

Letter of Intent

Site Development Plan

December 2, 2021

Gone Trucking, LLC
21255 Calle Pacifico Point
Fountain, Colorado 80817
Owner: Gary Meisman

I. Owner/Applicant and Consultant.

Gone Trucking, LLC is owned by Gary Meisman. The Owner/Applicant and Consultant contact information is as follows:

Owner/Applicant:

Gary Meisman
612 Harvard Street
Colorado Springs, Colorado 80911
(719) 322-9609
garymeisman12@gmail.com

Consultant:

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

II. Site Location, Size and Zoning.

Mr. Meisman's property is located at 21255 Calle Pacifico Point, Fountain, Colorado. The parcel number is: 5735000001.¹ The property consists of 38.86 acres of vacant land that is zoned RR-5, Residential Rural.

III. Request and Justification.

Mr. Meisman owns and operates a small aggregate hauling business known as Gone Trucking, LLC, which has been in business in the Colorado Springs area for over 12 years. The business delivers dirt and asphalt materials for road construction and maintenance projects within a 100 mile radius of the Pikes Peak region. The business is seasonal, and operates primarily during the Summer months.

Mr. Meisman purchased the 21255 Calle Pacifico Point property in December 2017. On June 22, 2021, the El Paso County Board of County Commissioners approved Mr. Meisman's application for a Rural Home Occupation Special Use to build a house and accessory building on the property, and to operate his business there as a rural home based business. Mr. Meisman is applying for approval of a Site Development Plan so he can implement the special use.

¹The Assessor's record shows the parcel size is 40.2 acres. However, a recent land survey established the accurate measurement to be 38.86 acres. An updated Land Survey Plat was recorded in the records of the El Paso County Clerk and Recorder on June 17, 2019, at Reception Number 219900099, a copy of which is filed with this Application.

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

The property consists of 38.86 acres of vacant land. Mr. Meisman intends to develop the land as follows:

- 1) Build a single family residence for the Meisman family (approximately 3,200 square feet ranch style).
- 2) Simultaneously with, or after building the residence, build a 50' x 80' (4,000 sf) accessory building for Mr. Meisman's trucking business.
- 3) An outdoor storage area by the accessory building for trucks and business equipment, with appropriate screening.

The property's topography is hilly and includes a ridge that will block the view of the accessory building and storage area from adjoining properties to the south, west, and northwest. Equipment and trucks will be stored in the accessory building, as well as in the outdoor storage area, which will be screened by that natural ridge on the south, west, and northwest sides, and by a 6' opaque privacy fence where visible to adjoining properties to the north and east.

Mr. Meisman's business operates on a seasonal basis, primarily during the Summer months. The business currently owns a total of 8 trucks to include dump trucks, end dumps, and tractor/trailers. No aggregate materials will be stored on site.

All vehicles will enter the property via a driveway access on Avenida Hermosa View. Mr. Meisman will apply for the required driveway access permit prior to commencing construction on the accessory building and outdoor storage area. The business has 6 employees. Employees will park their personal vehicles near the accessory building. No customers will visit the property. There will be no signage on the property advertising the business.

The land is within an arid high desert type environment. The ground cover on Mr. Meisman's property and throughout the adjoining Villa Casitas subdivision consists of cactus and natural grasses. There are very few trees anywhere in the neighboring vicinity. Water is extremely limited. Mr. Meisman's residence will be served by a water share in the Wigwam Mutual Water Company. The water can be used for residential purposes only. Mr. Meisman cannot irrigate and cannot drill a separate well. As such, it will be impossible for him to water trees and other plants and keep them alive. To meet the landscape requirements of the Land Use Code, Mr. Meisman proposes an alternative landscaping plan.

The roads in the subdivision and adjoining Mr. Meisman's property are gravel. Mr. Meisman has reached a road maintenance agreement with the Villa Casitas Homeowners Association for maintenance of the roads. As part of that agreement, Mr. Meisman's trucks will only travel over Avenida Hermosa View, and will not access the property from any other road in the Subdivision. The business driveway will be

configured at an angle so the trucks have straight access to and from the property from Avenida Hermosa View with little to no turning required.

V. Waiver Requests.

No waivers are requested at this time.

VI. Criteria for Approval of the Site Development Plan.

A. Landscape Requirements

1. Roadway Landscape Requirements. Avenida Hermosa View is classified as a “local” 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.

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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 outdoor storage and work area will be located behind the accessory building, will be at least 50 feet from all property lines, and will be screened on the south, west, and northwest sides by a 50' high naturally occurring ridge. As depicted on the Site Development Plan and the Landscape Plan, Mr. Meisman will install a 6' opaque privacy fence where the area would be visible to adjoining properties to the north and east. The front of the parcel will contain Mr. Meisman’s personal residence.

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 cactus and natural grasses on the property in addition to the alternative landscaping proposed herein.

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

B. Lighting. The property is located in a rural area where minimal lighting is 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.

E. Access and Maintenance. Access to the accessory building and outdoor storage area is from Avenida Hermosa View, a gravel public road, onto a gravel driveway. The driveway will be sufficiently wide and configured to safely accommodate Mr. Meisman's trucks and equipment, and to provide safe access for emergency vehicles. Trucks can be safely turned around along the driveway or in the outdoor storage 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. Mr. Meisman has reached a road maintenance agreement with the Villa Casitas Subdivision that includes maintenance of Avenida Hermosa View, which the parties will maintain to mitigate dust. The outdoor storage area will be maintained with a gravel surface to prevent erosion.

G. Air Quality Control. Mr. Meisman will spray water on the gravel outdoor storage 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 Hanover Fire Protection District and the El Paso County Sheriff's Department. The response time to emergency calls is about 10 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.

LAND SURVEY PLAT

SURVEYOR'S NAME: Kevin M. O'Leary

SECTION/TOWNSHIP/RANGE: Sec 35 T17S R65W

QUARTER SECTION: _____

SECTION/TOWNSHIP/RANGE: _____

QUARTER SECTION: _____

SUBDIVISION/LEGAL DESCRIPTION: _____

ASSIGNED PAGE #'S: _____

C&R/014 REVISED 12/04

Chuck Broerman
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Rec \$20.00

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El Paso County, CO



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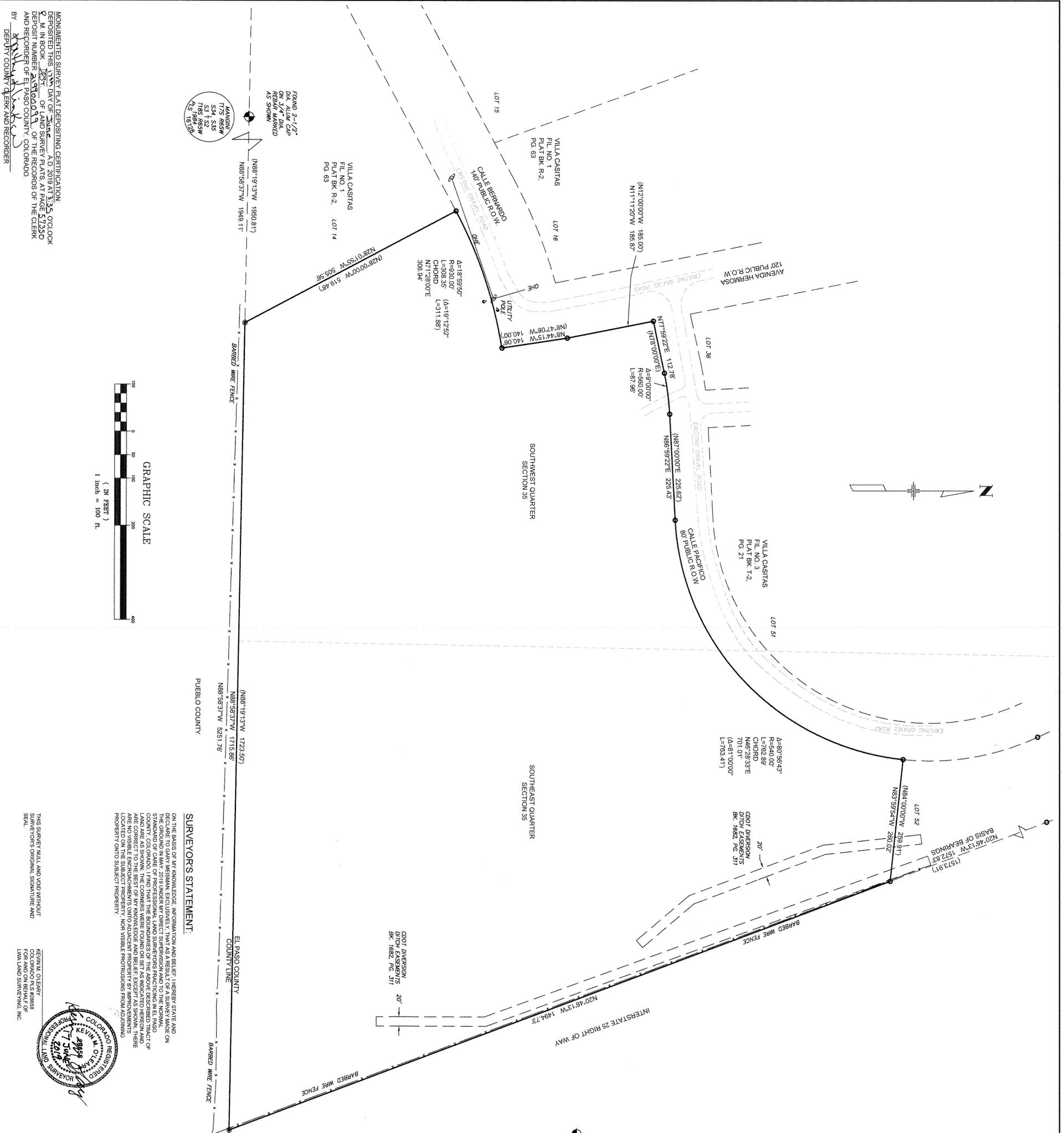
06/17/2019

REVISIONS:

LWA LAND SURVEYING, INC.
 953 E. FILLMORE STREET
 COLORADO SPRINGS, CO 80907
 TELEPHONE (719) 636-5179 FAX (719) 636-5199

DWG: CALLE PACIFICO
 SCALE 1"=100'
 DATE: 6/11/19
 DRAWN BY: KMO
 CHECKED BY: THK
 PROJECT NO: 18051
 SHEET 1 OF 1

LAND SURVEY PLAT
MEISMAN PROPERTY
 21255 CALLE PACIFICO
 SEC. 35, T17S, R65W, 6th PM



PROPERTY DESCRIPTION:
 THAT PORTION OF SECTION 35, TOWNSHIP 17 SOUTH, RANGE 65 WEST OF THE 6th P. M. COUNTY OF EL PASO STATE OF COLORADO, LYING WEST OF THE WESTERN RIGHT OF WAY OF U.S. HIGHWAY 85, EXCEPTING THOSE PORTIONS OF SAID SECTION 35, TOWNSHIP 17 SOUTH, RANGE 65 WEST OF THE WESTERN RIGHT OF WAY OF U.S. HIGHWAY 85, AND IN VILLA CASTITAS PLAT NO. 3 RECORDED IN PLAT BOOK 1-2 AT PAGE 21. (per the commission) MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 17 SOUTH, RANGE 65 WEST OF THE WESTERN RIGHT OF WAY OF U.S. HIGHWAY 85, AND THE AVENIDA HERMOSA RIGHT OF WAY AS PLATTED BY VILLA CASTITAS PLAT NO. 1 AND SHOWN ON THE SUBDIVISION PLAT THEREOF PASO COUNTY CLERK AND RECORDER, LYING SOUTH OF LOT 52 AND THE CALLE PACIFICO RIGHT OF WAY AS PLATTED BY VILLA CASTITAS PLAT NO. 2 AT PAGE 21 OF SAID EL PASO COUNTY RECORDS AND LYING WEST OF THE INTERSTATE 25 RIGHT OF WAY.

THE DESCRIBED TRACT CONTAINS 38.86 ACRES, MORE OR LESS, AS MEASURED.

NOTES:

- FOUND A 1 1/2" DIAMETER REBAR OR AS NOTED.
- SET A 3/8" DIAMETER REBAR, 18" IN LENGTH WITH A 1 1/2" DIAMETER ALUMINUM CAP SHOWN ON SHEET 18051.
- FOUND OR SET TIALOLOT SECTION CORNER AS NOTED.
- DIMENSIONS SHOWN ARE BASED ON FIELD MEASUREMENTS.
- DIMENSIONS SHOWN IN PARENTHESES ARE THOSE DIMENSIONS OF RECORD THAT VARY FROM FIELD MEASUREMENTS.
- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE EAST LINE OF LOT 52.
- MAGNETIC DECLINATION ON 6/11/19 IS 10.7571 FEET. THE LINES SHOWN ARE TRUE.
- UNITS OF MEASURE ARE U.S. SURVEY FEET.
- RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENTS WAS DONE BY UNIFIED TITLE COMPANY (WESTCOR LAND TITLE INSURANCE COMPANY) FILE NO. 6887971C, EFFECTIVE DATE AUGUST 30, 2018.
- THIS DRAWING DOES NOT CONSTITUTE A TITLE SEARCH BY KEVIN M. O'LEARY OR LWA LAND SURVEYING, INC.
- THE PROPERTY IS SUBJECT TO THE EL PASO COUNTY BOCC RESOLUTION NO. 04-27 AND NO. 04-331 CREATING SPECIAL DISTRICTS FOR ROADWAY IMPROVEMENTS.

SURVEYOR'S STATEMENT:
 ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, I HEREBY STATE AND DECLARE TO GARY MEISMAN, EXCLUSIVELY, THAT AS A RESULT OF A SURVEY MADE ON THE GROUND IN MAY, 2019 UNDER MY DIRECT SUPERVISION AND TO THE NORMAL COURSE OF MY BUSINESS AS A LICENSED SURVEYOR IN THE STATE OF COLORADO, COUNTY OF EL PASO, I FIND THAT THE BOUNDARIES OF THE ABOVE DESCRIBED TRACT OF LAND ARE AS SHOWN, THE CORNERS WERE FOUND OR SET AS INDICATED HEREON AND ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, EXCEPT AS SHOWN, THERE ARE NO UNRECORDED RIGHTS OF WAY OR EASEMENTS AFFECTING SAID TRACT OF LAND LOCATED ON THE SUBJECT PROPERTY, NOR VISIBLE PROTRUSIONS FROM ADJOINING PROPERTY ONTO SUBJECT PROPERTY.

THIS SURVEY NULL AND VOID WITHOUT THE SURVEYOR'S SIGNATURE AND SEAL.

KEVIN M. O'LEARY
 LICENSED SURVEYOR
 NO. 18051
 LWA LAND SURVEYING, INC.

MONUMENTED SURVEY PLAT DEPOSITING CERTIFICATION:
 DEPOSITED THIS 17th DAY OF JUNE, A.D. 2019 AT 3:35, 03:00 CLK
 G. M. IN BOOK 1857 OF LAND SURVEY PLATS AT PAGE 21255
 DEPOSIT NUMBER 219900099 OF THE RECORDS OF THE CLERK
 AND RECORDER OF EL PASO COUNTY, COLORADO
 BY *Kevin M. O'Leary*
 DEPUTY COUNTY CLERK AND RECORDER

