

Letter of Intent

Application for Approval of Revised Variance of Use

Gateway Trucking

May 2026

Prepared By:
JR Engineering
5475 Tech Center Drive, Suite 235
Colorado Springs, Colorado 80919
(303) 267-6254

Prepared For:
Mr. Perry E. Hastings
235 S. Franceville Coal Mine Road
Colorado Springs, Colorado 80929
(602) 558-0846

El Paso County PCD File No. - VA256

I. Owner/Applicant and Consultant

This Letter of Intent accompanies the site development plan application of Mr. Perry E. Hastings. The Owner/Applicant and Consultant contact information is as follows:

Owner/Applicant:

Perry E. Hastings
235 S. Franceville Coal Mine Road
Colorado Springs, Colorado 80929
(602) 558-0846
gatewaytrucking@gmail.com

Consultant:

Brian Law, PE
JR Engineering, LLC
5475 Tech Center Drive, Suite 235
Colorado Springs, Colorado 80919
(303) 267-6254
blaw@jrengineering.com

II. Site Location, Size and Zoning

Mr. Hastings' properties are located on South Franceville Coal Mine Road in El Paso County. The two parcel numbers are 4400000531 and 4400000529. The northern property is located at 235 S. Franceville Coal Mine Road, Colorado Springs CO 80929. This property consists of 80.2 acres of mostly vacant land that is zoned RR-5 (Rural Residential) and A-5 (Agricultural). The southern property is located at 605 S. Franceville Coal Mine Road, Colorado Springs CO 80929. This property consists of 42.3 acres of mostly vacant land that is zoned RR-5.

III. Request and Justification

Mr. Hastings owns and operates a trucking company known as Gateway Trucking, LLC. Gateway Trucking has been doing business in Colorado since 2010. The company is licensed by the US Department of Transportation, and provides aggregate transport services to its customers throughout Colorado and other states. Gateway Trucking does not transport any hazardous materials.

On March 30, 2017, the El Paso County Board of County Commissioners approved a use variance to allow Gateway Trucking to park and store its trucks and other equipment for parts on the vacant land referenced above. This application is made to obtain approval of the Revised Variance of Use because the previous Variance of Use (VA154) Conditions for Approval were not met. Gateway Trucking employs as many as 10 full-time employees during the summer months. The daily operations of the business are managed from another location, so no Gateway management or employees work on the site. One van accessible ADA parking space is provided



on-site to meet the minimum parking requirements. Gateway Trucking parks a maximum of 10 tandem trucks and tractor-trailers, and stores other equipment for parts on the site. There are two 10,000 gallon diesel tanks on site used for refueling the trucks. No gasoline is stored on site.

The owner is in the process of cleaning up the site to better match the ultimate plan. An inventory of the trucks, tractor-trailers, and equipment normally parked on the site is will be updated in Exhibit A. Drivers pick up the trucks Monday-Friday between the hours of 5:00 a.m. and 7:00 a.m., and return them to the site Monday-Friday between the hours of 2:00 p.m. and 6:00 p.m. The number of trucks parked on site and the number of trips to and from the site varies with the season and the location of Gateway's jobs. Trucks that are dispatched to local jobs are picked up and returned to the site daily. Frequently, especially during the summer, the majority of Gateway's trucks are dispatched to jobs out of town and are gone from the site for several weeks or months at a time.

JR Response: Addressed

The attached aerial photographs, Exhibits B1 & B2, appear to show a larger number of trucks and vehicles parked on site than is stated above. Most of what appear to be trucks are actually equipment and trailers. The owner is in the process of cleaning up the site to better match the ultimate plan. Designated truck and equipment storage areas are shown on the site plan. The photo that shows a larger number of passenger vehicles parked on site is consistent with a time when most trucks have been dispatched to jobs out of town for longer periods of time. Drivers park their personal vehicles in the space that their truck is parked in during the day. Those drivers take their trucks from one job site to another and do not pick up their personal vehicles until they return the trucks at the end of the run.

The storage area located on the site is for the Gateway Trucking equipment storage only. Storage area will not be used for waste disposal or storage of rubbish.

IV. Existing and Proposed Facilities, Structures, Roads, etc.

Access to the site is from Franceville Coal Mine Road, about one mile south of State Highway 94. State Highway 94 is a two-lane paved highway with a posted speed limit of 65 mph, and Franceville Coal Mine Road is a two-lane public gravel road. Gateway's drivers enter and exit the truck parking area at the northwest corner of the property via a driveway entrance off Franceville Coal Mine Road. The driveway entrance is of adequate size and composition to safely accommodate Gateway's trucks and equipment, and provides room for safely turning into the driveway from Franceville Coal Mine Road, and for safely exiting the property onto Franceville Coal Mine Road without impeding other traffic.

The Transportation Memo prepared by LSC Transportation Consultants (filed with this application) identifies existing deficiencies and summarizes the condition of Franceville Coal Mine Road. As required by the Development Agreement, the report also provides short-term and long-term recommendations for improvements and cost-sharing.

There is no well or other potable water source on the property. No water or sanitary sewer disposal will be needed for the proposed use, as no business operations will be conducted on-site.

A future shop .is proposed to be used for covered maintenance purposes. The shop does not require any potable water or sanitary sewer.

V. Criteria for Approval of th

JR Response: Addressed

Insert Here

A. Landscape Requi

In lieu of the land

landscaping plan

buffer surroundi

landscaping until

shrubs would survive without constant watering. The lack of any native woody vegetation on the site or surrounding areas is evidence that only xeric landscaping will survive in the area.

ACTION: You have not addressed the criteria for approval of a Variance of Use. See Code 5.3.4 section on page 7 of this document.

All alternative requests to landscaping, lighting, and parking should remain. Please just add the Variance criteria and your remarks immediately under "V. Criteria..."

1. Roadway Landscape Requirements: Franceville Coal Mine Road is classified as a “collector” or non-arterial road in the Major Transportation Corridor Plan (“MTCP”). Pursuant to the El Paso County (EPC) Land Development Code (LDC), Section 6.2.2(B) Roadway Landscaping Requirements, Table 6-1, the landscaping requirement for this roadway classification is 1 tree per 15 linear foot of roadway frontage. The property is located in a rural area. The landscaping options for roadway landscaping include berms and native trees and shrubs that create visual interest. A berm and landscaping are being provided along the Franceville Coal Mine Road frontage.
2. Parking Lot Landscape Requirements: The Applicant proposes alternative landscaping since the site is in a rural arid area that has little or no natural woody vegetation due to the lack of water. There are no wells or surface water on the site available for irrigation and the cost to haul sufficient water to sustain woody vegetation over the long term is cost prohibitive. For this reason, minimal xeric landscaping around the perimeter is proposed. The few trees in the immediate vicinity are those along the ephemeral drainages that bisect the surrounding country from east to west. The surrounding disturbed areas outside the graveled parking area will be seeded with the proposed native grasses mix listed on the Landscape Plan Map.
3. Buffer and Screen Areas Between Non-Residential and Residential Districts: The truck parking area consists of only 13.6 acres on the north side of this 42.3 acre parcel, which is closer in proximity to the Isaac Walton Gun Club than to the few residences south and east of the property. As such, Gateway’s trucks will be parked on the east side of the property, quite some distance from 2 residences in the immediate vicinity. The remaining 28.7 acres will continue to be used for grazing



and other agricultural activities and provide a natural buffer to adjacent properties. The LDC Section 6.2.2(D) Required Buffer and Screen Areas, requires a 15 foot deep buffer and 1 tree for every 25 feet. The Applicant proposes alternative landscaping design to provide 1 tree every 50 feet in the buffer area with a minimum of 10 shrubs between trees (i.e. 1/2 of required trees be replaced by 10 shrubs each). This will reduce the amount of water needed to maintain the landscaping.

4. Internal Landscaping: The LDC Section 6.2.2(E) Internal Landscaping requires that a minimum of 5% of the lot or parcel be landscaped and 1 tree for every 500 square feet of landscape area and that 1 tree shall be required for every 500 square feet of required internal landscaped area and that a maximum of 1/2 of the required trees may be substituted with shrubs. This requirement is met by the trees and shrubs in landscape buffer as well as existing native grasses and vegetation on the property, as shown on the landscaping plan.

B. Lighting

The Applicant requests approval of an alternative lighting proposal to light all the parking areas with motion detection lights powered by solar packs. The alternative lighting proposal satisfies the LUC review criteria in the following ways:

1. No business activity will occur after dark, so the lights will be motion activated to preserve power. The lights will have a motion detector and enhance safety if needed.
2. The site is not open to the public, and does not adjoin any public trail or sidewalk. As such, there is no non-vehicular access to the property for which lighting is needed.
3. There is no available electricity on the property, so solar packs will provide power to the lights to ensure they operate when needed.
4. The proposal enhances neighborhood continuity and connectivity by avoiding unwanted light intrusion onto neighboring properties and light pollution of the clear night skies.

C. Signs

There will be no signage on the property.

D. Parking

The site is classified as a contractor's equipment yard, and the minimum amount of parking spaces is outlined in EPC LDC Table 6-2. Following the direction from



EPC, 1 parking spot is required for every 750 square feet of the storage and parking area. There is approximately 112,632 square feet of storage and parking area proposed, resulting in a required 150 spaces. This is not a reasonable request for the small business use that is proposed. Therefore, the Applicant requests approval of an alternative parking ratio.

The parking plan with an alternative parking ratio includes parking areas for the 10 trucks and 1 ADA spot. The employees will park personal vehicles in the truck parking area once the truck is moved. The alternative parking ratio satisfies the LUC review criteria in the following ways:

1. The 10 parking spots for the trucks will be located along the east side of the flat gravel area to better clearly define the parking area. The parking area provides circulation from the access road and keeps the trucks out of the way.
2. The total number of parking spaces is 11, which is under the 25 car threshold for paving. The proposed parking area shall be made of gravel to prevent erosion or runoff sediment. The access off of Franceville Coal mine road will be paved as required.
3. To comply with EDC LDC Table 6-3, one disabled parking space is provided since the total number of standard parking spaces is between 1 to 25. Since there is only one disabled parking space, it shall be van accessible served by a pedestrian access aisle a minimum of 8 feet wide.
4. The business on this site is gated so there is no public access and there is no shared parking with any other entity. This business is a trucking company contractor yard, so there are no expected customers or clients that travel to this location.

E. Access and Maintenance

Access is by proposed to be paved service road from Franceville Coal Mine Road to the gravel truck parking area. The driveway and service road are sufficiently wide and configured to safely accommodate two way traffic and to provide safe access for emergency vehicles. Trucks can be safely turned around in the gravel parking area. The Applicant will perform routine road maintenance that includes grading and re-surfacing as needed. Such routine maintenance will not result in any adverse impacts. A commercial driveway access permit application will be submitted upon approval of the site development plan.



F. Dust and Debris Control

The service road will be paved to mitigate dust and track-out of dirt and mud onto Franceville Coal Mine Road. The truck parking area will be maintained with a gravel surface to prevent erosion. There are less than 25 proposed parking spaces, so a gravel surface is adequate.

G. Air Quality Control

The Applicant will spray water on the gravel truck parking area if needed to control fugitive dust from trucks entering and exiting the property.

**H. Fire Protection and Wildfire Mitigation**

The property does not fall within a wildland fire area. The property is served by the Ellicott Fire Protection District and the El Paso County response time to emergency calls is about 5 minutes.

JR Response: Addressed

See Ellicott Fire EDARP comments. Action needed.

I. Wetlands and Wildlife

This property is not within a designated wetland, and the use will have no impact on wildlife or wildlife habitat.

VARIANCE OF USE CRITERIA:

Criteria. In approving a variance of use, the following criteria may be considered:

- The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.
- The variance of use is generally consistent with the applicable Master Plan;
- The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;
- The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project;
- The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;
- The proposed use will not adversely affect wildlife or wetlands;
- The applicant has addressed all off-site impacts;
- The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or
- Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.



Exhibit A

TBD- Owner is currently working on cleaning up the site to better match the proposed site plan.



Exhibit B1 & B2

Photos



GATEWAY PARKING AREA

PHOTO DATE: OCTOBER 2019

Legend

Gateway Parking Facility



