

Les Gruen



July 31, 2020

Mr. Craig Dossey
Director
El Paso County Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

CraigDossey@elpasoco.com

Re: **Letter of Intent Pertaining to 1437 – 1455 Burnham Street**

Dear Mr. Dossey:

Urban Strategies, Inc. represents the owner of the above referenced property, Burnham Partners, LLC. The property was developed in the mid-1980s as a community automotive center.

The current owner acquired the subject property in 2002. Since the time of its acquisition the use of this property has remained largely unchanged: automotive related and office/warehouse tenants occupy six separately accessed units.

In October 2018 the owner was notified of a complaint that had been filed in connection with a contractor's equipment yard and rubbish. The owner worked with Len Kendall, representing the planning staff at that time. It was agreed that submittal of a site plan illustrating existing uses would satisfy staff requirements on account of grandfathered uses. A site plan was submitted and minor modifications to the plan were requested by staff.

The owner has received a subsequent Notice of Violation from the County Code Enforcement Officer dated 2/25/20 and a Request for Action from the Planning Department dated 5/15/20. These notices prompted a series of emails between the owner, Urban Strategies and Petra Rangel of the planning staff. You, Mr. Gebhart and Ms. Ruiz have been copied on some of them. One of my emails noted that what was being asked of my client continued to change over the 18 months since first being notified in October 2018.

Notwithstanding long-term continuous use of this property, the owner has agreed to provide the following information to the planning staff - even though these items do not seem to be required by code:

- Site Plan showing already agreed to changes
- Parking Plan showing the number of off-street spaces serving the property
- Exterior Building Elevations for all four sides of the building that show loading areas and bays
- Request for an Alternative Parking Ratio

The current tenant profile at Burnham Street is as follows:

Unit 1437	4,060 sf	A Action Car Repair (general auto repair)
Unit 1441	2,750 sf	Auto Hail Zone (hail repair, NO body work)
Unit 1445	2,750 sf	Currently Vacant
Unit 1447	2,750 sf	Westside Designworks (cabinet shop)
Unit 1451-53	2,750 sf	Westside Designworks (cabinet shop)
Unit 1455A-C	4,700 sf	Affordable Granite & Marble

Since acquiring this property typical uses in the small office/warehouse spaces have been varied, including: a drywall contractor's office/shop, a general contractor's office/shop, tattoo shop, medical equipment storage, general equipment storage, kitchen design showroom, tire store (in the current granite shop), personal vehicle storage, auto detailing, etc. But overall, typical uses of this property have remained essentially unchanged since acquired by the current owner in 2002. It is expected the current empty space in the building will be occupied by a tenant that is similar to past users and complementary to existing tenants.

No outside storage or overnight parking aside from the current auto repair shop and the granite shop is permitted and no additional space will be leased to auto repair or auto body tenants. Light ancillary auto uses, such as hail, glass repair, auto sound, tires, etc. may be considered but, again, with no outside storage or overnight parking.

Ownership, on its own initiative, is in the process of getting bids and intends to replace fencing and add screening of the existing auto storage area, as shown on the Site Plan.

Staff has referred to section 6.2.5 of the LDC related to Parking, Loading and Maneuvering Standards. In response, the owner has prepared a parking plan - which clearly shows existing regular and handicap parking spaces on site. A separate drawing that provides elevations of all four sides of the building illustrating loading areas and bays into the building is also included, as requested by staff.

Request for Alternative Parking

Parking requirements for a "commercial center" less than 10 acres are 1 space per 250 square feet of office space. The parking ratio on this site based on 19,760 square feet of building space and a total of 42 parking spaces (39 regular and 3 handicap) is approximately 1:470. While the site does not meet current standards, *existing parking had adequately accommodated demand* over many years. More specifically, there have not been problems with parking overflowing onto the street.

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The Planning & Community Development Director has the authority to approve of an alternative parking space ratio. To approve such an alternative parking plan the Director must find the proposed alternative plan works equally well or better than a parking plan which complies with the standards of the parking section of the LDC.

This alternative parking plan: 1) Does not detract from continuity or connectivity, 2) minimizes visual and aesthetic impacts along public roads and the surrounding neighborhood, 3) creates no physical impact on any facilities serving alternative modes of transportation, 4) crates no detrimental impact on natural areas and, 5) maintains handicap parking ratios (2 required, 3 provided).

Conclusion

In summary, the owner responded to a complaint filed in October 2018. A site plan was prepared and submitted pursuant to staff request. The owner was asked to make several changes to the initial site plan. These changes have been incorporated in the site plan that accompanies this request. The owner has also been asked to provide a parking plan, building elevations and to apply for an alternative parking plan, each of which are included in this Letter of Intent.

We trust that the revised site plan and parking plan described above can together provide a "baseline" for the property moving forward. *Future uses consistent with prior uses* could presumably operate without having to amend the existing plan or undertake special use permission.

Let us know of anything else you might need in reaching a decision regarding this request.

Sincerely,



Les Gruen

Encls: 1435-1455 Burnham Street Site Plan
Building Elevations
Parking Plan