



*"The Commercial Management Group"*

DESIGNERS

BUILDERS

Contractors

To whom it may concern:

This is Letter of intent for a Land use Variance.

Owner:

Mulberry Ridge LLC  
5025 Brady Rd.  
Colorado Springs, Colo. 80915  
Ph. 443-253-6811

Applicant:

Chris Richardson, CMG Corp.  
6615 Vincent Dr.  
Colorado Springs, Colo. 80918  
Ph. 719-492-5076

Location:

3475 Mulberry Rd.  
Yoder, Colo. 80864

Size of the lot: 35.48 acres

Zoning: A-35

Request is for a Variance of Use

**Traffic Notes:**

Please provide an estimated Average Daily Trips (ADT) in your Letter of Intent. Note: One vehicle visiting the site equals two trips, one arriving and one departure trip.

During construction there will be at most 60 trips per day. After construction, normal operations will have no more than 30 trips per day.

The proposed development will not significantly increase the traffic to this property and will not adversely affect adjacent or downstream drainage."

Staff recommends including much more detail about the proposed use, prior approval, compatibility with the surrounding neighborhood, compliance with criteria of approval and master plan documents.

Staff recommends including additional background on prior Variance approval. Additionally, staff recommends citing specific examples or instances where a hardship is created. Use justification from prior approval for starting point.

- The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.

We are seeking a Land use Variance to allow for existing and future use as an observatory site. The current zoning A-35 does not allow for commercial applications. Currently there is an existing telescope and support structures. The proposed structures are of like nature, 2 additional telescopes and support structures. Without this variance, this property will not be able to be used by L3 Harris Corp. for this desired location.

- The proposed use is compatible with the surrounding neighborhood, not detrimental to the surrounding of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;

Staff recommends expanding on the compatibility and impact on surrounding neighborhood. Include information about hours of operation, employees (if any), negligible noise created, etc.

The area in question will be used for the viewing of the stars and celestial bodies both during the day and night. Much of this operation will take place remotely. No additional site lighting will be installed, due to the need for reduced light pollution.

- The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project.

The site will have 3 telescopes and support structures. There will be very little traffic to the site, and the equipment is quiet in its operation. There are no odors put off by this equipment. The only water use will be for restrooms. These pieces of equipment have a small footprint and will not adversely affect the storm water runoff.

This criteria is not referencing wetlands.

- The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action.

The proposed use will not adversely affect wildlife or wetlands.

This equipment is quiet and will not affect any wildlife or wetlands. There are no wetlands on this parcel of property.

The applicant has addressed all off-site impacts.

The off-site impacts will be minimal. Construction traffic for 4 months and then normal daily operations of approximately 15 vehicles at the site intermittently.

- The site plan for Staff recommends expanding much more on the parking, traffic circulation, open space, fence, daily operations of the facility. The more detail that storm water drainage, fire protection, police can be provided, the better. serve the needs of the proposed variance of use as designed and proposed.

The parking that is existing is adequate for the use of the proposed number of vehicles.

The road is an existing, well maintained gravel driveway with a concrete entrance, a culvert under the entrance, and steel gates securing the property.

We are adding addresses to each of the structures for ease of the Fire Dept. and Emergency services to locate. The well water and sewer are existing on the property and will only be used for restrooms.

The barbed wire fence is existing around the property.

The remainder of the property (approximately 32 of the 35 acres) is pastureland.

There are currently trees planted around the main building.

#### Justification:

This site has had a Variance of Use in the past for the past for similar structures and uses.

Unlisted use. Previously approved as a 5-year variance in 2000. Later updated to a 10-year variance that expired in December 2019.

Existing and proposed facilities:  
See site map.

Respectfully,  
Chris Richardson

Staff recommends including citations from specific goals and policies of the El Paso County Policy Plan, Master Plan, and Water Master Plan regarding the sue and compatibility with those guidelines.