

Letter of Intent

I, Bryan Dorman, owner of Clear Max Collision and renter of property located at 2425 Wayside Ct. Colorado Springs, Co. 80915 legal description Parcel # 5406204026 Lot 2 Indian Springs Industrial Center, phone number 719-322-2622 lot size 1.42 acres, request approval of a site development plan for a vehicle repair garage (specifically auto body) in the I-2 CAD-O zoning district.

The current shop I'm in, the landlord has asked if we could move because he would like to change the use of the space to a car lot for his growing business. I then found the building located at 2425 Wayside Ct. and before I signed the lease, I called the city planning office and asked if it was zoned to have a body shop and was told that it would not be a problem. I then signed the lease to proceed and applied for a permit to have a new paint booth installed. Several weeks into the permit phase I was asked if we had applied for our change of use permit. Having already being told a body shop was not a problem and already signing the lease I am now left with two rents being paid for my one business and permitting fees, this is causing a financial hardship on me, therefore I am asking if we can try and rush this special use permit. I had thought I was doing everything right and by the book, so any help on this request would be greatly appreciated.

Clear Max Collision is a small referral-based shop, we have two body technicians, one painter, and me, owner/manager. So, we have a total of 4 employees. Since we are a small shop, a typical week for us is 4 to 5 customers per week. We are planning on having four service bays with two bays for each body technician plus our paint shop. We have never advertised for work because our referral base is so strong therefore eliminated the need for us to install signage on the building. So, we do not plan on installing any signage other than our logo on the front door so that customers know they are in the right place.

We are not proposing any changes to the outside of the building as far as parking or changing the facade of the building. As the property sits right now, we have 15 dedicated parking stalls, 1 of which is dedicated and marked as an ADA and 4 dedicated employee parking stalls. All other spots are open for customer parking, but we do not expect to have cars in them as we only take on 4 to 5 cars per week and have the room that we can park them inside the building. We only schedule in what we are working on for the week.

We plan on keeping our trash dumpster inside the building and putting it out on trash pickup day so that it does not get used by passers by during the night. Most of our trash consists of cardboard boxes that our parts come in and we break those down before going in the dumpster.

The outside of the building is nicely landscaped and has more landscaping than most buildings in the area. The current landscaping consists of landscape rock, 24 deciduous 20' high trees, 14 Juniper "Blue Chip" 3' high shrubs, and 8 Barberry 2' high bushes and looks very nice. The sides and back of the building have wild grass/Fine Fescue turfgrass that gets mowed several times per year depending on the amount of rain we get as we are in the Cherokee Metropolitan water district and they have been known to not allow much irrigation. The current landscape is drip irrigated.

See landscape comments and revise letter of intent to mention proposed new plantings if needed.

I have gone to all adjacent businesses and spoke to them about what I am planning on doing with the property by changing the use from cabinet manufacturing to special use auto body and they have been very supportive, all that I have spoken with have signed the petition and welcome us to the neighborhood. The one business that I can never catch anyone at is a UPS distribution center, so I have sent them a certified letter explaining what I am doing. I have included a copy of the certified mail receipt in my submission package. UPDATE: We obtained a signature from UPS Freight, therefore, mailing the revised notice to adjacent property owner letter is no longer needed.

The owner of the property at 2425 Wayside Ct. Tracy Ackerman has contacted Legacy Title Group and obtained a copy of the title paper work that has been requested and I have included a copy in my submission package as well.

I have taken the time to go to the Clerk and Records office located at 1675 Garden of the Gods Rd. to check the records for anyone who might own the mineral right to the property located at 2425 Wayside Ct. and was able to locate the documents that were referenced in section 12 and 13 of the Title Commitment. The most recent (Book 2419 Page 674) states that "the right, title and interest of the Golden Cycle in and to all coal, gas, oil and minerals in, under or underlying the following property"(page 1, paragraph 2) was sold from the Golden Cycle Corporation to Gilbert and Fannie Wilson. However, the only information we were able to find on Fannie was an obituary with no indication of Next of Kin nor were any other family members mentioned. We were unable to find any record of Gilbert Wilson whatsoever in El Paso County.

We are not proposing any changes to the property located at 2425 Wayside Ct. therefore we will not be changing anything that would affect the current drainage of the water shed from the building to affect the adjacent business. That has been set from when the building was built in 2002.

The following is our response to the required criteria outlined in Section 5.3.2 (C) of the El Paso County Land Development Code.

- ✓ The special use is generally consistent with the applicable Master Plan
  - The only change we proposed to make to the original plans is installing a paint booth inside the existing building.
- ✓ The special use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area
  - The surrounding area is industrial and consists of mostly warehouses, construction and service industry type companies. An auto body shop would not be out of place in the neighborhood.
- ✓ The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner
  - We were approved by Colorado Springs Utilities, Cherokee Metro District for the water and sewer, Cimarron Hills Fire Department, El Paso County Conservation District, and the Pikes Peak Regional Building Department.
- ✓ The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access

- We only take 4 – 5 cars per week and it should not create traffic congestion. We had a traffic study done by the Burnham St. Work Zone and they concluded that there would be no change to the current traffic patterns.
- ✓ The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution
  - The paint booth will be built according to builder specifications and will comply with all federal laws and regulations.
- ✓ The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County and/or the special use conforms or will conform to all other applicable County rules, regulations or ordinances
  - Our shop stores and disposes of all hazardous material in accordance to the EPA so there should be no detrimental effect on the surrounding environment.

Bryan Dorman, Owner

Clear Max Collision