

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

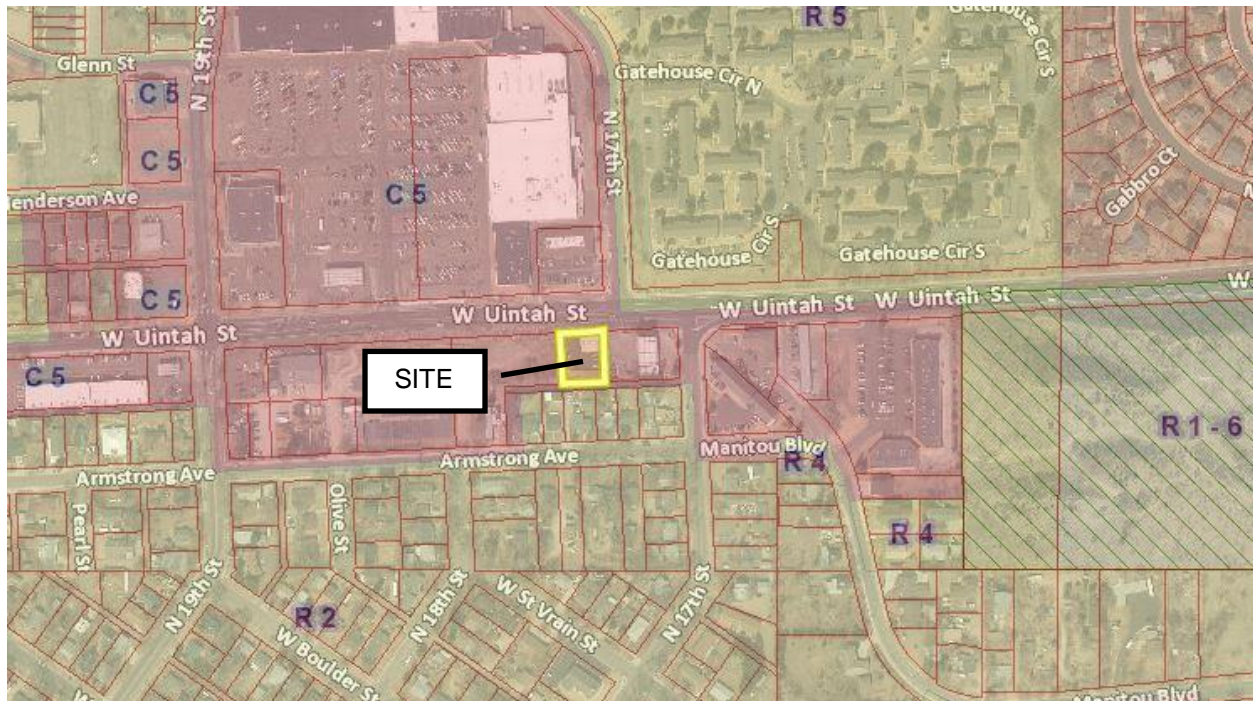
**STAFF: TASHA BRACKIN**

**ASSOCIATED FILES:**  
**CPC CU 19-00174 – QUASI-JUDICIAL**

**PROJECT: FAMILY PET CREMATORY – 1721 WEST UINTAH STREET**

**OWNER: LEE WILWERDING - KELKER LLC**

**CONSULTANT: JAMES W NAKAI & ASSOCIATES, P.C.**



## **PROJECT SUMMARY**

1. Project Description: This conditional use request is to allow conversion of an existing building previously used for a veterinary clinic into a pet crematory in the C-5 (Intermediate Business) zone district. The property is 12,000 square feet and is located on the south side of West Uintah Street between 19<sup>th</sup> Street and Mesa Road.
2. Applicant's Project Statement: **(Refer to FIGURE 1)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the application.

## **BACKGROUND**

1. Site Address: 1721 West Uintah Street
2. Existing Zoning/Land Use: C-5 (Intermediate Business)/developed
3. Surrounding Zoning/Land Use:
  - North*: C-5 (Intermediate Business) / developed retail center
  - South*: R-2 (Two-family residential) / developed with single family residential
  - East*: C-5 (Intermediate Business) / developed with gas station, convenience store, dispensary
  - West*: C-5 (Intermediate Business) / primarily vacant, single-family residence south side
4. Comprehensive Plan Consistency/PlanCOS:
  - Area of Capacity and Change Rating: 3 (Medium to Low) / Vacant Parcels available nearby
  - Neighborhood Framework: Established Historic Neighborhood with Changing Neighborhood on opposite side of Uintah Street
  - Unique Places Framework: Near Community Activity Center – Uintah Gardens
  - Thriving Economy Framework: Furthers Typology 6 - Critical Support to provide fundamental services and activities.
  - Strong Connections Framework: Uintah Street is a Major Corridor that separates an area with Urban Core streets to the south, and established suburban streets to the north
5. Annexation: The property was annexed in April 1968 as part of the Mesa Annexation.
6. Master Plan/Designated Master Plan Land Use: This property is part of the Westside Master Plan approved in 1986, designating the land use as General Commercial.
7. Subdivision: The property is part of the Addition Number 2 to the Town of West Colorado Springs Subdivision
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is currently developed with a masonry commercial building.

## **STAKEHOLDER PROCESS AND INVOLVEMENT**

The public notification process for the associated application consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 129 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.

## **ANALYSIS OF REVIEW AND CONFORMANCE WITH CITY COMPREHENSIVE PLANNING**

1. Conditional Use

This property is approximately 12,000 square feet of developed land and is currently vacant. The use of the facility for a pet crematory is a conditional use in the C-5 zone district.

The Family Pet Crematory Development Plan (**FIGURE 2**) illustrates the layout of the existing building and associated landscaping and parking areas. No exterior modifications to the building are proposed as part of this request.

The property is partially enclosed (on 2 ½ sides) with six-foot tall wood fencing. Landscaping at the developed facility was previously installed but has not been maintained while the property is vacant. The applicant has noted the intention to spruce up the planting in the unpaved area near the entry to the parking lot, and the development plan shows the addition of six new shrubs in this area. Parking at the proposed facility meets requirements, with four regular parking spaces and one handicapped space provided where a total of five spaces are required.

There is one access point into this site from West Uintah Street. As noted above, 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. There is no change to the stormwater drainage on the site, as the existing asphalt pavement will remain.

The applicant for this crematory has been certified to operate the equipment proposed to be used. Facility will only process small animals. The incinerator is designed to operate silently throughout the cremation process, and is equipped with emissions filtration to ensure no odor or visible smoke will be emitted. The State of Colorado requires operators of pet incinerator equipment to obtain an air quality permit, which the business will be responsible to maintain. Disposal of the remains must be managed in accordance with Colorado law. Typically, cremated pet remains are returned to their owners in individual urns. Colorado law allows scattering ashes on private property, and also governs disposal of cremated remains in landfills.

Staff finds that the request for the conditional use development plan is in conformance with the City Code standards and criteria for a conditional use development plan.

2. Conformance with the City Comprehensive Plan

- Area of Capacity and Change Rating: 3 (Medium to Low) / Vacant Parcels available nearby
- Neighborhood Framework: Established Historic Neighborhood with Changing Neighborhood on opposite side of Uintah Street
- Unique Places Framework: Near Community Activity Center – Uintah Gardens
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- Strong Connections Framework: Uintah Street is a Major Corridor that separates an area with Urban Core streets to the south, and established suburban streets to the north

This area contains commercial retail uses to the north and east, as appropriate for the C-5 zone district (**FIGURE 3**). Existing single-family homes are located to the south. The parcel to the west is mostly vacant, but does include a single-family mobile home on the southern part of the property. The proposed crematory will serve an unmet need for existing residents of the community who desire this service for their departed pets. This project is also fiscally efficient as it uses an existing facility and established infrastructure for a new use.

3. Conformance with the Area's Master Plan

This property is part of the Westside Master Plan approved in 1986, designating the land use as General Commercial. The proposed use is consistent with the Community Commercial designation.

## **STAFF RECOMMENDATION**

CPC CU 19-00174

Approve the conditional use development plan for Family Pet Crematory located at 1721 West Uintah Street to allow conversion of an existing building from a veterinary clinic to a stand-alone pet crematory in the C-5 (Intermediate Business) zone district, 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.