

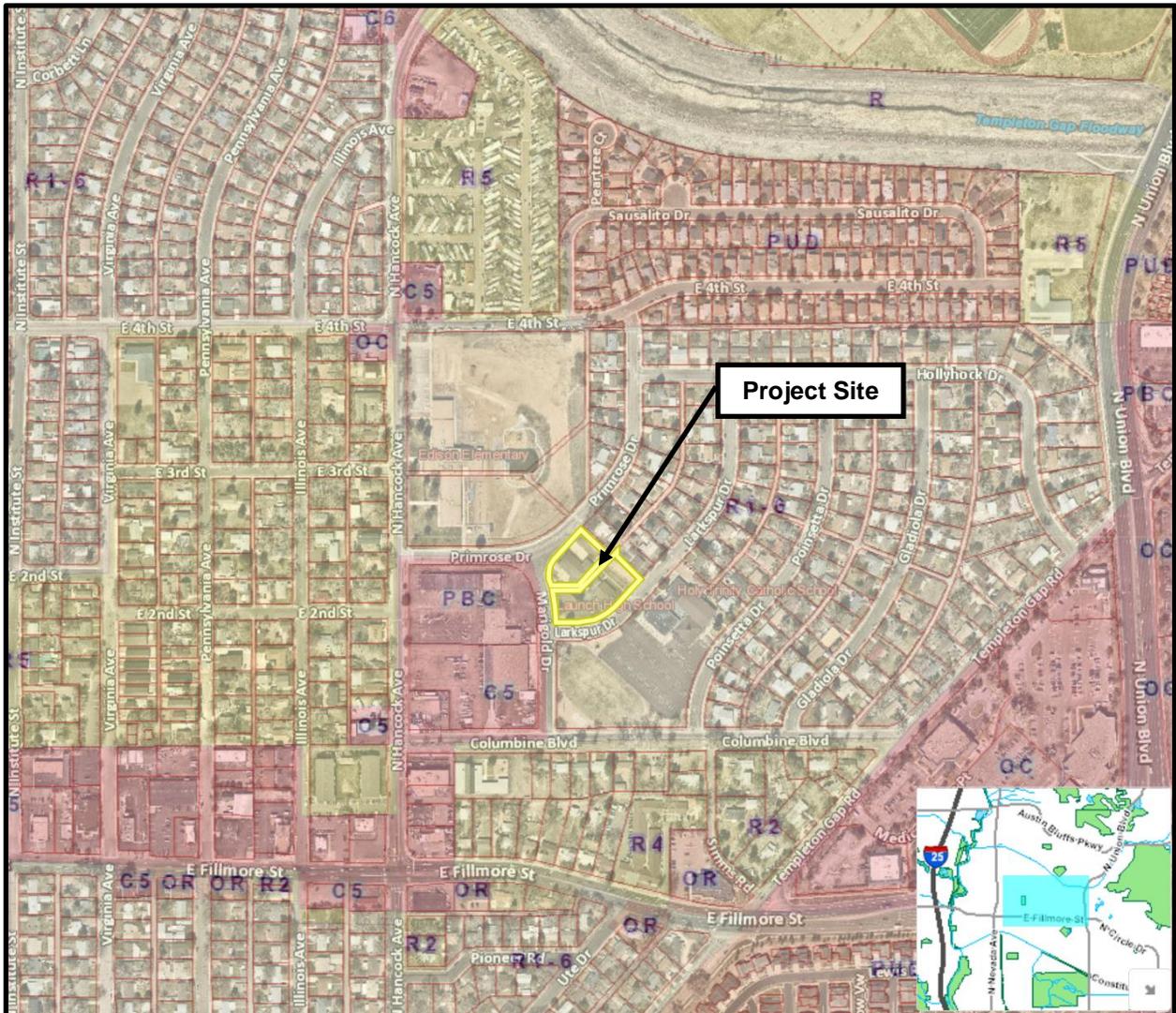
CITY PLANNING COMMISSION AGENDA  
February 18, 2020

STAFF: DANIEL SEXTON

FILE NO:  
CPC UV 20-00175 – QUASI-JUDICIAL

PROJECT: COLORADO SPRINGS YOUTH SYMPHONY

OWNER/APPLICANT: KEVEN STEWART



## **PROJECT SUMMARY:**

1. **Project Description:** The project includes an application for a use variance development plan to accommodate the relocation of the Colorado Springs Youth Symphony to the property located at 3113 Primrose Drive. The project is herein referred to as “CSYS”. The project site is zoned R1-6000 (Single-Family Residential). The use variance development plan will allow the relocation of the CSYS, a proprietary school for music, within the current religious institution. **(see “Use Variance Development Plan” attachment)**
2. **Applicant’s Project Statement:** **(see “Project Statement” attachment)**
3. **Planning and Development Team’s Recommendation:** City Planning staff recommends approval of the application as proposed.

## **BACKGROUND:**

1. **Site Address:** The property is addressed as 3113 Primrose Drive.
2. **Existing Zoning/Land Use:** The property is zoned R1-6000 (Single-Family Residential) and is developed with a religious facility.
3. **Surrounding Zoning/Land Use:** North: R1-6000 (Single-Family Residential) and is developed with a school.  
East: R1-6000 (Single-Family Residential) and is developed with a school and residences.  
South: R1-6000 (Single-Family Residential) and is developed with a school.  
West: PBC (Planned Business Center) and is commercially developed.
4. **PlanCOS Vision:** According to the PlanCOS Vision Map **(see “PlanCOS Vision Map” attachment)**, the project site is identified as a Changing Neighborhood.
5. **Annexation:** The property was annexed into the City under the North Colorado Springs Addition #1 plat (January 1, 1969; ordinance 3959).
6. **Master Plan/Designated Master Plan Land Use:** The project site is not part of a master-planned area.
7. **Subdivision:** The property is platted under Abrahamsons Venetian Village subdivision.
8. **Zoning Enforcement Action:** None.
9. **Physical Characteristics:** The project site is fully developed and gradually slopes to the southwest towards the Marigold Drive/Larkspur Drive intersection.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to surrounding homeowner’s associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 255 property owners on two occasions: during the internal review and before the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received written comments objecting to the project. **(see “Public Comments” attachment)**

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Comcast, Colorado Springs Utilities, City Engineering, City Traffic, City Parks, City Stormwater, and Council of Neighborhood Organizations (CONO). None of the review agencies issued comments regarding the proposed application.

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

1. Review Criteria / Design & Development Issues:

a. Application Summary:

i. Use Variance Development Plan

The Applicant requests a use variance development plan to allow the relocation of the Colorado Springs Youth Symphony Association, a proprietary school for music, within the current religious institution at 3113 Primrose Drive. **(see “Use Variance Development Plan” attachment)** As proposed, the proprietary school will accommodate no more than 90 students and 10 faculty at one time and is anticipated to operate Monday through Thursday from 1 pm to 8 pm. Group rehearsals are expected to occur in the facility on a limited basis during standard operating hours. Concerts do also occur from time-to-time but are held off-site at other facilities that are better suited for larger events (i.e. Pikes Peak Center, Ent Center, or school facilities). To accommodate the proposed use, the Applicant has identified 29 off-street and 35 on-street parking spaces (four (4) spaces are accessible). Per City Code Section 7.4.203, *Parking Space Requirements by Use*, the proprietary school has a parking requirement of 20 parking spaces (15 spaces for students and five (5) spaces for faculty). This use variance is necessary, as City Code Section 7.3.103, *Permitted, Conditional and Accessory Uses*, does not permit Proprietary Schools in the R1-6000 zone district.

The facility will continue to be used in a limited capacity by the Village Christian Church, former owner, for at least five (5) years to conduct Sunday services. The strategic partnership between the church and school will enable both organizations to pursue their core missions of service and community betterment. This will also allow the church, with its gradually dwindling membership, to remain in the only home it has known for 50+ years. City Planning staff does not believe the dual use of the facility by two principal land uses will cause a conflict, as the uses operate during off-peak times.

When considering whether the proposed use should be permitted in the residential zone district, City Planning staff evaluated the request in terms of the three review criteria for granting a use variance as set forth in City Code Section 7.5.803(B)(1-3) *Criteria For Granting A Use Variance*:

- Exceptional or Extraordinary Circumstances or Conditions Applicable to the Property – The property, which has accommodated a church organization with a membership of 350 individuals for over 50+ years, is well situated to accommodate a music school. As an established neighborhood that has experienced increased redevelopment pressures in recent years, the property is exceptionally positioned to support the changing neighborhood and needs of the adjacent public and private schools.
- Preservation and Enjoyment of the Property – The repurposing of the church facility with the proposed proprietary school will enhance the extracurricular experience for youth in the area and community at large. Also, through the establishment of the CSYS and continued use of the facility for Sunday services by the current congregation, the 50+-year-old church will continue to be a cornerstone of the neighborhood and ensure that each organization is successful in the pursuit of its missions. City Planning staff also notes that church’s membership has dwindled over the years (presently less than 40 individuals), so large portions of the church are current unused and ongoing maintenance has become an issue; as such, the repurposing of the facility for a similar civic land use is beneficial for all parties involved and the immediate neighborhood.
- Public Welfare or Convenience nor Injurious to the Property or Improvements of Other Owners – The proposed proprietary school, with its music instruction, will

benefit students and faculty as well as the surrounding community. As proposed, all school operations will occur on-site and within the current buildings. Off-site impacts due to noise or traffic are not anticipated to occur, as the Applicant has programmed the facility to operate under all applicable City Code requirements. The proposed use will provide the nonprofit organization with a permanent home, which they have sought for the past 15 years, and a means to prevent the further disrepair of the property.

The reasonings outlined above reinforce why this proposal will be good for the immediate neighborhood and surrounding area. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the authorizations for a use variance for a proprietary school that is otherwise not permitted on a property residentially zoned, as set forth in City Code 7.5.803(A).

City Planning staff finds that the project addresses all the applicable review criteria set forth in City Code.

2. Conformance with the City Comprehensive Plan:

The project application has been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified within a Changing Neighborhood. **(see "PlanCOS Vision Map" attachment)** The CSYS project is consistent with one of the core values of PlanCOS, which reinforces the importance of redevelopment in older neighborhoods. One of the "Big Ideas" in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled "Reclaim Neighborhood Space", which has goal VN-3 that states:

*"Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs."*

A "Big Idea" from Chapter 4, entitled "Embrace Sustainability", has Goal TE-4 that states:

*"Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas."*

Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project's land use, location, and site design meet the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this redevelopment proposal and its associated applications to be in substantial conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan:

The project site is not part of a master-planned area. City Planning staff finds the CSYS project to be complimentary and supportive of the surrounding area, which contains several other education facilities (i.e. Holy Trinity Catholic School, Launch High School, and Edison Elementary School) and developed residential neighborhoods. City Planning staff analyzed the overall impact of the project through consideration of the use variance development plan and the review criteria for authorizing a use variance, as set forth in City Code Section 7.5.803(B), the overall area impacts of the project were analyzed. **(See "Context Map" attachment)**

**STAFF RECOMMENDATION:**

**CPC UV 20-00175 – USE VARIANCE DEVELOPMENT PLAN**

Approve the use variance development plan for the Colorado Springs Youth Symphony, based upon the findings that the request meets the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E), and the review criteria for granting a Use Variance, as set forth in City Code Section 7.5.803(B).