

## **MEADOW LAKE INDUSTRIAL PARK I-2 MAP AMENDMENT (REZONING)**

### **LETTER OF INTENT**

**MAY 2022, REVISED JUNE 2022**

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**OWNER:**

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**APPLICANT:**

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**ACREAGE:** 51.3 AC

**CURRENT ZONING:** PUD ZONING AND CONCEPTUAL PLAN

**CURRENT USE:** VACANT LAND

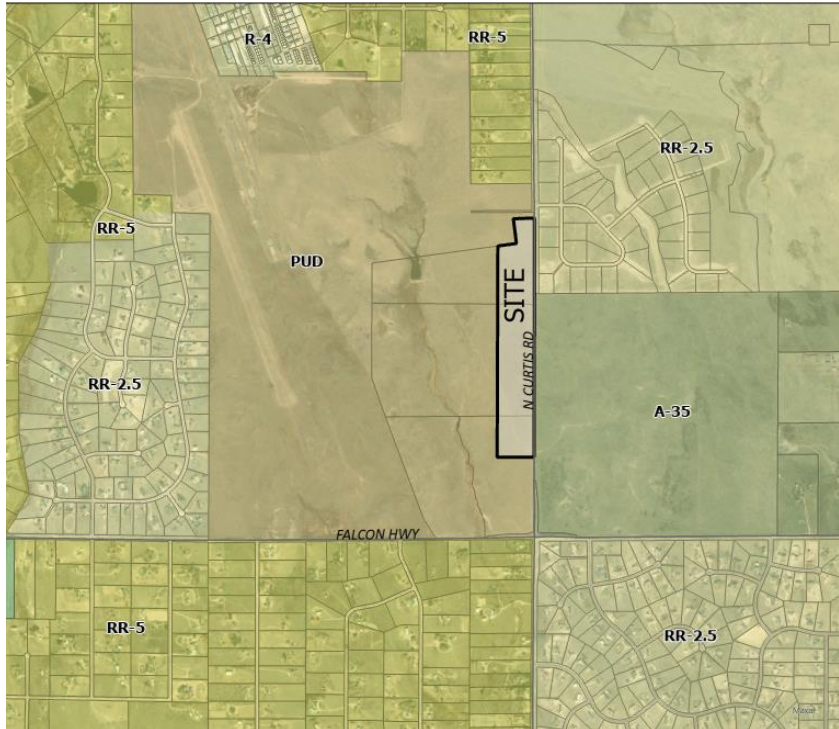
**TSN:** 4300000551, 4300000552, 4300000553

**REQUEST**

N.E.S. Inc. on behalf of the O'Neil Group requests approval of a Map Amendment (Rezoning) from PUD (Planned Unit Development), pursuant to the Meadow Lake Industrial Park Zoning and Conceptual Plan (ZCP), to Limited Industrial (I-2) on approximately 51.3 acres of Meadow Lake Industrial Park.

## LOCATION

The site is located in eastern El Paso County, Colorado, situated approximately 10 miles east of Colorado Springs and northeast of the Falcon town site. The site is located near the northwestern corner of the Curtis Road and Falcon Highway intersection. The 172.4-acre site is currently vacant and is comprised of a portion of three parcels, which are collectively bounded by Meadow Lake Airport to the north and west, Curtis Road to the east, and Falcon Highway to the south. The overall Meadow Lake Industrial and Commercial Park site area is comprised of 254.7 acres.



Surrounding land uses include Meadow Lake Airport to the north and west, rural residential to the south, and rural residential and agricultural (35+ acres) to the east.

## CONTEXT/PROJECT DESCRIPTION

### Project Description

The site was approved by the Board of County Commissioners in 2008 as a Planned Unit Development (PUD). The approved uses included 190 acres of commercial/industrial uses and 37 acres of open space/no-build areas. The PUD expired as a result of development inactivity.

The site was later approved by the Board of County Commissioners in 2014 for a Zoning and Conceptual Plan (ZCP). The conceptual uses approved in the ZCP included the following: 3.2 acres of commercial, 71.5 of mixed commercial and industrial, 117 acres of industrial, and 62.8 acres of open space, rights-of-way, and dedication of future right-of-way.

Both the 2008 PUD and the 2014 ZCP have since expired. Condition of Approval No. 6 of the ZCP stated: "Approval of the Meadow Lake Industrial Park PUD ZCP shall be limited to a period of five (5) years, after which, if no PUD development plan has been approved and recorded to implement an approved PUD development plan, the Board of County Commissioners authorizes the Development Services Department to process a request to revert the zoning of the property away from the PUD district back to the RR-5 (Residential Rural) district or other appropriate zone district as determined by the Board."

The ZCP PUD approval, therefore, has expired, however, no subsequent request has been initiated by the County to “revert the zoning of the property away from the PUD district.” The proposed I-3 rezoning request, along with the other concurrently reviewed rezoning requests to the I-3 and CS zoning districts, would effectively accomplish the intent of the prior condition of approval of the ZCP.

Concurrent applications have also been submitted for map amendments (rezonings) for 31 acres from PUD to CS (Commercial Service), 172.4 acres from PUD to I-3 (Heavy Industrial), along with the subject map amendment (rezoning) application for the identified 51.3 acres from PUD to I-2 (Limited Industrial). ***Please note that this Letter of Intent is only intended to specifically address the proposed rezoning of 51.3 acres to I-2 (Limited Industrial).***

The I-2 zoning district is intended to accommodate light manufacturing and industrial uses, which may include related outside storage of raw or finished materials. Below is the proposed list of permitted uses for this I-2 zone and a list of the uses that are proposed to be conditionally excluded.

#### Principal Uses Included/Allowed - Uses to be Retained with I-2 Zoning

- Automobile and Boat Storage Yard
- Automobile and Trailer Sales (special use)
- Bakery, Wholesale
- Batch Plant, Temporary (temporary use)
- CMRS Facility, Freestanding (special use)
- CMRS Facility, Small Cell
- CMRS Facility, Stealth
- Construction Equipment Storage and Field Office, Temporary (temporary use)
- Contractor’s Equipment Yard (special use)
- Education Institution, Public
- Electrical Communication Equipment Manufacturing
- Emergency Facility, Private
- Emergency Facility, Public
- Food Processing
- Fuel Sales and Storage (special use)
- Health Club (special use)
- Heavy Equipment Rental, Sales, and Storage (special use)
- Inert Material Disposal Site, Minor
- Infectious Waste Transfer Station (special use)
- Laboratory
- Light Industry
- Light Manufacturing
- Lumber Yard
- Mini-Warehouse
- Nursery, Wholesale
- Office, General (special use)
- Outside Storage (special use)
- Over the Air Reception Devices
- Proprietary School (special use)
- Public Building, Way or Space

- Public Park and Open Space
- Publishing Companies
- Recreational Vehicle and Boat Storage
- Rental Services (special use)
- Retail Sales, General
- Store (special use)
- Truck and Recreational Vehicle Repair Garage (special use)
- Vehicle Repair Garage, Commercial (special use)
- Warehouse
- Wholesale Business
- Yard Sales (temporary use)

Principal Uses - Proposed for Conditional Exclusion from the I-2 Zoning

- Dry Cleaning Plant
- Flea Market (special use)
- Freight Terminal
- Garbage Service Facility
- Hazardous Materials Storage (special use)
- Home Improvement Center
- Inert Material Disposal Site (special use)
- Kennel, Major
- Kennel, Minor
- Meat Processing, Custom
- Mineral and Natural Resource Extraction (special use)
- Mining, Construction-Related (temporary use)
- Prison, Private (special use)
- Commercial Tower (non-CMRS)

Accessory Uses Included/Allowed - Uses to be Retained with I-2 Zoning

- Auction (temporary use)
- Caretaker's Quarters
- CMRS Facility, Building Roof Mounted
- CMRS Facility, Building Wall Mounted
- CMRS Facility, Pole Mounted
- CMRS Facility, Small Cell
- Commercial and Industrial Accessory Structures and Uses
- Construction Equipment Storage and Field Offices, Accessory
- Fuel Storage
- Kennel, Major
- Kennel, Minor
- Light Manufacturing, Accessory
- Office, Accessory
- Outdoor Sales and Display, Accessory
- Outside Storage
- Over the Air Reception Devices
- Parking, Storage, and Repair of Vehicles and Machines, Personal

- Retail Sales, Accessory
- Shipping Containers
- Shipping Containers, Temporary
- Solar Energy System
- Private Tower
- Wind Power Generator

Accessory Uses - Proposed for Conditional Exclusion from the I-2 Zoning

- (None)

These uses are proposed to be restricted either because they do not comply with the primary or secondary uses recommended for the Employment Center Placetype within Your El Paso Master Plan (2021), or because they would not be compatible with adjacent land uses, or are anticipated to have high traffic generation or water use demand.

**Traffic:** A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for Meadow Lake Industrial Park (*Meadowlake Industrial Park Traffic Impact Study, May 17 2022*). This analyses the proposed traffic for all concurrent zone changes. The preliminary recommendations of the Traffic Report are summarized below:

- Curtis Road should be improved to a two-lane, Principal Arterial, with required right-of-way dedication and preservation of additional right-of-way for future expansion to a four-lane Principal Arterial. The improvement would be from Falcon Highway north to connect to the segment of Curtis planned for upgrade as part of the Saddlehorn development to the north
- Falcon Highway should be improved to a two-lane, Rural Minor Arterial, with required right-of-way dedication and preservation of additional right-of-way for future expansion to a four-lane Minor Arterial.
- Auxiliary turn-lane improvements are identified at the anticipated site access points of Curtis Road and Flacon Highway. These access points will be further defined and analyses at the Preliminary Plan stage.
- The intersections of Curtis Road/Falcon Highway and Curtis Road/Judge Orr Road will need to be improved in the future to operate at acceptable levels of service. This applicant will be responsible for their proportional share of the cost of these improvements. Auxiliary turn lane recommendations are included as an intermediate traffic condition.

**Utilities:** The site is within the service area of Mountain View Electric Association, Inc. MVEA will supply electricity service and Colorado Springs Utilities will supply natural gas. Confirmation of the availability of these services is include with this submittal. Connection to a centralized water and wastewater treatment provider is anticipated. If construction of a new water and wastewater system is necessary, it would likely require creation of a Title 32 Special District, issuance of a 1041 Permit from El Paso County, and permitting by the Colorado Department of Public Health and Environment (CDPHE).

**Floodplain:** No portions of the proposed I-2 zoned site are within Zone A. The entire area is within Zone X, which is determined to be outside the 500-year floodplain.

**Wetlands:** The unnamed tributary on the does not impact the proposed I-2 zoned area.

**Wildlife:** Potential for several species of mammals, rodents, fish, and vegetation exists on the site, primarily in the floodplain/wetland areas, which will be avoided when developed.

**Wildfire:** The primary wildland fuel type is grassland. The Colorado State Forest Service has determined a moderate wildfire hazard potential.

**Districts/Utilities Serving the Property:**

- Falcon Fire Protection District
- Mountain View Electric Association
- City of Colorado Springs Utilities – Natural Gas Service
- Upper Black Squirrel Creek Ground Water Management District
- Central Colorado Conservation District

**COMMUNITY OUTREACH**

Representatives of the O’Neil Group met with representatives from Meadow Lake Airport on May 11, 2022 to discuss the proposed rezonings. A meeting was held on June 29, 2022 with representatives from the Saddlehorn Estates residential development to the east to discuss their concerns. A public open house was held on the evening of June 29. Notification was sent to 169 properties (72 individual owners) within ½ mile of the site. Approximately 40 people attended the meeting, with 20 people entering details on the sign-in sheet. This included display boards of the proposed zoning areas, the proposed permitted uses, relevant extracts from Your El Paso Master Plan and the previously approved PUD Zoning & Concept Plan for the site. Balloons were also placed on the site to conceptually represent the height of the tallest anticipated structure within the I-3 zoning district area. The general feedback from the meeting was an acknowledgement that development of the site was likely, general support for the I-2 and CS zonings, but concern regarding some of the potential heavier industrial uses associated with the I-3 zone in terms of compatibility with adjacent residential. Concerns were also expressed regarding traffic and water use.

**PROJECT JUSTIFICATION**

**The request is consistent with the criteria in Section 5.2.5.B for a Map Amendment (Rezoning) as follows:**

- 1. THE APPLICATION IS IN GENERAL CONFORMANCE WITH THE EL PASO COUNTY MASTER 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 relevant County master plan documents for the I-2 Map Amendment (Rezoning) are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

## **YOUR EL PASO MASTER PLAN**

The new County Master Plan denotes the site as being within the Employment Center placetype (see page 36 of the Master Plan). Objective LU4-3 indicates that Employment Centers should comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses. Objective LU3-1 indicates that development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines. The primary uses within Employment Centers include light industrial/business park, heavy industrial uses, and office, with supporting commercial retail, commercial services, and restaurants. This placetype provides space for large-scale employers to establish and expand in the County to meet future needs and demands. The proposed I-2 uses align with the preferred Employment Center land uses and the size of the property provides opportunity to establish and expand larger-scale industrial uses that meet the needs and demands of the County.

The Master Plan specifically identifies that proximity to transportation hubs, such as Meadow Lake Airport, is appropriate for the Employment Center placetype. The Master Plan also identifies the subject property as being included within the Meadow Lake Airport Employment Priority Development Area (see page 71 of the Master Plan). The adjacent Meadow Lake Airport is the largest privately owned airport in Colorado and is an important economic driver for the County. The Airport has expanded significantly with more than a dozen industrial and manufacturing businesses on the property and Goal ED1 indicates that “the County should consider prioritizing the Airport for new employment uses to capitalize on the existing distribution network... Light and heavy industrial should be the primary businesses in this area, while supporting uses such as commercial or restaurants should be coordinated with the Meadow Lake Airport Association.” Goal ED1 also encourages the County to identify areas with enough land to support companies that require a significant development footprint as development continues to occur.

The rezone to I-2 for approximately 26% of the overall Meadow Lake Industrial Park is consistent with this objective as it provides opportunities for a variety of larger scale industrial uses that can support the operations and growth of the adjacent Meadow Lake Airport as an Employment Priority Development Area.

This site is also denoted as a “new development area” on the Areas of Change map (see page 20 of the Master Plan). New development areas take place on land largely undeveloped, adjacent to built out areas. These areas are to be designed to integrate with and complement adjacent development. The proposed I-2 rezoning provides an opportunity for additional light industrial uses to locate in the area, which will complement the adjacent airport use and help offset the significant loss of previously existing industrially zoned land in other more-urbanizing areas of the County.

### Relevant Goals, Objectives, and Strategies

#### ***Land Use***

Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

- *Goal 1.3 - Encourage a range of development types to support a variety of land uses*

- *Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*
- *Objective LU4-3: Employment Centers should comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses.*

### **Economic Development**

Core Principle: Strengthen the economy with a skilled workforce and targeted investment.

- *Goal 3.1: Recruit new businesses and spur the development of growing sectors.*

### **Implementation**

- *Goal ED1 strategies:*
  - *Consider prioritizing Meadow Lake Airport for new employment uses to capitalize on the existing distribution network.*
  - *Light and heavy industrial should be the primary businesses in the Meadow Lake Airport area, while supporting uses such as commercial or restaurants should be coordinated with the Meadow Lake Airport Association.*

### **WATER MASTER PLAN**

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant goals and policies are as follows:

- *Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
- *Goal 6.0 – Require adequate water availability for proposed development.*
- *Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*
- *Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.*

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater.



The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. The 2060 water supply is projected to be 8,284-acre feet per year and the projected demand is 8,307-acre feet.

#### **2040 MAJOR TRANSPORTATION CORRIDOR PLAN**

Curtis Road and Falcon Highway are both currently 2-lane unimproved County roads with a 60-foot right-of-way (ROW). The 2040 Functional Classification map shows Curtis Road being improved to a 2-lane rural principal arterial and Falcon Highway being improved to a 2-lane rural minor arterial. The 2060 Corridor Preservation Plan shows Curtis Road being expanded to a 4-lane rural principal arterial and Falcon Highway being expanded to a 4-lane rural minor arterial. Curtis Road is also anticipated to become a secondary truck route connecting Highway 24 to Highway 94 and I-25.

#### **EL PASO COUNTY PARKS MASTER PLAN**

The El Paso County Parks Master Plan identifies proposed bike routes on Curtis Road and Falcon Highway, which can provide access to the site by alternative transportation modes. A proposed secondary regional trail is identified along the alignment of the drainageway that crosses the property from north to south. This secondary trail also continues through the adjacent airport property, which brings into question the practicality of this proposed trail route.

### **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;**

As the proposed rezoning fulfils the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, the rezone complies with the statutory provisions that allow County’s to establish limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

### **3. THE PROPOSED LAND USE OR ZONE DISTRICT IS COMPATIBLE WITH THE EXISTING AND PERMITTED LAND USES AND ZONE DISTRICTS IN ALL DIRECTIONS; AND**

The Master Plan specifically encourages light and heavy industrial uses adjacent to the airport. These uses not only support the airport economically but are also the preferred uses within the flight zones of the airport from a safety standpoint. In addition, the employment uses will provide a transitional use and physical buffer from the airport activities to the rural residential and agricultural areas to the east and south.

The Employment Center placetype, as identified in the Master Plan, indicates that transitional uses, buffering, and screening should be used to mitigate any potential negative impacts to nearby areas. As noted above, concurrent submittals have been made for I-3 and CS zones on the western and southeastern portions of the property respectively.

Compatibility with adjacent A-35 and rural residential zoning has already been evaluated with the currently approved PUD zoning and associated PUD Zoning and Conceptual Plan, which shows Commercial/Industrial Uses on the east side of the property adjacent to Curtis Road with Industrial only use on the western two thirds of the property. The designation of the site as an Employment Center within the Master Plan also assumes an acknowledgment of the appropriateness of this location for the industrial and commercial uses identified as primary and secondary uses in this placetype. Compatible means “to be able to exist or occur together without conflict.” By definition, the I-2 zoning district is “intended to accommodate light industrial and manufacturing activities, which are generally clean, quiet and free from objectionable or dangerous nuisance or hazard” and as such will not conflict with the adjacent land uses. As the permitted uses in the proposed I-2 zone are broad, this request conditionally excludes certain uses to enhance compatibility with these less intense adjacent land uses. The I-2 and CS zoning designations will provide transitional uses and a physical buffer and separation between the heavier industrial uses allowed in the proposed I-3 zoning district on the west side of the property and the rural residential and agriculturally zoned properties located to the east and south. Appropriate landscape buffers will be included with subsequent site development plans.

**4. THE SITE IS SUITABLE FOR THE INTENDED USE, INCLUDING THE ABILITY TO MEET THE STANDARDS AS DESCRIBED IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE, FOR THE INTENDED ZONE DISTRICT.**

Future development of this portion of the property will meet the use and dimensional standards for the I-2 zoning district as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed industrial uses and provides a transition between Meadow Lake Airport and the surrounding rural land uses. The site will have adequate access to Curtis Road and Falcon Highway and has access to the provision of adequate utilities.

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