

**CITY PLANNING COMMISSION AGENDA
JULY 18, 2019**

STAFF: CHRIS STALEY

**FILE NO(S):
CPC CU 19-00038 – QUASI-JUDICIAL**

PROJECT: 725 E. FILLMORE STREET – BEST VALUE MOTORS
OWNER: RON WALKER
DEVELOPER: N/A
CONSULTANT REPRESENTATIVE: MATTHEW BIERI



PROJECT SUMMARY

1. Project Description: This project is a conditional use request to allow for an Automotive Sales and Rental use in the M-1 (Light Industrial) zone district located at 725 East Fillmore Street.
2. Applicant's Project Statement: **(Refer to FIGURE 1)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the conditional use development plan application.

BACKGROUND

1. Site Address: 725 East Fillmore Street
2. Existing Zoning/Land Use: M-1 (Light Industrial)
3. Surrounding Zoning/Land Use:
 - North*: C-5 (Intermediate Business)/Retail and vacant gas station
 - South*: M-1 (Light Industrial)/US Post Office
 - East*: M-1 (Light Industrial)/Automotive Sales
 - West*: M-1 (Light Industrial)/Gas Station
4. Annexation: Anton Nelson's Addition, June 1964
5. Master Plan/Designated Master Plan Land Use: This property is not part of an approved master plan.
6. Subdivision: Kitty Hawk Subdivision
7. Zoning Enforcement Action: None
8. Physical Characteristics: The property consists of 12,829 square feet on a relatively flat lot. The development consists of an existing 5360 square foot one-story building, associated parking, and landscaping along the north frontage of the site.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public process included posting the site and sending postcards to 137 property owners located within a 1000-foot buffer of the subject property on two occasions: once during the initial review of the project and a separate mailing was sent out prior to the City Planning Commission meeting in June. The City Planning Commission voted unanimously on June 20, 2019 to postpone this item until the July City Planning Commission meeting at the applicant's request. The applicant made revisions to the plan to reconfigure the vehicle inventory storage on the conditional use development plan. Staff had initially received one (1) comment in support of the project. No other comments were received during the public notice process.

Staff sent the plans to the standard internal reviewing agencies for comments. Those commenting agencies included City Engineering, Water Resources Engineering, Traffic Engineering, and Colorado Springs Utilities. All agency comments have been addressed for this project.

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

1. Review Criteria / Design & Development
 - a. Background

The request is to establish a new use on an existing, developed lot. The site improvements consist of an existing 5360 square foot one-story building, 14 existing parking stalls, and limited mature landscaping along the north frontage of the site align East Fillmore Street. It is important to note that the existing site improvements were constructed prior to the City requiring a development plan. A Conditional Use was

approved in 1988 to allow printing and retail sales. The prior approved Conditional Use has been discontinued for greater than one consecutive year and has since expired.

The property is located along East Fillmore Street between North El Paso Street and North Prospect Street; surrounding uses include retail store, automotive sales, post office and convenience food sales with fuel canopy (**FIGURE 2** – Vicinity Map).

b. Conditional Use / Development Plan (FIGURE 3)

The proposed use would be defined as “Automotive Sales and Automotive Rentals” within the City Code. With that, the use is required to seek conditional use approval when located within the M-1 (Light Industrial) zone district. Because the site was originally developed prior to the need for a development plan, staff required a one page Conditional Use/Development Plan to establish the proposed land use, illustrate existing building/improvements, demonstrate required parking, and show ADA compliance.

This limited conditional use development plan illustrates the existing developed site. No new improvements are proposed. The development plan illustrates an existing 5360 square foot one-story building, existing access to the site, required 4 parking stalls, vehicle inventory parking (indoors and outdoors) internal drives, access and existing landscaping along the north frontage of the site.

c. Drainage:

The project does not propose any improvements or modifications to the property. A Drainage Memorandum was provided by the Consultant, and has been accepted by Water Resources Engineering.

d. Access/Public Improvements

The project will utilize an existing 30-foot shared access drive to East Fillmore Street at the northwest corner of the property. There is a second 20-foot access opening towards the northeast corner of the site that will be utilized for traffic exiting the site.

Engineering has required that all existing curb, gutter and sidewalk posing a safety hazard, damaged, exhibiting excessive deterioration or not meeting current city engineering standards along Fillmore Street adjacent to the site be removed and replaced prior to issuing the certificate of occupancy.

2. Conformance with the City Comprehensive Plan/ PlanCOS (FIGURE 4)

PlanCOS, the City’s newly adopted Comprehensive Plan, is a high level and visionary document. Although PlanCOS purposefully does not include site-specific map-based recommendations regarding land use, there are multiple areas of alignment between the Plan and this proposed change of zone, development plan, and nonuse variance project. Foundationally, PlanCOS is theme based. Two main themes are particularly pertinent to and aligned with this change of zone, development plan, and nonuse variance request; Unique Places and a *Thriving Economy*.

Unique Places – Chapter 3

Chapter 3 discusses five Big Ideas for the City, and one of these Big Ideas are consistent with the project.

Embrace creative Infill, Adaptation, and Land use Change: We value the preservation of our built environment, especially our historic building and areas. But, for our city to be even

more competitive, we also need areas to infill and adapt in response to a myriad of trends including demographics, technology, and the market. As a community we should embrace the prospect of managed, thoughtful, and forward-thinking changes in land use by reinvesting in key areas.

A Chapter 3 Goal and Strategy that supports the proposed project:

Goal UP-2: Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

Thriving Economy – Chapter 4

Chapter 4 of the Plan focuses on the theme of a Thriving Economy and the Typologies throughout the City. One of the common desired elements for this theme is the Goals and Policies – Embrace Sustainability which is well aligned for this project:

The following Chapter 4 goals and policies are applicable with the 725 E. Fillmore – Best Value Motor project:

Goal TE-4: 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.

Strategy TE-4.A-1: Encourage revitalization and infill in underutilized urban places, as detailed in Chapter 3.

It is the finding of the Planning and Development Department that the 725 East Fillmore Street – Best Value Motor Conditional Use/Development Plan substantially conforms to PlanCOS and its guidance.

3. Conformance with the Area's Master Plan: This property is not part of an approved master plan.

STAFF RECOMMENDATION

CPC CU 19-00038 – Conditional Use

Approve the conditional use for Automotive Sales and Rental in the M-1/CU (Light Industrial with a conditional use) zone district, based upon the findings that the request complies with the three review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.E.