

**Letter of Intent
Board of Adjustment
Request for a Setback Variance**

May 2019

Project: South Academy Business Center

Owner: 10230 Hall Boulevard, LLC
PO Box 38014
Colorado Springs, CO 80937

Applicant/Consultant: Barry Helton
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Site Location: The 7.15 acre site is located southeast of the intersection formed by the South Academy Boulevard Ramps to Highway 85/87.

Applications/Project Description: There is one application covered by this Letter of Intent. The Type D Application is a request for a setback variance. This is one lot on 7.15 acres. Access to the site is from Highway 85/87. CDOT issued an access permit for the property.

The site is currently zoned M, an industrial commercial zone. The use is permitted by right in this zone; therefore no zone change is required or requested. Topographically, the site is relatively flat, and drains from the north to the south.

The property located west of this parcel is zoned A-5 and is owned and used by CSU as a part of their water system. The land to the north is Zoned M and is vacant. The land immediately to the east is a BN&SF RR right-of-way approximately 100 feet in width. The railroad tracks are elevated above the subject site by approximately 5 feet. To the east of the BN&SF right-of-way is land owned by the Security Water District. Beyond these owners are single family residences. A sliver of land that forms the south boundary of this site is owned by the railroad and is vacant.

Buffering/Screening: This Property does not abut any residentially zoned or used property, therefore no screening or buffering is required. The elevation of the track bed forms a practical berm between the proposed use and the residential use to the east. The majority of residential parcels located east of the railroad property and east of the Security Water District property have either a fence along their west property lines, or have an accessory structure in the back yard. These features form a buffer to existing and proposed land uses to the west.

Justification: The property has a very narrow and long shape. There have been several attempts to develop this property over the past 35 years, and each has failed due to the narrow design of the parcel. This application is asking permission for Load and Lock Storage II to be granted a variance for a setback adjustment. We feel the changes are needed to make the property a viable location, and most of all, accommodate water flow to insure water quality. We are asking for your help in acquiring a setback of 12' from the property line on the southern half of the west side of the property next to the 85-87 Highway. We are also asking for a setback of seven feet on the east side of the property next to the railroad right of way. Both the east and west side call for a 15' setback. The northern half of the west side of the property will meet the minimum 15' setback. The north and south half are an approximation.

The setback on the east is instrumental in maintaining an unobstructed flow for all water runoff. The engineered design allows any and all water from the property, the adjacent highway, and the railroad property to the east, to gather in the designed ditch and have 100% of the water flow south into the engineered detention pond located on the south end of the property. This will guarantee water quality for the entire property. The partial setback of 12' on the southern part of the west side will be much more attractive cosmetically, and will allow for more landscape square footage than would have been achieved with the containers situated end to end. They will be in a staggered formation with the closest end at 12' and the opposite end will be 20' from the property line. This will significantly increase the square footage of the landscape area from north to south. This will also allow for the proper 24' width driving lanes be maintained within the property bounds. The increase in landscaping square footage will allow for more natural growth of the grass and will enhance the excess trees we have planted along the highway. The detention pond and the existing unobstructed ditch that extends from north to south, completely capture and maintain water quality for the entire property.

Conformance with El Paso County Policy Plan: The following policies in the El Paso County Policy Plan support these applications:

- **Policy 6.1.1** Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.
- **Policy 6.1.3** Encourage new development which is contiguous with previously developed areas in terms of factors such as density, land use and access.
- **Policy 6.1.6** Direct development toward areas where necessary urban-level supporting facilities and services are available or will be available concurrently.

- **Policy 6.1.7** Encourage infill development which compliments existing uses, is consistent with Small Area and other adopted plans.
- **Goal 6.3** Continue to support existing and carefully planned future urban density development in the unincorporated County, provided the requisite level of urban services is available or will available in a timely fashion.

Districts Serving the Property

- Colorado Springs Utilities (Gas and Electric)
- Security Fire Protection

Wildlife Impact: None

Natural Features: There are no significant natural features on this site. Site vegetation consists of native grasses.

Maintenance Statement: There will not be an owners association for this property. The property owner will provide maintenance for his ownership.