

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

June 25, 2025

RE: 2713 Akers Drive – Electronic Message Display Billboard Conversion

File: AL-25-005

Parcel(s): 5332414004

This is to inform you that the above referenced request for approval of a Special Use application for a Electronic Message Display Billboard Conversion located at 2713 Akers Drive was **approved** by the Planning and Community Development Director on June 25, 2025. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code (as amended).

This approval is subject to the following condition and notations:

CONDITION OF APPROVAL

Approval is limited to the Electronic Message Display Billboard located on the eastern boundary of said property as discussed and depicted in the applicant's letter of intent and site plan drawings.

NOTATIONS

1. Special Use approval includes conditions of approval and the accompanying site plan. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. 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.
3. 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.

Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact Lacey Dean at (719) 520-7943.

Sincerely,



Meggan Herington, AICP, Executive Director

El Paso County Planning and Community Development Department

File: AL255



Jun 24, 2025

El Paso County Planning & Community Development
2880 International Circle, Ste. 110
Colorado Springs, Colorado

Special Use Letter of Intent

Applicant

Lamar Outdoor Advertising
Justin Johnston, Real Estate Manager
806-438-4827
JuJohnston@lamar.com

Owner

Seder Investment LLC
Steven Seder, Owner
719-596-2988
Info@AspenRoofs.com

Property

2713 Akers Drive, Colorado Springs, CO 80922
Parcel Number: 5332414004
Zoned: M CAD-O
PCD File no: AL255

Proposed Project

Lamar Outdoor Advertising currently owns and operates one existing advertising sign at 2713 Akers Drive, Colorado Springs, CO 80922. The advertising sign has 2 opposing faces on the structure. Both faces are currently static faces. We propose to convert both of the existing faces to Electronic Messaging Displays (EMD). The structure height will remain the same (35') as well as the size (10.5' x 21.75'). The advertising sign was built and permitted in 2015 in compliance with El Paso County regulations. It is a conforming and legal land use per El Paso County Land Development Code Chapter 5 Table 5-1. We lease the proposed property that is currently used for the billboard and a vacant commercial lot.

Lamar's "Lighting Plan" and documentation from the sign manufacturer which verifies compliance with auto dimming and brightness requirements is attached hereto as Exhibit A. The Lighting Plan demonstrates that the lighting for the Proposed Billboard complies with the Code's lighting standards. The EMD will not include any animated, scrolling, or flashing content, and all transitions will be static and comply with County requirements. Each message displayed on the Proposed Billboard will be displayed for at least four to eight seconds. *Code § 6.2.9.C.iii*. The Proposed Billboard will be equipped with technology that automatically dims the EMD according to ambient light conditions to a luminance, or nighttime brightness level of up to 500 NIT. *Code § 6.2.9.C.vi*. The Proposed Billboard will also be equipped with the ability to be shut off within 24 hours if a malfunction occurs, including the demonstration of prohibited transition methods. *Code § 6.2.9.C.vii*. Accordingly, the Lighting Plan complies with the Code.

Photometric Compliance Note

While Section 6.2.3.B.e of the Land Development Code sets a maximum of 0.10 foot-candles (fc) at the property line for on-site lighting, applying this standard to a digital display requires additional technical context. Unlike traditional site lighting, which emits a consistent output from a single fixture, an electronic messaging display (EMD) consists of thousands of LEDs that adjust brightness and intensity depending on the content shown. As a result, digital signage produces varying levels of illumination that are content-dependent.

To provide a complete and transparent analysis, the photometric study includes a worst-case condition with the EMD displaying white content powered to its maximum potential for nighttime viewing. Under this condition, the highest recorded illumination is 0.14 fc at the right-of-way (ROW) property line. However, this level is not representative of actual sign operation. As noted in the Daktronics letter (Exhibit A), real-world content consists of typical advertisements with varied brightness, color, and contrast, and will not display white imagery at maximum output continuously.

The photometric comparison chart provided by Daktronics estimates that, under typical content, light levels at the ROW property line would fall between approximately 0.04 and 0.06 fc. These levels are well below the 0.10 fc threshold established by Section 6.2.3.B.e, demonstrating that the display complies with the lighting limitations applicable at the property line under realistic operating conditions.

Analysis of Criteria

- There are currently no references or applicable elements for billboards in the El Paso County Master Plan or other County Plans. The EMD conversion would support the current and surrounding land uses of Commercial and Industrial Uses.
- The surrounding area is largely industrial, with land zoned M and I-3 and in heavy industrial use. There are also nearby areas zoned R-1-6 with residential uses. This area is also within a CAD-O overlay zone.
- The conversion of the existing static faces to EMD will not impact nor overburden any public facilities and services, because the billboard does not require them.
- Traffic congestion or traffic hazards will not be created or negatively impacted by EMD. Oftentimes Lamar utilizes EMD to display amber alerts, most wanted FBI, or weather related emergencies.
- Access to the structure will be utilized with existing property entrances and facilities allowed by the lease on private property.
- The EMD is in compliance with all applicable local, state, and federal laws and regulations as a legal conforming land use. The conversion to EMD will not create any air, water, light, or noise pollution.
- The EMD will not create a detrimental impact on the public health, safety and welfare of the present and or future residents of El Paso County.
- The EMD will conform to all other applicable County rules, regulations or ordinances as required.

CAD-O (Commercial Airport Overlay District) Compliance Statement

The property at **2713 Akers Drive** lies within the **CAD-O overlay zone** due to proximity to the Colorado Springs Airport. As required by **El Paso County Land Development Code Section 4.3.1.F**, the proposed conversion of static billboard faces to **Electronic Messaging Displays (EMDs)** maintains compliance with applicable height and lighting standards.

1. Height Compliance

The existing sign structure is **35 feet tall**—this height will remain unchanged with the EMD conversion and was originally permitted in **2015** under County regulations as a **conforming structure**.

There are **three-story buildings (~40+ feet)** approximately **550 feet south**, and **aggregate structures** approximately **460 feet northwest**, both of which are **taller than the existing sign**. The proposed EMD is therefore not out of scale with surrounding development and is not expected to conflict with any FAA-regulated airspace.

The existing height does not appear to impact any protected FAA surfaces. However, if required, coordination with airport or FAA officials will be undertaken to confirm compliance with aviation safety regulations.

2. Brightness and Lighting Compliance

The EMD will include **automatic dimming** based on ambient light conditions, with **nighttime brightness limited to 500 NITs**, in accordance with **Code §6.2.9.C.vi**. These settings are **factory-calibrated and password-protected**, ensuring continued compliance.

3. Light Spill and Glare Mitigation

The accompanying photometric plan demonstrates that **light dispersion is minimal** beyond the property boundary and poses **no visual interference** with adjacent uses or airport operations.

Conclusion

The project complies with the CAD-O overlay requirements outlined in Section 4.3.1.F of the El Paso County Land Development Code. The sign's existing height remains unchanged, and the lighting system meets all brightness and glare mitigation standards.

Criteria of Approval Summary

The special use will be generally consistent with the applicable Master Plan, the harmony and character of the neighborhood, and allowable land uses adjacent to the Marksheffel corridor. There will be no impact on public facilities and services that would overburden their capacity. It will not create unmitigated traffic congestion or hazards in the surrounding area. Adjacent properties or existing drainage patterns will not be adversely impacted. Access is utilized by existing gravel drive entrances. This Special Use request will be in compliance with all applicable local, state and federal laws with regards to air, water, light or noise pollution. It will not be detrimental to the public health, safety and welfare of the present or future residents of El Paso County.

El Paso County Billboard Credits

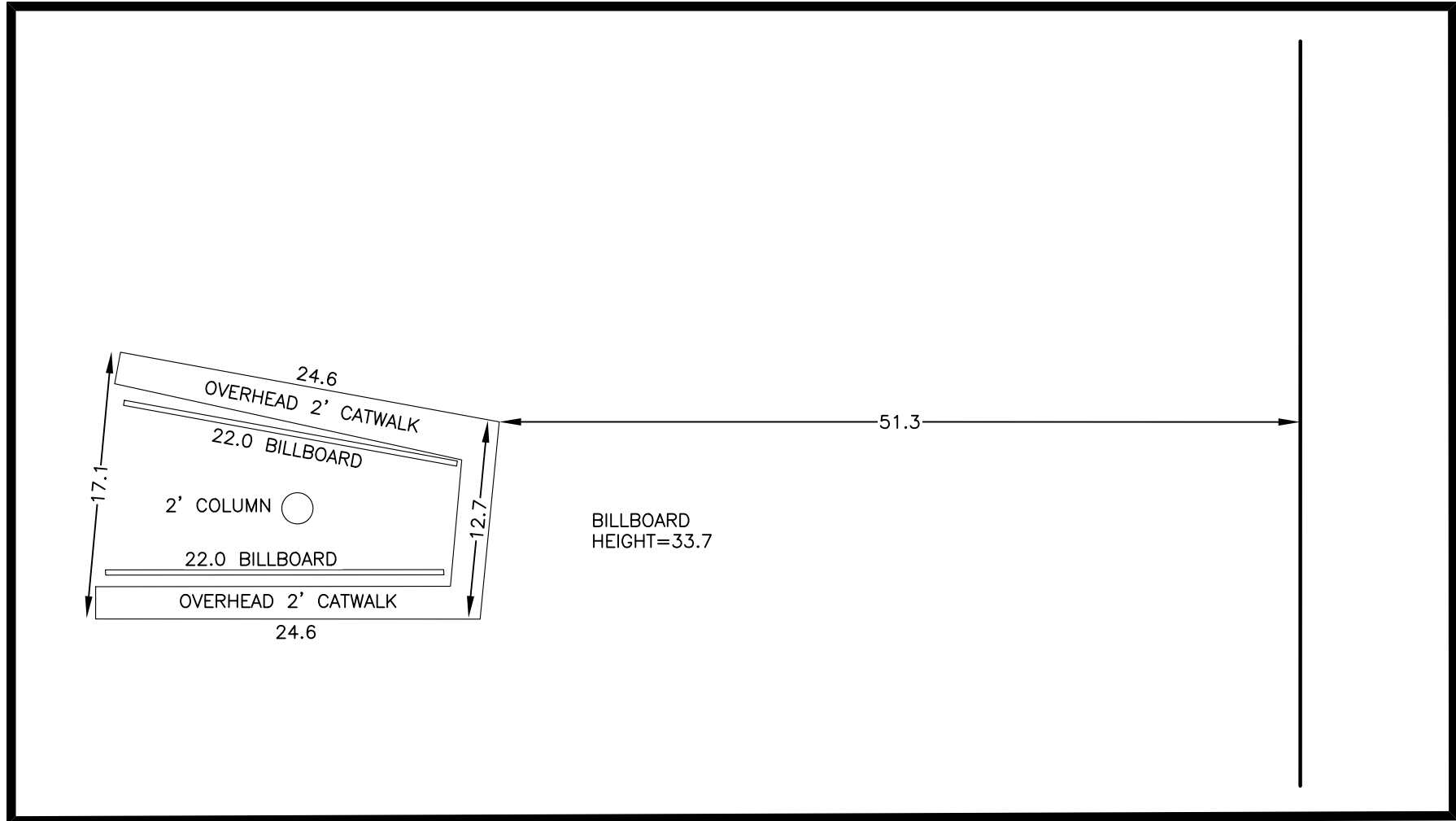
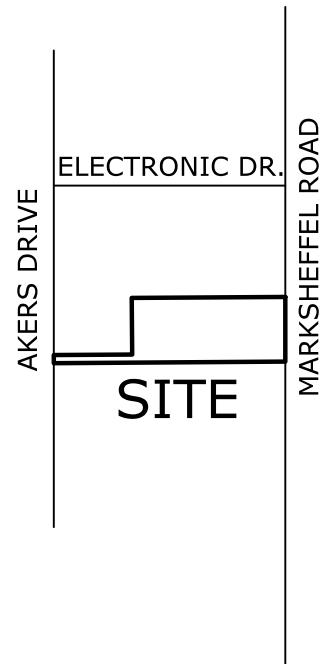
A billboard credit will not be required because the signs are existing and no change in size will be required.

Thank you for your consideration.

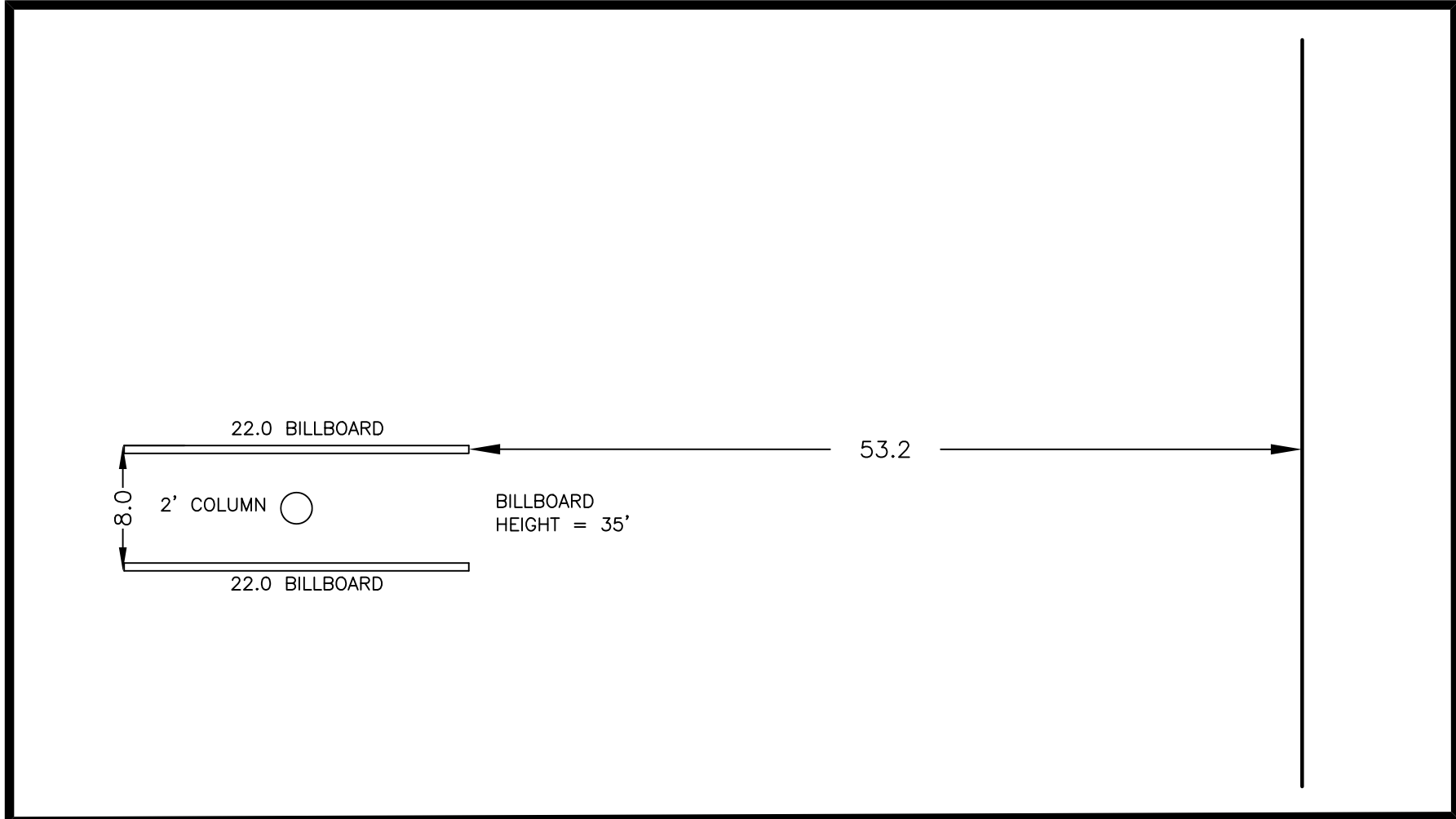
Sincerely,

Justin Johnston
Real Estate and Operations Manager
Lamar Outdoor Advertising
2110 Naegle Road Colorado Springs, CO 80904
jujohnston@lamar.com 719-473-4747

VICINITY MAP



EXISTING BILLBOARD DETAIL
1 INCH = 10 FEET



PROPOSED BILLBOARD DETAIL
1 INCH = 10 FEET

LEGAL DESCRIPTION:

Lot 2, Seder Subdivision, El Paso County, CO.

NOTES:

- 1) This is a Plot Plan/Special Use Map. It is not a Land Survey Plat or Improvement Survey Plat. No research of easements, encumbrances or title of record was performed by Compass Surveying and Mapping, LLC. No Title Commitment was provided for this Drawing.
- 2) El Paso County Schedule No.: 53324-14-004
- 3) Address: 2713 Akers Drive, Colorado Springs, Colorado
- 4) Field work was completed on November 14, 2024.
- 5) This site is zoned "M" (Industrial).
Building Setbacks:
Front: 15'
Side: N/A
Rear: 15'
- 6) The lineal units used in this drawing are International Feet.

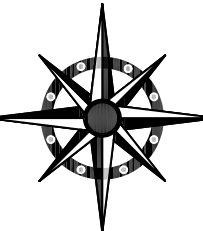
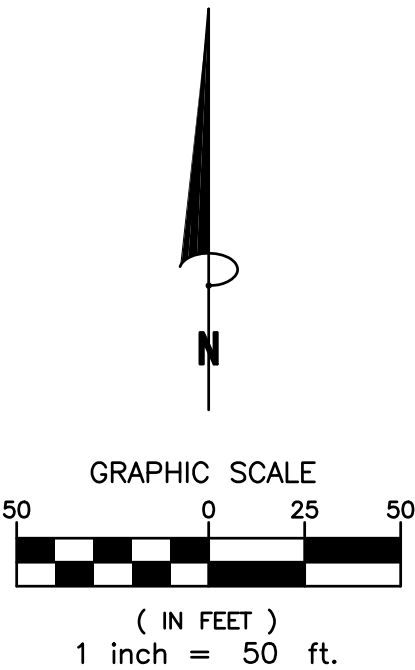
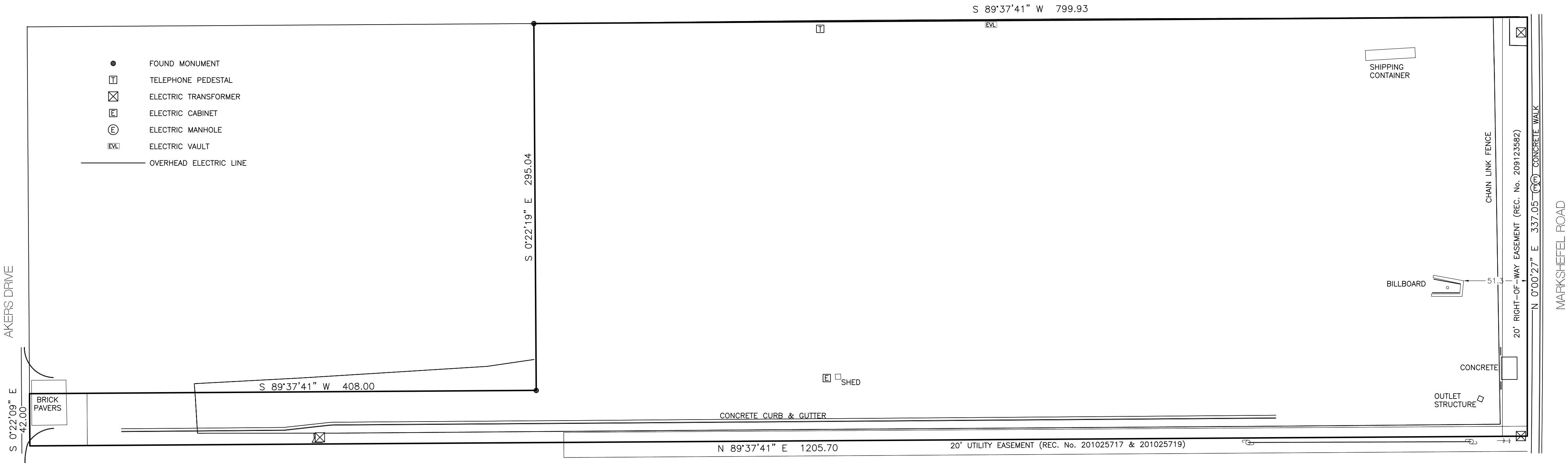
APPLICANT

Lamar Outdoor Advertising
Justin Johnson, Real Estate Manager
720 Seedling Ct., Colorado Springs, Colorado 80915
806-438-4827
JuJohnston@lamar.com

OWNER

Seder Investment LLC
Steven Seder, Owner
5003 Half Moon Drive, Colorado Springs, Colorado 80915
719-596-2988
info@AspenRoofs.com

PCD File No. AL255



COMPASS SURVEYING & MAPPING, LLC
3253 WEST CAREFREE CIRCLE
COLORADO SPRINGS, CO 80917
719-354-4120
WWW.CSAMLIC.COM

PLOT PLAN / SPECIAL USE PLAN

2713 AKERS DRIVE,
EL PASO COUNTY, COLORADO

REVISIONS:			PROJECT NO.	24230
1	05/09/25	Review comments.	DATE:	DECEMBER 24, 2024
2	05/12/25	Owner/Applicant Addresses.	DRAWN BY:	JWH
			CHECKED BY:	MSJ
			SHEET:	1 OF 1

Exhibit A



DAKTRONICS.COM

201 Daktronics Drive PO Box 5128
Brookings, South Dakota 57006-5128
T 800-325-8766 605-692-0200 F 605-697-4700
signagelegislation@daktronics.com

February 13, 2025

Re: Digital Signage Manufacturer's Brightness Certification
Sign Type: DB-66 10'6 x36
Installation Site: 2713 Akers, Colorado Springs/El Paso County

To Whom It May Concern:

The following information pertains to the above-referenced display, manufactured by Daktronics, Inc.
The subject display capable of complying with the requirements of the El Paso County Code.

1. The display comes equipped with the ability to hold messages static for a period of not less than eight (8) seconds and messages shall change directly and immediate. The display contains the ability to freeze a message in one position if a malfunction occurs.
2. The display, like all Daktronics displays, is equipped with a light-sensor (photocell) that detects ambient light levels and adjusts the display intensity automatically according to natural ambient light conditions. The sign is set to not exceed a brightness level of 0.1 foot candles above ambient light at right of way and residential property lines.
3. The display can be programmed to not exceed 5,000 nits (cd/m2) during the daylight hours and 500 nits between sunset and sunrise. With the ambient light sensor operating, this intensity is factory programmed and password-protected from manipulation.
4. The display can be programmed to meet the code requirements upon installation and that all programmed compliance features will be locked from future alteration.
5. The image represents the impact from Daktronics Digital Billboard. This is worst-case scenario meaning that all LED's are in their on position showing a full white screen which is unlikely during normal operation. Typical content is only 25%-45% of the foot candle values shown.



DAKTRONICS.COM

201 Daktronics Drive PO Box 5128
Brookings, South Dakota 57006-5128
T 800-325-8766 605-692-0200 F 605-697-4700
signagelegislation@daktronics.com



Please note that the end user is responsible to work with Daktronics upon installation to program the required brightness settings. Daktronics, Inc. is the world leader in the design and manufacture of electronic display systems. We are committed to providing LED displays that adhere to the regulatory environment, working closely with our customers for a responsible approach to the market.

Please let me know if you have any questions or concerns.

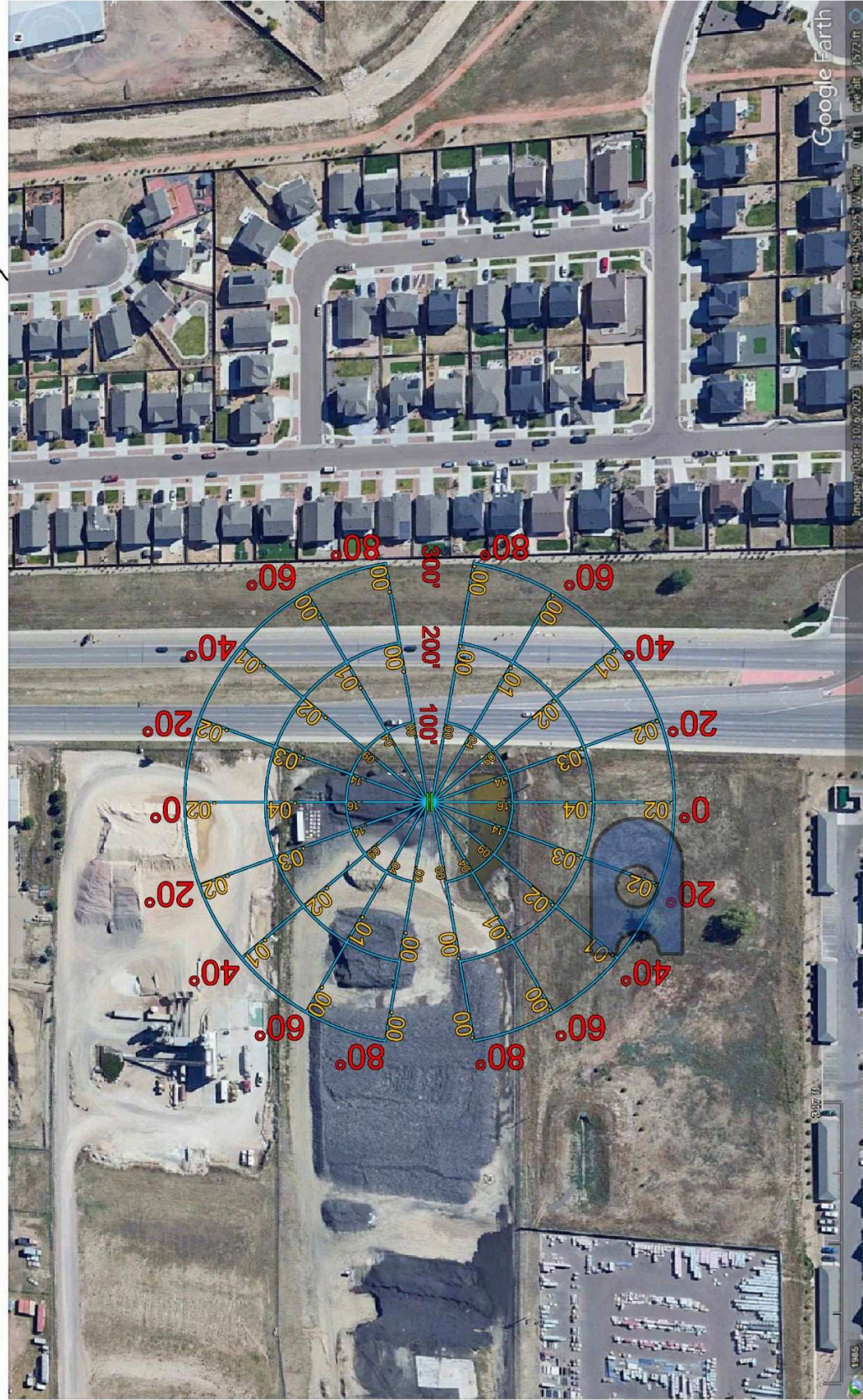
Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Johnson'.

Eric Johnson
Applications Engineer
605-692-0200

	DB-10' x 21'	Date: 6/3/2025
	Colorado Springs, CO	Prepared by: Eric Johnson
	81653-4	

Values expressed are specific to Daktronics product only



*Calculations are based on Red, Green, and Blue LEDs (White Content) powered to their maximum potential for nighttime viewing. Values are shown in footcandles (fc).

- Display at 1% of Maximum Daytime Brightness(6,500)
- Calculations take into account an overall Billboard height of 15'
- Any rise or fall in elevation or physical blockage is not shown in calculations



DAKTRONICS


Worst Case to Typical Content Conversion

25% - 40%

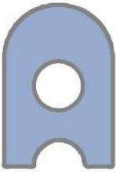
Date: 6/10/2025

Prepared by: Eric Johnson

Values expressed are specific to Daktronics product only



Worst Case:	Typical content range:
0.01	0.00 - 0.00
0.02	0.01 - 0.01
0.03	0.01 - 0.01
0.04	0.01 - 0.02
0.05	0.01 - 0.02
0.06	0.02 - 0.02
0.07	0.02 - 0.03
0.08	0.02 - 0.03
0.09	0.02 - 0.04
0.10	0.03 - 0.04
0.11	0.03 - 0.04
0.12	0.03 - 0.05
0.13	0.03 - 0.05
0.14	0.04 - 0.06
0.15	0.04 - 0.06
0.16	0.04 - 0.06
0.17	0.04 - 0.07
0.18	0.05 - 0.07
0.19	0.05 - 0.08
0.20	0.05 - 0.08
0.21	0.05 - 0.08
0.22	0.06 - 0.09
0.23	0.06 - 0.09
0.24	0.06 - 0.10
0.25	0.06 - 0.10
0.26	0.07 - 0.10
0.27	0.07 - 0.11
0.28	0.07 - 0.11
0.29	0.07 - 0.12
0.30	0.08 - 0.12



*Calculations are based on Red, Green, and Blue LEDs (White Content) powered to their maximum potential for nighttime viewing (Worst Case Scenario). Values are shown in footcandles (fc).