

Permit # 02

APPLICATION FORM FOR TEMPORARY USE PERMIT FOR:					
SALES OFFICE IN TRAILER (six month maximum while model home being built)					
SALES OFFICE IN MODULAR BUILDING/SALES TRAILER (two years with possible two year extension)					
MODEL HOME WITH SALES OFFICE (two years with possible two-year extension)					
MODEL HOME ONLY (two years with possible two year extension)					
NOTE: Contractor's Office/Construction Trailers do not require zoning approval but must be maintained in satisfactory condition.					
Applicant: Flying Mc Ranch Telephone 719 598 4000 Fax 7195984600 Address: 3330 Chuckuryon Rd Zip Code 80919 E-mail Flyinguichtado Commer: Leigh Ann Wolfe Telephone Telephone					
Address: 3330 Chuckuryon Rd Zip Code 80919 E-mail Flyngalchlado @ Owner: Leigh Han protte Telephone					
Owner: Leigh Han Wolfe Telephone grail com					
Address: 282 puricipal Rd Zip Code					
Premises Involved:					
Address of Temporary Use					
Existing Zone Agricultural Acreage 18.36					
Tax Schedule No(s). 73153-00-015, (This can be obtained from the El Paso County Tax Assessor located at 1675 Garden of the Gods Road, #2300; phone: (719) 520-6600 or at their web site http://www.co.el-paso.co.us/assessor)					
Development Plan (if applicable) Name File #					
Direction from nearest street intersection Rossman St & Chakwayon Rd					
Describe signage to be used in conjunction with the proposed Temporary Use					
Free Standing Signs:					
Off-Site:					
Wall or Low Profile Signs:					
Original Permit Period: From: 2 17					
Renewal Permit Period: From: 2 19 To: 2 2021					
PRE-APPLICATION CONFERENCE:					

A pre-application conference with the planning staff is not mandatory for this application, however, if would like a pre-application meeting, please call 385-5982 and one will be scheduled for you.

PUBLIC NOTICE:

No public notice is required for a sales office in a trailer permitted for six (6) months maximum. However, public notice is required any sales office or model home permitted for two (2) years. The applicant will be required to supply a list of all adjacent property owners and neighborhood association together with a stamped and addressed envelope to each of the property owners and association at the time of application submittal. The form for the list of adjacent property owners is included within this packet on a separate page. The adjacent property owners are defined as someone living directly behind the subject property, across from the subject property and on either side of the subject property. If these property owners are not known to the applicant, they can be obtained from Last Modified: 2/1/2017

the El Paso County Tax Assessor who is located at 1675 Garden of the Gods Road, #2300; phone: (719) 520-6600 or at their web site, http://www.land.elpasoco.com. FEES: An application review fee will be required to accompany this application (checks to made payable to: City of Colorado Springs). The fee schedule is as follows: Temporary Use Permit \$100 **APPLICATION REQUIREMENTS:** SUBMITTAL REQUIREMENTS: This application should be submitted to the Development Review Enterprise, 2880 International Circle, #200-7, Colorado Springs, CO 80910 An application must be completed in full and accompanied by the following information: APPLICANT **PLANNER** 1. One (1) copy of a statement identifying the following: • A clear **DESCRIPTION** of the proposed temporary use. • A JUSTIFICATION based on the review criteria why the proposed temporary use should be approved. 2. Submit a LEGAL DESCRIPTION of the proposed project in the following space or on a separate sheet of paper. Subdivision names must be as shown on the recorded plat and include the Book and Page or Reception Number. Any exceptions must be completely written out in metes and bounds. Easements not on the parcel should not be included. 3. A VICINITY MAP (does not have to be drawn to scale). The vicinity map should show the proposed site outlined with the existing adjacent streets within the neighborhood. 4. Provide AUTHORIZATION from the property owner, which authorizes the submittal of the application (if submitted by someone other than the owner), and which indicates who is to receive all correspondence regarding the processing of this application (complete Owner Authorization For Submittal & Correspondence section below). 5. City Planning may require other ADDITIONAL INFORMATION for this application as needed **TEMPORARY USE SITE PLAN CONTENT REQUIREMENTS:** APPLICANT The applicant is required to submit three (3) copies of a complete SITE PLAN. SITE PLAN CONTENT REQUIREMENTS Please complete the following checklist by checking all appropriate categories under APPLICANT column, indicating compliance with these content requirements. All submitted plans shall contain the following information: **APPLICANT** Indication of the scale (e.g. 1'' = 20') and a bar scale. 2. North arrow. Legal description of the property(s) being used. 4. Property address. 5. Property lines and dimensions.

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	0.00			
		6.	Location, type, dimensions and setbacks of proposed Temporary Use(s) structures.	X
	MIA	7.	Location, dimensions and setbacks of all existing structures and fences.	
		8.	Location and surface treatment of parking area, aisles or driveways.	X
	K	9.	Location, number and size of proposed parking spaces provided for Temporary Use.	7
	MA	10.	Location, number and size of parking spaces provided for the existing use(s).	_
	NA	11.	Location, type, dimension and size of existing and/or proposed signs.	
etter	2 attached	12.	Landscaping Plan (Modular Buildings ONLY).	X
		13.	Elevation drawings (Modular Buildings ONLY).	~
		14.	Address and phone number of applicant/owner.	
	OWNER AUTHORIZATION FOR SUBMITTAL & CORRESPONDENCE *Not required if property owner is also the applicant I hereby authorize			
	I wish to	o recei	x is <u>not</u> checked, all City Planning correspondence will go to the applicant: ve copies of all City Planning correspondence regarding the processing of this application.	
1	Digitature Of	OWIL	r Date	

FORMAL REVIEW TIME PERIOD:

The administrative review procedure will take a minimum of two to five (2-5) days.

FINAL DISPOSITION:

APPROVAL:

After completion of the temporary use review, the reviewing planning staff member will return one (1) copy of the approved site plan to the applicant/owner.

DENIAL:

If this application is denied, the planning staff member will provide written notification to the applicant/owner that will clearly specify all of the reasons for denial.

APPEALS:

The administrative decision of the planning staff member to approve or deny an application for a Temporary Use may be appealed to the Planning Commission within ten (10) days from the date of the administrative decision. The appeal must be in writing and specify briefly the grounds for the appeal. If a perfected appeal is filed within this ten (10) day period, the administrative decision to approve or deny will be suspended until the appeal process in finalized. In the case of an appeal, any building permit approval granted by City Planning based upon the approval of a Temporary Use will also be suspended until the appeal process is finalized.

TEMPORARY USE REVIEW CRITERIA:

Applications for a Real Estate/Builder Office Temporary Use must meet all of the criteria listed in the Zoning Code before the application can be approved by City Planning. These criteria are as follows:

A Temporary Use Permit is a mechanism by which the City may allow a use to locate within the City on a short term basis and by which it may allow seasonal or transient uses not otherwise allowed. It shall be unlawful for any person to conduct or establish any Temporary Use until a Temporary Use Permit has been approved by City Planning. City Planning may approve or modify and approve an application for a Temporary Use Permit if the following criteria, specific regulations and time limitations are met:

- 1. The allowance of such use will not be detrimental to the public health, safety and general welfare, and the use is compatible with the purpose and intent of this Zoning Code and in the specific zoning district in which it will be located.
- 2. The use is compatible in intensity, characteristics and appearance with existing land uses in the immediate vicinity of the proposed location, and the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected by the use or activities with it. Factors such as location, access, traffic generation, noise, light, dust control and hours of operation will all be considered.
- 3. Temporary uses are allowed in any zone district unless they are specifically limited.
- 4. The use shall not be on publicly owned property unless the applicant first obtains approval of a revocable permit authorizing such use.

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5. Adequate off-street parking is provided to serve the use. The use does not displace the required off-street parking spaces or loading areas of the principal permitted uses on the site.

Temporary Real Estate Sales Offices and/or a business office for the builder, may be located within Modular Buildings or Model Homes in accordance with the following criteria:

- a. Real Estate Office Within Model Homes: A temporary real estate sales office, and/or business office for the builder, may be located within a model home for the purpose of marketing lots or homes within a specific development.
 - <u>Time Frame</u>: This use shall be limited to two (2) years, with an optional two (2) year extension.
 - Temporary use permit approval from City zoning is required.
 - A building permit is required for the model home.
 - Parking:
 - A gravel or paved parking area, sufficient in size to accommodate one off street parking space for each four hundred (400) square feet of office gross floor area must be provided.
 - o On street parking shall be restricted to the frontage of the subject lot or adjacent lots owned by the builder.
 - Employees: A maximum of four (4) full time employees may work out of the model home at any one time
 - <u>Public Notification</u>: Written notice of the proposed facility shall be provided to the surrounding residents, property owners' and neighborhood association (if applicable) in accord with the City's standard public notification policy. The City shall consider the public comments in making a determination to approve or deny the permit application. Said notice shall be given in conjunction with the original application as well as for any subsequent extension request.
 - Removal: The real estate office shall be removed from the model home at the expiration of the permit
- b. Real Estate Office Within Modular Building/Sales Trailer: A temporary real estate sales office, and/or business office for the builder, may be located within a modular building or sales trailer, on any lot within the boundaries of the development, for the purpose of marketing lots or homes within a specific development. These facilities will fall into one of two (2) types: a short term facility to be used while the model home is under construction or a longer term facility to be used in lieu of a model home. The following criteria shall apply to these facilities:
 - Short Term Facility:
 - O Time Frame: Allowed for a maximum of six (6) months.
 - Temporary use permit approval from the Community Development Department is required prior to putting the facility in place. Said permit cannot be issued until the building permit for the model home has been applied for.
 - Proposed locations within the hillside area overlay zone will be reviewed in accord with the hillside area overlay zone review criteria for building permits.
 - A building permit for a temporary building is required to be obtained from Regional Building.
 - Removal: The temporary sales trailer shall be removed from the site at the expiration of the permit.
 - Long Term Facility:
 - Time Frame: Two (2) years, with an optional two (2) year extension.
 - Temporary use permit approval from the Community Development Department is required prior to putting the facility in place.
 - Proposed locations within the hillside area overlay zone will be reviewed in accord with the hillside area overlay zone review criteria for building permits.
 - A building permit for a temporary building is required to be obtained from Regional Building.
 - Public Notification: Written notice of the proposed facility shall be provided to the surrounding residents, property owners' and neighborhood association (if applicable) in accord with the City's standard public notification policy. The City shall consider the public comments in making a determination to approve or deny the permit application. Said notice shall be given in conjunction with the original application as well as for any subsequent extension request.
 - O Appearance:
 - The facility shall be entirely skirted to screen the tires and frame.
 - The exterior materials and colors will be compatible with the surroundings and shall be maintained in an aesthetic manner. Maintenance and appearance deficiencies, as identified by the Manager, shall be corrected within thirty (30) days of notice.
 - Entry decking and access ramps are required and shall meet all Building Code provisions.
 - A landscape plan must be submitted for review and approval in conjunction with the temporary use permit. Water conserving landscaping is encouraged along with planters, flower boxes, potted plantings, etc.
 - Utilities: The facility shall be connected to water, wastewater and electric utilities.
 - Parking:
 - A gravel or paved parking area, sufficient in size to accommodate one off street parking space for each four hundred (400) square feet of gross office floor area must be provided.
 - On street parking shall be restricted to the frontage of the subject lot or adjacent lots owned by the builder.
 - Employees: A maximum of four (4) full time employees may work out of the sales office at any one time.
 - Removal: The temporary sales trailer shall be removed from the site at the expiration of the permit.
 - Signage: Each model home or long term sales facility is allocated the following signage:

- One freestanding sign advertising the existence or location of the model home or sales facility not to exceed thirty two (32) square feet. Said sign must be placed within the boundaries of the subdivision in which the model home or sales facility is located and may be placed upon private property, with the property owner's permission, or within the public right of way, in conjunction with an approved revocable permit. In cases where there are multiple model homes or sales facilities being operated out of the same subdivision, the use of a consolidated directory type of sign is encouraged.
- Two (2) off site traffic directional signs, not to exceed four (4) square feet in area. Said signs may be placed within the public right of way in accord with an approved revocable permit, or on a private lot with the permission of the property owner.
- One wall or low profile sign not to exceed six (6) square feet; said sign to be located on the sales lot.
- All signs are to be removed with the expiration of the temporary use permit.

Conditions of Approval:

In the allowance of such use, City Planning or upon appeal, Planning Commission or City Council shall have authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

CITY INTAKE: Fee Receipt # Site Plans (3) Project Statement Vicinity Map	Date Application Accepted Authorization Legal Description PIC				
OFFICIAL CITY PLANNING DISTRIBUTION USE ONLY: Neighborhood Representative					
CITY PLANNING APPROVAL/DENIAL:					
Inspector	Date Received				
Approved:	Denied:				
Approval Date:	Denial Date:				
Conditions/Reasons:					

DO NOT REMOVE THIS PAGE – IT MUST BE KEPT WITH THE ORIGINAL APPLICATION FORM!

The City of Colorado Springs-Planning Group is committed to ensuring that all of our services are accessible to those with disabilities. We encourage participation by all individuals. If you have a disability, advance notification of any special needs will help us better serve you. Please call Planning & Development at 385-5905 to request any special service that you may require.

A one (1) week advance notice to allow us to accommodate your request is appreciated.

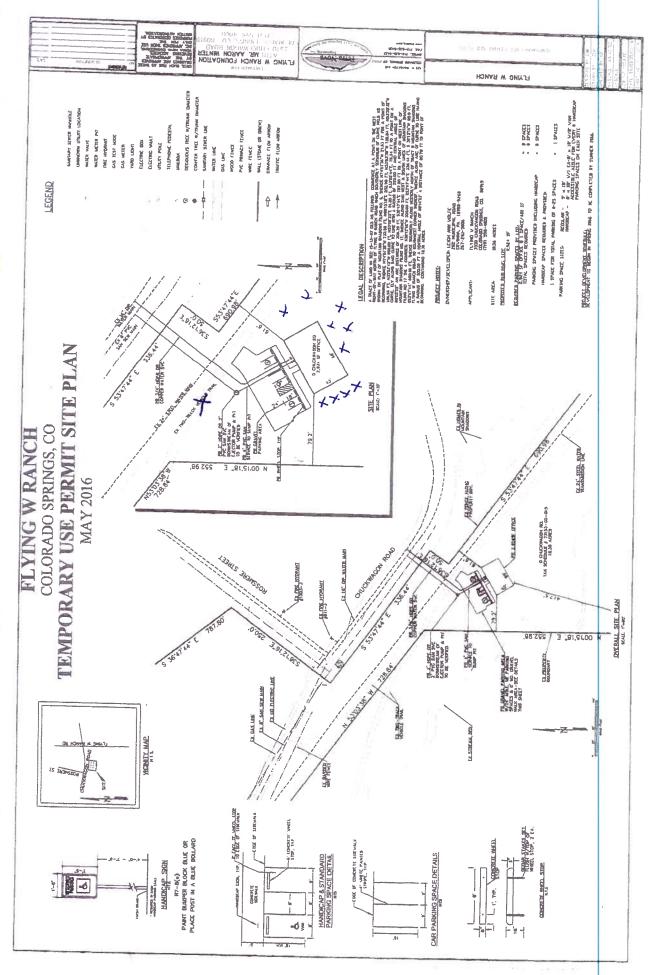
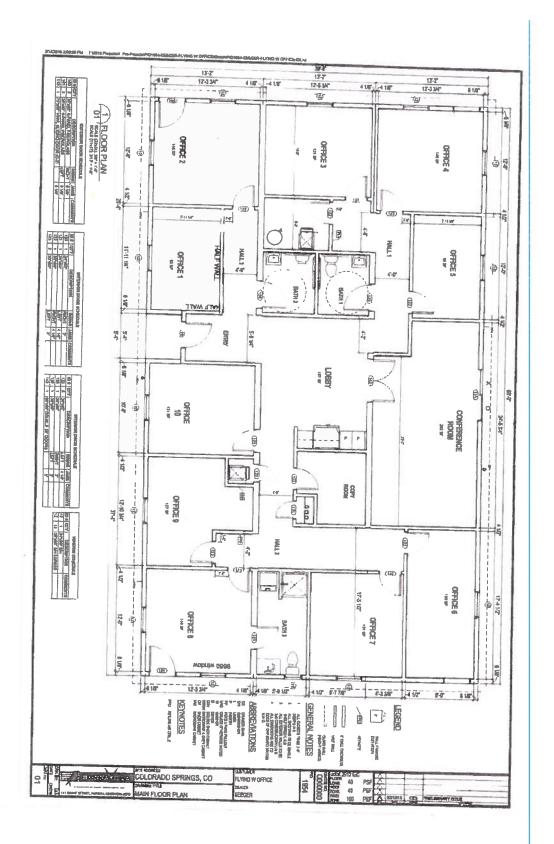


FIGURE 1





Justification For Permit Extension January 28, 2020

Description Of The Temporary Use

The subject building is the office building for the operations of the Flying W Ranch and all of its affiliated companies. The building provides office space and facilitates office services for personnel conducting business for the following legal entities:

- Flying W Ranch, Inc.
- Flying W Ranch, LLC
- Flying W Ranch Foundation
- Markit! Forestry Management LLC

Flying W Ranch, Inc. intends to conduct and carry on the Chuckwagon hospitality business that operated for almost 60 years prior to the Waldo Canyon Fire in 2012. Prior to the Waldo Canyon Fire, the Chuckwagon business typically served dinner and provided a western stage show to 1400 people every night during Colorado Spring's tourist season. The Chuckwagon business is being rebuilt, and is scheduled to reopen on May 21, 2020. The rebuilding effort for the Chuckwagon business has been a multi-million-dollar, multi-year effort involving the Flying W Ranch's administrative personnel plus architects, engineers, heavy equipment operators, plumbers, electricians and other tradesmen. The office building has been the site of literally hundreds of meetings to help plan and execute the construction of the main and auxiliary Chuckwagon buildings.

Flying W Ranch, LLC is a sister company of Flying W Ranch, Inc., and owns the subject office building. Flying W Ranch, LLC conducts many financial operations for the Chuckwagon business, and assists in the construction of the building. In addition to housing the officers of Flying W Ranch, LLC, the office building has been the location of over one hundred business meetings for Flying W Ranch, LLC.

The Flying W Ranch Foundation is a non-profit 501(c)(3) entity that has assisted with the mitigation and restoration of the Flying W Ranch after the Waldo Canyon Fire. The Flying W Ranch Foundation has raised over \$250,000 for fire mitigation activities. The Flying W Ranch Foundation has sponsored dozens of volunteer events for planting trees, weed eradication and installing log erosion barriers. The Flying W Ranch Foundation has facilitated the transplanting of large ponderosa pine trees from the Black Forest to the Flying W Ranch, which has benefitted the surrounding Mountain Shadows community.

Markit! Forestry Management LLC ("Markit! Forestry") is a sister company of Flying W Ranch, Inc. and Flying W Ranch, LLC. Markit! Forestry was established to mitigate the Ranch after the Waldo Canyon Fire, and has executed dozens of mitigation projects on Ranch, including masticating over 50 acres of scrub oak for fire suppression purposes in December 2019. After perfecting its forestry management skills on the Flying W Ranch, Markit! Forestry undertook



forestry management projects in Colorado Springs – including for the City of Colorado Springs – and around the state of Colorado. In the last few years Markit! Forestry has executed forestry projects in Arizona, California, Nevada, Utah and Wyoming. The senior management of Markit! Forestry works in the office building. In the last year Markit! Forestry has leased office and shop space on Aerotech Drive in Colorado Springs, and has relocated some management personnel to the Aerotech Drive office. Markit! Forestry is looking for permanent office space in Colorado Springs to accommodate its growth. The Mountain Shadows community that is contiguous to the Flying W Ranch has benefitted tremendously from the ongoing fire mitigation activities conducted by Markit! Forestry on the Flying W Ranch.

In addition to the four legal entities described above, the office building provides office and office services for another ten legal entities associated with the Flying W Ranch activities of the other legal entities are similar to the activities of Flying W Ranch, LLC.

The office space is utilized by professionals including the President of Flying W Ranch, Inc., the General Manager of Flying W Ranch, Inc., the Chief Administrative Officer of Markit! Forestry, and other officers and office staff of the various legal entities. Visitors to the office include professional people, including attorneys, accountants, architects, engineers, project managers, logistics personnel, and construction supervisors. Various meetings and conferences are held in the office building, including meetings and conferences to review architectural designs, topographical maps, construction plans and blueprints, vendor proposals, vegetation management, fire mitigation planning, Flying W Wrangler planning and rehearsals, food planning, marketing activities, and advertising activities.

The official office hours for the entities occupying the building are 7:00 AM to 3:00 PM (these hours are posted at the entrance to the Flying W Ranch). The temporary office is typically open and occupied form 7:00 AM until 5:00 PM from Monday through Friday. The hours of 7:00 AM to 5:00 PM are the hours that the professional staff typically work (some employees come to the office early and leave early, while some employees come to work later in the morning and leave later in the afternoon). In any event, the professional staff typically work an 8-hour day.

Night-time activities at the office are very limited, and include professional cleaning of the building at least three nights a week. On occasion an employee or two may work late into the evening. The late-night activity would only be noticeable by a light in an office window. When the Chuckwagon business reopens there will be probably be more nighttime activities at the office up until 9:00 or 10:00 PM, but that activity will involve only a few people accessing business records or business supplies in the office. When it reopens, none of the day-to-day commerce of the Chuckwagon business will be conducted at the office building. Similarly, the office might be temporarily open and occupied on some Saturdays and Sundays, but Saturday and Sunday activities would typically involve no more than one or two people for a few hours. For the most part, the office is not used on the weekends and on public holidays. The office at the Flying W Ranch functions in a manner similar to the professional offices of other corporate and governmental offices in Colorado Springs.



Traffic coming and going to the office building is a very small subset of the traffic coming and going to the Flying W Ranch overall. Construction vehicles and construction equipment that are working on the Chuckwagon buildings do not visit the office building. Markit! Forestry's forestry equipment is stored and serviced on the Ranch, but the forestry equipment does not visit the office building.

Cars and pickup trucks for office staff are parked at the office, typically arriving in the morning and leaving at the close of business. Occasionally a Markit! Forestry employee in an equipment service truck visits the office, but the service trucks are only parked while the employee conducts office business. Delivery trucks from FedEx, UPS and the US Postal Service typically make deliveries once a day.

Other than office functions, there are no other business activities at the office building. There are no sales activities or monetary exchanges at the office building. Customers or clients of any of the legal entities using the office rarely – if ever -- visit the office. Most visitors to the building are professional people or vendors providing services to the Flying W Ranch or to Markit! Forestry Management.

There are no lighted signs or advertising signs at the office building. There is no outside lighting at the office, except for small porch lights that are mounted to the building and that are turned on only as needed, typically only temporarily in the winter months. When precipitation is minimal, during dry periods, the road to the office is watered on a regular basis. Typically, there are no activities outside or around the office except for people walking between their vehicles and the office, and people going outside to smoke.

Justification As To Why The Proposed Extension Should Be Approved

The Chuckwagon operation of the Flying W Ranch was destroyed in the Waldo Canyon fire in June, 2012. Nineteen of the twenty commercial buildings that comprised the Chuckwagon business were completely destroyed, and over 100,000 trees on the Flying W Ranch were burned. Four office buildings and office spaces for the Flying W Ranch were completely burned in the Waldo Canyon fire. Since the Waldo Canyon fire, the Flying W Ranch has conducted extensive fire and flood mitigation efforts, including construction of water retention ponds, installation of log erosion barriers, mulching, planting trees and grass, and tree removal and mastication. Since the Waldo Canyon fire, over \$3.4 million dollars and over 62,000 man-hours have been spent to mitigate the damage caused to the Flying W Ranch.

Once the land surrounding the Chuckwagon started to stabilize, the Flying W Ranch started the rebuilding effort of the Chuckwagon business. The City of Colorado Springs and the Flying W Ranch have jointly executed a major drainage stabilization effort in the Chuckwagon drainage that runs parallel to Chuckwagon Road. That effort is in its final stages. Once it was known that the drainage efforts were coming to a close, the Chuckwagon re-building effort began. The major "inside-eating-area building" is well on its way to completion, and the Chuckwagon

Justification For Permit Extension Page 4



business should be open to the public by Memorial Day weekend, 2020. The Flying W Ranch intends to re-construct many of the pre-fire buildings and structures over time.

Flying W Ranch, Inc. -- and all of its related companies -- needs office space to conduct its business and administrative activities. Rebuilding the Chuckwagon business is a multi-million-dollar, multi-year undertaking involving a wide range of professional people, including accountants, attorneys, bankers, engineers, architects and planners. The Flying W Ranch and its associated companies need office space, meeting room space, internet services, copying and filing services, and a host of similar office services and functions. The temporary office space has provided the needed office space and office facilities and services. The office building has provided conference room space for literally hundreds of meetings related to the reconstruction of the Chuckwagon business. The reconstruction of the Chuckwagon business will proceed for years into the future, continuing the need for office space.

Apart from the office building, the Flying W Ranch has no facilities for offices and activities. The inside-eating-area building currently under construction is a large pavilion that will be used for the dinner and show activities for the Chuckwagon season. There is no office space in the inside-eating-area building.

The office building at the Flying W Ranch has facilitated and will continue to facilitate millions and millions of dollars of economic activity in Colorado Springs. In rebuilding the Chuckwagon business, the Flying W Ranch employed Colorado Springs architects and a Colorado Springs General Contractor, AC Klein. Labor and materials for the ongoing reconstruction of the Chuckwagon business have been and will continue to be sourced from Colorado Springs. It would have been impossible, and will continue to be impossible into the future, for the Flying W Ranch to undertake a multi-million-dollar reconstruction effort without proper offices from which to conduct its business.

Markit! Forestry Management, which is a sister company of the Flying W Ranch, Inc., and which also has its offices in the office building, has generated even more economic activity for Colorado Springs. Revenue from forestry jobs that Markit! Forestry has completed in Arizona, California, Nevada, Utah and Wyoming has flowed into the Colorado Springs economy. In addition, through its mitigation activities on the Flying W Ranch and in parks around Colorado Springs (e.g., Bear Creek Cañon Park and Austin Bluffs Open Space), Markit! Forestry has contributed to the health and well-being of the Colorado Springs community. Markit! Forestry cannot do its work without the use of the office building.

The office building is a low impact hub that facilitates good paying "white collar" and "blue collar" jobs. The office building facilitates beneficial employment and economic activity in Colorado Springs with little or no adverse environmental or other impacts to the community.

The temporary office building is wrapped in attractive rough-cut cedar siding and fits the western theme of the Flying Ranch. The office blends in with the rough and scenic landscape of the Ranch. In utilizing the building, the Flying W Ranch has been very respectful of its neighbors

Justification For Permit Extension Page 5



and the surrounding community. The Flying W Ranch has tried to immediately address every community issue related to the office building – and to the Ranch as a whole -- as the issues have arisen, from construction sediment runoff, to dust from traffic, to excess traffic, to removal of construction debris.

Because the office building is critical to the continued reconstruction of the Chuckwagon business, and because the office building facilitates the Flying W Ranch and Markit! Forestry bringing good jobs and beneficial economic activity to Colorado Springs, and because the office building has a very low impact on the surrounding community, the Flying W Ranch requests that the Temporary Use Permit be extended.