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Revised May 10, 2018

The County has not suggested the zoning, the applicant is requesting the zoning, and this is not a discussion about the County Policy Plan. See Rice Ranch on EDARPS for examples

El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80910

Attn: **Gabe Sevigny (Nina Ruiz)**

Re: **Rezone Letter of Intent – ROCKY TOP RESOURCES, INC., 1755 E. Las Vegas Street**
APN 64291-01-029, 030 and 031

LAND DEVELOPMENT CONSULTANTS, INC. is representing Fred Martin of ROCKY TOP RESOURCES, INC. in this application for a rezone from RR-0.5 Residential to I-3 Heavy Industrial for a planned use classification as a Recycling Facility.

Use Variances were approved by the BOCC in the past to allow this operation within the existing RR-0.5 zone, are now expired and will no longer be granted.

The I-3 Heavy Industrial Zone category includes manufacturing, research facilities, warehousing, offices, mineral resources conversion operations, communications, and recycling operations. Within each County zone, principal permitted uses (uses allowed by right) and special or conditional uses (uses requiring approval) are noted. The I-3 zoning district is intended to accommodate manufacturing and industrial uses, which may include related outside storage of raw or finished materials. The County has deemed this property and its planned uses appropriate for this zone; therefore, this request is consistent with the County Policy Plan, subject to a Site Development Plan submittal to follow approval of this zone request.

Dimensional standards for this zone are as follows: Minimum Area – 40 acres; Minimum Setbacks – Front 30 feet, Rear 30 feet, Side 30 feet; Maximum Coverage – 25%; Maximum Structure Height Formula – a plane with a pitch of 2 feet horizontal to 1 foot vertical beginning 25 feet above all property lines using the mean property line elevations as the datum.

This site is located Southeast of the intersection of E. Las Vegas Street and the MLK Bypass. It consists of a series of "combined" platted tracts, with exceptions for CDOT, City and/or County rights-of-way. Fountain Creek runs along the Southwest of the site and Spring Creek runs along the East. A large number of mature ve as a good natural sight buffer. Surrounding zones are and PF, with many of the properties being vacant.

Please add a statement that the traffic study/memo will address the applicability of traffic impact fees.

The primary access point off of E. Las Vegas Street is an existing 30' Private Access Easement as an approved driveway entrance/exit located approximately in the middle of the property. The existing access off of E. Las Vegas Street has an existing gate approximately 300' from the Street's intersection. This will allow trucks and vehicles to more easily pull off Las Vegas Street without blocking traffic and creating an unsafe situation. The number of employee vehicles on-site are an average of 15. On-site vehicles and equipment include: front end loaders (6) of various sizes; grinders (3); delivery trucks, semis with trailers (6); dump/roll-off trucks (6); trailers (2); water truck (1). Vehicular site use count is estimated at 300/day weekdays and 500-600/day on Saturdays in the summer time, and approximately one-third of that during the winter time. A Traffic Memo and/or Traffic Study will be required at time of Site Development Plan submittal.

This is a statement of what the requirements are, you have not identified how the site is suitable for the intended use or how you will meet the those standards

This is what the zonings are and no mention of of how the proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.

About one-fourth of the site lies in the Fountain Creek Floodway. The Western portion of the adjacent property has been modified to reflect improvements that were made with the construction of the Bypass, taking some portions out of the designated floodway. The area remaining in the floodway may be fenced off and used for grazing. A good portion of the site is within the 100-year floodplain. The rest of the site is within the 500 year floodplain which presents no restrictions to this type of use. No wetlands were found to be present on the site. The understory beneath the existing cottonwood trees consist of upland grasses dominated by non-native smooth brome grass and various upland herbaceous weedy species such as kochia, flixweed, and goosefoot and do not qualify as a wetland plant community. The noted waterways are jurisdictional and activities within the ordinary high water mark would be subject to regulation by the U.S. Army Corps of Engineers. No activities are proposed within said ordinary high water mark, and as such, a permit from the U.S. Army Corps of Engineers is not required.

The existing commercial well and septic system (portable restroom sanitary units) handle the needs of the work day hours business.

As mentioned with past Use Variance requests, this 44.8 +/- acre site has the potential to expand with much more room for safer operations. The intent is to provide an office building with customer parking towards the front (north) end of the site. This will be a single-story manufactured building. The retail mulch and landscaping material area will also be up along Las Vegas Street. This is more accessible to retail customers and is the more attractive part of the business. It consists of organized piles of various types and color of mulch and landscaping materials. In the future, if the 100 year floodplain is filled with proper permitting and approval, these retail areas may move across the drive to the Northwestern portion of the site. This will make them more visible to the general public as they drive along the Bypass. Concrete or asphalt pads will be laid under the piles to keep the underlying soil from mixing in with the finished products.

An employee building, also single-story manufactured, will be adjacent to the office. This will house bathrooms, lockers and a lunchroom for the anticipated maximum of 18 employees. A 5,000 sq.ft. shop and 1,440 sq.ft. shop/storage building are also anticipated within the next few years. The processing area, where most of the work will be done and which will produce the most noise, will be back behind the future shop building. On-site storage of collection dumpsters will be limited to an area along Spring Creek. This area is heavily treed so it will be well screened. Lumber piles, which are the most unattractive portion of the operation, will be screened with branch piles.

FYI a drainage report will be required at the time of a site development plan.

Applicant: Fredrick D. Martin
c/o ROCKY TOP RESOURCES, INC.
1755 E. Las Vegas Street
Colorado Springs, CO 80903-4323
(719) 579-9103

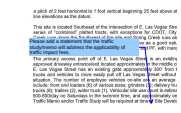
Thank you for your consideration,

LDC, Inc. by David V. Hostetler
dhostetler@ldc-inc.com

File: 04048 Rezone LOI.doc
DVH

Markup Summary

dsdgrimm (2)



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Please add a statement that the traffic study/memo will address the applicability of traffic impact fees.

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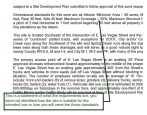
FYI a drainage report will be required at the time of a site development plan.

dsdsevigny (3)



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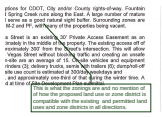

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