

Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development
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2880 International Circle, Suite 110
Colorado Springs, CO 80910

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

April 25, 2024

ATTN: Brighton Partners
309 East Paces Ferry Road NE
Suite 850
Atlanta, GA 30305

RE: Zoning Verification Letter for 975 Ford St., Colorado Springs, CO 80915
File: ADM-24-007
PID: 5407410004

A request has been made for a zoning verification letter for 975 Ford St. at PID 5407410004. Brighton Partners are purchasing equity in the current owner of the property. Please note that there will be no transfer of ownership of the property itself.

Current Zoning

The 1.81-acre property in question exists within the Planned Development Obsolete (R-4) zoning district. Section 4.4.4 of the El Paso County Land Development Code (As Amended) describes the Planned Development Obsolete zoning district as follows:

"The R-4 district is established to provide more flexibility and latitude of design; to provide for a greater variety of principal and accessory uses in the development of land; to address the advantages resultant from technological change; and, to encourage initiative and creative development of parks, recreation areas, and open space."

Section 4.4.4. of the El Paso County Land Development Code outlines the allowed uses and development standards for the R-4 zoning district as follows:

Allowed Uses. *The uses allowed in the R-4 district are those uses listed on the approved development plan on file with the PCD, and those uses identified within the BoCC resolutions adopted in conjunction with R-4 zoning approval.*

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Use and Dimensional Standards. All uses and development in the R-4 district are subject to the use and dimensional standards in Chapter 5 unless different standards are identified on the approved development plan on file with the PCD. The approved development plan shall control where a conflict exists between the standards in Chapter 5 and those on the approved development plan.

General Development Standards. All uses and development in the R-4 district are subject to the general development standards in Chapter 6 unless different standards are identified on the approved development plan on file with the PCD. The approved development plan shall control where a conflict exists between the standards in Chapter 5 and those on the approved development plan.

Maintenance Plan. A maintenance plan conforming to the requirements of Chapter 6 shall be approved by the PCD Director prior to the issuance of any building permit.

Site Development Plan. Site development plan approval is required for all development, except single family and 2-family residential uses, prior to authorization of a building permit.

Platting. No building permits shall be granted on any portion of property which is currently zoned R-4 until the property is platted in accordance with this Code, unless otherwise exempted by Statute.

If a property, at the time of its creation, was established in accordance with all applicable subdivision regulations, platting of the property is not required for issuance of a building permit. It shall be the responsibility of the person seeking a building permit to submit the necessary documentation to the PCD to substantiate the legal creation of the property.

Discontinuance of Zoning or Rezoning. No land shall be zoned or rezoned to R-4 on or subsequent to May 1, 1991. All land zoned R-4 on or before May 1, 1991, shall remain zoned R-4 and shall be subject to all the provisions of the R-4 district until such time as the land is either rezoned or annexed.

No Development Except In Accordance with Approved Development Plan. Any land that is zoned R-4 is required to have an approved development plan on file with the PCD. All development is subject to the requirements of the approved development plan and those requirements identified within the BoCC resolutions adopted in conjunction with R-4 approval. In the event that an approved development plan is not on file with the PCD as of the effective date of this Code, development shall not occur on the land unless the land is rezoned.

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Obsolete Zoning District

Section 4.1.4. of the El Paso County Land Development Code describes Obsolete Zoning Districts as follows:

“The R-4 zoning district has been declared to be obsolete pursuant to BoCC Resolution No. 91-59, Land Use 10 as replaced by Resolution 92-46, Land Use-9. No land will be rezoned to an Obsolete Zoning district. The BoCC may modify the allowed uses, special uses, and development standards within these zoning districts.

Landowners are encouraged to rezone land from an Obsolete Zoning district classification. The BoCC may offer incentives, such as modified application fees in order to accomplish this goal.”

Historic Approved Development Plan

The Approved Development Plan for this parcel was created in 1984 as the Master Plan for The Loft Subdivision. Approved uses for the property are discussed in the Planning Commission Resolution No. MP-84-5 (attached) and include commercial office space, small business, and retail shops. The attached document shows a side setback on the East side of 50 feet and a Front setback on the North side of 25 feet. At the time of this resolution, the maximum height requirement in the R-4 zone was 40 feet as noted in the Land Development Code that was relevant at the time of this Approved Development Plans' creation.

Summary

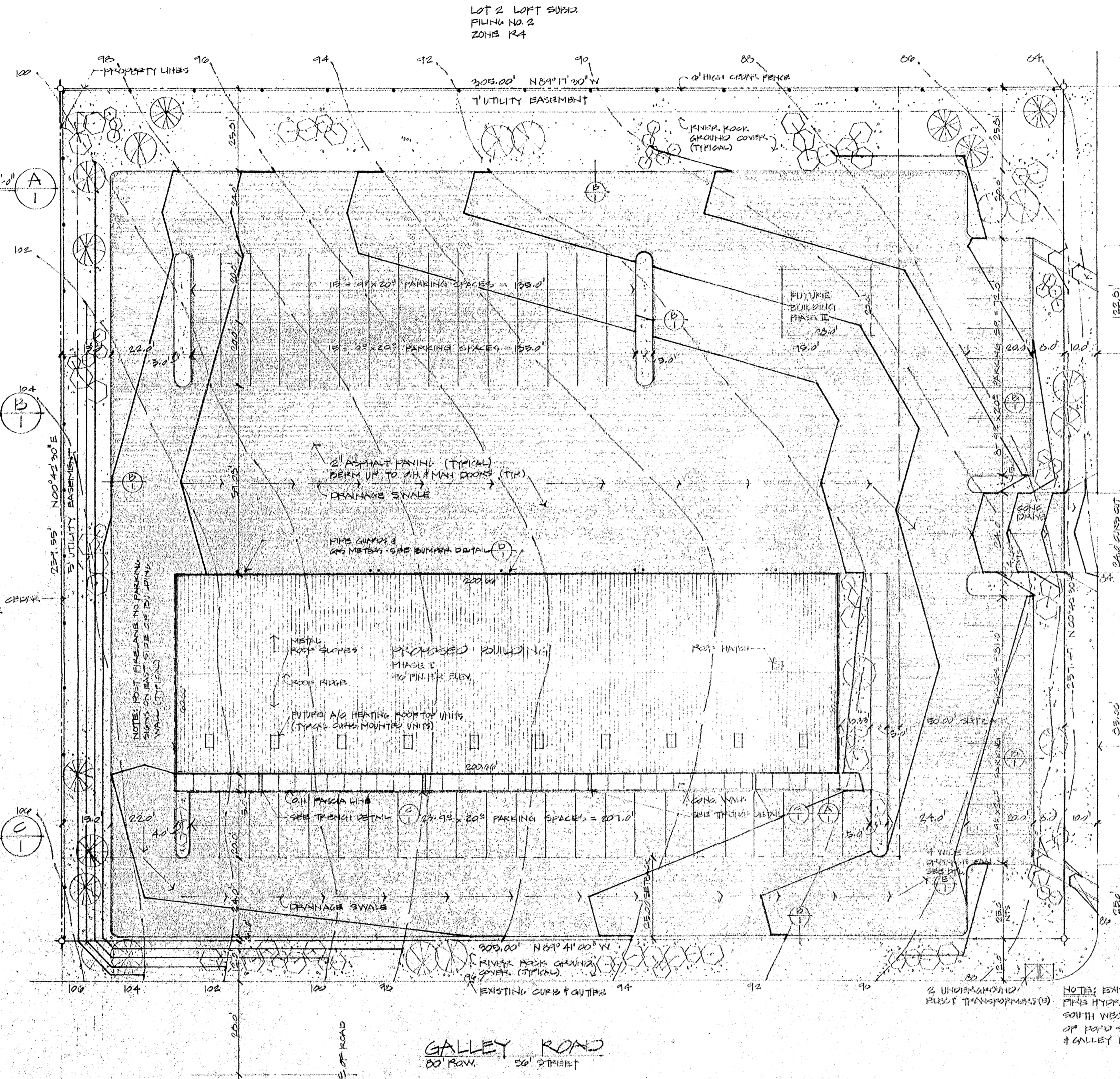
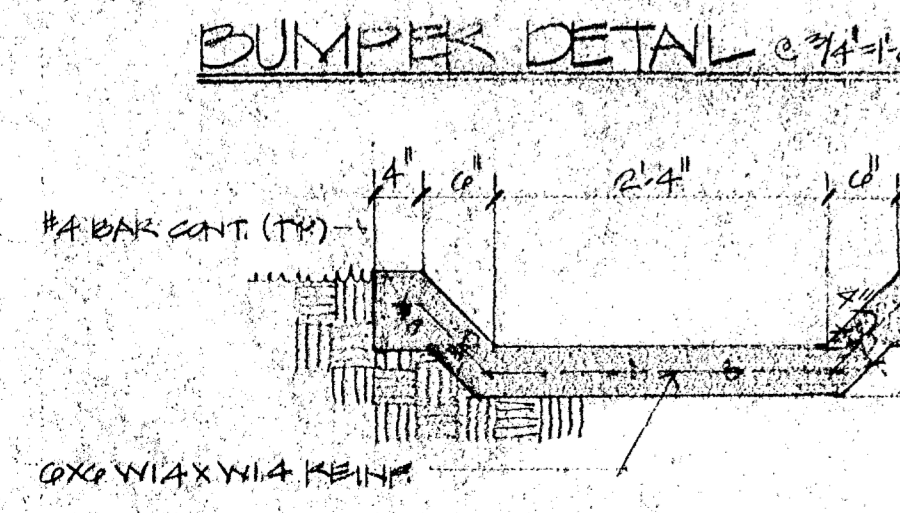
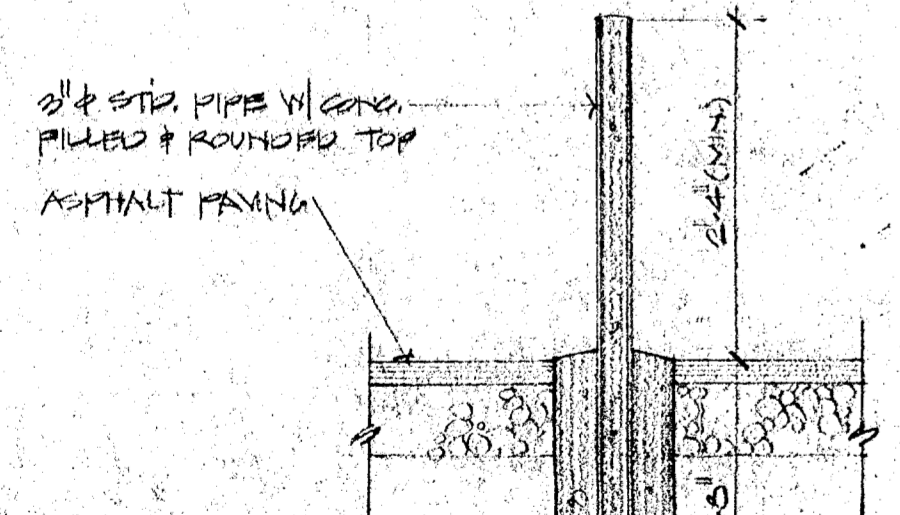
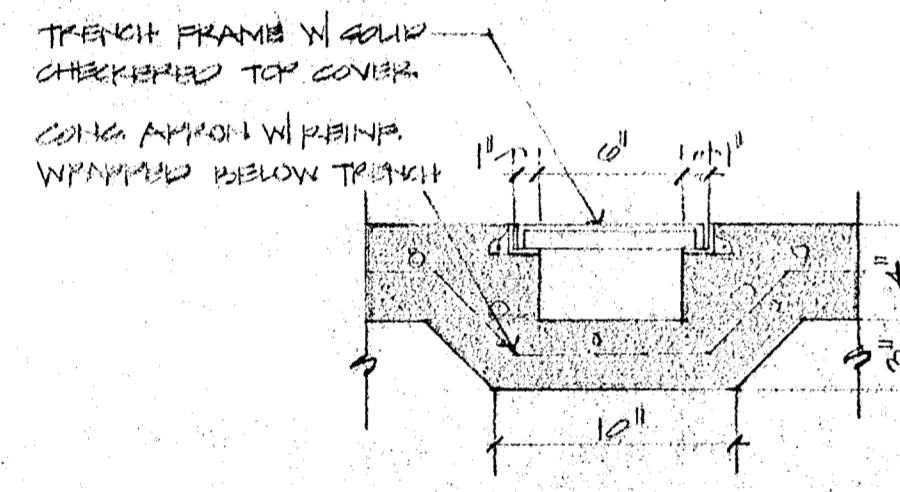
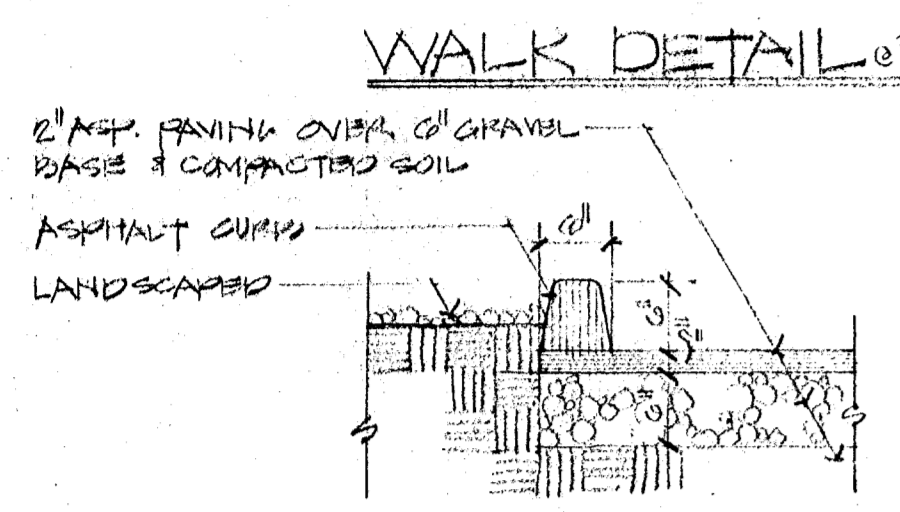
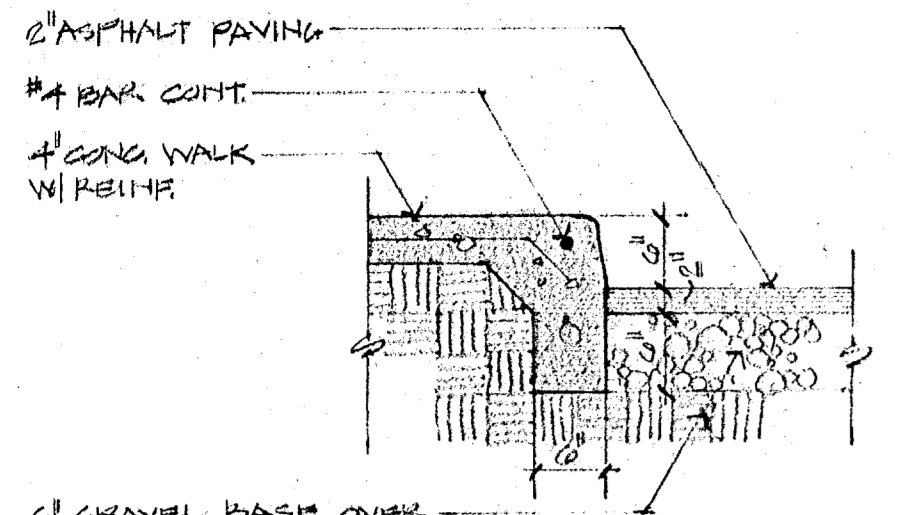
Due to the outdated, ambiguous, and “obsolete” nature of the development standards for the R-4 zone, Staff recommends that the parcel in question be re-zoned to a more current zoning district in order to have a clearer understanding of what is or is not allowed.

If you have any questions or concerns regarding this determination, please contact myself or Lacey Dean, Planner I, at (719) 520-7943 or laceydean2@elpasoco.com

Sincerely,

Meggan Herington, AICP, Executive Director
El Paso County Planning and Community Development Department

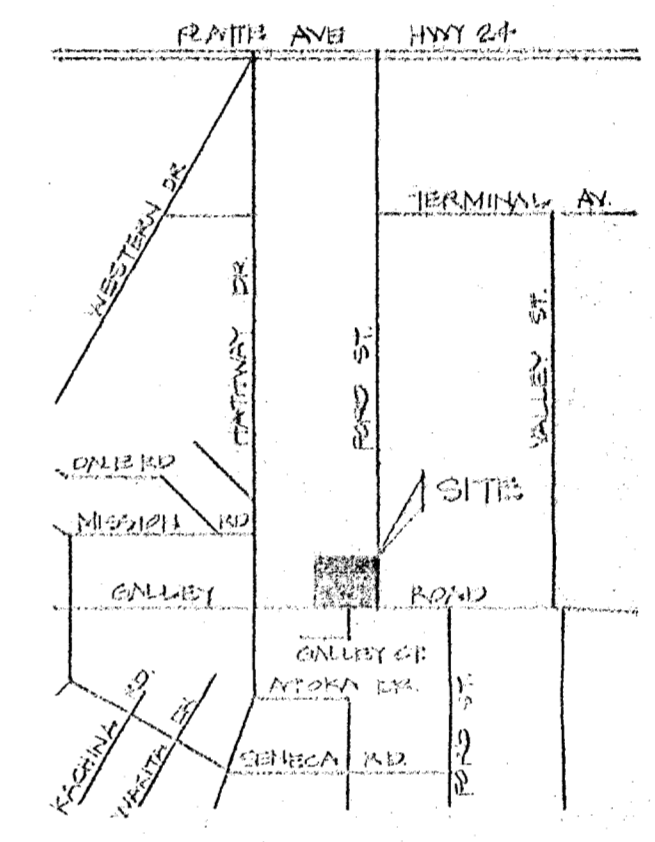




DRAWING INDEX

DWG NO	DESCRIPTION
1	SITE PLAN, SITE DETAILS, SITE BUILDING DATA, & LANDSCAPING SCHEDULES
2	FOUNDATION PLAN, WINDOW & DOOR SCHEDULES, & STAIR SECTION
3	FIRST & SECOND FLOOR, REFLECTED CEILING & LIGHTING PLANS, & INTERIOR ELEVATIONS
4	EXTERIOR ELEVATIONS
5	WALL SECTIONS, BUILDING SECTION, & ROOF FINISHING PLAN
6	STAIR SECTION, ELECTRICAL LINE DIAGRAM, & WASTE LINE & VENT SCHEMATIC

Approved
El Paso County
Planning Commission
This 14th day of April 1984
Kenneth J. Feld
Chairman
Glenn Nelson, Secretary



SITE & BUILDING DATA

USE APPROPRIAL	OWNERS
NATIONAL CONSTRUCTION COMPANY	CONTRACTOR
the HENTSCHEL company	ARCHITECTURAL
OCCUPANCY	DR/BI
BUILDING TYPE	OFFICE/WAREHOUSE
MAXIMUM BUILDING HEIGHT (to MAX)	25'-0"
CONSTRUCTION TYPE	TYPE V - N
PHASE	PHASE I & FUTURE PHASE II
ZONING	R4 - PLANNED UNIT DEVELOPMENT AREA
AREA	1.61 ACRES
FIRST FLOOR OFFICE AREA	139 SQ. FT.
SECOND FLOOR OFFICE AREA	1227 SQ. FT.
WAREHOUSE	400 SQ. FT.
UNFINISHED METAL SPACE WITH	10000 SQ. FT.
PARKING SPACES PROVIDED	10 SPACES

SITE PLAN @ 1"=20'-0"

LEGAL DESCRIPTION:
LOT 2 LOFT SUBDIVISION FILING NO. 2

ADDRESS:
110 GALLEY STREET

GENERAL SITE NOTES:

- 1) PARKING AREA TO BE MAINTAIN BY OWNER.
- 2) ELECTRICAL & GAS UTILITIES BY THE CITY OF COLORADO SPRINGS.
- 3) WATER SERVICE UTILITIES BY THE CHEROKEE WATER DISTRICT.
- 4) SANITARY SEWER IS SUPPLIED THROUGH THE CANYON SANITATION DISTRICT.
- 5) PIPE PROTECTION DISTRICT BY CANYON HILLS PIPE PROTECTION DISTRICT.

SITE LEGEND:

[Hatched Box]	PROPOSED BUILDING
[Dotted Box]	CONC. WALK
[Line with Dashes]	2" ASPHALT PAVING W/ 4" CHANNEL BASE
[Solid Line]	PROPERTY LINE
[Line with Circles]	6" HIGH CELEBRITY FENCE
[Dashed Line]	EXISTING CONTOUR LINES
[Arrow]	DRAINAGE FLOW & SWALES
(B)	EXISTING

LANDSCAPING SCHEDULE & NOTES

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
[Tree Symbol]	PERIWINKLE PINE	PINUS PERIWINKLE	4 1/2" H	8, 4 @
[Tree Symbol]	TAMMY JUNIPER	JUNIPERUS SPARGANAE	3 GAL.	10
[Tree Symbol]	RIVER ROCK ARCADE COVER OVER 6 MIL. POLY. PLASTIC		2' to 4'	

- 1) LANDSCAPING TO BE INSTALLED WITHIN 6 MONTHS AFTER CONSTRUCTION, WEATHER PERMITTING.
- 2) LANDSCAPING TO BE MAINTAIN BY OWNER.

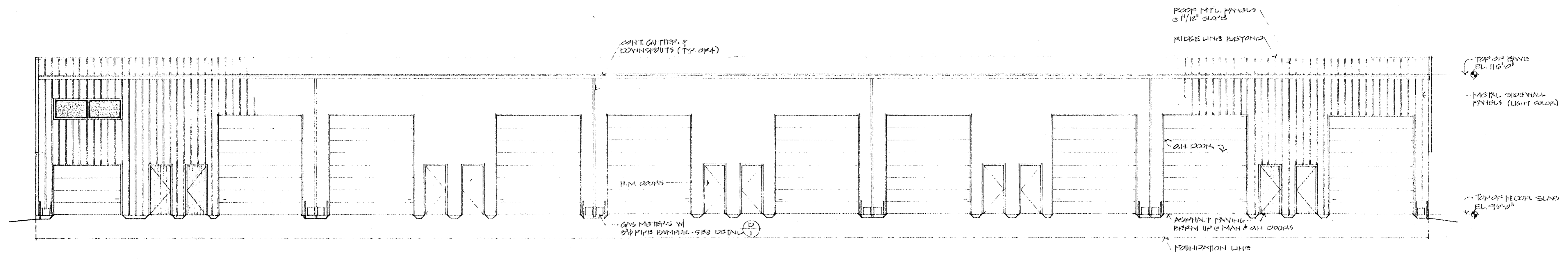
REVISIONS	BY
DELETE CURB, DRIVE, 2/10/84	MWH
DELETE 2" ASPHALT PAVING, 2/10/84	MWH
DELETE 2" ASPHALT PAVING, 2/10/84	MWH
6" ASPHALT PAVING, 4/10/84	MWH

the HENTSCHEL company
P.O. BOX 7605 COLORADO SPRINGS, CO. 80933
TELEPHONE: (303) 633-3735

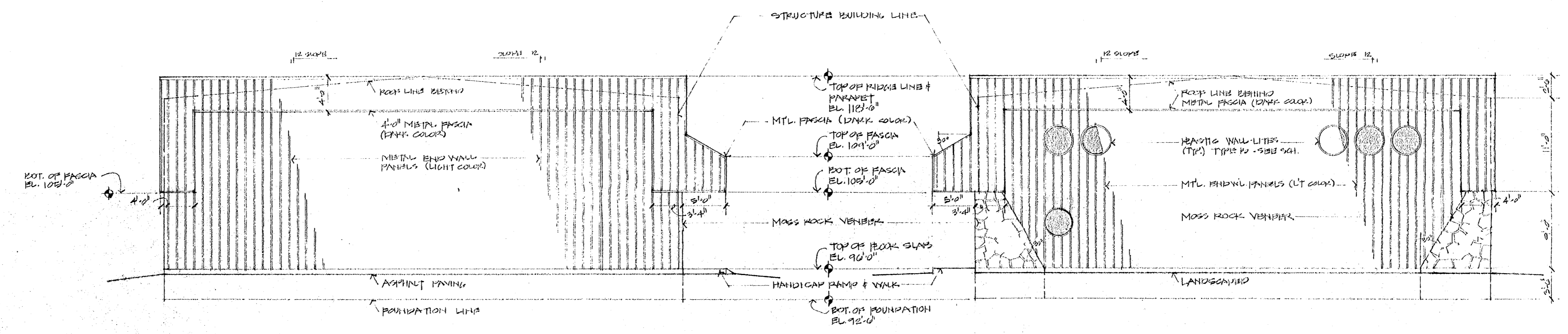
U.S. APPRAISAL OFFICE - RENTAL SALES
115 15th St. - Suite 102
Colorado Springs, Colorado

PROJECT NUMBER 05-211
DATE DEC. 21, 1983
DRAWN MWH
CHECKED
SHEET NUMBER 1
OF 6 SHEETS

REVISIONS	BY
1. CHANGE FROM 12' TO 14' WIDENING	MMW
2. CHANGE FROM 12' TO 14' WIDENING	MMW

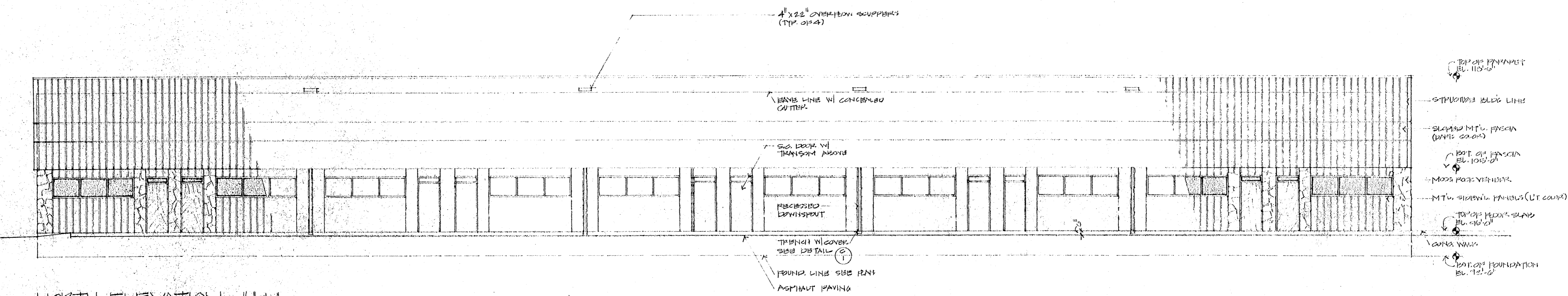


SOUTH ELEVATION @ 1/8"=1'-0"



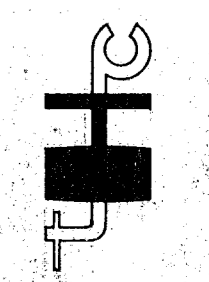
EAST ELEVATION @ 1/8"=1'-0"

WEST ELEVATION @ 1/8"=1'-0"



NORTH ELEVATION @ 1/8"=1'-0"

the **HENTSCHEL** company
 P.O. BOX 7605 COLO. SPRINGS, COLO. 80903
 TELEPHONE: (303) 633-3735



U.S. APPRAISAL OFFICE & RENTAL SPACES
 1115 POND STREET, SPRINGFIELD, MO

PROJECT NUMBER	02-277
DATE	DEC. 2, 1983
DRAWN	MMW
CHECKED	
SHEET NUMBER	4
OF 6 SHEETS	