



Jul 9, 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](mailto:JuJohnston@lamar.com)

#### **Owner**

Smelker Schleder LLP  
David Smelker, Owner  
719-591-7867  
[SmelkerConcrete@aol.com](mailto:SmelkerConcrete@aol.com)

#### **Property**

7950 Industry Road Colorado Springs, Colorado 80939  
Parcel Number: 5333201011  
Zoned: I-3 CAD-O  
PCD File no: TBD

#### **Proposed Project**

Lamar Outdoor Advertising is requesting approval to construct a new Off-Premise Electronic Messaging Display (EMD) advertising sign on a parcel located at 7950 Industry Drive, Colorado Springs, CO 80939, within unincorporated El Paso County. The subject property is zoned I-3 CAD-O (Heavy Industrial with Commercial Airport Overlay) and is currently developed with a warehouse/storage facility. The proposed EMD is a permitted use in this zoning district per the El Paso County Land Development Code.

The sign will consist of a single-pole steel structure with a maximum overall height of 40 feet, featuring two opposing digital faces, each measuring 378 square feet. The display area will be authorized through the use of a billboard credit from Lamar's existing inventory – specifically BBC-05-002 which is valid for 2 faces at 378 sq ft each – in accordance with the El Paso County Billboard Credit Exchange Program.

The structure is designed for visibility along Marksheffel Road and will comply with all applicable structural, electrical, and locational standards. Lamar intends to request relief from the required 400-foot spacing between off-premise signs in the I-3 zoning district. Due to physical site constraints and required setbacks, only 390 feet of spacing can be achieved at this location.

The proposed sign will provide an additional avenue for supporting new and emerging commercial activity in the surrounding area. The Marksheffel corridor is currently experiencing significant new commercial and industrial growth, and the addition of a modern Electronic Messaging Display will offer increased visibility for local businesses and services. By utilizing the billboard credit, the project complies with the County's billboard exchange system, ensuring no net increase in total sign area while contributing to the area's ongoing economic development.

## Lighting Plan and Code Compliance

Lamar's Lighting Plan and documentation from the sign manufacturer, which verify compliance with auto-dimming and brightness requirements, are attached hereto as **Exhibit A**. The Lighting Plan demonstrates that the lighting for the Proposed Billboard complies with the Code's lighting standards.

The Electronic Message Display (EMD) will not include any animated, scrolling, or flashing content, and all transitions will remain static in compliance with County requirements. Each message displayed will remain for a minimum of four to eight seconds (Code § 6.2.9.B.3.c.iii). The Proposed Billboard will also be equipped with technology that automatically dims the EMD based on ambient light conditions, with a nighttime luminance not to exceed 500 NITs (Code § 6.2.9.B.3.c.vi). Additionally, the display will have the capability to shut off within 24 hours in the event of a malfunction, including any display of prohibited transition methods (Code § 6.2.9.B.3.c.vii). Accordingly, the Lighting Plan complies with the applicable Code requirements.

The digital billboard is equipped with **Daktronics' integrated light sensors**, which automatically adjust brightness in response to ambient conditions. The system is programmed to not exceed **0.1 footcandles (fc)** above ambient light levels at adjacent residential and ROW property lines, in accordance with **LDC 6.2.3.B.1.e**.

The accompanying photometric study reflects a **worst-case scenario**, assuming operation at full white content—defined by Daktronics as the maximum combined output of red, green, and blue LEDs. However, this condition is **not representative of normal operation** and would only occur in the event of a malfunction. In such cases, the system is designed to shut down automatically to prevent continued non-compliance.

Under **typical conditions**, the display operates with content that uses only **25%–40% of its maximum brightness capacity**. The provided conversion chart from Daktronics demonstrates that, under these normal operating conditions, light levels at the property line fall **well within the 0.1 fc limit** established by code.

We respectfully request that this operational context and the supporting manufacturer data be taken into account during evaluation of lighting compliance.

## 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 in character, with adjacent properties zoned M and I-3 and actively used for heavy industrial purposes. While there are nearby areas zoned R-1-6 that support residential uses, the proposed sign location exceeds El Paso County's 500-foot residential separation requirement, with over 1,000 feet of distance to the nearest residential zoning. The site is also located within the Commercial Airport Overlay (CAD-O) zone, which is intended to accommodate compatible commercial and industrial development patterns. The proposed Electronic Messaging Display (EMD) is consistent with the area's established land use context and zoning, and supports local business visibility within a growing industrial corridor.
- The construction of the new Electronic Messaging Display (EMD) sign will not impact or overburden any public facilities or services, as the sign 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 7950 Industry Drive lies within the CAD-O (Commercial Airport Overlay) zone due to its proximity to the Colorado Springs Airport. As required by El Paso County Land Development Code Section 4.3.1.F, the proposed construction of a new Off-Premise Electronic Messaging Display (EMD) maintains compliance with applicable height and lighting standards.

### **1. Height Compliance**

The proposed sign structure will have an overall height of 40 feet, which is consistent with the scale of existing development in the surrounding I-3 and M-zoned area. Notably, a cell tower approximately 470 feet south of the site and a concrete batch plant tower approximately 860 feet north both exceed the height of the proposed sign. These existing vertical structures reflect the area's industrial character and demonstrate that the proposed EMD will not appear out of scale with its surroundings.

The sign is not anticipated to impact any FAA-regulated airspace surfaces. However, if necessary, Lamar will coordinate with the Colorado Springs Airport or FAA to verify full 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 proposed height is consistent with nearby vertical structures, 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**

The proposed sign will utilize billboard credit **BBC-05-002** from Lamar's existing inventory in accordance with the El Paso County Billboard Credit Exchange Program.

Thank you for your consideration.

Sincerely,

Justin Johnston  
Real Estate and Operations Manager  
Lamar Outdoor Advertising  
2110 Naegele Road Colorado Springs, CO 80904  
[jujohnston@lamar.com](mailto:jujohnston@lamar.com) 719-473-4747

## Exhibit A



DAKTRONICS.COM

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

July 2, 2025

Re: Digital Signage Manufacturer's Brightness Certification  
Sign Type: DB-70 10'6" x 36'  
Installation Site: 7950 Industry Road, Colorado Springs

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 the 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.

Please note that the end user is responsible for working 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.

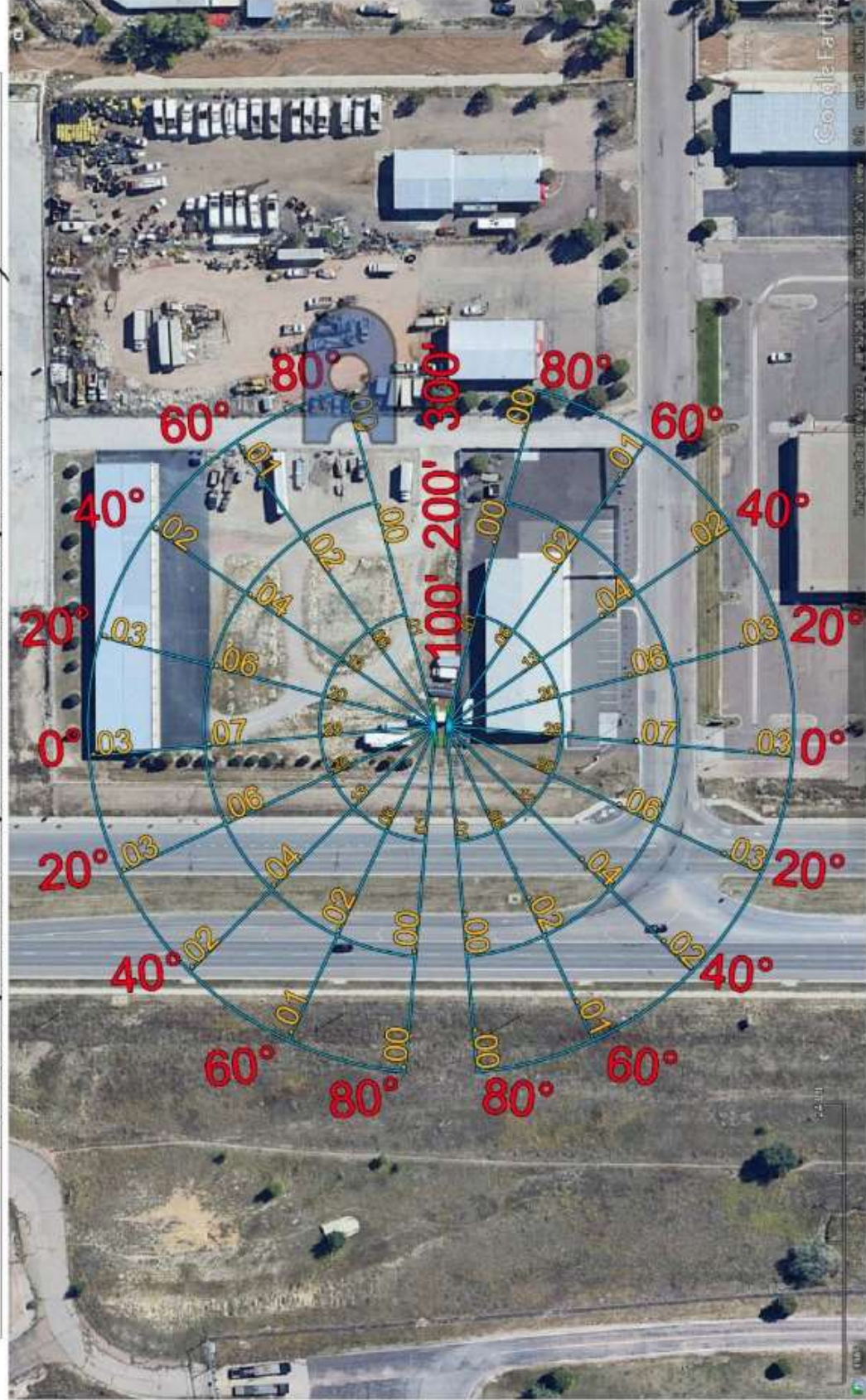
Please let me know if you have any questions or concerns.

Sincerely,

Eric Johnson  
Applications Engineer  
605-692-0200



 <b>DAKTRONICS</b>	<b>DB-10'6"x 36'</b> Colorado Springs, CO 38.8818633736672, -104.68230364794901 <b>Values expressed are specific to Daktronics product only</b>	Date: 7/2/2025 Prepared by: Eric Johnson 
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\*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 40'
- Any rise or fall in elevation or physical blockage is not shown in calculations

 <b>DAKTRONICS</b>	Worst Case to Typical Content Conversion		Date: 6/10/2025
	25% - 40%		Prepared by: Eric Johnson
	<b>Values expressed are specific to Daktronics product only</b>		

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).