

**CITY PLANNING COMMISSION AGENDA
November 19, 2020**

STAFF: TASHA BRACKIN

ASSOCIATED FILES:
CPC CU 20-00049 - QUASI-JUDICIAL
CPC NV 20-00050 - QUASI-JUDICIAL

PROJECT: QUICK QUACK CAR WASH – 1450 HARRISON ROAD
OWNER: COMMERCIAL NET LEASE REALTY LP
CONSULTANT: LARVIN POLLOCK/ELEVATE ENGINEERING



PROJECT SUMMARY

1. Project Description: This conditional use request is to allow construction of a new automotive wash facility located in the C-6/SS (General Business with Streamside Overlay) zone district. The property is located at 1450 Harrison Road and consists of 40,660 square feet. A non-use variance is also requested related to City Code Section 7.3.508.E.2.b., to allow 33% of the outer streamside overlay to be covered with impervious surface (concrete), when a maximum of 25% is allowed.
2. Applicant's Project Statement: **(Refer to attached Project Statement)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: 1450 Harrison Road
2. Existing Zoning/Land Use: C-6/SS (General Business with Streamside Overlay) / developed
3. Surrounding Zoning/Land Use:
 - North*: C-6 (General Business) and M-1 (Light Industrial) / developed hotel and industrial park
 - South*: PBC (Planned Business Center) / developed with hotel and retail
 - East*: PBC / developed with hotel and gas stations, convenience stores
 - West*: C-6 (General Business) / developed with motel, convenience store, fast food restaurant
4. Comprehensive Plan Consistency/PlanCOS:
 - Area of Capacity and Change Rating: 3 (Medium to Low) / Vacant Parcels available nearby
 - Neighborhood Framework: Intersection of two changing neighborhoods (Stratton Meadows and Pikes Peak Park South); near an Established Suburban Neighborhood (Quail Lake)
 - Unique Places Framework: World Arena, identified as an Entertainment/Commercial center
 - Thriving Economy Framework: Furthers Typology 6 - Critical Support to provide fundamental services and activities.
 - Strong Connections Framework: Property is located at an intersection of I-25 (a Multi-modal Corridor and Intercity Corridor) and Lake Avenue/Circle Drive (a Major Road) providing convenient access for commercial automotive services.
5. Annexation: The property was annexed in February 1966 as part of the Stratton Addition.
6. Master Plan/Designated Master Plan Land Use: This property is not part of any Master Plan.
7. Subdivision: The property is part of the Harrison Interchange Subdivision recorded in 1977.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is currently developed with a commercial restaurant building.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public notification process for the associated applications consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 75 property owners within 1000 feet of the project site. No public comments were received in response to the notice. The site was also posted prior to the Planning Commission public hearing.

The applications were sent to the standard internal and external agencies for review and comment. All review comments received have been addressed. Review agencies for this project included the Postal Service, City Traffic, City Engineering, City Fire Department and Police/E-911, as well as County Health, Floodplain and Enumerations and the Colorado Department of Transportation.

ANALYSIS OF REVIEW AND CONFORMANCE WITH CITY COMPREHENSIVE PLANNING

1. Conditional Use

This property is 40,660 square feet of developed land and the existing structure is currently vacant. It was previously used as a Denny's restaurant. The use of the facility for a car wash is permitted in the c-6 (General Business) zone district, but is a conditional use for this specific location due to the Streamside Overlay.

The Quick Quack Development Plan (**see attached Development Plan**) illustrates the layout of the proposed construction and associated landscaping and parking areas.

The new paved area to be used for vehicular circulation at the car wash includes coverage of the Streamside overlay outer zone with 67% impervious surface (paving). This requires a non-use variance, as the highest allowable surface area to be covered by impervious paving within the outer streamside overlay buffer is typically 25%. Staff believes that the request is reasonable for the following reasons:

- The streamside overlay on this property extends approximately 75 feet from the northern property line to the inlet where the stormwater flow is piped underground.
- The stream is non-existent on the property for the remaining 200 feet of the property where it then crosses underneath Lake Avenue to the south.
- The stream is very narrow and does not contain significant stream attributes due to the proximity to the interstate and other infrastructure.
- The stream provides little to no wildlife habitat, riparian vegetation, water quality protection, or open space, and no multi-use trail opportunities other than two existing mature trees which will remain.
- The channel is at best intermittent, and portions appear to have been placed into a concrete channel with boulders to slow the flow. Debris within the channel has accumulated over the years, and will be removed by the applicant with the new construction.
- Reclamation of the narrow stream area may be contemplated by the City at some point in the future, however, the narrow partial occurrence of the stream on less than one-third of the property's interstate frontage, and the channelization of the stream as it travels underground, present limited opportunities to provide for the desired streamside attributes.

Regardless of the poor condition of the degraded stream located adjacent to this property, the applicant has provided significant landscape and other amenities in this area of the site to enhance that area of the property for users of the car wash facility. As shown on the landscape plan, two benches and multiple plantings of a variety of evergreen and deciduous trees; nine varieties of, shrubs, perennials and ornamental grasses to provide a heightened landscape environment that will be appealing to users of the facility. Much of the paved area previously existing in the parking lot will be removed, providing new opportunities for pervious infiltration of stormwater. A natural-looking rip-rap channel will extend from the proposed internal drive to the stream to provide some degree of water quality and convey any stormwater from the paved areas of the site to the channel. Water used in the car wash itself will be recycled and eventually will flow to the City's sanitary sewer system after traveling through three on-site sand/oil interceptors.

There is one access point into this site from Harrison Road. The City's Traffic Engineering staff does not have concerns, as this use will not contribute a significant amount of traffic onto the nearby roadway system. The Colorado Department of Transportation (CDOT) does require an access permit to the adjacent right-of-way from this property, which has been applied for and under review for nearly six weeks. It is anticipated, based on correspondence with CDOT, that the permit will be issued prior to the date of the City Planning Commission hearing.

For the reasons stated above regarding the proposed stream enhancements and the lack of concerns by City and outside agency reviewers, staff finds that the request for the conditional use development plan and streamside overlay variance is in conformance with the City Code standards and criteria for a conditional use development plan and non-use variance.

2. Conformance with the City Comprehensive Plan, PlanCOS:

- Area of Capacity and Change Rating: 3 (Medium to Low) / Vacant Parcels available nearby
- Neighborhood Framework: Intersection of two changing neighborhoods (Stratton Meadows and Pikes Peak Park South); near an Established Suburban Neighborhood (Quail Lake)
- Unique Places Framework: World Arena, identified as an Entertainment/Commercial center
- Thriving Economy Framework: Furthers Typology 6 - Critical Support to provide fundamental services and activities.

- Strong Connections Framework: Property is located at an intersection of I-25 (a Multi-modal Corridor and Intercity Corridor) and Lake Avenue/Circle Drive (a Major Road) providing convenient access for commercial automotive services.

This area contains commercial, retail, and hotel uses to the north, south and west, as well as to the east on the opposite side of Interstate 25 (**see attached Context Map**). The proposed carwash will serve an unmet need for the community that is conveniently accessible and in proximity to other automobile-oriented retail uses such as the adjacent automotive sound business.

3. Conformance with the Area's Master Plan
This property is not part of a specific master plan.

STAFF RECOMMENDATION

CPC CU 20-00049– CONDITIONAL USE

Approve the conditional use development plan for Quick Quack car wash, based upon the finding that the conditional use development plan complies with the review criteria for granting a conditional use development plan as set forth in City Code Section 7.5.502.E and 7.5.704.

CPC NV 20-00050 – NON-USE VARIANCE

Approve the non-use variance to Code Section 7.3.508.E.2.b., to allow 33% of the outer streamside overlay to be covered with impervious surface when a maximum of 25% is allowed, based upon the finding that the request complies with the review criteria for granting a non-use variance as set forth in City Code Section 7.5.802.B.