

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LONGINOS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

January 31, 2019

NV5 Transaction Services- Zoning Division
ATTN: Jackie Rumbaugh
3000 S. Berry Road, Suite 150
Norman, Ok 73072

Re: ADM-19-002
311 Main Street
Colorado Springs, CO 80911

Parcel No.: 65114-16-020

To Whom It May Concern:

You have requested a zoning compliance letter regarding the property located at 311 Main Street, Colorado Springs, CO 80911, which is located in unincorporated El Paso County.

- The current zoning classification for the subject property is: CC (Commercial Community). The CC zoning district is intended to accommodate retail sales and service establishments that generally require freestanding or small center type buildings and the primarily serve adjoining neighborhoods.
- The subject property is part of the CAD-O (Commercial Airport Overlay District).
- Table 5-1 of the El Paso County Land Development Code (2018) states permitted uses within the CC zoning district.
- The subject property does not currently have an approved Site Development Plan, as at the time of construction a Site Development Plan was not required. However, a Site Plan is associated with file BOA84114, and an updated Site Plan associated with AL07019, both site plans attached.
- The subject property may be rebuilt in its current form, any change to the layout of the site, may require an updated site plan.
- Adjacent Property zoning designations:
 - North: CC, Commercial Community
 - South: RM-30, Residential Multi-Family
 - East: CC, Commercial Community
 - West: CC, Commercial Community
- There are no open zoning violations on file in our records, building violations can be inquired about through Pikes Peak Regional Building Department. They can be reached at (719) 327-2880.

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300

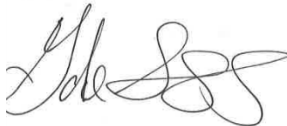


COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

- There does appear to be a dimensional variance and a special use that apply to the subject property.
 - BOA84114, approved December 6, 1984, allowed a 10 foot front yard setback, where fifteen feet is required. Approval letter attached.
 - AL07019, approved under Resolution No. 08-136 on March 27, 2008, to allow an animal hospital within the CC zone district. Resolution Attached, please note notations 2, If the Special Use is discontinued or abandoned for 2 years or longer, the Special Use shall be deemed abandoned and of no further force and effect.
- Information regarding a certificate of occupancy will have to be inquired about through Pikes Peak Regional Building Department. They can be reached at (719) 327-2880.

If you have any further questions, please contact me at 719-520-7943.

Thank you,

A handwritten signature in black ink, appearing to read "Gabe Sevigny". The signature is fluid and cursive, with the first name "Gabe" written in a larger, more prominent script than the last name "Sevigny".

Gabe Sevigny
Planner I
El Paso County
Planning and Community Development



BOA84114

Shopping

Center

THEATER

CHEVRON

MAIN STREET

SITE

10'

PARKING

PARKING

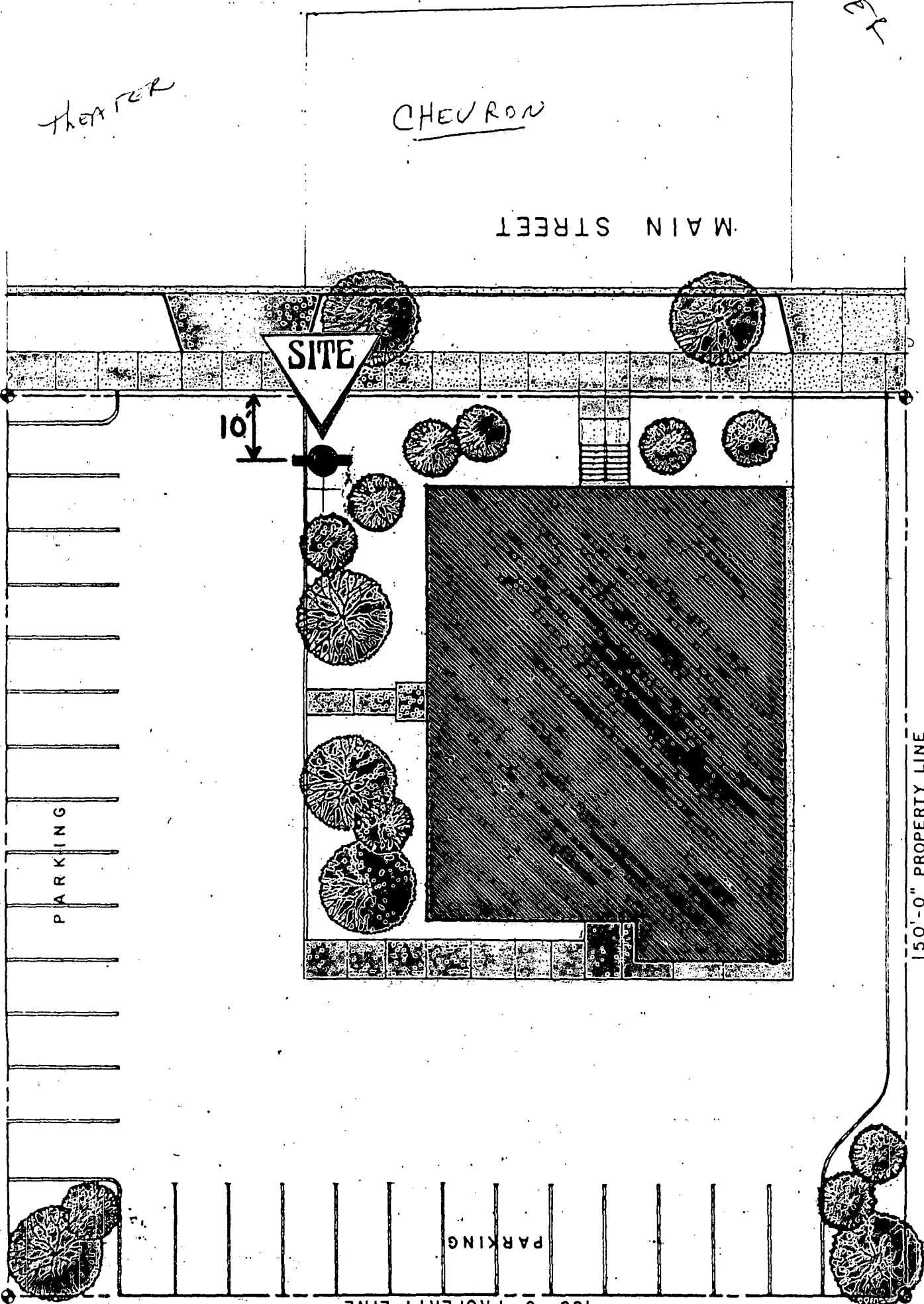
150'-0" PROPERTY LINE

150'-0" PROPERTY LINE

POST OFFICE

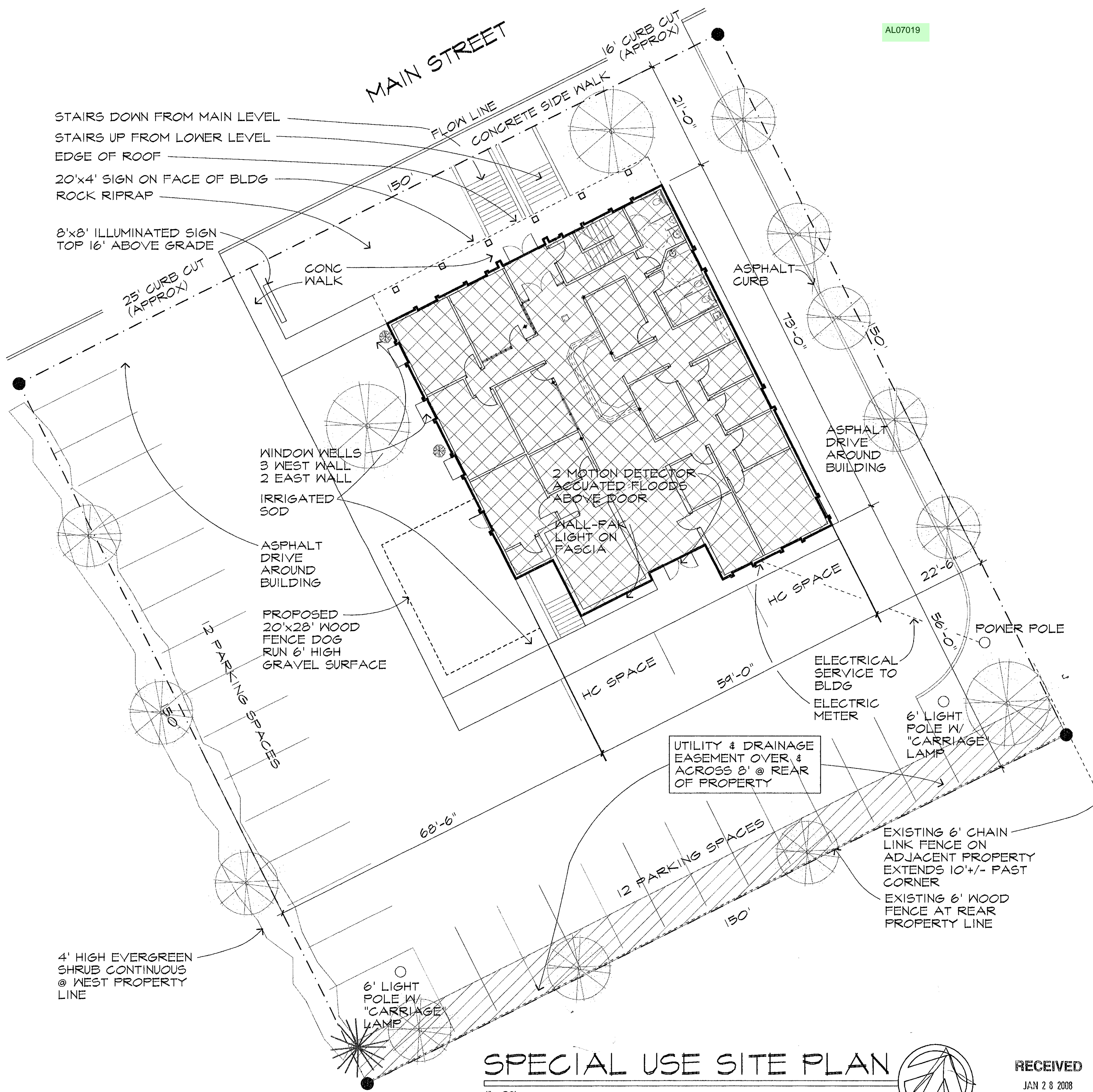
KIT CARSON APTS

TRACO TIME



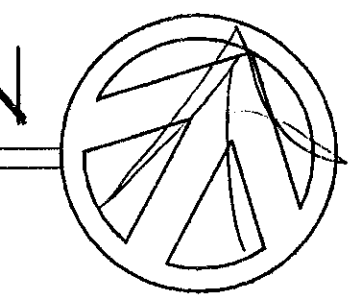
GENERAL SITE NOTES:

- NORTH & EAST SETBACK DIMENSIONS TAKEN FROM IMPROVEMENT LOCATION CERTIFICATE DATED 07/01/93 BY SIMONSON SURVEYING (DWG #4193)
- ALL LANDSCAPING SHOWN IS MATURE.
- ALL LANDSCAPING MATERIALS ARE EXISTING. THE ONLY EXTERIOR WORK WILL BE NEW SIGNS ON EXISTING SIGNS & PLACEMENT OF NEW DOG RUN AT SW CORNER OF BLDG
- ALL EXTERIOR LIGHTS SHOWN ARE EXISTING & SHALL BE MAINTAINED OPERATIONAL.
- THE BUILDING IS APPROXIMATELY 15' HIGH & IS HAS A 4000 SQFT FOOTPRINT
- LEGAL DESCRIPTION:
A PORTION OF BLOCK 12 IN SECURITY, COLORADO, ADDITION NO. 6 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF BLOCK 12 (WHICH IS ALSO THE SOUTH LINE OF MAIN ST), SAID POINT BEING 220 FEET WOUTHWESTERLY FROM THE NORTHEAST CORNER OF SAID BLOCK 12; THENCE SOUTHWESTERLY ALONG AND IDENTICAL WITH THE NORTHWESTERLY LINE OF BLOCK 12, A DISTNCE OF 150 FEET; THENCE ANGLE LEFT 90 DEGREES A DISTANCE OF 150 FEET; THENCE ANGLE LEFT 90 DEGREES A DISTANCE OF 150 FEET; THENCE ANGLE LEFT 90 DEGREES A DISTANCE OF 150 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.
- ZONING:
SUBJECT LOT & COMMERCIAL LOTS TO EAST & WEST:
CC / COMMERCIAL COMMUNITY
USES: RETAIL SALES/RESTAURANT/PROFESSIONAL OFFICES
LOTS TO THE SOUTH:
RM-30 / RESIDENTIAL MULTI-DWELLING
USES: MULTI-FAMILY HOUSING
LOTS TO THE SOUTHWEST:
R-4 / PLANNED DEVELOPMENT
USES:
LOTS TO THE WEST OF THE CC ZONE:
RS-5000 / RESIDENTIAL SUBURBAN
USES: SINGLE FAMILY RESIDENTIAL
- ADJACENT OWNERSHIP:
302-308 MAIN ST.
CATHERINE SEAL
SECURITY LLC
2190 VICKERS DRIVE, SUITE 1
COLORADO SPRINGS, COLORADO 80918
305 MAIN ST.
KENNETH E. DAVIDSON & JOHN G. OTTO
LAW OFFICES
305 MAIN ST.
COLORADO SPRINGS, COLORADO 80911
310 MAIN ST.
KENNETH E. DAVIDSON & JOHN G. OTTO
CORPORATION SERVICE COMPANY
1560 BROADWAY
DENVER, COLORADO 80202
355 MAIN ST.
CODY P. THOMPSON
GALLEY ROAD PARTNERSHIP
3529 GALLEY ROAD
COLORADO SPRINGS, COLORADO 80909
568 MARQUETTE DRIVE
RUSSEL P. KRAMER
KIT CARSON APARTMENTS LLC
10231 PRESTWICK TRAIL
LITTLETON, COLORADO 80124
- SUBJECT PROPERTY:
OWNER:
CODY P. THOMPSON
GALLEY ROAD PARTNERSHIP
3529 GALLEY ROAD
COLORADO SPRINGS, COLORADO 80909
PETITIONER:
SHEILA A. SCHAFFER, DVM
FOUNTAIN VALLEY ANIMAL HOSPITAL, PC
56 WIDEFIELD BLVD
WIDEFIELD, COLORADO 80911
PREPARERS:
SHEILA A. SCHAFFER, DVM
FOUNTAIN VALLEY ANIMAL HOSPITAL, PC
56 WIDEFIELD BLVD
WIDEFIELD, COLORADO 80911
CHARLES L. CAMPBELL - ARCHITECT
37 LAKE AVENUE
COLORADO SPRINGS, COLORADO 80906
MINERAL INTERESTS:
SHEILA A. SCHAFFER, DVM
CERTIFIES THAT SHE RESEARCHED THE RECORDS OF THE EL PASO COUNTY CLERK & RECORDER AND ESTABLISHED THAT THERE WAS NOT A MINERAL ESTATE OWNER ON THE SUBJECT PROPERTY LOCATED AT 311 MAIN ST.
COLORADO SPRINGS, COLORADO 80911



SPECIAL USE SITE PLAN

1" = 20'



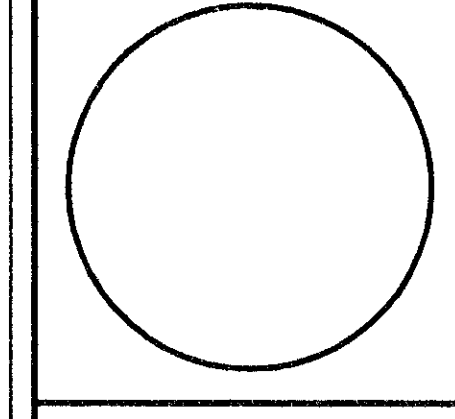
RECEIVED
JAN 2 8 2008

EPC DEVELOPMENT SERVICES

AL07-019

FOUNTAIN VALLEY ANIMAL HOSPITAL
 719-392-4213
 security colorado 80911
 311 main street

CHARLES L. CAMPBELL
 ARCHITECT 719-651-6487
 37 lake avenue colorado springs colorado 80906



revisions:

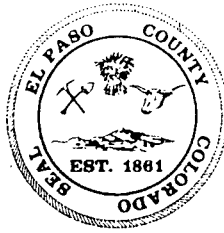
date: 25 JAN 08

by: FOUNTAIN VALLEY ANIMAL HOSPITAL

project: SPECIAL USE SITE PLAN

sheet title:

sheet: C1 of 1



EL PASO COUNTY

LAND USE DEPARTMENT

27 EAST VERMIJO

COLORADO SPRINGS, COLORADO 80903

December 6, 1984

Mr. Cody Thompson
Century 21/Harlan Realty, Inc.
P. O. Box 5621
Colorado Springs, Colorado 80931

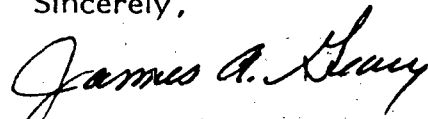
RE: BOA-84-114

This is to inform you that the above-referenced request for a ten (10) foot front yard setback for a free-standing sign, where fifteen (15) feet are required in the C-2 (Commercial) District for property located at 311 Main Street in Security, Colorado, was heard and approved by the El Paso County Board of Adjustment. The following condition was applied to this approval:

1. That the leading edge of the sign not encroach into the remaining ten (10) foot front yard setback.

Should you have any questions or if I can be of further assistance, please contact me at 471-5742.

Sincerely,


James A. Geary
Associate Planner

cc: RFM Investment
Mr. Joe Reich, Jr.
P. O. Box 1702
Colorado Springs, Colorado 80901



ROBERT C. "BOB" BALINK
05/12/2008 04:51:12 PM
Doc \$0.00 Page
Rec \$0.00 1 of 5

RESOLUTION NO. 08-136

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVE USE SUBJECT TO SPECIAL REVIEW TO ALLOW AN ANIMAL HOSPITAL WITHIN THE CC ZONE DISTRICT (AL-07-019)-SHEILA SCHAFFER ON BEHALF OF GALLEY ROAD PARTNERSHIP

WHEREAS, Sheila Shaffer on behalf of Galley Road Partnership did file an application with the Development Services Department of El Paso County for approval of a Use Subject to Special Review to allow an animal hospital within the CC (Commercial Community) Zone District; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 19, 2008, upon which did the Planning Commission did by formal resolution recommend approval of the subject application with conditions and notations; and

WHEREAS, a public hearing was held by this Board on March 27, 2008; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations for the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That proper posting, publication and public notice was provided as required by law for the hearings before the Planning Commission and Board of County Commissioners of El Paso County, Colorado.
2. That the hearings before the Planning Commission and Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
3. That the proposed special use conforms to Chapter 5, Use and Dimensional Standards, Section 5.3.2, Special Use, of the El Paso County Zoning Resolutions.
4. The special use is consistent with the applicable Master Plan.
5. That the special use is consistent with the intent and purposes of the zoning district where the use is proposed to be located or conforms to the approved development plan.

6. The special use will be in harmony with the character of the neighborhood, and compatible with the existing and allowable land uses in the surrounding area;
7. That the special use will not result in an over-intensive use of land.
8. The impact of the special use does not overburden or exceed the capacity of public facilities and services or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner.
9. That the special use will not create undue traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access.
10. That the special use will not cause significant air, water, light, or noise pollution.
11. That the special use will not be otherwise detrimental to the public health, safety and welfare of the present or future residents of El Paso County.
12. That the special use conforms or will conform to all other applicable County rules, regulations or ordinances.
13. That the proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.
14. That for the above-stated and other reasons, the proposed special use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition of Sheila Schaffer on behalf of Galley Road Partnership for a Use Subject to Special Review to allow an animal hospital within the CC (Commercial Community) Zone District for property located within the unincorporated area of El Paso County more particularly described in Exhibit A, which is attached hereto and incorporated by reference;

AND BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS:

1. The total number of dogs allowed overnight on site for the veterinary hospital and kennel operation shall not exceed thirty (30). The total number of cats allowed overnight for the veterinary hospital and kennel operation shall not exceed fifteen (15).
2. All dogs being kept overnight shall be kept inside the building except for necessary breaks to the fenced run area as depicted on the site plan. No more than four (4) dogs are allowed to be outside the kennel area at any given time and must always be properly supervised.
3. The applicant shall be responsible for mitigating any noise impacts from dogs barking. If the applicant is unable to mitigate noise and complaints are received, the Special Use to allow the kennel may be revoked after proper posting and public hearing.
4. There shall be no commercial breeding of dogs occurring on the site.
5. All animal waste shall be disposed of in a manner that meets the requirements of the Regulations of the El Paso County Board of Health, Chapter 10 (Solid Waste), as adopted April 25, 2007.
6. Operation of the facility will be in conformance with any applicable Federal, State, and/or local regulations pertaining to specific uses.

NOTATIONS:

1. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.*
 2. If the Special Use is discontinued or abandoned for two (2) years or longer, the Special Use shall be deemed abandoned and of no further force and effect.*
 3. Any signage associated with the use is subject to separate review and permitting. A fee may be associated with this review and permit.
- * The above Notation Nos. 1-3 are abbreviated; they have the same force and effect as the items found within their entirety in the El Paso County Land Development Code.

Resolution No. 08-136

Page 4

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 27th day of March 2008, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

ATTEST:

By: Robert C. Bahal

County Clerk & Recorder

By: Jim Hing

Chair

Resolution No. 08-136
Exhibit A

A portion of Block 12 in Security, Colorado, Addition No. 6 being more particularly described as follows:

Beginning at a point on the Northwesternly line of Block 12 (which is also the South line of Main Street), said point being 220 feet Southwesterly from the Northeast corner of said Block 12; Thence Southwesterly along and identical with the Northwesternly line of Block 12, a distance of 150 feet; thence angle left 90 degrees a distance of 150 feet; thence angle left 90 degrees a distance of 150 feet; thence angle left 90 degrees a distance of 150 feet to the point of beginning, County of El Paso, State of Colorado.