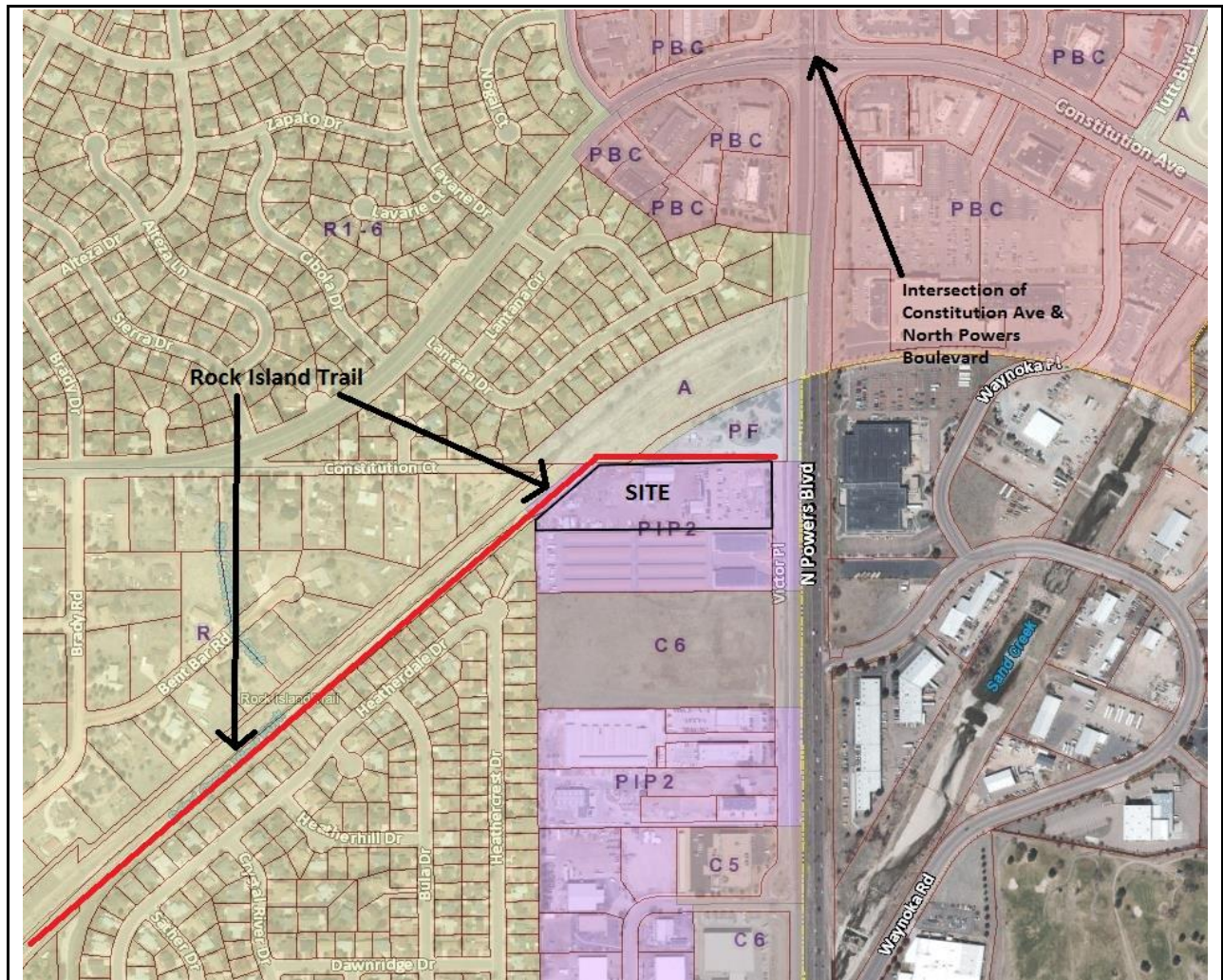


CITY PLANNING COMMISSION AGENDA

STAFF: MICHAEL MCCONNELL

FILE NO(S):
CPC UV 18-00012 – QUASI-JUDICIAL
CPC NV 18-00013 – QUASI-JUDICIAL

PROJECT: FIELDHOUSE BREWERY
APPLICANT: JASON ALWINE, THOMAS & THOMAS
OWNER: TIM EMICK



PROJECT SUMMARY:

1. Project Description: This project includes a use variance and a nonuse variance for the establishment of the new Fieldhouse Brewery location. Fieldhouse Brewery plans to renovate the structures on site and utilize 4,410 square feet as manufacturing and 1,170 square feet for the taproom/bar. While manufacturing is a permitted use within the PIP2 (Planned Industrial Park) zone district, a "bar" is not permitted. The use variance is required to allow the taproom/bar component of the facility that will be approximately 7,170 square because the applicants are proposing a tap room and large outdoor gathering area which will total 7,170 square feet in size.

This project also includes a nonuse variance for the operation of a liquor establishment within 200 feet of a residentially used or zoned property. The westernmost property line is directly adjacent to a residential parcel.

2. Applicant's Project Statement: **(Refer to FIGURE 1)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications. **(FIGURE 2)**

BACKGROUND:

1. Site Address: 2480 & 2490 Victor Place
2. Existing Zoning/Land Use: This property is zoned PIP2/AO (Planned Industrial Park with Airport Overlay)
3. Surrounding Zoning/Land Use:
 - Northwest: A/AO (Agricultural with Airport Overlay) Rock Island Trail
 - Northeast: PF (Public Facility) Colorado Springs Utilities Sub Station. Also a section of the Rock Island Trail.
 - South: PIP2/AO (Planned Industrial Park with Airport Overlay) Mini storage warehouses.
 - East: Powers Boulevard and County Land
 - West: R1-6/AO (Single Family Residential with Airport Overlay) Minimum 6,000 square foot lots with 30 foot maximum building height. Also A (Agricultural) sections of the Rock Island Trail.
4. Comprehensive Plan/Designated 2020 Land Use: New Development Corridor.
5. Annexation: This property was annexed as part of Smartts Addition Number 9 in December 1963.
6. Master Plan/Designated Master Plan Land Use: There is no Master Plan associated with this property.
7. Subdivision: This property is part of the Gertsch-Mendenhall Subdivision. Excluding the east 30 feet of the property which is additional right-of-way for North Powers Boulevard.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property currently being used as a landscaping business. There are two buildings which will remain; the largest is 5,580 square feet and the smaller is 2,192 square feet.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to all property owners within 1,000 feet of the properties external boundary which totaled 159 postcards as well as placing a poster along the frontage of Victor Place. Staff received eight (8) total comments of which all were positive or supportive of the project. The site will also be posted and the same neighbors will be notified prior to the City Planning Commission hearing.

The applications were sent to the standard internal and external agencies for review and comment. As of the drafting of this report there were outstanding comments from Land Use Review, Colorado Springs Fire Department and the City Surveyor. These comments mainly consist of minor labeling and site plan cleanup. Review agencies for this project include Colorado Springs Utilities, CSFD, Engineering

Development Review, City Traffic, Water Resources Engineering, Parks and Recreation, CSPD, the City Land Surveyor, Transit, CONO and Comcast.

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

1. Review Criteria / Design & Development Issues:

a. Use Variance

This proposal will allow a bar use within the PIP2 (Planned Industrial Park) zone district at 2480 & 2490 Victor Place. The property is directly adjacent to the Rock Island Trail and Powers Boulevard; one of the city's major commercial corridors. Most use variances requested have typically been for uses that do not generally fit within the existing zone district in which it is proposed. While micro-breweries are not specifically addressed within the Zoning Code, they are typically placed within either the Manufacturing or Bar use classifications. Staff has drafted an interpretation for the micro-brewery use that combines the manufacturing aspects with those of a bar or taproom. Specifically within the PIP2 zone district where manufacturing is an allowed use the Code currently allows for up to 30% of the principal structures floor area to be used for sales, both indoors and outdoors (7.3.205.C).

Staffs interpretation of this use states "The City Zoning Code does not currently define what are often referred to as micro-breweriesWith the recent increase of these uses staff has had to utilize code language found in Sections 7.3.203 and 7.5.104.B.3 to make a similar use Generally, staff has defined micro-breweries, micro-wineries and micro-distilleries as either a "bar" or as "manufacturing" depending on the proposed mix of production and sales."

The manufacturing portion of this project will occupy approximately 4,400 square feet of the total building space and the interior taproom use will occupy 1,170 square feet of interior space. However, the interior space combined with the 6,000 square foot outdoor patio will push the project over the 30% threshold for accessory sales. Staff has been utilizing the Code definition of "Manufacturing" (which includes the term "liquors") for both breweries and distilleries; then applying Code Section 7.3.205.C, Accessory Retail Sales, to limit the taproom or bar area when breweries and distilleries locate within an industrial zone district (i.e. PIP1, PIP2, M1 or M2). The maximum is 30% for accessory sales within PIP2 zones. Examples of breweries/distilleries in industrial zone districts with limited taproom space include Red Leg Brewing, Cockpit Distillery and Fossil Craft Beer Company. When breweries and distilleries locate within commercial zone districts, the brewing or distilling operation is restricted to be no larger than the bar area, or less than 50% in floor area. Examples of these breweries are Phantom Canyon, Trinity Brewing, Fieldhouse Brewing and Brass Brewing to name a few.

Located directly south of the Rock Island Trail, a brewery and taproom use will make the most of city infrastructure and a property on a sparsely traveled roadway, making it an ideal destination for cyclists. Also, having a Comprehensive Plan designation as a New Development Corridor will fit within the goal of bringing properties along the North Powers corridor to their fullest and best use.

The site has traditionally been used as a landscape company and as such has had two entrances which will be maintained with the future brewery use. The southernmost driveway will be utilized for deliveries and employees only while the northern drive aisle will be improved with a new asphalt drive which will lead to the customer parking area. This parking area will be striped and fully ADA compliant. This area will be curbed to prevent spillover parking into the large gravel area in the eastern portion of the property abutting Victor Place. This project will also construct sidewalks from both structures to the public right-of-way with a 5 foot concrete sidewalk connection to the Rock Island Trail. Included as well are two (2) bicycle racks for cyclists from the Rock Island Trail.

Separated from the manufacturing portion of the brewery building by a 6-foot wooden privacy fence will be an outdoor concrete patio with additional turf space for games and a small playground.

b. Non-Use Variance

The nonuse variance will be to allow a liquor establishment within 200 feet of a residentially used or zoned property per City Code Section 7.5.802.B. The western property line is directly adjacent to a residential property at 2375 Heathercrest Drive making for a 0-foot buffer between the two properties. The brewery (manufacturing) use will be 420 feet from the closet corner of the building to the residential rear property line and there will be a 6-foot tall wooden privacy fence around the outdoor seating area. The actual bar portion of the project will be more than 475 feet away from the rear property line of the abutting residential property. Staff has not received any concerns from surrounding residents regarding this application. Unlike a typical bar use, a micro-brewery does not need to obtain a local liquor license.

2. Conformance with the City Comprehensive Plan:

Based on the Comprehensive Plan, the proposed applications appear to be consistent with the envisioned development patterns for the subject parcel, which is identified as New/Developing Corridor per the Plan's 2020 Land Use map.

New/Developing Corridor: Corridors that have recently developed, or are now in the process of developing, with major retail uses, services and strip centers accessible exclusively by automobile and characterized by large dominating parking lots.

a. Objective LU2: Develop A Land Use Pattern That Preserves the City's Natural Environment, Livability, And Sense of Community

The applicants' proposal furthers this goal by maximizing city infrastructure along one of the primary commercial corridors and encourages a greater sense of community by creating more opportunities for interactions between residents on and around the Rock Island Trail.

b. Objective LU4: Encourage Infill and Redevelopment

This proposal will encourage a mixture of uses in an area that is labeled as a New Development Corridor. By redeveloping this property with a Brewery and Taproom use we will be encouraging customer oriented uses in industrial areas which will provide greater security, better infrastructure and a more well-rounded land use paradigm.

c. Objective LU7: Develop Shopping and Service Ares to be Convenient to Use and Compatible with Their Surroundings.

Encouraging an industrial-commercial land use hybrid that is located along a major corridor for both autos and pedestrians will create an area that fulfills multiple needs for area residents. Incorporating a mixture of uses will increase the diversity and vitality of commercial and industrial areas.

3. Conformance with the Area's Master Plan: No Master Plan associated with this parcel.

STAFF RECOMMENDATION:

CPC UV 18-00012

Approve the Use Variance for a bar use within the PIP2 (Planned Industrial Park) zone district based upon the findings that the Use Variance complies with the three (3) review criteria set forth in code section 7.5.803.B.

CPC NV 18-00013

Approve the Nonuse Variance for a liquor establishment within 200 feet of a residentially used or zoned property based upon the findings that the Nonuse Variance complies with the three (3) review criteria set forth in code section 7.5.802.B.