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URBAN PLANNING | COMMUNITY DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENT

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MEADOW LAKE INDUSTRIAL PARK REZONE

PUD to I-2 – Industrial

LETTER OF INTENT

□ OWNER/APPLICANT AND CONSULTANT:

Owners:

Dorothy B. Ventimiglia Trust
P.O. Box 618
Larkspur, CO 80118-0618
Parcel Number: 4300000553; 4300000548

Kevin O'Neil
P.O. Box 1385
Colorado Springs, CO 80903-1385
Parcel Number: 4300000552

GRR Partners Inc., LLC
Attn: Rob Wurl
794 W. Solana Cir.
Solana Beach, CA 92075
Parcel Number: 4300000551

Applicant:

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El Paso County Planner:

Kari Parsons
El Paso County Development Services

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- ❑ **TOTAL NUMBER OF ACRES IN THE REQUESTED I-2 INDUSTRIAL REZONE AREA:** 160.76 Acres

- ❑ **SUBDIVISION DATA:**

The project is approximately 10 miles east of Colorado Springs situated northeast of Falcon, Colorado in eastern El Paso County. The project is located at the northwest corner of Curtis Road and Falcon Highway. The site is bounded by Curtis Rd. to the east, Falcon Highway to the south, and the Meadow Lake Airport to the north and west.

The overall Meadow Lake Industrial Park site area is 255.01 Acres of which 160.76 acres is proposed to be rezoned from PUD to I-2 - Industrial. The Rezone Map (RZP) proposes to rezone the site to I-2 – Industrial to allow the development of the site with mixed-industrial as permitted by the El Paso County Land Development Code, and open space. No existing residences are on the site and none are proposed. Future site specific I-2 Development Plan submittals will further define lot sizes, interior roadways, specific uses, use-mix ratios, open space areas, and how water/ wastewater services will be provided.

- ❑ **EXISTING AND PROPOSED FACILITIES, STRUCTURES, ROADS, ETC.:**

The existing land use for the site is vacant and contains a central drainage way flowing from northwest to southeast. The site contains unimproved dirt access points used for ranching purposes, native stands of vegetation, and utility easements. There is an existing drainage/ stock pond in the northwest corner of the site. Existing homes on large, multi-acre sites are located south of the site across Falcon Highway and the existing Meadow Lake Airport is adjacent to the northern and western boundaries. Any existing off-site uses, residences, outbuildings, dirt roads, access locations, etc., are scheduled to remain and will not be relocated or removed to accommodate the subject site.

- ❑ **REQUEST AND JUSTIFICATION FOR I-2 INDUSTRIAL ZONING:**

This rezone submittal of the property from PUD to I-2 for the proposed Meadow Lake Industrial Park is to accommodate the proposed uses as identified on the RZP drawings. The Meadow Lake Industrial Park was previously approved by the Board of Commissioners in 2008 as a Planned Unit Development (PUD). The uses as originally approved by the El Paso County Board of Commissioners included 190 Acres of commercial/ industrial uses and 37 Acres of open space/ no-build areas. Due to the expiration of the originally approved PUD as a result of development inactivity, the I-2 – Industrial portion of Meadow Lake Industrial Park is being resubmitted for review and approval.

The RZP from PUD to I-2 - Industrial as proposed addresses objectives in encouraging growth of industrial space within the Falcon area as there has been little development of this kind east of Highway 24. The proposed rezone seeks to accommodate the anticipated growth and demand for a greater amount of light industrial space in this area, especially industrial uses that provide support services to the adjacent Meadow Lake Airport, Curtis Road, and Falcon Highway. The expansion of Curtis Road to State Highway 24, and beyond to Stapleton Road, will bring more traffic directly adjacent to this site offering opportunities for industrial related activities to be successful.

The proposed I-2 - Industrial zone uses are intended in part to accommodate aviation-businesses that serve adjacent areas within a close proximity. The types of uses envisioned include light industry, light manufacturing, and warehouses. Industrial zoning uses are intended to accommodate a limited group of professional, administrative, research and manufacturing uses, light industrial and manufacturing activities, warehousing, indoor storage facilities and outdoor storage facilities.

Industrial uses may also include aviation related activities such as airplane hangars, terminals, and airplane taxi-way uses; particularly along the borders with the Meadow Lake Airport where direct access is proposed via a *taxiway* to be developed in conjunction with Meadow Lake Airport, who will grant an easement to Meadow Lake Industrial Park.

Approval of the rezoning application does not approve any particular use and any approved uses for the site shall meet all applicable Codes and criteria.

Heavy Industrial Uses including the use of, handling, or storage of hazardous materials or explosive is not permitted within the proposed I-2 – Industrial zone district.

A review of current El Paso County Zoning Districts in the greater Falcon Area indicates several areas currently zoned as Industrial Parcels. However, many of these parcels currently have uses on them such as metropolitan district functions, Falcon School District #49 Administration Offices, Mountain View Electric Offices, among others. The nearest industrial zoned district is the Falcon Industrial Park (Zoned M) located at the southwest corner of Judge Orr Road and State Highway 24. This zoned industrial park is approximately 96 Acres in size. However, given the size of the parcel, immediate adjacency to urban residential development, and no current direct access to Highway 24; the site may be limited in what could potentially be developed under the industrial zoning. The Meadow Lake Industrial Park offers an opportunity within a few minute drive of the greater Falcon area population to incorporate consumer and entrepreneurial driven services that may not be permitted currently within the area.

The Meadow Lake Industrial Park looks to capitalize on the expanding community and lack of industrial based zoning in Falcon and beyond. The project will seek to achieve a high quality of design that complements and enhances the surrounding area while mitigating and minimizing potential impacts. This may be achieved through a coordinated approach to site design and development standards.

□ **Approval Criteria for I-2 Industrial Zoning:**

In accordance with **Section 5.3.5** of the El Paso County Land Development Code, the proposed RZP for the Meadow Lake Industrial Park advances the stated purposes set forth in this section by the county. The Meadow Lake Industrial Park RZP from PUD to I-2 is in general conformance with the requirements of the El Paso County Land Development Code and Falcon/ Peyton Small Area Master Plan. The adopted Small Area Master Plan identifies the existing *Meadow Lake Airport Area Section 4.4.3* as an important node within the future of the Falcon Area. The area is identified as an appropriate location for non-residential uses and better suited as a center for mixed-use commercial and industrial zoning, including industrial uses which may be compatible with airport operations. The general uses as shown on the RZP plan include provisions within the industrial labeled areas to allow for aviation related activities such as airplane hangars or airplane taxi-way connections. The *Falcon/ Peyton Small Area Master Plan Section 4.4.7 Stapleton –Curtis Corridor* recommendations further emphasizes this area to be a focal point for commercial and mixed-use development. Finally, the proposed Meadow Lake Industrial Park meets the goals of **Section 4.5 General Policies: Commercial & Employment Centers and Uses 4.5.2.5** that calls for additional secondary commercial centers at designated intersections with major arterial roadways which include Curtis Road and Falcon Highway.

The proposed RZP application is in compliance with all applicable statutory provisions. The Meadow Lake Industrial Park will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. Preliminary development standards have been identified to ensure adequate setbacks, buffers, and safety concerns will be met. In combination with future I-2 Development Plan submittals, the Meadow Lake Industrial Park development will further address specific criteria of the I-2 Industrial zone district set forth by the EPC Land Development Code.

The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties. The existing Meadow Lake Airport naturally limits the type of development that may occur on this parcel, such as residential. As previously described, the Small Area Master Plan recommends industrial zoning as a suitable use for this property due to its close proximity to the airport. Both Curtis Road and Falcon Highway will serve as natural buffers to the residential zone districts adjacent to the site. Coupled with additional landscape setback areas, the project will not have a negative impact upon the existing and future development of the

surrounding area. Many of the open space uses are intended to serve as landscape buffers and setbacks providing an appropriate transition of existing and proposed uses. Additionally, increased building setbacks may be required depending on the location and type of use being proposed, such as a 125' building setback for light industrial uses when adjacent to a residential zone. General development standards have been indicated on the plans with more detailed development standards to be provided with future site specific I-2 Development Plans.

The RZP plan provides for open space, including landscape buffers along Curtis Road and Falcon Highway. Much of the open space provided is intended to serve as landscape buffers and setbacks, landscape screening, drainage facilities, and preservation of the existing drainage way found centrally within the site. Due to the nature of industrial and airport related operations, the majority of the open space will be deemed unusable and no internal pedestrian corridors will be incorporated. While there will be no internal pedestrian corridors, there will be pedestrian connectivity incorporated along the perimeter roadways to serve as connectors to adjacent developments and regional trail corridors. As more specific development occurs additional landscaping, buffering, and open space area may be incorporated within the site.

The proposed industrial park will not overburden the capabilities of existing or planned roads, utilities, and other public facilities including but not limited to energy providers, water supply, and sanitation services. Public services and facilities are available to the RZP area. These services will be provided to support the development when needed. The neighboring development to the east of this development, Saddlehorn Ranch, has provided a conditional will serve letter concerning the water supply to Meadow Lake Industrial Park. In their language, the Saddlehorn Ranch Metropolitan District Nos. 1-3 (collectively, the "Districts") expect to have an adequate water supply, and have conditionally offered to be a primary service provider for water to serve the 250 acre Meadow Lake Industrial Park development at Curtis Road and Falcon Highway, Falcon/Peyton, CO. Conditional willingness to provide treated water is based upon the understanding that Meadow Lake Industrial Park is to be primarily comprised of up to 250 acres of commercial and light industrial proposed within a General Aviation Overlay District.

The cost of design, construction and installation of the infrastructure will be the responsibility of the Owners of Meadow Lake Industrial Park. Similarly, the acquisition of any easements, permits, improvements and any associated costs required shall be the responsibility of the Owners of Meadow Lake Industrial Park. All such infrastructure shall be in accordance with the Districts' design standards and in accordance with the Districts' rules and regulations. Additionally, the Owners shall reimburse the Districts for any and all costs the Districts incur related to their review of the infrastructure design, construction and installation, including reimbursement of its engineers and consultants.

Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated into the RZP and subsequent I-2 Development Plans. It is understood that an approved Development Plan is required before any building permits or use permits may be issued within an I-2 zoning district.

The applicant acknowledges that certain representations indicated graphically and by notation on the accompany RZP may be conceptual in nature and are subject to change based upon market and development trends. Amendments to the RZP may be made by the owner and applicant and submitted accordingly to El Paso County for further review and consideration.

□ **SECTIONS OF THE COUNTY LDC AND POLICY PLAN THAT SUPPORT THIS RZP REQUEST:**

EL PASO COUNTY LAND DEVELOPMENT CODE

*The Land Development Code **Section 5.3.5 (A)** states four circumstances in which rezoning is justified. This Application satisfies the first circumstance, which states: “when the requested rezoning is in general conformance or consistency with the County’s Master Plan.”*

REZONE (MAP AMENDMENT) APPROVAL CRITERIA

Under **Section 5.3.5 (B)** of the Land Development Code, the County’s approval of a rezone (Map Amendment) requires a finding that the following four criteria have been met:

1. *The application is in general conformance with the El Paso County Policy 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 application conforms to the *El Paso County Master Plan* for the project area, including conformance with the *Falcon/Peyton Small Area Master Plan*.

2. *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.*

The rezoning is in compliance with all statutory provisions required, including C.R.S §30-28-111, §30-28-113, and §30-28-116. The statute C.R.S. §30-28-111 addresses the ability of a county planning commission to make a zoning plan which will describe height, bulk, size of buildings, the percentage of lot to be occupied, uses within the zone, etc. We are in compliance with the zoning requirements for El Paso County zone I-2 (Limited Industrial).

We are proposing development mindful of the written recommendations including a maximum building height not exceeding 45 feet, minimum lot size of 1 acre, 35% maximum lot coverage, providing minimum front setback of 50 feet, rear setback of 50 feet and side setbacks of 30 feet and exceeding the minimum zoning district area of 20 acres (we are proposing approximately 160 acres). Regarding statute §30-28-113, similarly, we shall be in compliance with the uses ascribed and allowed for El Paso County zone I-2. The second paragraph of page three lists some of the allowable and considered uses. At this early stage of the rezone process, we have not made a determination of uses on-site. Regarding statute C.R.S §30-28-113, the project shall comply with requirements issued regarding location, height, bulk and size of any structures or buildings, the percentage of lots that may be occupied, the size of courts, yards or open spaces, the uses of buildings and structures for trade, industry, public activities or other purposes, access to sunlight for solar devices and the uses of land for trade, industry, recreation or other purposes for flood control. It is understood that this compliance will be shown on future plans which more specifically detail the construction and placement of such structures and appurtenances. Regarding statute §30-28-116, we would comply with any amendment that the board of county commissions would enact affecting the number, shape, boundaries or area of any district.

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

I-2 - Industrial zoning is compatible with adjoining zone districts because it i) will not negatively affect *view corridors* from the existing properties, ii) will not have negative drainage impacts on the existing neighborhoods because storm water will be retained onsite or appropriately discharged in conformance with plans approved by the County; iii) will not have significant traffic impacts on the surrounding neighborhood, as shown by the Applicant's traffic report.

Existing public infrastructure and services, such as roads, utilities, water, sanitation, fire, and drainage will be used to the extent available and are adequate to meet the needs of the proposed I-2 zone district. New infrastructure, to include drainage improvements, roadways, utilities, erosion control, etc. will be planned and installed in accordance with standards of the Land Development Code (LDC), Engineering Criteria Manual and Drainage Criteria Manual (ECM).

ADHERENCE WITH THE EL PASO COUNTY POLICY PLAN

Goal 6.1 a *Encourage patterns of growth and development which complement the regions' unique natural environments and which reinforce community character.*

The El Paso County Policy Plan (the “Master Plan”) addresses issues directly related to the rezoning and development of the *Meadow Lake Industrial Park* development. The policies specifically related to the rezone request from PUD to I-2 include:

Policy 6.1.3 - *Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.*

The rezone from PUD to I-2 to accommodate new industrial-use lots is compatible with the intent and requirements of the adjacent Meadow Lake Airport Master Plan.

Policy 6.1.5 - *Support the development of well-planned mixed use projects which promote all, or most, of the following objectives:*

- maximize the economy and efficiency of land use
- preserve open space or natural areas
- integrate employment, housing, shopping, schools and other use
- accommodate multi-modal transportation linkages
- allow for variations in design and character

The rezone from PUD to I-2 maximizes the efficiency and economy of land use. In coupling the site with an adjacent commercial use, there is a higher density impact on a single site avoiding impact over a large land area. Associated transportation and carbon impact in the area are likewise reduced.

Preservation of open space and natural areas is largely seen off property. By concentrating development on a site, there is greater opportunity to preserve larger tracts of contiguous land which would otherwise be segmented. Such smaller tracts provide inferior habitats for wildlife.

The proposed development would integrate both commercial services and light industrial uses on a single site.

The proposed site is adjacent to both minor arterials Judge Orr Road and Curtis Road. Judge Orr Road connects to the west with Highway 24. The proximity of these roadways provides easy and efficient access for motorized traffic. The juxtaposition of our site with the Meadow Lake Airport will be integrated to provide taxiing access to the site by small aircraft. Additionally, the east side of the project which parallels Curtis Road will be used as a pedestrian and cycling path.

There are no architectural plans at this early stage of planning. There would be no intent to constrain variation of building design and character.

The rezone from PUD to I-2 preserves approximately 13.8% as natural open space areas; jurisdictional and non-jurisdictional wetlands will remain as no-build areas.

Policy 6.1.6 - *Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.*

The Project is proposed as a development of light industrial lots. Utilities and road infrastructure needed to serve the new lots, such as new roads, drainage and detention facilities, erosion control, etc. will be constructed as part of the development.

Policy 6.1.8 - *Encourage incorporating buffers or transitions between areas of varying use or density where possible.*

Existing jurisdictional and non-jurisdictional wetlands will be used as a buffer between industrial and adjacent commercial lots.

Policy 6.1.11 - *Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.*

I-2 zoning proposed for the site is compatible with the character of the adjacent Meadow Lake Airport.

Goal 6.2

Protect and Enhance Existing and Developing Neighborhoods

Policy 6.2.1 - *Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.*

Policy 6.2.2

Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.

Although there will be no internal pedestrian corridors, the Applicant proposes to incorporate pedestrian connectivity incorporated along the perimeter roadways to serve as connectors to adjacent developments and regional trail corridors.

Policy 6.2.12 - *Ensure that proposed zone changes and/or use variances in established neighborhoods are of compatible scale and physical character.*

Jurisdictional and non-jurisdictional wetlands within the floodplain areas of the site will be preserved as open space no-build areas, which will also lend themselves well toward sustaining the rural nature and character and maintaining the integrity of the surrounding community.

LAND TO BE SET ASIDE AS OPEN SPACE:

The proposed Meadow Lake Industrial Park I-2 RZP contains no known historic, cultural, aesthetic, archaeological, or significant natural features within the planning area. Open space will be located within the existing drainage way that centrally crosses the site. The open space/ drainage way will be protected during development and will be enhanced and improved with potential internal pedestrian pathways and seating areas. Future development plans will indicate the location of these drainage ways to be designated as open space/ no-build areas.

A Metropolitan District or Business/ Industrial Park Association may be created in order to own and maintain the proposed common open spaces, pedestrian corridors, and any other future project amenities within the I-2 zone district. Any required landscape buffers and setbacks around the perimeter of the site and along selected residential roadways will be further refined with more detailed future submittals. Conceptually, as part of the overall internal circulation system, pedestrian walkways may be provided along the existing drainage way; however they will not serve as regional trail connections. Per the EPC Parks Master Plan website, there is a secondary regional trail proposed through both the Meadow Lake Airport's and Meadow Lake Industrial Park's site to be located along the existing drainage way. Due to the proposed uses for both the airport and proposed industrial park, it is recommended that this secondary regional trail be relocated along Curtis Road. There are inherent dangers and hazards presented with both airport and industrial related uses in which pedestrian cross connectivity should be limited or avoided. Relocating the proposed secondary regional trail along Curtis Road would serve the same intent of moving pedestrians to the southeast and would parallel the proposed bike lane along Curtis Road.

Common area landscaping guidelines may be created with future development plan submittals to encourage a unified theme throughout the industrial park area.

□ **SUBDIVISION SERVICES:**

The Meadow Lake Industrial Park I-2 zone district portion may be provided natural gas by Black Hills Energy who has adequate capacity to serve the site. The site is also located within the service area of the Mountain View Electric Association, Inc., which has indicated their service lines are available and have adequate capacity to serve the project.

The Meadow Lake Industrial Park I-2 zone district is situated entirely within the Falcon School District No. 49 jurisdiction. The proposed RZP will have a beneficial effect on the school district by providing additional tax revenue through its proposed industrial uses.

The development area is under the jurisdiction of the El Paso County Sheriff's Department.

❑ **MUNICIPAL SERVICES (Water Services):**

We are in possession of a Conditional Will Serve letter which confirms that Saddlehorn Ranch Metropolitan District Nos. 1-3 conditionally offers to be a primary water service provider for the 250 acre Meadow Lake Industrial Park development. This letter will be uploaded as part of our submittal.

The RZP plans for Meadow Lake Industrial Park to ultimately be annexed into the nearby Saddlehorn Ranch Metropolitan District to provide water service. At this time, the annexation has not been finalized due to several factors including, existing intergovernmental agreements, infrastructure costs, and the timing of the development. Meadow Lake Industrial Park maintains and owns all water rights beneath the property, which may be considered for use in exchange for annexation into Saddlehorn Ranch Metropolitan District.

❑ **FIRE PROTECTION SERVICES:**

The Falcon Fire Protection District (FFPD) provides services including fire suppression, fire prevention and education, emergency medical response, code enforcement and hazardous material response. The FFPD currently is a combination of career and volunteer staff and has 26 career firefighter/ emergency medical technicians (EMTs) and 12 volunteer-reserve firefighter/ EMTs. It also supports a reserve emergency medical services program comprised of 7 EMTs who respond to emergency medical calls. All alarm responses are made within an 8 minute average for District 1 and the department operates from four stations for the protection of residents and businesses.

The district's stations include:

- Falcon Fire Headquarters Building, also includes Station 3, located at 7030 Old Meridian Road and is staffed by three-four Falcon firefighters/EMTs.
- Station 1, the newest station, located at Meridian Ranch Boulevard and Stapleton Drive. It is staffed 24/7 with four firefighters on each of the three shifts.
- Station 2, on North Meridian Road in the north end of the District, is not staffed.
- Station 6, on Jones Road in the south end of the District, is not staffed.

The Meadow Lake Industrial Park is located within District 1 approximately 5 miles from the new Station 1 and approximately 3.5 miles from Station 3/ Headquarters.

FFPD has a new insurance rating (ISO) of 5 for all properties located within five road miles of any station and within 1,000 feet of a fire hydrant. It has an insurance rating of 7 for all properties located within five road miles of any station but beyond 1,000 feet of a fire hydrant; and an insurance rating of 10 for properties located outside the five road mile area. The FFPD is supported by a property tax rate of 8.612 mills.

To help assure timely responses in outlying areas, select volunteers are equipped to respond directly to the scene of an emergency bringing medical supplies, oxygen, and automatic defibrillators. All volunteers are issued their own protective equipment and will frequently report directly to the scene of a fire emergency to provide valuable information to responding firefighters and immediate protective actions as required.

❑ **MINERAL EXTRACTION:**

The El Paso County *Master Plan for Mineral Extraction* identifies the site as being in the Upland Deposits evaluation study area. The Upland Deposit areas contain sand and gravel with silt and clay. These deposits are typically remnants of older streams deposited on topographic highs or bench like features. The purpose of the *Master Plan for Mineral Extraction* is to address mineral resource protection requirements identified in the Preservation of Commercial Mineral Deposits Act of 1973, provide guidance to the county's governing bodies in evaluating land use proposals that involve mineral processing, and to serve as a general reference describing mining in El Paso County. The mineral extraction master plan does not identify the site as having any significant mining resources of note nor is there any existing mining on site. Therefore, the proposed development would not limit or impact any proposed future commercial mineral resource extraction operations.

- ❑ **TOTAL RESIDENTIAL UNITS AND DENSITIES FOR EACH DWELLING TYPE:** No residential units are proposed anywhere within the Meadow Lake Industrial Park.

❑ **INDUSTRIAL SITES PROPOSED:**

Refer to the project summary above and to the RZP drawings of the I-2 zone district for more detailed information regarding proposed industrial sites.

❑ **PROPOSED USES:**

See the submitted RZP for proposed uses allowed within the I-2 zone district.

❑ **AREAS OF REQUIRED LANDSCAPING:**

See the 'Land to be Set Aside for Open Space' section above and the RZP drawings for general open space areas. More detail including landscaped areas, easements and buffers, and detention facilities will be provided with future I-2 Development Plan submittals.

❑ **PROPOSED ACCESS LOCATIONS:**

The Meadow Lake Industrial Park is bordered by two major transportation corridors, Curtis Road along the east boundary and Falcon Highway to the south. Curtis Road currently has a 60' wide ROW and is proposed to be a Principal Arterial (180' R.O.W.). The proposed RZP plan illustrates additional right-of-way to be dedicated for future expansion. There are two proposed access/ egress locations into the industrial park from Curtis Road. Falcon Highway, along the south, also has an existing 60' ROW and is proposed to be upgraded to a Rural Minor Arterial with a 100' ROW. The proposed RZP illustrates additional right-of-way to be dedicated for future expansion.

A Traffic Impact Study has been prepared for the Meadow Lake Industrial Park and is included with this submittal.

END.