

## Quick Facts

### Applicant

Guidepost A, LLC

### Property Owner

6575 Oakwood Blvd LLC

### Developer

Brytar Companies

### Address / Location

6575 Oakwood Blvd

### TSN(s)

6312405022

### Zoning and Overlays

Current: Office Residential (OR), Airport Overlay (AO)

### Site Area

Approx. 1.4 acres / 60,900 SF

### Proposed Land Use

Child Daycare Center

### Applicable Code

Previous Chapter 7

## Project Summary

This project includes a Conditional Use Development Plan application to allow a Child Day Care Facility in an existing building within the Office Residential zone district (OR) where Child Care Facilities are a Conditional Use under the Previous Chapter 7.

File Number	Application Type	Decision Type
CUDP-22-0017	Conditional Use Development Plan	Quasi-Judicial

## Background

### Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	Covenant Community Church Annexation	Sept. 9, 1998
Subdivision	Templeton Gap Heights Filing No. 3	1971
Master Plan	This property is not within a Master Planned Area	
Prior Enforcement Action	There are no prior enforcement actions	

### Site History

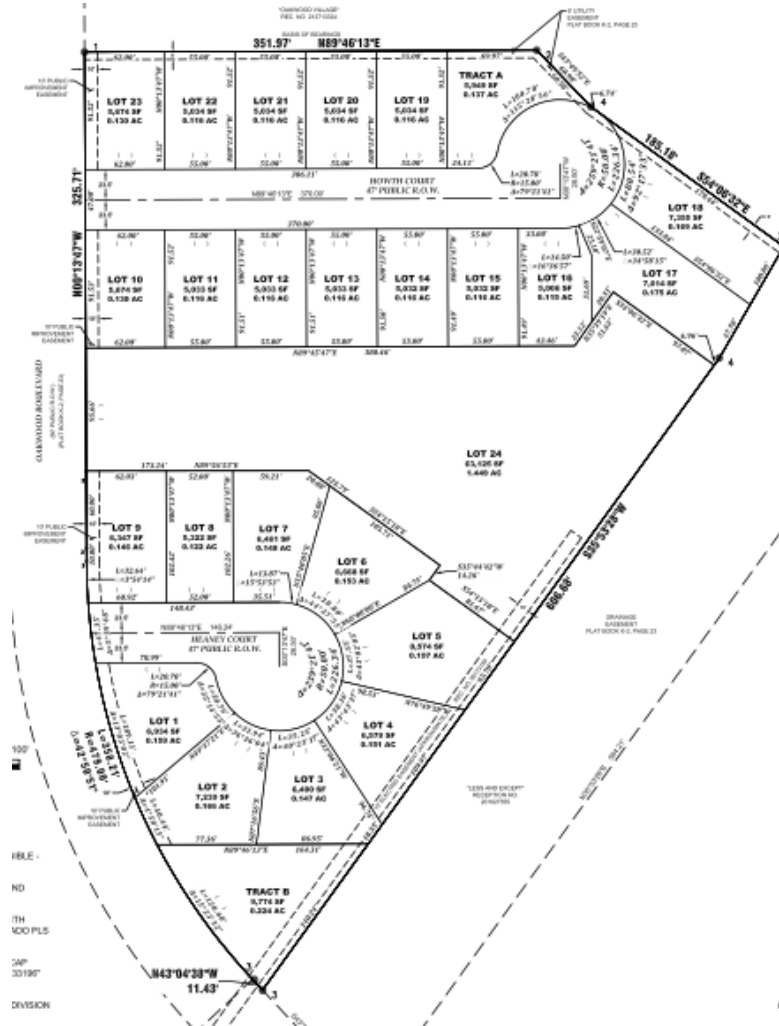
Over the course of this site's history, it has been occupied by several different use types. The earliest record of the property's use that could be located by Staff was as a religious institution. This property was owned by the Covenant Community Church since 1998 (CPC P 98-00132). As an accessory use to the religious institution, the site also functioned as a children's daycare facility. The property was then sold and converted into The Springs Funeral Services in 2016. The subject request is to convert the land use to a children's daycare center.

### Aerial Image



The Montessori School will only be utilizing approximately 1.4 acres of the approximately 5.8-acre site. The remainder of the property is undergoing a separate development plan application (DEPN-23-0131) which proposes single-family attached units. A replat of the subdivision is in review to subdivide the approximately 5.8-acre lot such that the Montessori School be contained on its own separate lot from the residential use (SUBD-23-0141). The Dublin Townes plat proposes the below configuration.

**Proposed Lotting Configuration:**



**Applicable Code**

The subject application was submitted prior to the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is permitted to elect which Code they prefer their application to be reviewed under. The subject application was chosen to be reviewed under previous Chapter 7 per the applicant’s instructions. All subsequent references within this report that are made to “the Code” and related sections are references to previous Chapter 7.

**Surrounding Zoning and Land Use (UDC Zone Districts)**

## Adjacent Property Existing Conditions

	Zoning	Existing Use	Special Conditions
North	PDZ	Residential	
West	R1-6	Residential	
South	R1-6	Residential	
East	R1-6 / PDZ	Residential	Cottonwood Creek

## Zoning Map (UDC Zone Districts)



## Stakeholder Involvement

## Public Notice

Public Notice Occurrences (Poster / Postcards)	2
Postcard Mailing Radius	1000'
Number of Postcards Mailed	588
Number of Comments Received	2

## Public Engagement

Staff received two (2) public comments during the public comment period of the administrative review. Both comments were concerned that this project would generate additional traffic on Oakwood Boulevard, which the commentors regarded as a very congested street. There is significant concern from the neighbors that Oakwood Blvd. will become impassable for residents and there was concern expressed that this could generate safety issues.

Although the subject application received few public comments, the related Development Plan application (DEPN-23-0131) for the adjacent single-family residential did receive a large number of public comments, mostly concerning traffic impacts due to the increase in density. A neighborhood meeting was held to hear the neighborhoods concerns where this concern was echoed further.

## Timeline of Review

Initial Submittal Date	December 2022
Number of Review Cycles	5
Item(s) Ready for Agenda	October 16, 2023

## Agency Review

### Traffic Impact Study

Staff did not require a traffic impact study for this proposed conversion. Traffic Engineering indicated that they had no comments in the administrative review.

### School District

No comments received. The commercial daycare will not change the student population of area schools.

### Parks

No comments received. The conversion does not trigger Parkland Dedication Ordinance requirements.

### SWENT

No comments received. There were no proposed changes to drainage or grading on site.

## Colorado Springs Utilities

Comments were received relating to the existing CSU utilities on site and location of proposed trees on the landscape plan. All CSU comments have been satisfied during the administrative review.

# Conditional Use Development Plan

## Summary of Application

This application consists of a Conditional Use Development Plan, as well as a revised landscape and irrigation plan. Under the old Chapter 7, children's daycare facilities were a Conditional Use in the Office Residential (OR) zone district. The Applicant's proposal to convert the existing building and a portion of the property generally located at 6575 Oakwood Boulevard is intended to update indoor and outdoor spaces to serve approximately 190 students.

Prior to any on-site improvements, the site will see the demolition of portions of the paved parking areas. This is largely due to the concurrent development plan application that has been submitted for the north and south portions of the site that are being proposed for single-family attached units. Also, the portions of paved area that are kept intact will be restriped in order to comply with the proposed parking configuration on this plan.

Interior improvements will consist generally of creating classroom spaces, restrooms, kitchens, and other facilities to support the student population and projected staff of 24 employees. Significant exterior improvements will be made to establish multiple age-appropriate playgrounds, new landscaping, and relocation of the property access driveway. The forty-six (46) parking stalls provided on this plan exceeds the Code required parking, and the flow of on-site traffic provides for safety of vehicles and pedestrians. Due to the length of the internal driveway measuring roughly 300 feet from Oakwood Boulevard to the structure's main entrance, there will be ample space for parents to queue on-site to drop off students. Additionally, the site has hours of operation limited to 7am to 6pm.

Subject to approval of the Conditional Use Development Plan, the Applicant will pursue building permits with Pikes Peak Regional Building Department to complete the conversion of the building and other upgrades to the site as described above.

## Application Review Criteria

Below are the three review criteria as outlined in zoning code Section 7.5.704: Authorization and Findings (Conditional Uses). The applicant meets these criteria as follows:

1. Surrounding Neighborhood: That the value and quantities of the neighborhood surrounding the conditional use are not substantially injured.

The proposed conversion of the site to a children's daycare facility is not anticipated to have any direct impact on the adjacent residential neighborhood. This use is more compatible with the surrounding area than the current use (funeral home) as this use is anticipated to provide a benefit to local families. Given the current crisis for affordable childcare in the State, a convenient and accessible daycare will be of more use to local families than the current use.

2. Intent of the Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety, and general welfare.

The intent of the Office Residential zone district (OR) is to allow for a mix of low intensity uses that that are mutually beneficial to both residential areas and commercial businesses. The co-location of a children’s daycare facility immediately adjacent to a mix of housing types is a benefit to the community as it will provide convenient childcare options for the diverse families living in the Stetson Hills area. During the administrative review period for this application, there were no comments made by our internal or external review agencies that caused concern regarding general safety and welfare. This includes Colorado Springs Police Department, Fire review, or the Public Works Department. Although daycare facilities are not a permitted use in the Office Residential zone district, this proposed use poses no immediate threat to safety, public health, or the general welfare of the neighborhood.

Additionally, this site has previously been used partially as a daycare facility when the site was owned by the Community Covenant Church. When the site was annexed and rezoned to City zoning districts (1998) the site was intended to be used as a religious institution, and City Planning Commission was operating under the same zoning code as Previous Chapter 7. It is unknown whether the Commission was made aware of the accessory use at the time of their approval, but the accessory daycare is included on the building permit records from when the building was converted to the religious institution use in 1998. A floor plan as submitted to Regional Building Department in 1999 (Permit C31141) included rooms labeled for use of toddlers, pre-school, and pre-K.

Under the written description of the Office Residential zone district in Section 7.3.202, there is special emphasis on the need for special consideration to be given to siting of the building, screening, landscaping, and internal traffic movement. Through the administrative review process, the Applicant has worked closely with Staff to ensure that screening to the proposed future residential immediately adjacent to the site has been accounted for, and that landscaping provides for additional visual and noise mitigation to future neighbors. The site design for the proposed Montessori School parcel provides for smooth flow of traffic, as well as pedestrian paths should parents choose to walk their children if they live close by. Adjacency to Cottonwood Creek on the site’s eastern boundary provides further buffering to eastern neighbors, as well as a physical buffer to the daycare.

Although this application is being reviewed under the previous Chapter 7 it is worth noting that per the current UDC standards, children’s day care facilities are still considered a Conditional Use and would be subject to the updated conditional use review criteria and use-specific standards associated (Section 7.3.302A).

3. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

The proposed child daycare facility and conditional use development plan conforms to the goals and policies of the City Comprehensive Plan (herein referred to as “PlanCOS”). This project provides a service for the greater vicinity and is a compatible use with the existing residential neighborhood. See the analysis below for more discussion of Plan COS compliance.

**Development Plan:**

Given that this application is being reviewed under old Chapter 7 and this application consists of a Conditional Use Development Plan, this application is subject to review of the Development Plan Review Criteria. There are thirteen application review criteria for development plans as outlined in zoning code Section 7.5.502.E – Development Plan Review Criteria. The applicant meets these criteria as follows:

1. The site design and location of the proposed use is harmonious and compatible with the surrounding neighborhood. Additionally, this plan has been planned concurrently with the proposed adjacent single-family residential, which has allowed for a better planned product.
2. The site is not within an area with special plan areas including Master Plans, Corridor Plans, Neighborhood Plans, etc....

3. The project meets all applicable dimensional standards for the Office Residential zone district and all applicable use-standards.
4. The project complies with all applicable drainage, grading, floodplain, and other Stormwater related issues and has satisfied all requirements for drainage reports.
5. The project provides sufficient off-street parking on-site. No variances to parking were requested or required.
6. The site provides internal parking and maneuvering areas that meets all applicable standards.
7. The project provides the required landscape buffers to adjacent development. A 15-foot landscape buffer is required against single-family residential, and the Montessori school will be providing this buffer. The adjacent proposed single-family residential will be responsible for providing the required 6-foot privacy fence.
8. This project will not impact sensitive natural areas or expose the public to additional hazards. Site fencing will be provided as a buffer to the adjacent Cottonwood Creek.
9. The site design provides safe pedestrian and ADA accessible pathways, connections to adjacent public sidewalks, and marked crosswalks for students, parents, and staff.
10. This site substantially complies with the City's Traffic Criteria Manual. Access points were coordinated with City Traffic Engineering and the proposed single-family residential adjacent to the site to ensure that any new access points will provide safe ingress and egress for existing and future traffic.
11. The project will tie into existing City utilities.
12. No roadway or intersection improvements were deemed necessary by City Traffic Engineering.
13. There are no significant off-site impacts anticipated by this proposed use.

Staff has evaluated this application based on the review criteria for both Conditional Uses (Section 7.5.704) and Development Plan (Section 7.5.502.E ) applications, and have found that this application meets these criteria.

### Compliance with Development Standards

This conditional use application has demonstrated that it meets all applicable development standards including those listed below. Under previous Chapter 7, children's daycare facilities do not have any use-specific standards to conform to.

Development Standard	Required	Proposed
<u>Setbacks:</u>		
Front:	25'	25'
Side:	5'	5'
Rear:	20'	20'
Parking (1 per 400 SF)	36 stalls	42 stalls (2 ADA)
Max. Building Height	35'	30'
Min. Lot Area	5,000 SF	Approx. 60,900 SF
Max. Lot Coverage	50%	23%

### Compliance with Relevant Guiding Plans and Overlays

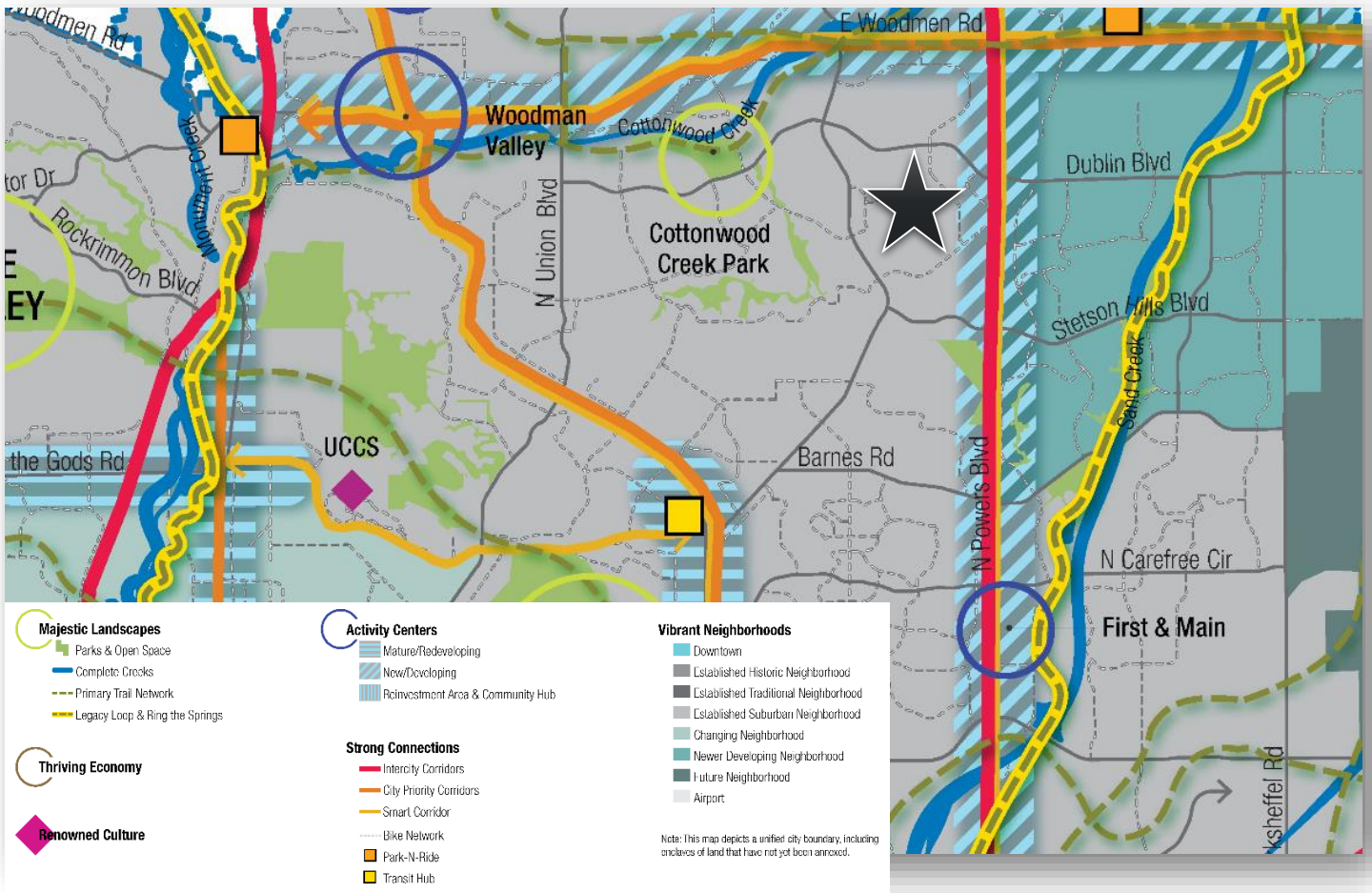
This site is with the Airport Overlay. Since this conditional use is to support the conversion of an existing building, the Airport did not offer any comments pertaining to this use. Day care uses are not restricted by the Airport Overlay. This



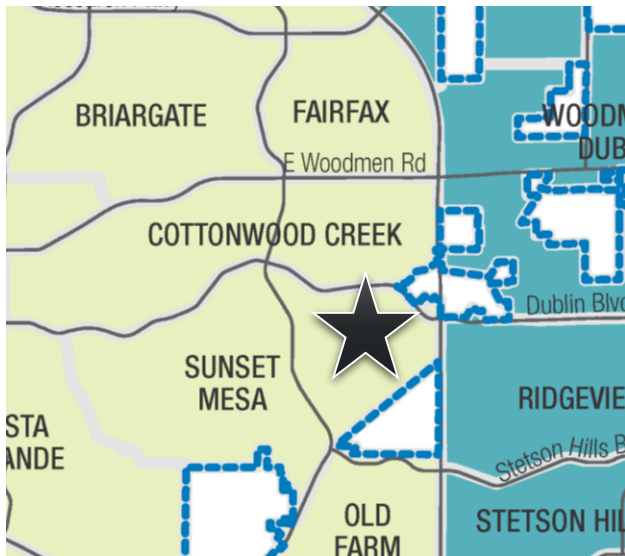
site is not within a Master Planned area, although its immediately adjacent to the Norwood Master Plan to the West. There are no other guiding plans or overlays that pertain to this site.

## Compliance with PlanCOS

### PlanCOS Vision



Within the PlanCOS Vision Map, this site is located within an Established Suburban Neighborhood. Neighborhoods with this designation are viewed as areas with limited future development and are primarily residentially developed. Recommendations for these areas include smart in-fill and adaptive reuse of space to provide a mix of uses that are compatible with existing neighborhood patterns. This designation is also reflected on the Vibrant Neighborhoods Map.



**Predominant Typology**



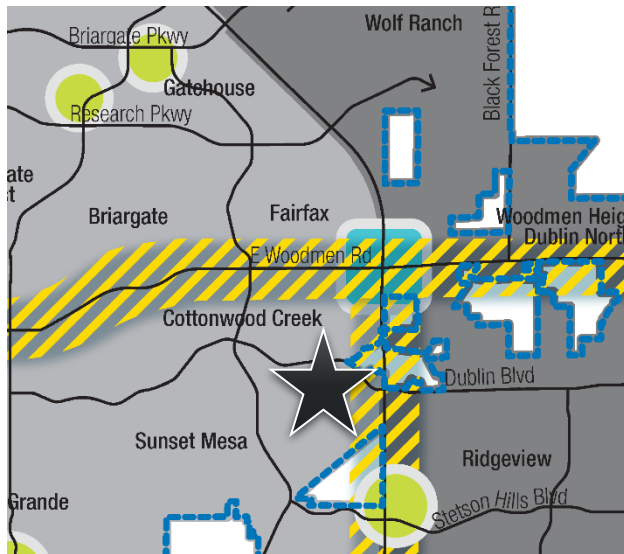
**Vibrant Neighborhoods**

This project is in an *established suburban neighborhood*. This typology:

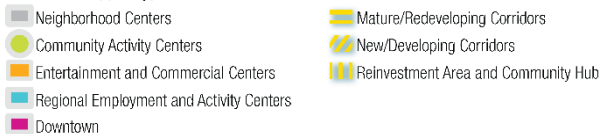
1. Can expect infill;
2. Should integrate uses;
3. Redevelop commercial areas;
4. Create safe connections into and within existing neighborhoods.

Per the plans to establish a childcare facility, items 1-4 of this typology are consistent with the proposed project.

This use complies with **Strategies VN-3.A-6 and VN-3.A-7** **Policy VN-3.E** by promoting a healthy mix of uses within the neighborhood.



**Predominant Typology**

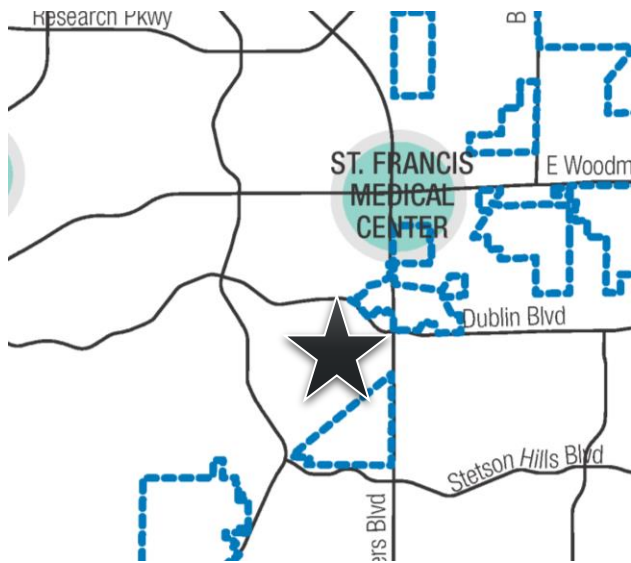


**Unique Places**

This project is a part of a *neighborhood center*. The goal of this typology is “to provide a focal point for community and services at a neighborhood scale.” This typology encourages integrating uses & housing.

Siting this use at this location integrates a state-recognized needed service with convenient access to residential uses and major roadways to access employment centers and other daily services, supporting community life by providing an enriching and needed service for working parents.

This use complies with **Goal UP-2** by providing a forward-thinking mix of uses that respond to changes of needs of the community. This project also complies with **Policy UP-1.C** by repurposing existing facilities as Civic Institutions in areas of high visibility and accessibility.



**Predominant Typology**

- Cornerstone Institutions
- Spinoffs and Startups
- The Experience Economy
- Life and Style
- Industry Icons
- Critical Support
- City Boundary
- Interstate 25
- Major Roads

**Thriving Economy**

Common Desired Elements of a thriving economy are relevant to this development and include:

- B. a mix of complimentary uses, and
- E. amenities including...supporting uses that attract investment & provide value to employees, customers, and visitors.

The typology that most embodies a neighborhood center is the Life & Style typology which consists of areas meant “to meet the daily needs of residents and businesses with high quality, varied, accessible options”. This typology recommends the integration of retail and services, as well as encouragement of high-quality, mixed-use environments.

This use complies with Strategy TE-4.A.1 which encourages revitalization of underutilized spaces.

**Statement of Compliance**

**CUDP-22-0017**

After evaluation of the Guidepost Montessori School - Conditional Use Development Plan, this application meets the review criteria.