

CITY PLANNING COMMISSION AGENDA  
April 30, 2020

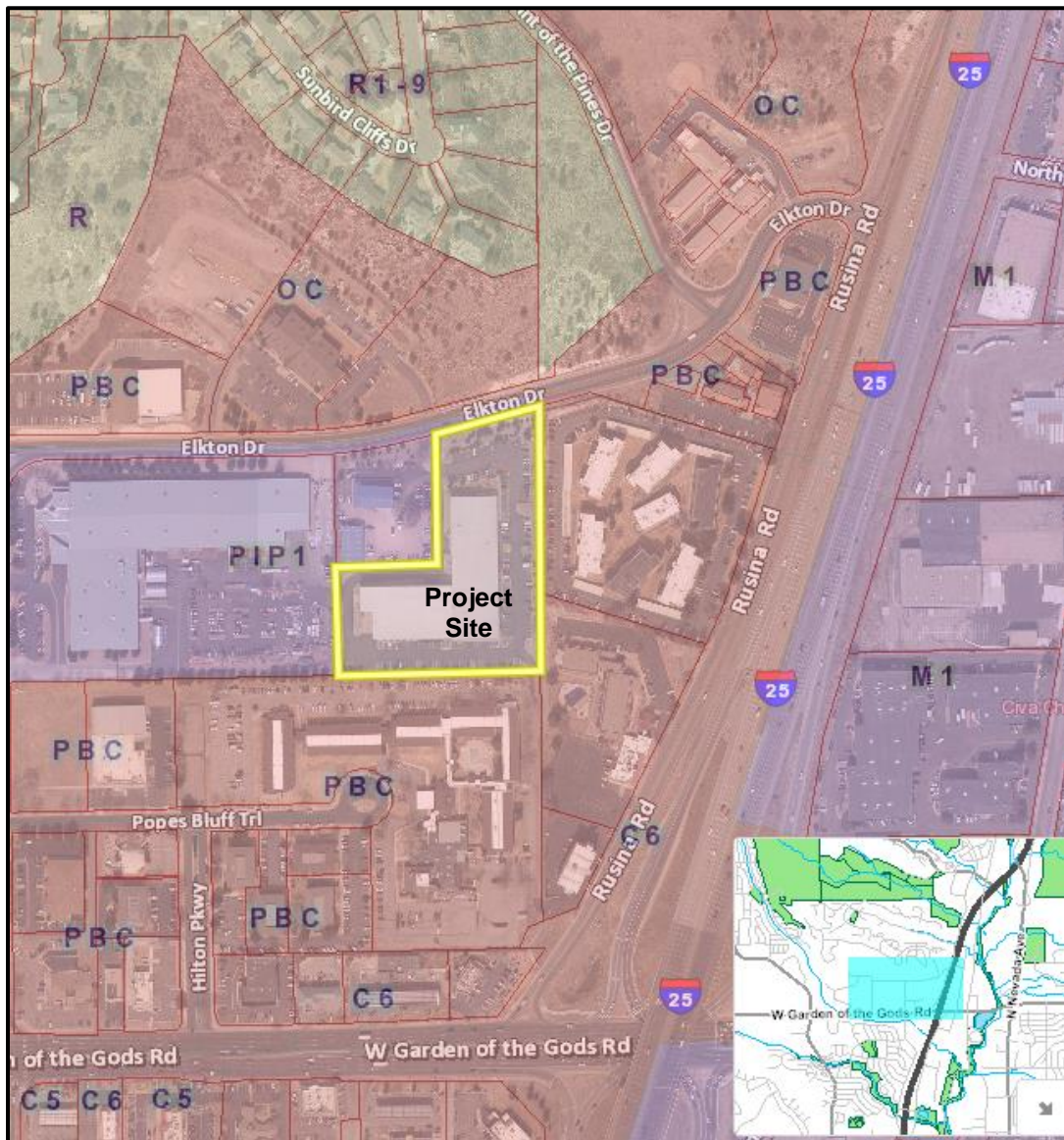
STAFF: KATELYNN WINTZ

FILE NO:  
CPC UV 20-00007 – QUASI-JUDICIAL

PROJECT: DRISCOLL MANUFACTURING

OWNER: DRISCOLL LLP

CONSULTANT: YOW ARCHITECTS



## **PROJECT SUMMARY:**

1. Project Description: The project includes an application for a use variance development plan on a portion of a 4.79 acre lot to establish an automotive sales use (herein referred to as “Driscoll Manufacturing”) on a PIP-1 (Planned Industrial) zoned property. The property associated with this project is located at 485 Elkton Drive. The Driscoll Manufacturing project consists of the establishment of an automotive sales use for the sale of custom pizza oven trailers and other minor site improvements. **(FIGURE 1)**
2. Applicant’s Project Statement: **(FIGURE 2)**
3. Planning and Development Team’s Recommendation: Staff recommends approval of the application.

## **BACKGROUND:**

1. Site Address: The project site is addressed at 485 Elkton Drive.
2. Existing Zoning/Land Use: The subject property is currently zoned PIP-1/cr (Planned Industrial Park with Conditions of Record), and is commercially developed.
3. Surrounding Zoning/Land Use:  
North: OC/R1-9000/HS (Office Commercial and Single-Family Residential with Hillside Overlay) and is commercially and residentially developed.  
East: C6/cr/HS (General Business with conditions of record and General Business with conditions of record and Hillside Overlay) and is commercially developed.  
South: PBC (Planned Business Center) and is commercially developed.  
West: PIP-1/cr (Planned Industrial Park with conditions of record) and is commercially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map, the project site is located within an identified Established Suburban Neighborhood and is proximate to West Garden of the Gods Road, a Mature/Redeveloping Corridor. **(FIGURE 3)**
5. Annexation: The subject property was annexed into the City in November 9, 1965 under the Pope’s Bluff Addition Annexation Plat (Ord. 3224).
6. Master Plan/Designated Master Plan Land Use: This property is not part of an approved master plan.
7. Subdivision: The property was platted under the Driscoll Subdivision Filing 2.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is commercially developed, containing an approximately 62,300 square foot building with parking surrounding the building.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process included posting the site and sending postcards to 70 property owners located within a 1,000-foot buffer of the subject property. Notice was also provided to Pinecliff Homeowners Association per the site’s conditions of record. City staff received one written comment supportive of the project. **(FIGURE 4)**

Staff input is outlined in the following sections of this report. Staff did not include any other internal or external review agencies for comment because the project involves only minor façade changes and an interior remodel to establish the automotive sales use.

**ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:

a. Background Information

In 1994, City Council approved a zone change (R to PIP-1/cr) that included the subject property. Approval of the zone change was subject to the following conditions of record imposed by City Council:

- Pinecliff Homeowners Association will be notified of all future development plans for changes to the concept plan.
- A 10-foot landscape setback with at least one evergreen tree every 20 feet on center shall be required along Chestnut Street and Elkton Drive.
- Development plans are to be reviewed and approved by City Planning Commission.

Staff finds that these conditions have been adhered to throughout the development of the subject property.

In 1999, a development plan for construction of a multi-tenant warehouse building was approved by City Planning Commission.

b. Use Variance Development Plan

The use variance development plan for the Driscoll Manufacturing project establishes an automotive sales use for the sale and assembly of custom pizza oven trailers. More specifically, the proposed automotive sales use will occupy 800 square feet and 12,600 square feet will be dedicated to the assembly of the trailers in an existing building with other industrial uses. Façade improvements are also proposed on this portion of the building to install larger windows that will extend to the sidewalk and an overhead door to accommodate the fully assembled trailers. **(FIGURE 1)** Primarily, storage of assembled trailers will be contained in the building; one parking space is dedicated to occasional temporary outdoor storage of an assembled trailer. The permanent or extended display of the trailers is not proposed on site. No other site changes or improvements are proposed as part of this plan. The use as proposed is primarily the light industry use of assembling the trailers with ancillary sales of the trailers and is generally compatible with the current light industry and warehouse uses on site.

The applicant's justification for this use variance can be found in the project statement. **(FIGURE 2)** According to the applicant, the determination from the State of Colorado is that the trailers are considered "automobiles" because they are mounted on wheels, similar to a food truck. The State requires local zoning to support automotive sales to issue a merchant's license. City Code allows incidental sales as part of the light industry use, which is permitted in the PIP-1 zone district, the State's requirement is an exceptional site condition for the ancillary automotive sales use. Sales of the trailers are primarily pre-arranged with limited on-site sales of the trailers. The niche market of custom pizza oven trailers and limited ability to purchase the trailers on-site suggest a low volume sales use will have no significant negative impacts to the site or surrounding area. The granting of this variance will not be detrimental to the public welfare nor injurious to the property due to self-imposed operational limitations related to the sales use.

Staff finds that the proposed use is consistent with the purpose of granting relief in the form of a use variance based on the review criteria for a use variance development plan, as outlined in City Code Section 7.5.803(B), and a development plan, as outlined in City Code Section 7.5.502(A).

2. Conformance with the City Comprehensive Plan

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as an Established Suburban Neighborhood and proximate to West Garden of the Gods Road, a Mature/Redeveloping corridor. **(FIGURE 3)** Economic diversity is a core principle of PlanCOS and the foundation of supporting a thriving local economy. In Thriving Economies, Chapter 4 of PlanCOS, the project aligns with the "Big Idea" titled "Embrace Sustainability and Policy TE-4.A, which states

*"Prioritize development within the existing City boundaries and built environment (not in the periphery)"*

Driscoll Manufacturing project proposes utilizing vacant space in an existing commercially developed manufacturing site to support the operation of the assembly and sales of the custom pizza oven trailers.

Another "Big Idea" in Chapter 4 of PlanCOS is "Expand Our Base" and its goal TE-2 to "diversify the local economy by fostering a range of business types and sizes". Driscoll Manufacturing proposes establishing a small business selling and assembling food truck style pizza ovens; sales of the custom pizza ovens directly support Policy TE-2.B to "create a positive atmosphere for spinoffs, startups, and entrepreneurship"

For the reasons provided in this staff report, City staff finds this redevelopment proposal to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan:

The project site is not part of an approved master plan; therefore, staff did not consider conformance with an approved master plan.

**STAFF RECOMMENDATION:**

**CPC UV 20-00007 – USE VARIANCE DEVELOPMENT PLAN**

Approve the use variance development plan for the Driscoll Manufacturing project, based upon the finding that the request meets the review criteria for granting a use variance, as set forth in City Code Section 7.5.803(B), and a development plan as set forth in City Code Section 7.5.502(E).