

Letter of Intent

**Application for Approval of
Site Development Plan**

Gateway Trucking

**May 24, 2021
rev. January 31, 2022**

Mr. Perry E. Hastings
11260 West Lane
Colorado Springs, Colorado 80929
(602) 558-0846

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
11260 West Lane
Colorado Springs, Colorado 80929
(602) 558-0846

Consultants:

Debra Eiland, Esq.
Law Offices of Debra Eiland, P.C.
24 S. Weber Street, Suite 300
Colorado Springs, Colorado 80903
(719) 471-1545
debra@eilandlawfirm.com

Mike Bramlett, PE
JR Engineering, LLC
5475 Tech Center Drive, Suite 235
Colorado Springs, Colorado 80919
(719) 659-7679
mbramlett@jrengineering.com

II. Site Location, Size and Zoning.

Mr. Hastings' property is located on South Franceville Coal Mine Road in El Paso County. The parcel number is: 4400000531. The property consists of 42.3 acres of vacant land that is zoned RR-5, Rural Residential.

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 Site Development Plan and to comply with the accompanying Development Agreement pursuant to the conditions of the Use Variance approval.

Gateway Trucking employs 12 full-time employees year round, and as many as 20 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.

Gateway Trucking parks a maximum of 25 tandem trucks and tractor-trailers, and stores other equipment for parts on the site. No materials are hauled to or stored on the site. There are two 10,000 gallon diesel tanks on site used for refueling the trucks. No gasoline is stored on site.

An inventory of the trucks, tractor-trailers, and support equipment normally parked on the site is attached hereto as 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.

The attached aerial photographs 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, which usually number 3-1 for each type of truck. 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. 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.

As a result of COVID-19 shutdowns, by the end of 2020 and through 2021 Gateway had only 8-10 full time drivers. At the end of 2020 Gateway had to shut down its Pueblo storage site and for security purposes temporarily moved those trucks and trailers to the Franceville Coal Mine Road storage yard. Mr. Hastings expects to move those trucks back to the Pueblo location in April 2022 if the employee situation improves by that time. The vehicles and equipment shown to the north of the Gateway storage site are Mr. Hastings' personal equipment stored on his adjoining property.

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 Coalmine Road. As required by the Development Agreement, the report also provides short-term and long-term recommendations for improvements and cost-sharing.

There is currently 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 and no structures are proposed with this application.

In lieu of the landscaping normally required, Mr. Hastings proposes an alternative landscaping plan that includes planting drought resistant shrubs and some trees along the Franceville Coal Mine Road frontage to minimize the visual impact of the storage area.

To provide screening for the outdoor storage area, Mr. Hastings will install 6' opaque fencing around the perimeter of the storage area and will further screen the outdoor storage area with a six (6) foot vegetated earth berm.

V. Waiver Request.

None.

Please provide additional justification. The truck parking area is a parking lot and is subject to parking lot landscape standards. Additionally, the lack of structures on-site does not negate the requirement for roadway screening. Provide more detail on the height and screening capability of the drought resistant shrubs proposed.

VI. Criteria for Approval of the Site Development Plan.

A. Landscape Requirements

1. Roadway Landscape Requirements. Franceville Coalmine Road is classified as a "collector" or non-arterial road in the Major Transportation Corridor Plan ("MTCP"). The landscaping requirement for this roadway classification is 1 tree per 30 linear foot of roadway frontage. The Property does not have a well or municipal water supply. There are no buildings on the property. As such, the Applicant proposes an alternative landscaping plan that includes planting drought resistant shrubs along the Franceville Coalmine Road frontage to provide screening and minimize the visual impact of the outdoor storage area.

2. Parking Lot Landscape Requirements. The parking lot landscape requirements are not applicable because there are no parking lots on the site.

~~3. Buffer and Screen Areas Between Non-Residential and Residential Districts.~~

The truck parking area consists of only 10 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 of the property. As such, Gateway's trucks will be parked on the north side of the property, some distance from residences.

The remaining 32 acres will continue to be used for grazing and other agricultural activities and provide a natural buffer to adjacent properties. To screen the

storage area from adjacent properties, Mr. Hastings will install a 6' opaque fence and will further screen the outdoor storage area with a six (6) foot vegetated earth berm as depicted on the Landscape Plan.

4. Internal Landscaping. The LDC requires that a minimum of 5% of the lot or parcel be landscaped. This requirement is met by the existing native grasses and vegetation on the property.

No hardscapes or permanent structures will be located within the Property. The Applicant proposes an alternative landscaping plan that includes planting drought resistant shrubs along the Franceville Coalmine Road to provide additional screening and minimize the visual impact of the operation.

5. Refuse Areas Screened. Trash receptacles will be screened with an opaque fence enclosure.

B. Lighting. There is no electricity to the property, and the property is located in a rural area where lighting is not needed and will only detract from the rural atmosphere that neighboring properties enjoy. For these reasons, the Applicant requests approval of an alternative lighting proposal that includes no lighting at the site.

The alternative lighting proposal for no lighting at the site satisfies the LUC review criteria in the following ways:

- 1) No business activity will occur after dark that would require onsite lighting to enhance safety.
- 2) The proposal will protect natural areas from light intrusion.
- 3) The proposal enhances neighborhood continuity and connectivity by avoiding unwanted light intrusion onto neighboring properties and light pollution of the clear night skies.
- 4) 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.
- 5) Preserving darkness in the night sky is innovative and welcome in a time when unnecessary and unwanted lights are commonplace.

C. Signs. There will be no signage on the property.

D. Parking. There are no structures and no business is conducted on site that would necessitate a parking lot. There are two 10,000 gallon diesel tanks on site used for refueling the trucks. No gasoline is stored on site.

E. Access and Maintenance. Access is by a paved service road from Franceville Coalmine 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 Coalmine Road. The truck parking area will be maintained with a gravel surface to prevent erosion.

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 Sheriff's Department. The response time to emergency calls is about 5 minutes.

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



Truck/Vehicle Trip Generation Estimate Clarification



Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 100 ft



Notes

Truck/Vehicle Trip Generation Estimate Clarification



