



December 21, 2022

PCD File No.:

**Letter of Intent
Falcon Highway Mini Storage
Zone Change**

Owner:

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Applicant:

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Request

The request to the Board of County Commissioners is a rezoning of the 14.35-acre property, identified as Lot 1, Abiding Word Lutheran Church Subdivision and holding El Paso County Tax Schedule No. 5313001013, from Rural Residential (RR-5) to Commercial Service (CS). The property is located on the south side of Falcon Highway adjacent to the Falcon Highway and U.S. Highway No. 24 intersection in El Paso County, Colorado. At this time, no overlay zoning is applicable for this project site.

Project Site Description

The project site is located within the north half of Section 13, Township 13 South, Range 65 West of the 6th Principal Meridian in El Paso County, Colorado. The 14.35-acre property is currently zoned Rural Residential (RR-5) and identified by El Paso County Tax Schedule No. 5313001013. The property is described as Lot 1, Abiding Word Lutheran Church Subdivision and uses the address of 11401 E. Highway 24. The project site is adjacent to Falcon Highway, a 60' right of way bordering the northern edge, and to U.S. Highway No. 24 on the western edges. The property is adjacent to a 65.88-acre vacant agricultural property (Tax Schedule No. 5312400017) on the north side of Falcon Highway, 0.88-acre vacant agricultural property (Tax Schedule No. 5300000285) and 16.91± acre R.V. Park (Tax Schedule Nos. 5313000094 and 5313000006) on the west side of U.S. Highway 24, 4.98-acre single family residential property (Tax Schedule No. 5313000117) to the south, and 16.12-acre agricultural residence with several cattle sheds to the east. The project is anticipated to be accessed by a primary driveway on Falcon Highway. The proposed driveway will be improved to meet County Code and Fire District access criteria. It is acknowledged that a CDOT state highway access permit will be required for said access. The adjacent property owners have been

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notified, as outlined by the county, of this proposed zone change as part of this request. A separate Traffic Impact Study addressing anticipated traffic generation and access has been prepared for this site and will be provided to the county for review as part of this request.

Proposed Uses

The project site is currently vacant land with no significant improvements. The proposed use of the site is for the operation of a mini-warehouse/self-storage facility, an allowed use in the Commercial Service (CS) zoning district according to the El Paso County Land Development Code and a supporting use in the Large-lot residential placetype according to the El Paso County Master Plan. The construction and operation of the proposed mini warehouse will require the approval of a Site Development plan by El Paso County which will include landscaping per section 6.2.2 of the Land Development Code, a full photometric plan as per sec. 6.2.3 of the Land Development Code, all county required drainage impact improvements, a wastewater system design as required by the county, and the payment of the required road impact fees and CDOT Highway access fees. The submittal of the site development plan will follow the approval of this rezoning request. Utilities will be provided in accordance with the proposed development's Site Development plan which is to be submitted following the approval of this request. Utilities for a typical mini warehouse, according to the Land Development Code are provided only to service "a manger's apartment and for lighting and climate control of individual storage units." The site area included within the request does not contain within it sensitive natural or physical features such as wetlands, protected species habitat, or floodplains.

Justification

The proposed rezone will allow the development of a mini warehouse, which is an allows use in the proposed CS zoning district. This section discusses the project's compliance with and conformance to the El Paso County Master Plan, the County Water Master Plan, and the criteria of approval listed in Section 5.3.5(B) in Chapter 5 of El Paso County Land Development Code.

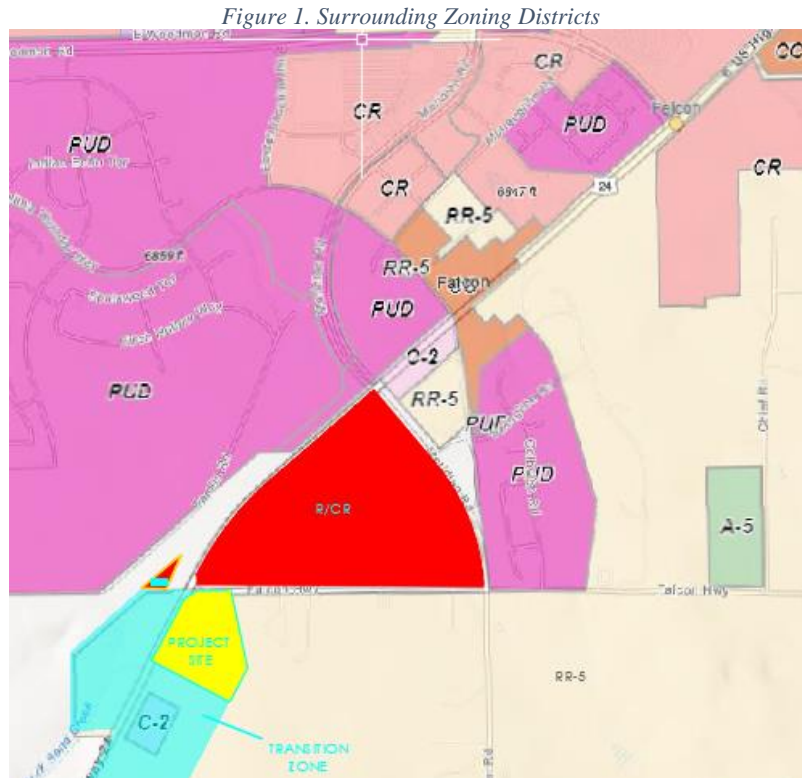
The request satisfies and is in compliance with all of the **criteria of approval listed in Section 5.3.5(B) in Chapter 5 of El Paso County Land Development Code (2021)**:

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;

The El Paso County Master Plan ("***Your El Paso Master Plan***" adopted on May 26, 2021) is a comprehensive document communicating a vision for many factors that influence the quality of life in El Paso County, including Land Use. The Master Plan provides a strategy to achieve the vision by putting forth goals and policies that can be used as a framework for decision-making regarding development of the County.

According to the Master Plan the project site is located within the ***Large-Lot Residential placetype***. Supporting land uses of the Large-Lot Residential placetype include Commercial Service (limited). Although specified as a limited use, the site's location on a major highway and proximity to the Falcon Regional Center support the proposed commercial use of the site. The site is also located in the County Master Plan's ***Transition Area of Change***. The proposed use promotes the level of change identified in the Areas of Change map. According to the County Master Plan, redevelopment in the Transition Areas is expected to be "*intense enough to transition the existing development setting to an entirely new type of development*". The transition of this area of the county is

already beginning to appear in the existing developments, with the split zoning of two of the adjacent properties to the north and west of R/CR and the existing use of the R.V. park located on two of the adjacent parcels to west, which include the operation of an existing storage warehouse and convenience markets. Figure 1 highlights this transition with the existing zoning districts surrounding the property.



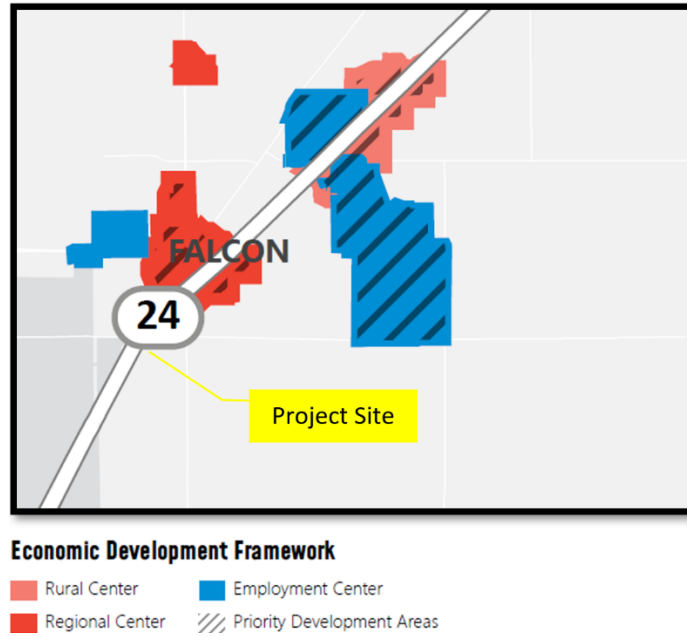
“Falcon has the most-established Regional Center in unincorporated El Paso County” according to the Master Plan ***“and largely serves all communities in the northeastern part of the region”***. Figure 2 is a map from the Master Plan that highlights the project site’s proximity to Falcon’s Regional Center to the north and the Employment Center (Meadow Lake Airport, the largest airport in unincorporated El Paso County) to the east. This request is in support of objectives ***ED3-1: Continue promoting commercial development to serve increasing residential neighborhoods in the Falcon area, ED3-5: Prioritize commercial development within or near rural communities and within the Rural Center placetype to limit barriers to shopping districts and employment centers and ED3-6: Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.***

The request is in support of the following Economic Development specific strategies:

- ***“The Regional Center in Falcon and the Rural Center in Peyton should be expanded to meet the growing commercial needs of the expanding residential development in this area”***
- ***“Identify opportunities for infill and redevelopment such as underutilized properties along major transportation and transit corridors”***
- ***“The Regional Center in Falcon and the Rural Center in Peyton should be expanded to meet the growing commercial needs of the expanding residential development in this area.”***

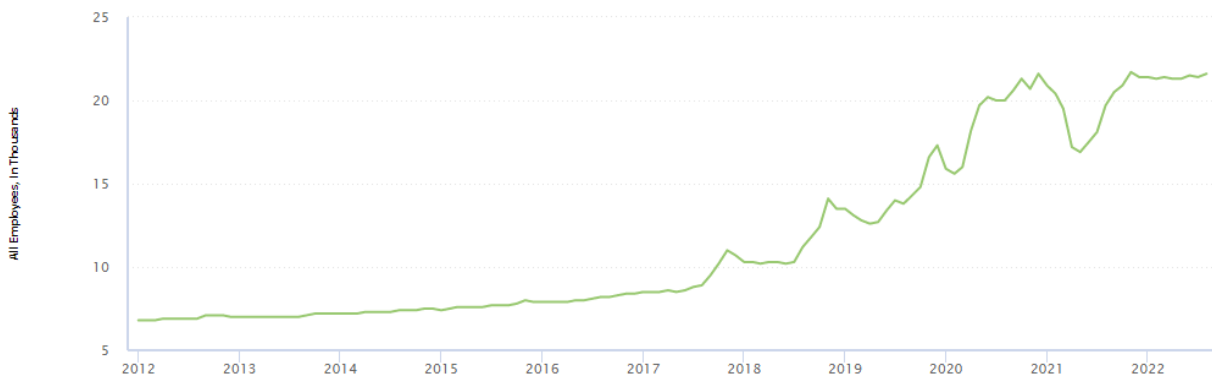
The request is also in support of Housing and Communities specific strategy “*Neighborhood-level commercial uses and public services should also be considered in Falcon at key intersections*”.

Figure 2. Economic Development Framework, Your El Paso Master Plan (pg.67)



The Master Plan identifies “opportunities to strengthen El Paso County’s overall economy through business collaboration, workforce expansion, and new development”. This request is in support of **Goal ED1 - Recruit new businesses and spur the development of growing sectors**. The Warehousing and Storage industry is a growing sector in recent year, seeing a threefold workforce expansion in Colorado over the past decade according to the U.S. Bureau of Labor Statistics (See Figure 3). The proposed use of the property will further allow the development

Figure 3. Warehousing and Storage Industry in Colorado (U.S. Bureau of Labor Statistics, 2022)



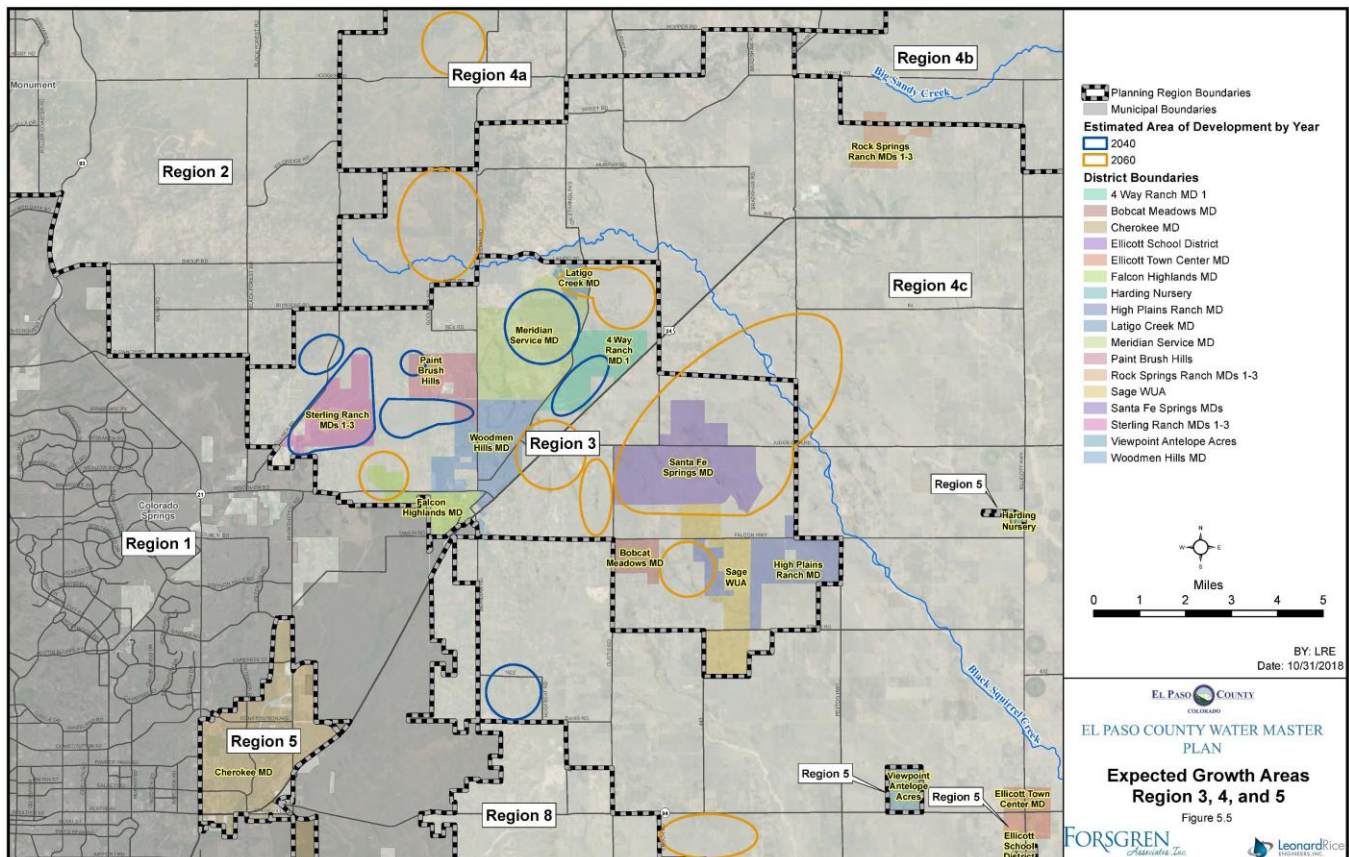
of the workforce in this growing sector and encourage its expansion. The property is also in the Pikes Peak Enterprise Zone, “a state income tax credit incentive” according to the Master Plan, started to encourage the location of businesses “in economically distressed areas”. The proposed use of the property will allow the utilization of this EZ zone and help encourage business development in an economically distressed area.

The site is located within the **Key Areas – Potential Areas for Annexation** to the City of Colorado Springs. The proposed use of the site aligns with Colorado Springs future plans and is not in conflict with the goals and policies of **PlanCOS** or **City of Colorado Springs 2020-2024 Strategic Plan**.

This request is in general conformance with the **County Water Master Plan**. The property is located in Region 4c on the Water Master Plan Planning Regions Map, which encompasses a portion of the Upper Black Squirrel Creek Basin (UBSCB). According to the Water Master Plan, water providers within Region 4c include Prairie Estates, Peyton Pines, Silver Bonnett Mobile Home Park, Ellicott Town Center Municipal District, Rock Springs Ranch Municipal Districts 1-3, and Ellicott Elem Sr High School. Water supply will come from a proposed well for which a finding of sufficiency was made at the time of subdivision platting. It is acknowledged that a permit will be required by the State to authorize commercial withdrawal from a well. The owner has sufficient water rights for the proposed uses of the property, which include 3.9 acre-feet of annual groundwater to be withdrawn from the Denver Aquifer in the eastern 8.1 acres of the property according to Colorado Ground Water Commission’s Findings and Order for Determination of Water Right No. 762-BD.

The proposed uses of the property do not require extensive utility improvements, extensive site grading, or significant water consumption, satisfying **Goal 5.3** of the WMP – **Reduce overall water consumption per end user in the County**. The proposed use of the site is not anticipated to generate additional demand beyond the projected 2060 groundwater “Build-Out Supplies”. Plans to ensure adequate future water supply on the site focus on limiting development of the site which reduces the amount of water needed for construction and erosion control activities, landscaping and required irrigation. See Figure 4 for the Region 4c growth map.

Figure 4. Region 4c Expected Growth Areas, EPC Water Master Plan



This request is in general conformance with the **2016 Major Transportation Corridors Plan Update**. Relevant **2040 Roadway Improvement Projects** include the SH5 Project on US Highway 24 beginning Garrett Rd and ending Woodmen Rd, which runs west of the property and the U5 Project on Falcon Highway beginning US 24 and ending 1 mi east of Curtis Rd which runs north of the property. Relevant **2040 Multi-modal Improvement Projects** consist of the M4 Project which includes Bicycle & Secondary Regional Trail improvements on Falcon Highway beginning Meridian Road and ending S. Peyton Highway. A Public Road Easement exists on the property plat which includes a 70' easement facing US Highway 24 and over 70' easement facing Falcon Highway for a total of 2.67± acres of land as part of the Public Road Easement.

This request is in general conformance with the **El Paso County Parks Master Plan**. The Trails Masterplan map shows a proposed city trail parallel to a segment of US Highway 24 which is adjacent to the property to the west. The map also shows a proposed 6-8 foot wide Bicycle Route on Falcon Highway, in conformance with the M4 Project of the **2040 Multi-modal Improvement Projects** of the **2016 Major Transportation Corridors Plan Update**. The Trails Visioning map shows a proposed EPC Trail on Falcon Highway. The aforementioned Public Road Easement exists on the property plat and includes a 70' easement facing US Highway 24 and over 70' easement facing Falcon Highway for a total of 2.67± acres of land as part of the Public Road Easement.

This request is in general conformance with the **Master Plan for Mineral Extraction**. No severed mineral right owners were found after research of the records of El Paso County Clerk and Recorder, and an affidavit to that effect, stamped by a notary public, is being submitted with this request. The proposed use of this property does not include any mineral or natural resource extraction operations.

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 request is being submitted in conformance with the referenced sections of the Colorado Revised Statutes that allow the county to establish, limit, regulate, or amend zoning in the interests of public health and safety.

The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions;

As discussed above, the transition of this area is already appearing in the existing developments, with the split zoning of two of the adjacent properties to the north (TSN: 5312400017) and northwest (TSN: 5300000285) are both split zoned commercial/residential. The existing R.V. park to the west includes an existing storage warehouse and convenience markets. The site is also nearby C-2 zoned properties, one located less than 300 feet to the south (TSN: 5313000050) and less than half a mile to the north (TSN: 5312402016). Figure 1 shows the surrounding zoning districts and the aforementioned County Master Plan's **Transition Area of Change** in which the site falls. The proposed CS zone is compatible with the existing and permitted land uses and zone districts in all directions.

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.

The project site is suitable, without significant site alteration, for commercial uses and development of the site will conform to the standards for the CS zoning district including any applicable or general development standards. The property meets all the dimensional requirements of the CS zone, including the minimum lot size and setbacks with

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ample space for development of a mini warehouse, driveway and landscaping. This application, therefore, meet the dimensional standards for the CS zone district which includes: the minimum lot size of 2 acres, the minimum of 25 feet for front, rear, side setbacks and maximum height of 45’.

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