will occur just outside the East Fork Mesa Drainageway providing a large corridor of open space and a trail incorporating recreational opportunities along this area. The approach to stormwater design for this project aligns with the PlanCOS “Typology 5:Greenways and Complete Urban Creeks” concept. While the City does not want ownership of this property for public open space the applicant is going to provide a private trail (for walking and biking) which will connect this drainage corridor to the overall City network.

Strategy SC-3.B-2: Incorporate complete creek stormwater corridors as part of the City’s overall non-motorized transportation network where feasible and environmentally sustainable.

The East Fork Mesa Drainageway that traverses through the site will be preserved in its current condition. The applicant is proposing a trail through the site that will ultimately connect to the greater Colorado Springs Trail System therefore creating a natural corridor of non-motorized transportation. This corridor fits well into the PlanCOS Goal ML-3 “Optimize the shared use of our waterways as corridors for wildlife, recreation, stormwater conveyance, non-motorized transportation, utilities, and as natural areas and assets of the environment.” Also the proposed preservation and enhancement of this corridor aligns with the Plan COS “Typology 5:Greenways” concept of having a network of natural, landscaped, and stream corridors that connect parks and natural areas. This corridor can serve as open space and wildlife links to the greater region. The city encompasses several hundred miles of streams and drainageways with many that are hidden from view. On the contrary this project respects and exemplifies the drainage corridor as a positive amenity to the community and provides a connection to the greater (i.e. Garden of the Gods and Sonderman Park).

Goal ML-5: Strengthen resiliency to natural disasters and the impact of climate changes through development patterns, hazard mitigation, and education.

The land plan has been sensitively placed on the site and through the geotech study results many of the areas of the property will remain untouched.

Land Suitability Analysis

Summarize the existing features and constraints and describe how the development of the site will occur in a manner which considers the opportunities and constraints.

Response: See Land Suitability Analysis Exhibit for narrative and graphic representation.



D E V E L O P M E N T

Written analysis to address mitigation for the physical constraints and hazards on-site.

Response: See Land Suitability Analysis Exhibit for narrative and graphic representation

Per the reasons and justification provide above we respectfully request approval of the PUD Concept Plan /Zone Change for the Fillmore South project. Should you require additional information do not hesitate to contact me at (720)-602-4941.

Respectfully submitted,

A handwritten signature in black ink that reads 'Phil Stuepfert'.

Phil Stuepfert
Associate/Sr. Project Manager
HR GREEN DEVELOPMENT, LLC