

May 12, 2021

El Paso County Development Services
2880 International Circle Suite 110
Colorado Springs, CO 80910

Letter of Intent

Lamar Advertising is requesting Special Use approval to install a new construction billboard with 2 digital faces with the use of credits.

1. Property Owner: Roots Properties, LLC
Attn: Levi Heidrich | Ph. 719-659-8598 | Email: Levi@ColoradoTreeFarmNursery.com
7440 Templeton Gap Road
Colorado Springs, CO 80923

Applicant: Lamar Advertising
Attn: Adam Sanchez | Justin Johnston | Email: jujohnston@lamar.com
2110 Naegele Road
(719) 473-4747
Colorado Springs, CO 80904

Max height in CC district is 40 ft. Elevation plans show this as 55 ft?

This should say special use. Special use is only consistent with the zoning district if all special use criteria is met.

- 2. 7440 Templeton Gap Road – Tax Parcel No. 5307000040. 5-acre Parcel. Zoning for the location is in CC- district with a CAD-O overlay.
- 3. New Construction Build of Off Premise Billboard, proposed billboard back to back digital 10'6"x 36" (378sq.ft each.) 2 Digital faces (Daktronics with Self Dimming Capabilities). The Property is currently zoned CC with a CAD-O overlay. The CC zone districts allows for billboards as a conditional use which would be consistent with the intent and purposes of that zoning district. Commercial use is permitted in all CAD-O subzones by either allowed use or special use for which we are applying according to LDC Table 4.7. The overall height of the billboard will not exceed the maximum height allowed. The structure will in no way affect air traffic.
- 4. The existing parcel / facilities, are used and owned by Heidrich's Colorado Tree Farm Nursery LLC. Which was founded in 1977. The current use of the property will remain the same other than of the proposed billboard.
- 5. Waiver of request and justification- N/A
- 6. The Purpose and need for the change in zone classification- N/A
- 7. The total acres in the requested area is which is referenced in #2 as a 5-acre lot. The area used for our proposed billboard is 15 cubic feet.
- 8. The total number of residential units and densities is N/A
- 9. The number in industrial or commercial sites proposed is N/A

Please explain. This is in the "approach" part 77 surface type within CAD-O

10. Approximate floor area ratio of industrial and or commercial uses-N/A
11. The number of mobile homes is N/A
12. Typical lot sizes in length and Width-N/A
13. Type of recreational Facilities-N/A
14. If phased construction is Proposed-N/A
15. Anticipated schedule of development. Upon receipt of local permit, this project typically would be completed in 12 to 16 weeks. The actual construction and installation should only take a week or so. The order and delivery of materials would take up most of the time.
16. Water and sewer provided is N/A
17. Proposed uses relationship between use and destinies will remain the same.
18. Areas of required landscaping is N/A
19. Proposed access locations. Would remain the same.
20. Approximate acres and percent of land to be set aside for open space- N/A

This is fine for the placetype - what about the key area and the area of change?

- ***The special use is generally consistent with the applicable master plan and water master plan;*** special use request for digital is consistent with master plan submitted for a billboard sign. The property we intend to occupy falls under the Urban Residential Placetype which allows for multiple uses including mixed use, commercial retail, and commercial service. According to the master plan the Urban Residential Placetype states that Commercial uses should be located along main or perimeter streets rather than imbedded within primarily residential areas. Woodmen would be considered a main street and is not primarily residential. In addition, this billboard will not apply to the water master plan as it requires no use of water utilities and will not affect water run off or drainage.

Property to the south is zoned A-5 and is used for residential / agricultural. Please provide an analysis

- *The special use will be in harmony with character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area: The Land Use and zoning for the 2 nearest properties North of Woodmen are both zoned PUD, one property's land use shows Vacant and the other Vacant Commercial. This allows for commercial development. The property to the West is Zoned PBC which accommodates commercial land uses and preserves and enhances areas for a range of retail sales and service establishments. Its current land use is vacant. The 2 nearest properties East are zoned A with Vacant Commercial Land Use. The adjacent Zoning and harmony with our requested use.*

Looks like property to the north is being developed in the City for apartments. Please clarify how this request is compatible. Per previous comments no analysis is provided for compatibility to proximate residential uses

- *The impact of the special use does not, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner:* The billboard structure will not require any additional facilities such as parking, etc. It will not require additional services such as utilities that would add to the existing uses of the property and will not result in an over-intensive use of the land.

- *The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access:* There will be no impact on traffic during servicing or operations of the billboard. Upon

completion, this billboard would be serviced two-three times a year. Each service would be done within the parcel in which the billboard is located.

This would be a good place to mention how access will be granted for maintenance of the billboard.

- *The special use will comply with all applicable local, state, and federal laws and regulation regarding air, water, light or noise pollution:* This billboard structure emits no air pollution, requires no water, and does not make noise. The light intensity is monitored by electronic sensors that dim the display to levels that fall within the requirements listed under the EMD regulations. The displays shall be equipped with technology that automatically dims the EMD's according to ambient light conditions to a luminance, or nighttime brightness level of up to 500 NIT, which will result in a reduction of display brightness between 5% and 25%. We intend to operate our Electronic displays at 1%-5% of maximum brightness after dark. Documentation will be included from the sign manufacturer that verifies compliance with auto dimming and brightness requirements. Under LDC 6.2.3 there are no regulations pertaining to an EMD. LDC 6.2.3 (e) would pertain to light levels at residential property lines emitted from light fixtures. The adjoining property is not residential and the EMD does not act as a security light or otherwise.

This is a good point to make and can help with your compatibility analysis

- *The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County:* Lamar advertising utilizes modern equipment and materials and considers safety and welfare of the present or future residents of El Paso County will not be negatively impacted.
- *The special use conforms or will conform to all other applicable county rules, regulations or ordinances:* Upon approval of the special use, Lamar will acquire all necessary permits in conformance with the established regulations and ordinances. The setback required for CC zoning is 25' which Lamar will conform to when placing the structure. The billboard does not conflict with the spacing requirements set forth in LDC Sec. 6.2.9 (b)(4) as there are no other billboards within 1000', it is not within 250' of an intersection, and no residential districts are within 500'.

Thank you for the consideration.

Sincerely

Adam Sanchez | Justin Johnston
Lamar Advertising

May want to clarify here - property to the north is zoned PUD but it is a multifamily residential PUD. May want to provide clarification whether the sign will be 500 ft from the residential portion of the PUD if it is mixed use. There needs to be a discussion.

Previous comment not addressed: if you are using a billboard credit, please indicate so and show how the request is compliant with Sec 6.4.9(D)

