

RIF Appeal Review & Recommendation Form

Section 1: Applicant & Project Information

Applicant Name:

Project Name:

Project Address/Location: Rocky Mountain Industrial Park, 8145 and 8115 Sandy Ct. Colorado Springs - 5333303017 and 5333303018

Date of Appeal Submission: 3/26/2026

Section 2: Original Fee Assessment

Original RIF Amount Assessed: \$47,540

Land Use Category Applied: Mini warehouse/ outdoor storage

Trip Generation Basis: 151 – mini warehouse

Section 3: Basis for Appeal

N/A – Resolution of a code enforcement issue/timing of the fee payment. These are not appealable issues.

Section 4: Staff Evaluation Summary

Summary of Findings:

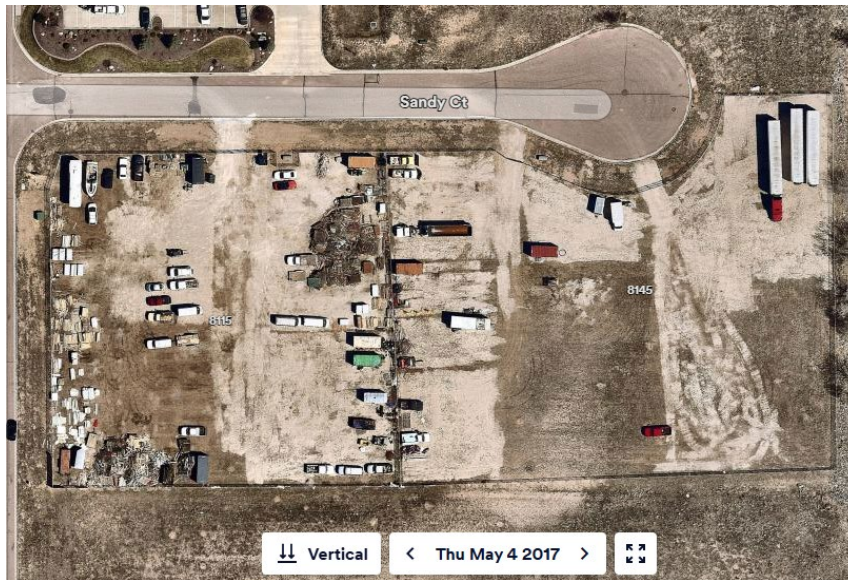
Staff reviewed the fee calculation in accordance with the implementation document and information provided by applicants.

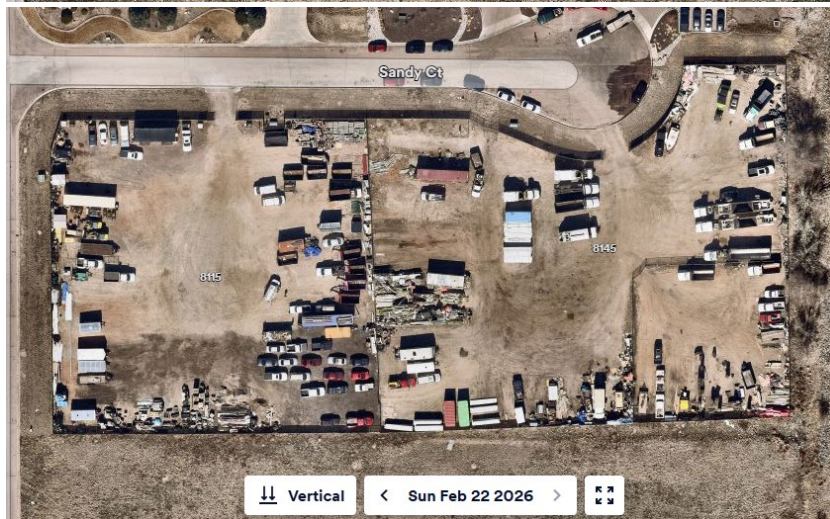
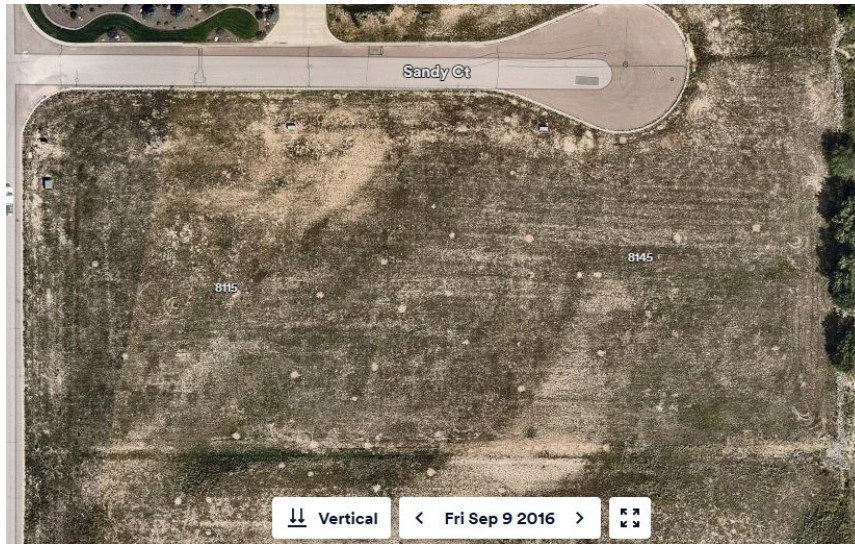
Applicant notes, that the original development was platted in January 2002 (Rec No. 202014735), and replated in July 2009 (Rec No. 209712968).

I have reviewed the plats. Neither of the platting actions would establish a use, only the legal lots.

I have done extensive research on the land use actions and have found the following:

- PPR05021 - A Site Development Plan for a light industrial manufacturing plant across 6 parcels including this one. Project closed in 2005. The plant was never built.
- AL08005 Advanced Ready Mix Inc. No approval in file and was not built. Project closed in 2008.
- PPR08007 Plot plan review in 2008 to establish a contractor equipment yard that became EWING IRRIGATION – located on north side of Sandy Ct. [2705 Capital Dr Colorado Springs, CO 80939](#).
- COM2334 8115 Sandy Ct – Approved to build a carport. Building permit was not pulled and doesn't look like it was built. Project closed in 2023.
- PPR - Plot Plan Review in 2023 for "Site Development Plan to legally establish a contractors equipment yard that meets current standards in the Land Development Code." Project was never approved as it expired one year after 08/03/2023 Submission Request. Project closed on 08/03/2024.
<https://epcdevplanreview.com/Public/ProjectDetails/193239> Applicant: Land Development Consultants Inc, Daniel Kupferer (dkupferer@ldc-inc.com).
- CE231294 is open on 8145 Sandy Ct. Was created on 12/6/2023. Notice of violation was sent on 12/7/23 and 12/20/23. Active Development Application (as of 4/1/2026)
- Based on aerial photos, the site began operating as an equipment and storage yard in 2017. Nearmap photos for reference:





The fees were properly calculated as follows based on the site plan description.

- Mini warehouse/ outdoor storage use type = \$447/1000sf
- $106,354\text{sf} / 1000\text{sf} \times \$447/\text{ksf} = \$47,540$

Rection 5: Recommendation

Uphold Full Fee

Reduce Fee to \$_____

Defer to BoCC (Policy Ambiguity or Discretion Required)

Rationale for Recommendation:

Implementation Document relevant sections:

Mini Warehouse/Outdoor Storage: An open or enclosed storage facility containing independent, fully enclosed bays or outdoor spaces that are leased to persons for storage of

their household goods, personal property, and other owned or leased outdoor business storage.

B. IMPOSITION OF FEES

1. Applicability of Road Impact Fee. Property in the unincorporated area of the county that receives a Land Use Approval either in a public hearing or administratively is subject to the payment of Road Impact Fees.

- a. If the property applying for the Land Use Approval has already paid its Road Impact Fee obligation through a prior final plat or zoning approval, then it shall not have to pay again at the time of a subsequent related Land Use Approval.
- b. If a property is subdivided or use is established or expanded after January 2010 without the required approvals and has not paid the road impact fee, then the fee will be applied and must be paid when such approvals are obtained.

Based on the above highlighted paragraph, the applicants must pay the fee to resolve the code enforcement issue. In speaking with the County Attorney's Office, there is no option to delay fee payment to a potential future development phase and no payment plan options as these may only be included in development agreements and approved by the BoCC. Therefore, I have determined that the Fee Program has not been erroneously interpreted nor applied and the fee was properly calculated.

Section 6: Review Sign-Off

Prepared By: Victoria Chavez Date: 4/20/2026