



CS243

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER/APPLICANT

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PLANNING SUPPORT

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ENGINEERING

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General comment - please ensure more effective quality control measures are taken. This letter contains many inaccuracies, typographic errors, unclear sentences, and a lack of justification for some of the criteria points. I recommend rewriting this letter and providing a focus on addressing the review criteria for a rezone per Sec. 5.3.5 of the LDC.

Corral

LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The application for a map amendment (rezoning) includes Parcel No. 4400000185. The proposed rezoning is located on the north right of way line of State Highway 94, approximately 1,800 feet east from the Coral Valley Road intersection and 2,270 feet west from the N Franceville Coal Mine Road intersection (see vicinity map insert and map exhibit for details). The total acreage of the proposed rezone is ±15.52. (Currently Zoned: Rural Residential [RR-5]).



REQUEST

The application is to Rezone 15.52 acres from the Rural Residential (RR-55) zone to the Commercial Services zoning district (CS). The application includes the following request:

Not sure of the meaning of the highlighted text - the request to rezone property from residential to commercial district will result in a substantial change in use of the property

- Approval to rezone Parcel No. 4400000185 to CS to match adjacent property to the south, along Hwy 94 (parcel no. 4400000237).
- The Rezone process is projected to run as it's own process (No other applications submitted).

This bullet point is unnecessary

JUSTIFICATION (**Sec. 5.3.5.B Map Amendment (Rezoning)**)

Criteria for Approval. In approving a Map Amendment, the following findings shall be made:

A. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;

Small Area Plans no longer exist.

- a. **The site, and zone change are in conformance with the El Paso County Master Plan, the rezone will be of minimal change of use, there has not been a substantial change of this particular location of the area.**

The applicant requests approval of the rezoning based on findings of compliance with the following Master Plan Goals:

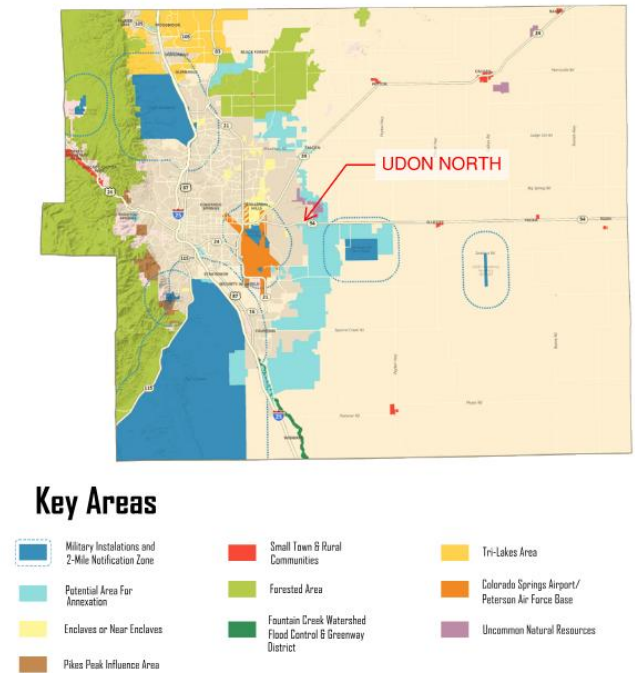
- Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.
- Goal 1.3 - Encourage a range of development types to support a variety of land uses.

Unsure of the meaning of this sentence

The proposed Rezone from the RR5 district to the CS district provides opportunity for the developer to include additional commercial uses in this area, designating a CS zoned district will allow a diversity of uses along the State Highway 94 corridor. The proposed CS district and scape of the project area will offer opportunities for a variety of uses and help support stability in the maker. In addition, the subject parcel is directly abut State Highway 94 which is a busy corridor with vehicles traveling at high rates of speed creating above average noise. Providing commercial development directly adjacent to this highway will act as a transition use, between the highway and surrounding residential uses set back from this corridor.

What is the relevance of this information?

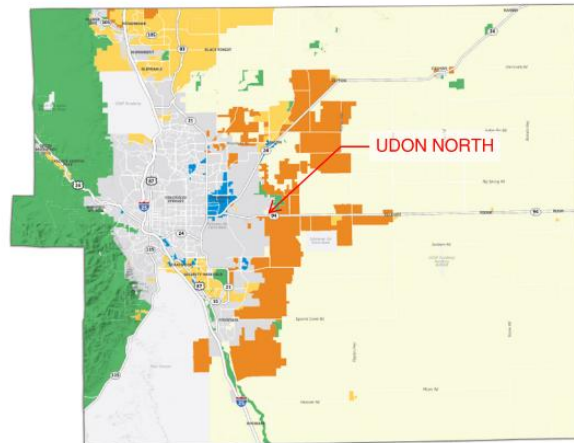
Key Areas:



UDON North is located within the “Potential Areas for Annexation” classifications of key areas. This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. The City of Colorado Springs has not expressed interest in Annexing this property to the City.

Explain how the proposal is consistent with the Key Area.

Areas of Change:



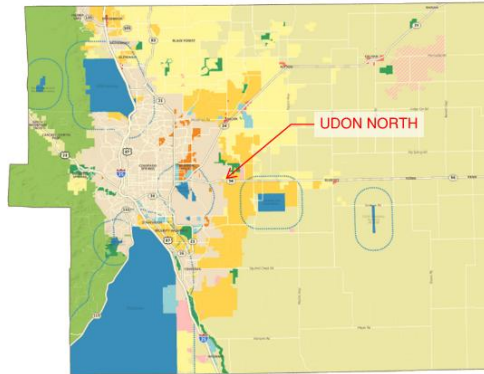
Areas of Change

- Protected/Conservation Area
- Minimal Change: Undeveloped
- Minimal Change: Developed
- New Development
- Transition

The property is in the new development area

UDON North is not located in the area but adjacent to expected for “New Development”. It is understood that these areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one, such as an employment hub or business park adjacent to an urban neighborhood.

Explain how the rezone could support a level of change expected in this area of change.



What does this mean? Please clarify.

Unsure of the meaning of this sentence

It is within the suburban residential placetype - not large lot residential

Placetypes

- Military
- Urban Residential
- Regional Open Space
- Rural
- Rural Center
- Mountain Interface
- Large Lot Residential
- Regional Center
- Utility
- Suburban Residential
- Employment Center
- Incorporated Area

UNON North is located within the Large-Lot Residential type and adjacent to Suburban type. This land use is designated for Large-Lot Residential, Traditional Residential neighborhoods with supporting commercial uses at key intersections. The Large Lot place type generally supports the proposed development pattern and the support of commercial services use.

- The rezone would be consistent with the supporting land use of this placetype.
- The rezone and the code would protect the intent of the Placetype, by the procedures and standards intended to promote safe and orderly development.
- The proposal would provide for the land uses in relation to exist and predicted patterns of growth in the area.
- The rezone would have no impact on any currently approved sketch plans.

PLACETYPES	LAND USES																	
	Residential	Multi-Family Residential	Office	High Density Residential	Medium Density Residential	Neighborhood	Neighborhood	Commercial Retail	Commercial Services	Commercial	Office	High Industrial/Business Park	Medium Industrial	Public and Open Space	Natural and Historical Resources	Industrial	Other	
Open	●	●	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Large-Lot	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Suburban	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Urban Residential	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Rural Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Regional Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Employment Center	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Regional Open Space	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Mountain Interface	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Military	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
Utility	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	

● Primary Land Use: Allow, promote, and play a pivotal role in characterizing that placetype.
 ○ Supporting Land Use: Allow, promote, and serve to support the primary land use.

B. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;

This response simply restates the bullet point and doesn't provide any explanation or justification.

What about the other directions? The property is also adjacent to RR-5 zoning and City-zoned property

- a. **The requested rezone is in compliance with applicable statutory provisions.**
- C. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions;
 - a. **The proposed land use of CS is adjacent to existing CS zones and is in compliance with You're El Paso County Master Plan.**
- D. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.
 - a. **Site is suitable for intended use.**

Please elaborate here.

Zone Change and Water Master Plan Considerations:

- A. Under the Colorado Revised Statutes, Title 32. This property is within the Ellicott Utilities district boundary and will consistently follow the rules and regulations per the El Paso County Water Master Plan,
 - a. A sufficient water supply has been clarified or provided through existing private well. The well has been permitted per quantity and quality standards set forth in the State water supply standards.
 - b. Final water sufficiency will be provided with Site Development Plan/or **Plating.**

Related Services

Wastewater systems:

- o Wastewater services will be provided by way of existing Onsite Wastewater Facility.

Electric

- o Electric service will be provided through Mountain View Electric.

Gas

- o Gas service will be provided through Black Hills Energy.

Compliance with the Land Development Code

The project area and related zone change will comply with the Criteria of Approval standards in Chapter 5 of the Land Development Code. The current use of the property will not be impacted, and future development improvements will follow the permitted use standards and the following dimensional standards.

Standards:

CS min. District Area 2 AC

Setback:

Front: 25'

Rear: 25'

Side: 25'

Max Lot Coverage: N/A

Max Building Ht.: 45'

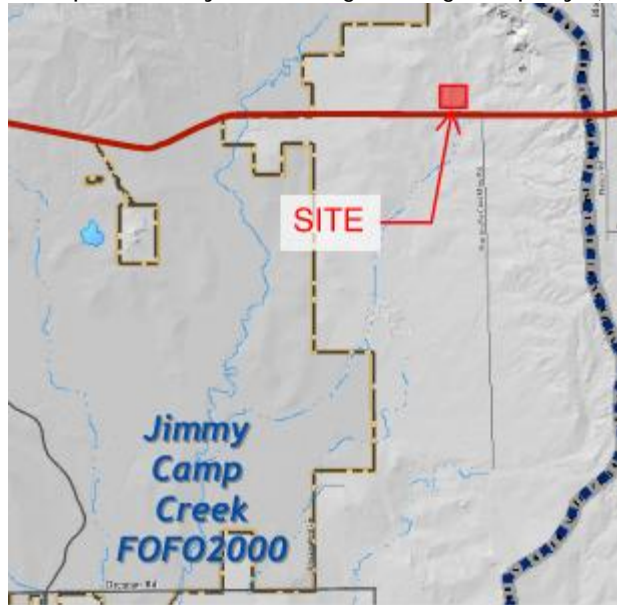
How is a rezone to a far more intense zoning district going to preserve the natural features? The next sentence conflicts with this statement as well by stating there are no natural features.

Natural or Physical Site Features:

A. The Zone Change will support the preservation of the natural features and drainages of the site and surrounding lands:

a. Site Natural Features:

- There are no major natural site features on the site. It consist of native grasses.
- Site is located within the Jimmy Camp Creek drainage basin (FOFO2000). Data provided by Muller Engineering Company; (1988)



B. The topography of the site includes rolling hills with one drainage way, extending from north to south through the property. The existing drainage ways are wide and without a defined flow path; no erosion is anticipated.

a. The site consists of;

- An area of minimal flood hazard "Zone X" per the National Flood Hazard Layer FIRMette (08041C0780G)

National Flood Hazard Layer FIRMette



SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Legend

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
- With BFE or Depth
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Modified Flood Risk due to Levee
- Area with Flood Risk due to Levee

OTHER AREAS

- Area of Minimal Flood Hazard
- Area of Unseasonal Flood Hazard

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

CROSS SECTIONS WITH 2% ANNUAL CHANCE

- Water Surface Elevation
- Coastal Transverse
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transverse Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not used as described below. The base map shows compliance with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHE web services provided by FEMA. This map was updated on 2/2/2024 at 11:13 AM and does not reflect changes or amendments subsequent to this date and time. The NFHE and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unseasonal areas cannot be used for regulatory purposes.

Wildlife or wildfire?

C. Wildlife Considerations:

- a. The site is mapped as low to moderate-high per the wildfire risk public viewer.
- b. Impacts are expected to be very low.

These two statements appear to conflict with each other.



Colorado Wildfire Risk Viewer

<https://co-pub.coloradoforestatlas.org>

Fire Intensity Scale

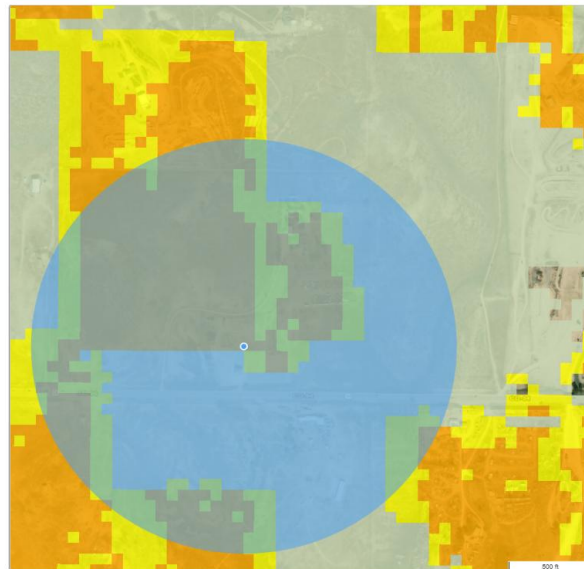
Quantifies the potential fire intensity by orders of magnitude.

Created on: 2/2/2024, 9:22 AM

Disclaimer

The user assumes the entire risk related to their use of the Colorado Wildfire Risk Viewer and either the published or derived products from these data. The Colorado State Forest Service is providing these data "as is" and disclaims any and all warranties, whether expressed or implied, including but not limited to any implied warranties of merchantability or fitness for a particular purpose.

In no event will Colorado State Forest Service be liable to you or to any third party for any direct, indirect, incidental, consequential, special or necessary damages or lost profits resulting from any use or misuse of these data.



Legend

<https://co-pub.coloradoforestatlas.org>

Burn Probability

- Non-Burnable
- Very Low
- Very Low-Low
- Low
- Low-Moderate
- Moderate
- Moderate-High
- High
- High/Very High
- Very High

County Boundaries

< 1:1,500,000

D. Community Outreach: Summarizing any community outreach efforts by the applicant that have occurred or are planned as part of the request.

- **Adjacent owner notification letters will be sent out to adjacent property owners**

rezone the existing 15.74-acre property from Residential Rural (RR5) to Commercial Service (CS). For purposes of this study, it was assumed that the area on the south side of SH-94 would be developed first as phase one with 860 spaces for vehicle, boat, and RV storage. The north side of the development was studied with two alternatives for the full buildout scenario; the proposed use which includes 1,000 storage units and the highest use which includes a 16 fueling position gas station and approximately 150,000 square feet of retail.

re zone change to

- A traffic study has been completed by Kimley-Horn and Associates.
 - Based on the results of this study and the proposed use scenario, it is recommended that the access intersection along SH-94 be stop controlled with a R1-1 "STOP" sign installed on the southbound exiting approach. Of note, this access will initially be a T-intersection with only the north area developing.

By 2045, it is anticipated that SH-94 will be reconstructed with two through lanes in each direction. The recommended 2045 intersection lane configurations and control for the project development are illustrated in Figure 20 for the proposed buildout and Figure 21 for the highest use scenario.

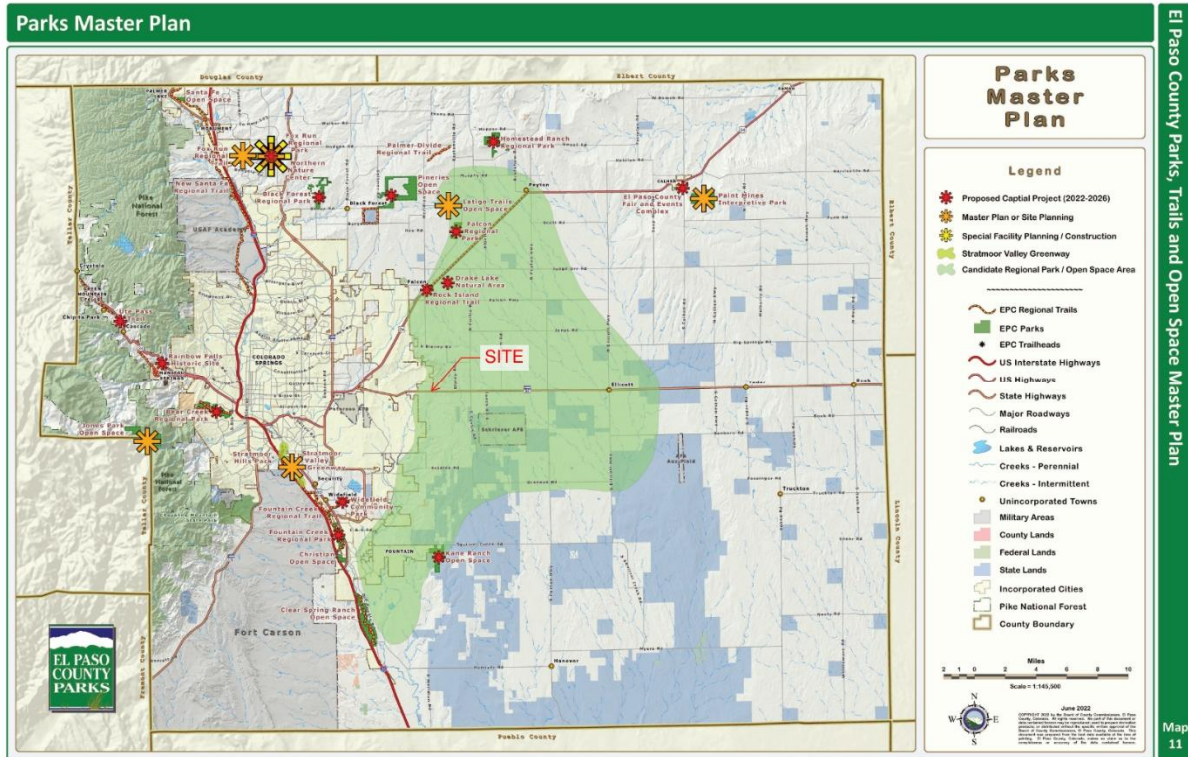
This doesn't seem to match TIS pg 4 or the table extract below which notes South area developing first as part of phase 1. Please clarify what is being proposed with this specific rezoning in the north area.

Table 1 – UDON Rezoning Project Weekday Traffic Generation

Land Use and Size	Daily Vehicle Trips	Weekday Vehicle Trips					
		AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Phase 1 – South Development							
Mini-Warehouse (ITE 151) – 860 Units	156	5	5	10	7	7	14
Buildout – Proposed Use (North and South Development)							
Mini-Warehouse (ITE 151) – 1,860 Units	336	12	11	23	16	16	32
Buildout – Highest Use (North Development)							
Shopping Center (ITE 820) – 150,000 Square Feet	5,552	78	48	126	245	265	510
Convenience Store/Gas Station (ITE 945) – 16 Fueling Positions	4,114	216	217	433	182	182	364
Total Project Trips – Highest Use	9,666	294	265	559	427	447	874
Total Project Trips after Pass-By – Highest Use	4,970	107	86	193	220	234	454

Recommending providing a map of the north and south areas so it's clear what and where is being developed under this rezoning application.

Parks Master Plan



Per the Park Master Plan, the proposed project site and development area is located in the area identified as the “Candidate for Regional Park/Open Space Areas”. The “Candidate for Regional Park/Open Space” areas is a broadly-defined area that encompasses a landscape unit or defined habitat type without regard to individual ownership boundaries. An acquisition of land or easements in these areas are to be accomplished through agreements with the landowners on a willing seller basis, such as, an agreement for a Conservation Easement. This can be further defined under the Chapter 11 section of the EL Paso County Parks Master Plan.

The Parks Master Plan indicates a proposed EPC Trail to be located along State Highway 94 and is identified as Highway 94 Regional Trail (Trail #11). It is understood that developers along the south Right of Way line (R.O.W.) of State Highway 94 shall dedicate a 25’ Easement/ Trail buffer to EPC for Trail #11.