



### **PROJECT SUMMARY:**

1. Project Description: This project application is for approval of a conditional use development plan for Polly's Preschool (here in referred to as "Polly's Preschool") located at 9262 Pacific Crest Drive. The plan will allow the establishment of a large daycare home with a maximum of twelve (12) children in a PUD/AO (Planned Unit Development with Airport Overlay) zone district. **(see "Conditional Use Development Plan" attachment)**
2. Applicant's Project Statement: **(see "Project Statement" attachment)**
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the application.

### **BACKGROUND:**

1. Site Address: The project site is addressed at 9262 Pacific Crest Drive.
2. Existing Zoning/Land Use: The subject property is zone PUD/AO (Planned Unit Development with Airport Overlay), and is residentially developed.
3. Surrounding Zoning/Land Use: North: PUD/AO (Planned Unit Development with Airport Overlay), and is residentially developed.  
South: PUD/AO (Planned Unit Development with Airport Overlay), and is residentially developed.  
East: PUD/AO (Planned Unit Development with Airport Overlay), and is residentially developed.  
West: PUD/AO (Planned Unit Development with Airport Overlay), and is residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map **(see "PlanCOS Vision Map" attachment)**, the project site is identified as a Newer Developing Neighborhood.
5. Annexation: The subject property was annexed into the City under the Banning Lewis Ranch No. 2 Annexation Plat (August 9, 1988, Ord. 88-115).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Banning Lewis Ranch Master Plan. The Master Planned Land Use designation is medium density residential.
7. Subdivision: The property was platted as Lot 201, Banning Lewis Ranch Filing No. 15.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is residentially developed and is located in an established single-family residential neighborhood.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 267 property owners on two occasions; during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. No written correspondence in opposition was received.

Staff input is outlined in the following sections of this report. Staff sent the conditional use development application plan to the standard internal and external review agencies for comments. Commenting agencies included Public Works, Colorado Springs Fire Department, Colorado Springs Police Department, City Engineering, Enumerations, Floodplain Administrator, Landscape Reviewer, Land Use Review Surveyor, Stormwater Enterprise, City Traffic Engineering and the United States Postal Service. All comments received from the review agencies were addressed. As an infill project within an established neighborhood, City Planning staff notes that the following review agencies provided project specific comments:

- City Traffic - The City's Traffic Engineering Division has stated that there are not traffic issues with the large daycare home project.
- City Fire – The City's Fire Department (CSFD) did not have any comments or exceptions with the development plan as submitted.

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

1. Review Criteria / Design & Development Issues:

a. Conditional Use Development Plan Proposal

The Applicant's proposal is for a Conditional Use Development Plan to establish a large daycare home for a maximum of 12 children in accordance with City Code Section 7.3.105(B)(2) which requires a conditional use in most residential zone districts. **(see "Conditional Use Development Plan" attachment)** The Applicant has obtained approval from the Banning Lewis Ranch Metro District for a large daycare home at 9262 Pacific Crest Drive. The site configuration for Polly's Preschool consists of a 4,500 square foot lot, with pedestrian and vehicle access from Pacific Crest Drive. The daycare will operate Monday through Friday from 7:00am to 6:00pm, closed on weekends except for giving tours to new families by appointment only. Drop-off and pick-up will be staggered times. Parents arriving and departing with their children will do so within the two-car driveway and, if necessary, via on-street public parking in front of the residence. The parking will not interfere with the neighborhood. Some families have more than one child in the daycare. This will keep traffic at any given time to a minimum. Staff finds that the proposed drop-off and pick-up design is safe for kids and parents. This will keep traffic at any given time to a minimum to minimize congestion and parking along Pacific Crest Drive. There are no outside employees. The applicant's sister, who resides at the residence, will assist with the daycare.

According to the State of Colorado, the indoor floor space per child must be 35 square feet per child and the outdoor play area per child is at least 75 square feet per child. In accordance with State of Colorado standards for a maximum of 12 children, 420 square feet is the minimum indoor floor space necessary and 900 square feet is the minimum for outdoor play area. The Applicant has provided 1,900 square feet of indoor and 1,485 square feet of outdoor play area, which exceeds the State's minimum requirement noted above. The outdoor area is fully fenced with a wood fence with wire mesh and a gate on the east side of the residence. This outdoor area is designated for the children's playground area with a variety of playtime activities with adult supervision. Children are not permitted to be in the front yard of the property. City planning staff finds these conditions to adhere with the State of Colorado requirements for a large daycare home, as well as City Code Section 7.3.105(B)(2).

b. Findings for Granting a Conditional Use Development Plan

i. *Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.*

City Planning Staff finds that the request will not injure the value and quality of the surrounding neighborhood, as the immediate area is currently developed with similar single-family residential uses. There are other child care operations in the immediate area. Based on the State of Colorado Office of Early Childhood website, there are four licensed daycare homes (with attendance of no more than six (6) children full time plus two (2) children part time) within a mile of the residence. There are also two daycare facilities in association with Banning Lewis Ranch Academy and Inspiration View Elementary School. The proposed use is found to be compatible in the single-family neighborhood and is sized to serve the surrounding area. **(see "Context Map" attachment)**

- ii. *Intent of 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.*

Base on City Code Section 7.3.101, residential zone districts are indented to provide for "...residential living with a broad range of dwelling unit densities and development types..". Residential zone districts are also envisioned to allow for and/or accommodate other land uses should certain standards be met and approvals be granted. The applicant's request to develop a large daycare home use is consistent with the additional standards set forth in City Code Section 7.3.105(B)(2)) for a large daycare homes, which are structured to mitigate potential impacts that apply to certain uses conditionally permitted in residential zone districts.

- iii. *Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.*

The proposed large daycare home and conditional use site 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 residential neighborhood. Refer to Section 2 below for additional details.

Staff finds the proposed use to be consistent with the purpose for uses in residential zone districts, as set forth in City Code Section 7.3.101, the findings for granting conditional use development plan, as set forth in City Code Section 7.5.704, the criteria for a large daycare home, as set forth in City Code Section 7.3.105(B)(2), and a development plan, as set forth in City Code Section 7.5.502(E).

2. Conformance with the City Comprehensive Plan:

Staff has evaluated the proposed application for conformance with the City's current comprehensive plan ("PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified as a Newer Developing Neighborhood. The Thriving Economy Framework map does not have a designation called out, however allowing the use of a large home daycare at this location will provide a service to the residents in this developing area of the City. The intent of PlanCOS is to preserve and enhance existing and establishing neighborhoods and to evaluate land use proposals by "*Provide ongoing small business assistance with navigating the City's land entitlement and other permitting processes.*" Strategy VN-3.C-3

City planning staff finds the project in question and its associated application to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan:

The Polly's Preschool project is located within the Banning Lewis Ranch Master Planned area. The master planned land use designation for the project site is medium density residential. The neighborhoods surrounding the project are developed or developing with residential land uses and public schools. The Applicant's request for a large daycare home is complementary and supportive of the current land use patterns for the area. City Planning staff finds that the Polly's Preschool project to be complimentary and supportive of the long-range vision for the Banning Lewis Master Plan. (see "**Context Map**" attachment) Through the review of the conditional use development plan application and consideration of the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E), and the findings for authorizing a conditional use, as set forth in City Code Section 7.5.704, the overall area impacts of the project were analyzed and staff finds the Polly's Preschool project to be complimentary and supportive of the immediate area.

**STAFF RECOMMENDATION:**

**CPC CU 21-00194 – CONDITIONAL USE**

Approve the Conditional Use Development Plan, based upon the finding that the request meets the findings for granting a Conditional Use as set forth in City Code Section 7.5.704 and the review criteria for granting a Development Plan, as set forth in City Code Section 7.5.502(E).