

CITY PLANNING COMMISSION AGENDA
April 30, 2020

STAFF: MATTHEW ALCURAN

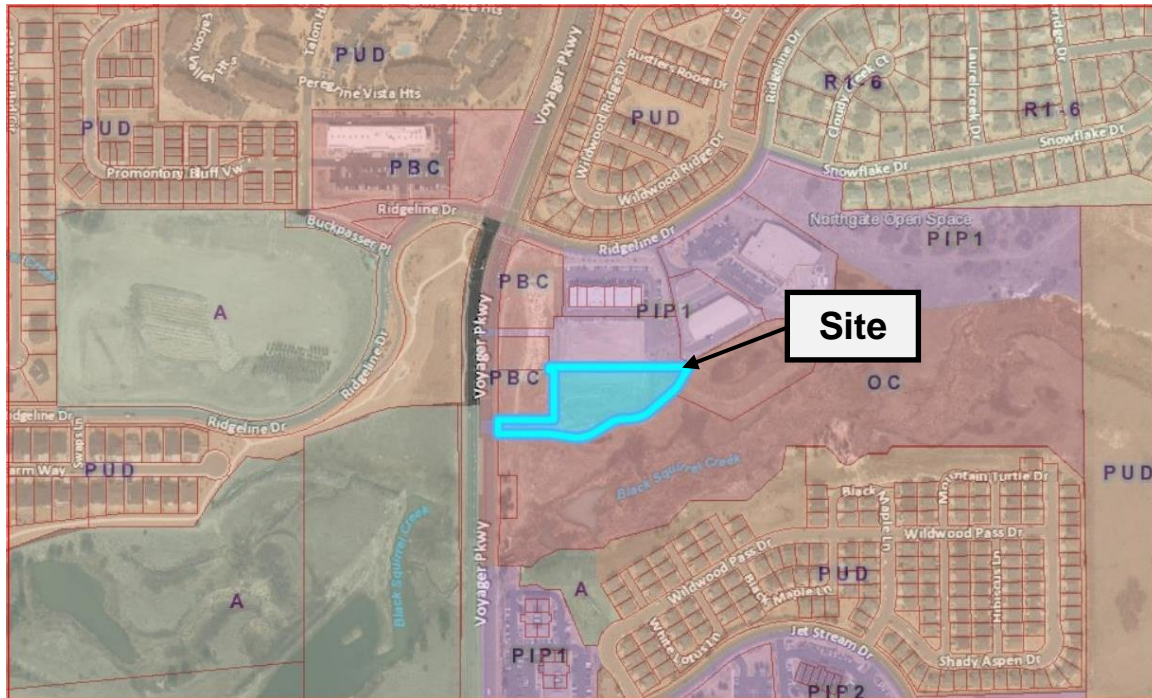
FILE NO(S):
CPC UV 20-00042 – QUASI-JUDICIAL

PROJECT: TIMBERVIEW ANIMAL HOSPITAL

OWNER: VOYAGER PROPERTIES, LLC

DEVELOPER: WYNN PROPERTIES, LLC

CONSULTANT: YOW ARCHITECTS PC



PROJECT SUMMARY:

1. **Project Description:** This is a request for a use variance to allow a small animal clinic, Timberview Animal Hospital, in a PIP-1 (Planned Industrial Park) zone district. If approved, the proposal would allow for a small animal clinic with a small outdoor exercise area in a new, 15,000 square foot building. The site is currently zoned PIP-1/CU (Planned Industrial Park – Conditional Use) located southeast of the intersection of Voyager Parkway and Ridgeline Drive consisting of approximately 1.91 acres. **(FIGURE 1)**
2. **Applicant's Project Statement:** **(Refer to FIGURE 2)**
3. **Planning and Development Team's Recommendation:** City Planning staff recommends approval of the application.

BACKGROUND:

1. Site Address: 11671 Voyager Parkway
2. Existing Zoning/Land Use: PIP-1 / CU (Planned Industrial Park No. 1 / Conditional Use) / Vacant Land (**FIGURE 3**)
3. Surrounding Zoning/Land Use:
 - North: PBC, PIP-1 & PUD across Ridgeline Drive, Vacant Land, Offices, Commercial and Single-Family Residential across Ridgeline Drive
 - East: PIP-1 & OC, Offices, Commercial and Vacant Land
 - West: PBC & PUD across Voyager Parkway, Restaurant and Vacant Land across Voyager Parkway
 - South: PIP-1/CR OC, PUD A, & PUD, Black Squirrel Creek, Vacant Land and Single-Family Residential
4. PlanCOS Vision: New Developing / Newer Developing Neighborhoods
5. Annexation: The property was annexed in October 1985, as part of the Northgate Annexation #3
6. Master Plan/Designated Master Plan Land Use: The Northgate Master Plan classifies this site as Office/Industrial
7. Subdivision: Voyager Business Park Filing No. 2
8. Zoning Enforcement Action: None
9. Physical Characteristics: The 1.91-acre site consists of vacant land with natural vegetation void of any structures.

STAKEHOLDER PROCESS AND INVOLVEMENT:

City Planning noticed 176 property owners within a 1,000-foot buffer distance. No written correspondence in response to the internal review postcard mailing and the property posting was received. The site will also be noticed and posted prior to the City Planning Commission hearing.

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Stormwater Engineering, City Traffic, City Fire, School District 20, Police and E-911. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review. Staff has determined that this application is outside the two-mile buffer for USAFA notification.

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

1. Review Criteria/Design & Development Issues:
 - a. Background
 - i. The 1.91-acre site is located southeast of the Voyager Parkway and Ridgeline Drive Intersection and is zoned PIP-1 (Planned Industrial Park No. 1). On August 22, 2019, a development plan (AR DP 18-00713) was approved for a new two-story, 25,000 square foot office/warehouse building. If the use variance is approved, the applicant may submit an amendment application to the original development plan, AR DP 18-00713, to reduce the building size to accommodate for a small outdoor area screened from public view.

A veterinary service (small animal clinic) is not listed as a permitted or conditional use in the PIP-1 zone district, which is what triggers the need for the use variance. Analysis supporting the use variance for a veterinary service (small animal clinic) at this location is included in the following sections of this report.
 - b. Use Variance Application
 - i. The request is for approval of a use variance to allow for the veterinary service (small animal clinic) for Timberview Animal Hospital within a PIP-1 zone district. Timberview Animal Hospital, the applicant, currently operates a veterinary service

across the intersection of Voyager Parkway and Ridgeline Drive within the Shops at Voyager retail center. Due to the limited tenant space, the applicant proposes to relocate the veterinary service within a new 15,000-20,000 square foot stand-alone building to include a small outdoor area screened from public view. The outdoor area is not permitted for overnight boarding except for emergency medical purposes.

The project site is currently zoned PIP-1, which does not permit veterinary or kennel services per Code Section 7.3.203. The applicant's existing site (11550 Ridgeline Drive) is zoned PBC, which allows a veterinary service (small animal clinics). 11671 Voyager Parkway is zoned PIP-1, and requires City Planning Commission approval for the use variance application request for the proposed veterinary service (small animal clinic) per Zoning Code Section 7.3.203 which does not list a veterinary service as a permitted or conditional use in the PIP-1 zone district. Per Code Section 7.5.801, specific criteria must be met in order for any use variance to be granted. The following is a summary of how the project meets these criteria.

The property is much larger than the applicant's existing location and is currently vacant land. Approval of the use variance would allow the applicant to expand into a much larger facility while continuing to provide an animal medical service in the neighborhood. All veterinary services will be located within the building, except for patient elimination located on the east side of the building. The outdoor area will be screened with an opaque style fence. The screened fence will help to mitigate any potential noise impacts. Even though the outdoor area would be approximately 435 feet from existing resident to the south, the applicant has been willing to work with staff by agreeing to install screen fence that will screen the outdoor area from future neighborhood commercial businesses in this corner parcel. The applicant originally requested to rezone the parcel to PBC (Planned Business Center), which permits a veterinary service (small animal clinic). Staff did not recommend this because removal of this parcel would reduce the minimum 10-acre district size required for a PIP-1 zone.

This use variance would allow the tenant to move and expand their existing business from across the intersection into this area. Without having access to nearby land, Timberview Animal Hospital will not be able to grow, and therefore, will hinder the economic well-being of the business and the service opportunity to the neighborhood. The applicant feels that this is a good addition to the business park, as this last section will be difficult to attract businesses without an existing anchor tenant. This opportunity will allow this business area to provide the surrounding neighborhood with services that they may not have had prior.

The building depicted as part of the approved Development Plan (AR DP 18-00713) is shown as 25,313 square feet and the applicant does not anticipate a building that large. The new proposed building shall be approximately 15,000 to 20,000 square feet. However, the purchaser will be requesting approval of a two-phase building plan that would begin with a portion of the total design to be built first and the second half at a later date. The proposed building would provide for three to four future tenants along with the veterinary service. Timberview Animal Hospital would enhance its services to provide indoor only boarding for their clients. There would be an outdoor area provided for patient elimination located on the east side of the building. Pets would be taken to this area one to two at a time, and they would not be without supervision, being outside for only short periods.

Since Timberview Animal Hospital already operates across the intersection within the Shops at Voyager retail center, the neighborhood is familiar with the business, and this use variance would allow the applicant to expand the business and provide a wider range of services to the neighborhood. With the neighborhood already familiar with the existing business, the applicant feels that this use variance will not have any detrimental effects, and indeed, be welcomed at this new location.

This application presents an opportunity for the business owner to provide a better experience and the neighborhood to use this improved location and business opportunity. Overall, the applicant feels that this use variance application should be approved based on the extenuating circumstances placed on this land and the opportunity it brings to the property to move forward.

- c. Drainage
 - i. Water Resources Engineering did not require a drainage letter/report.
- d. Traffic
 - i. Traffic Engineering has stated that there are no traffic issues with the small animal clinic.
- e. Geohazards
 - i. A geo-hazard letter/report was also not required by City Engineering since the small animal clinic does not involve any construction or site development at this time.

2. Conformance with the City Comprehensive Plan:

PlanCOS, the City's adopted Comprehensive Plan, is a high level and visionary document as a theme-based approach to alignment of development intentions for the City. The use variance for Timberview Animal Hospital is consistent with the envisioned land use pattern for the subject parcel as it relates to the Thriving Economy in PlanCOS

Thriving Economy

The proposed veterinary service (small animal clinic) fosters the vision of the Thriving Economy because it will advance an existing establishment providing continued employment for a strong work force and investment in the community. Through this land use decision, the expansion of an existing use will continue to further Colorado Springs economic health, while providing diversification of uses in this business area.

The proposed use variance meets Policy TE-2.B: Strategy TE-2, B-3: Retain or modify plans and regulations to allow for a complementary mix of industrial and commercial uses, workforce training, and business services in locations identified for commercial and business development, because the veterinary service (small animal clinic) provides a new commercial use within the business center

3. Conformance with the Area's Master Plan:

The site is designated as Office-Industrial Park / Research & Development, which a veterinary service (small animal clinic) is an allowed use under the area's master plan.

STAFF RECOMMENDATION:

CPC UV 20-00042 – USE VARIANCE DEVELOPMENT PLAN

Approve the Use Variance for a small animal clinic in the PIP-1 (Planned Industrial) zone district, based upon the findings that the request meets the review criteria for granting a Use Variance as set forth in City Code Section 7.5.803(B) and meets the review criteria for granting a Development Plan as set forth in City Code Section 7.5.502(B).