

## Tracey Garcia

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**From:** Eric Moraes <emoraes@yahoo.com>  
**Sent:** Monday, June 01, 2020 9:33 AM  
**To:** Lindsay Darden  
**Cc:** Brian Risley; Cole Emmons; Nina Ruiz; Tracey Garcia  
**Subject:** Re: PC 06-02-20

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Lindsay -

Thanks for the email responses. Much appreciated.

I don't want to take up a lot of your time, but I did have one follow-up

VA158 (variance renewal for landscape material and storage in A-35), what can you tell me overall situation wise? I see it is a renewal, so there was a variance previously given at some point. Do you have a location/address so I can take a look at where it sits, understanding that Google Maps may not show the development since the time of the first variance or any renewals.

Same question for VA1710 (contractor's equipment yard in A-5).

I know your time is valuable, so I am just looking for the overall situation of the approvals.

Thanks again.

E

On Monday, June 1, 2020, 12:12:22 AM MDT, Lindsay Darden <lindsaydarden@elpasoco.com> wrote:

Hi Eric,

Hope you are doing well. Below in italics are my responses to your questions regarding VA-19-002 Pete Lien & Sons, Inc. variance of use:

- In Pete Lien's Letter of Intent, is the reason stated that a variance is sought versus rezoning to I-3 is due to spot zoning your position?

*Spot zoning is zoning that does not conform to the County's policy plan and any other advisory plans. Neither the El Paso County Policy Plan nor the Falcon/Peyton Small Area Master Plan identify future industrial development on the subject parcel. The surrounding zoning districts and land uses are typically rural residential and/or agricultural and rezoning to industrial would not typically be compatible with those zoning districts and land uses. In cases like this, a variance of use would be the appropriate mechanism to seek approval.*

- Looking at Condition 8, what assurance does the County have that the applicant is properly recording trip distribution, trips, peak hour volumes by vehicle type each day? As their annual haul route fee depends on it, does the County do spot checks to see the accuracy of their numbers.

*This is something that will be finalized with haul route agreement and we do not yet have a draft in place for that. A traffic study can be conducted at a later date if there are concerns. In the future, the County hopes to have a standardized method for quantifying the impacts of heavy truck traffic caused by uses such as batch plants on the County's paved roadways.*

- Regarding the access onto Stapleton Drive and the deviation form, has there been any more updates to the shared access agreement. What would happen if the two parties cannot come to an agreement?

*The approved deviation indicates details of the shared access agreement will be provided with the site development plan application. I do not have a status update for this but I can reach out to the applicant and ask that they include an update with their presentation on Tuesday.*

- Can you provide a rough diagram or layout where other concrete batch plants are located in the county versus surrounding zoning? Or even just a table with what borders them to the N, S, E, and W?

*Here is a list of the other concrete batch plants that I have located in the Colorado Springs area:*

1. *Martin Marietta Capital Ready Mix*

*2895 Capital Drive, Colorado Springs 80939*

*5300000440*

*Zoned I-3*

*Adjacent zoning/use info:*

*North – City of Colorado Springs M1 (industrial use)*

*South – 2 parcels zoned I-3. One is vacant and one is a landscape irrigation contractor*

*East - City of Colorado Springs PIP2/CR R1-6 R5/CR P (vacant)*

*West – Zoned 1-3 Rocky Mountain Industrial Park with various industrial uses.*

2. *Martin Marietta Hwy 85 Ready Mix*

*3895 Wabash Street, Colorado Springs 80906*

6503202001

*Zoned M2 (City of Colorado Springs)*

*Adjacent Zoning/use info:*

*North – City of Colorado Springs M2 (Industrial Use)*

*South – I-3 (Martin Marietta Asphalt Plant)*

*East – M2 (Various Industrial Uses)*

*West – M2 (towing Company)*

3. *Transit Mix Concrete Company*

*3555 N Marksheffel Road*

*5300000621*

*Zoned I-3*

*Adjacent Zoning/use info:*

*North – City of Colorado Springs PIP2/CR R1-6 R5/CR P (vacant)*

*South – I-3 (various industrial uses Marksheffel Industrial Park)*

*East – I-3 (landscape contractor)*

*West – RR-5 City of Colorado Springs Industrial Use*

4. *Transit Mix Concrete Company*

*444 E. Costilla Street*

*6418407082*

*Zoned M2/CR SS (City of Colorado Springs)*

*Adjacent Zoning/use info:*

*Completely within the City with mostly commercial industrial surrounding it. However there are a couple remnant residential parcels adjacent to the East.*

5. *Pete Lien & Sons Concrete*

*3370 N Drennan Industrial Loop*

6434407009

*Zoned M2 (City of Colorado Springs)*

*Completely within the City with industrial zoning and uses surrounding.*

6. *Action Ready-Mix*

*2650 Delta Drive, Colorado Springs*

6434205020

*Zoned M2 (City of Colorado Springs)*

*Completely within the City with industrial zoning and uses surrounding.*

7. *Castle Concrete Company*

*7250 Allegheny Drive*

7310201001

*Zoned PIP1 HS (City of Colorado Springs)*

*This batch plant is located on the Pikeview Quarry site. There is some residential adjacent to a large vacant parcel that is also owned by the concrete company; however, that parcel is vacant providing an approximate buffer width of 1600 feet between the batch plant and existing residential (also in the City).*

- How many variances of uses has the County given in the recent past and what was the general situation (e.g., what use in what zoning district)?

*In the past 5 years, the El Paso County Board of County Commissioners has heard the following variance of use cases:*

- *VA158 – renewal of variance of use for a landscape material storage and retail sales in A-35 (Agricultural)(Approved)*
- *VA154 – variance of use for truck parking and related equipment in RR-5 (Residential Rural) (Approved)*
- *VA157 – variance of use for outside boat and RV storage and replace shop building RR-5 (Residential Rural)(Denied)*
- *VA151 – renewal of variance of use for a tower A-5 MHP (Approved)*
- *VA152 – variance of use to legalize existing contractor's equipment yard in CC (Commercial Community) (Approved)*
- *VA155 – variance of use renewal for a CMRS tower in A-5 (Agricultural)(Approved)*
- *VA156 - variance of use renewal for a CMRS tower in R-T (Residential Topographic) Approved)*
- *VA153 – variance of use for business event center in RR-5(Residential Rural)(Approved)*
- *VA166 – variance of use for a contractor's equipment yard in RM-30 (Residential Multi-dwelling)(Approved)*
- *VA163 – variance use for a contractor's equipment yard and outside storage in RR-5 (Rural Residential) (Approved)*

- VA164 – variance of use for a medical marijuana use in CS (Commercial Service) (Denied)
- VA165 – variance of use to legalize keeping of 1 rooster and 4 ducks in RS-20000 (Residential Suburban)(Approved)
- VA167 – variance of use to expand existing recreation camp in RT (Residential Topographic) (Approved)
- VA1614 - variance of use for vacate and replat of Mayeda Subdivision (Approved)
- VA161 – variance of use for an off-road racing park in RR-5 (Residential Rural) (Approved)
- VA168 – variance of use for a tiny house in RR-5 (Residential Rural)(Approved)
- VA162 - variance of use renewal for a CMRS tower in RR-5 (Residential Rural) Approved)
- VA179 – variance of use for a CMRS Tower in in RT (Residential Topographic) (Approved)
- VA171 – variance of use for a second home in RR-5 (Residential Rural)(Approved)
- VA1710 – variance of use for a contractors equipment yard in A-5 (Agricultural) (Approved)
- VA176 - variance of use renewal for a CMRS tower in RR-5 (Residential Rural) Approved)
- VA174 – variance of use for a contractor's equipment yard in RR-5 (Residential Rural) (Denied)
- VA1710 – variance of use for a contractor's equipment yard in A-5 (Agricultural) (Approved)
- VA177 – variance of use renewal for auto repair garage in the R-T (Residential Topographic) (Approved)
- VA178 – variance of use for a second dwelling in RR-5 (Residential Rural) (Approved)
- VA175 – variance of use for a new CMRS Facility in RR-0.5 (Residential Rural) (Approved)
- VA184 – variance of use for three dwellings in the RR-5 zoning district (Residential Rural) (Approved)
- VA181 – variance of use for a commercial office within the RR-2.5 (Residential Rural)(Approved)
- VA183 – variance of use to legalize an existing CMRS in RR-5 (Residential Rural) (Approved)
- VA182 – variance of use for contractor's equipment yard in RR-5 (Residential Rural) (Approved)
- VA186 – variance of use for CMRS facility in R-T (Residential Topographic)(Approved)
- VA194 – renewal of a variance of use for a contractor's equipment yard in RR-5 (Residential Rural)(Approved)
- VA197- variance of use to allow car rental in R-4 (obsolete PUD)(Approved)
- VA196 – variance of use for a second dwelling in RR-5 (Residential Rural) (Approved)

Please let me know if you require any additional information,

**Lindsay Darden**

Planner II

El Paso Planning & Community Development  
 2880 International Circle  
 Colorado Springs, CO 80910  
 (719) 520-6300 (Main)  
 (719) 520-6302 (Direct)

**NOTE:** In an effort to be respectful of the health of our employees, family, and all citizens in El Paso County, we have closed our doors to the public until at least April 30th. During this timeframe we will be making every effort to operate "business as usual". All phone calls and emails will be returned, projects reviewed, and necessary meetings held via conference call. Thank you for your patience. Be safe!

To review all El Paso County projects go to: <https://epcdevplanreview.com/>

#### PERSONAL WORK SCHEDULE

Monday - Friday, 7:30 am to 4:30 pm

#### DEPARTMENT HOURS

Monday - Friday, 7:30 am to 4:30 pm

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**From:** Eric Moraes <emoraes@yahoo.com>  
**Sent:** Sunday, May 31, 2020 1:24 PM  
**To:** Nina Ruiz <NinaRuiz@elpasoco.com>; Lindsay Darden <LindsayDarden@elpasoco.com>  
**Cc:** Brian Risley <brian@crparchitects.com>  
**Subject:** PC 06-02-20

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A few questions for this week's meeting.

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Nina -

CS-19-002 (Ellicott)

In N.E.S.'s Letter of Intent it states in the Project Description that the proposed zone change to CS "will facilitate a manufacturing building to be used for panelized framing in the home-building operations associated with the development of Filing No. 1." What Use Type from Table 5-1 would this fall under? I am looking at the original table and not all the updates, so I could be missing it; but the only uses that jump out at me that kind of make sense would be "Light Industry" and "Light Manufacturing". If so, it seems like the applicant would need a Special Use Permit for these uses.

AL-19-034 (Turbo RV)

Looking at the email from Monique French, is the County still going to require Mr. Vandenhoeck to build a fence?

In the staff package, it looks like Mr. Vandenhoeck is going for the allowance to go on in perpetuity. I see that an administrative approval is good for only 5 years according to the LDC. So, I am correct in saying though not spelled out directly in Chapter 5, that the BOCC can approve it forever?

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Lindsay -

VA-19-002 (Pete Lein)

In Pete Lein's Letter of Intent, is the reason stated that a variance is sought versus rezoning to I-3 is due to spot zoning your position?

Looking at Condition 8, what assurance does the County have that the applicant is properly recording trip distribution, trips, peak hour volumes by vehicle type each day? As their annual haul route fee depends on it, does the County do spot checks to see the accuracy of their numbers.

Regarding the access onto Stapleton Drive and the deviation form, has there been any more updates to the shared access agreement. What would happen if the two parties cannot come to an agreement?

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How many variances of uses has the County given in the recent past and what was the general situation (e.g., what use in what zoning district)?

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I think that's it for now. Thanks, as always, for your timely and thoughtful replies. It is appreciated by all.

Respectfully -

