

CITY PLANNING COMMISSION AGENDA
February 20, 2020

STAFF: RACHEL TEIXEIRA

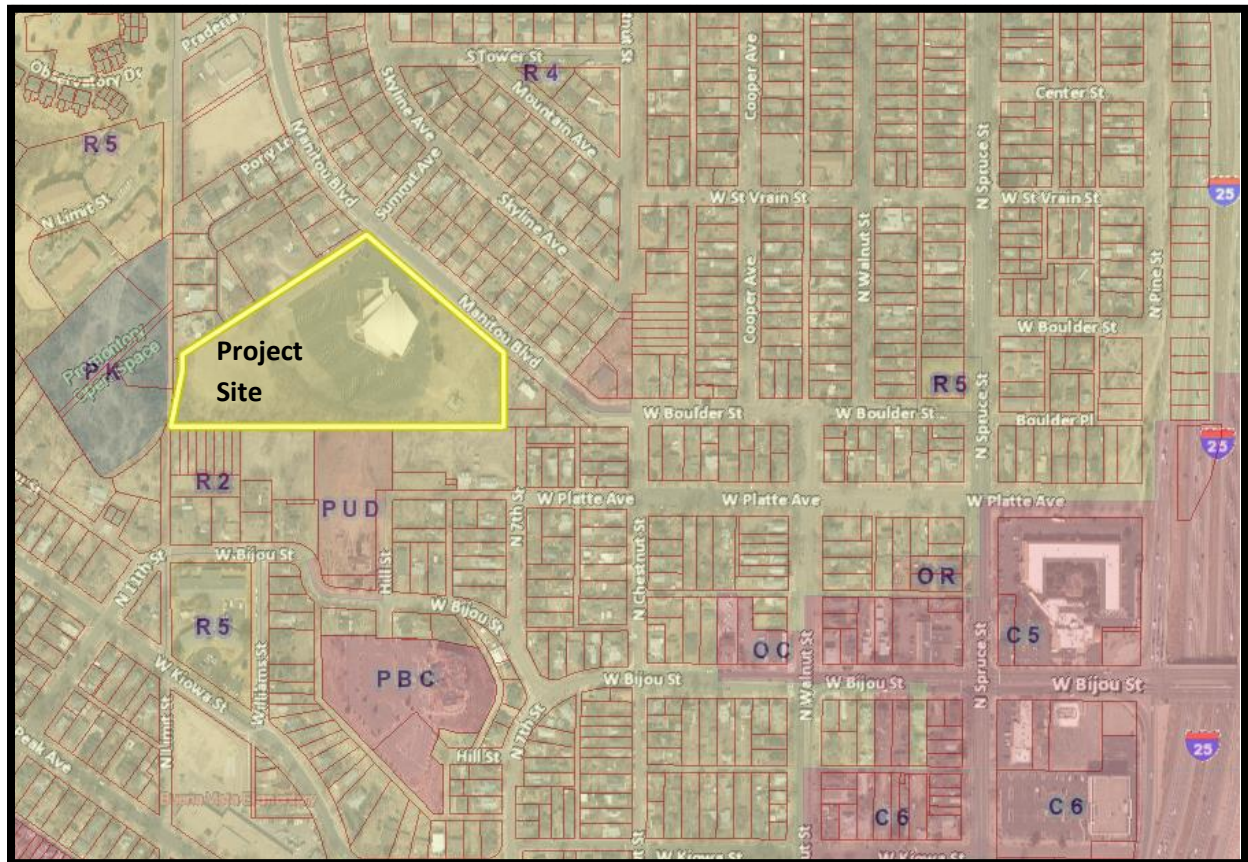
FILE NO:
CPC UV 20-00025 – QUASI-JUDICIAL

PROJECT: 640 MANITOU BOULEVARD

PROPERTY OWNER: FIRST ASSEMBLY OF GOD CHURCH

APPLICANT: VALLEY CHRISTIAN ACADEMY SCHOOL

CONSULTANT REPRESENTATIVE: LIVING HOPE CHURCH



PROJECT SUMMARY

1. Project Description: This project includes a use variance development plan for the daycare center at Living Hope Church per Zoning Code Section 7.3.103. The project will allow for daycare services/preschool use in an existing 27,500 square foot religious institution building with associated required parking. The site is located west of North Chestnut Street and West Boulder Street intersection, is zoned R2/CU, and consists of 7.83 acres. **(FIGURE 1)**
2. Applicant's Project Statement: **(Refer to FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the application.

BACKGROUND

1. Site Address: 640 Manitou Boulevard
2. Existing Zoning/Land Use: R2/CU (Two-Family Residential with Conditional Use)/Religious Institution
3. Surrounding Zoning/Land Use:
North: R4/Single- and Multi-Family Residential, and Boys and Girls Club
East (of Manitou Boulevard): R2, R4 & R5/Single- and Two-Family Residential
West: PK, R2 & R5/Promontory Open Space – Park, Single-Family Residential, and Apartment Complex
South: R2, R5, PUD, PBC, OR, C5 & C6/Single-, Two-, and Multi-Family Residential, Restaurant, Nursing Home, Religious Institution, Offices, Commercial, Hotel and Vacant Lots
4. Annexation: Town of Colorado Springs, September 1872
5. Master Plan/Designated Master Plan Land Use: Westside Master Plan/Residential-High Density
6. Subdivision: West Colorado Springs Land Company's Addition
7. Zoning Enforcement Action: None
8. Physical Characteristics: The 7.83-acre site has an existing 27,500 square foot religious institutional building (Living Hope Church)

STAKEHOLDER PROCESS AND INVOLVEMENT

City Planning noticed 477 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 was also noticed and posted prior to the City Planning Commission hearing.

Staff sent the plans to the standard internal and external reviewing agencies for comments. Those commenting agencies included Colorado Springs Utilities, Traffic Engineering, City Engineering Development Review, City Surveyor, Water Resources, Fire Department, CONO, and Organization of Westside Neighbors. All city agency comments have been addressed for the use variance development plan.

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

1. Review Criteria/Design & Development Issues

Background

The 7.83-acre property is located west of the North Chestnut Street and West Boulder Street intersection. The site improvements include a 27,500 square foot religious institution and associated parking. The building was constructed in 1970. A conditional use was approved in April 1982 for a preschool and childcare center along with regular church functions. That conditional use has since expired, as the use of a daycare center was never implemented. City Code Section 7.5.707 references 'Expiration of Approval - Abandonment' and states that If a legally established conditional use is abandoned or discontinued for a period of one consecutive year or more, then the conditional use shall automatically expire. The Code requires that the applicant must re-apply to allow a daycare center and since the conditional use project from 1982 expired for abandonment of use. A daycare center or preschool is not listed as a permitted or conditional use in the R2 zone district, which is what triggers the need for the use variance. Analysis supporting the use variance for a daycare center at this location is included in the following sections of this report.

Use Variance Development Plan

The request is for approval of a use variance to allow for the daycare/preschool use at Living Hope Church within an R2 zone district. Valley Christian Academy School, the applicant, currently operates preschool centers at two other church locations including Friendship Assembly Church at 3685 New Center Point, and Restoration Center at 9355 Peaceful Valley Road. The applicant is expanding the

preschool program to Living Hope Church on the west side of Colorado Springs. The preschool program will be open five (5) days a week from 7:00 am to 5:30 pm. There will be options for 2-, 3-, 5-day and morning only or full day programs. This will provided parents for a range of program options and rates that can accommodate for a variety of budgets for families.

The preschool center will occupy eight (8) rooms to be utilized as classrooms within the church building. The church will provide for a new 1,500 square foot playground at the west side of the building. The playground will have a 6-foot high chain-link fence with four (4) additional trees on the north and south sides of the playground structure. There is adequate parking to accommodate pick-up and drop-off. The times will be staggered to help with traffic flow. The preschool will be approximately 4,964 square feet in size; twelve (12) parking spaces are required based on the minimum requirement of one parking space per 400 square feet. There are 247 parking spaces provided on the property, including seven (7) accessible parking spaces. There is adequate parking on the 7.83-acre site for the existing church and the proposed preschool uses ensuring that parking will not overburden the surrounding street network and properties. The church programs mainly operate in the evenings and on weekends as to not to conflict with the Monday through Friday use of the daycare. This will eliminate conflicts between parking and use.

Traffic Engineering has stated that there are no traffic issues with the preschool project. Water Resources Engineering did not require a drainage letter/report. A geo-hazard letter/report was also not required by City Engineering since the preschool project does not involve any construction or site development.

640 Manitou Boulevard is zoned R2 (Two Family Residential), and requires City Planning Commission approval for a use variance application request for the proposed daycare center per Zoning Code Section 7.3.103 which does not list a daycare center as a permitted or conditional use in the R2 zone district. Listed below are the Use Variance Review Criteria and a summary of how the project meets these criteria.

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use of the property that do not generally to the property or class of uses in the same zone so that a denial of the requests would result in undue property loss; and
2. The use variance is necessary for the preservation and enjoyment of a property right of the applicant; and also,
3. The use variance will not be detrimental to the public welfare or convenience or injurious to the property or improvements of other owners of property.

The property is much larger than the surrounding properties and has been used as a church facility since 1970. Approval of the Use Variance would allow the applicant to use the existing church building to provide daycare services to families, filling an unmet need in the neighborhood. The addition of the daycare space to the church facility will also provide increased utilization of the building, allowing for use during the week when church is not in service. No construction or structural modification except for the playground area is planned. All daycare services will be located within the existing structure at 640 Manitou Boulevard. The new play area for the children will be located on the west side of the building. The playground has a 6-foot high chain-link fence with four (4) additional trees on the north and south sides of the playground structure that will provide a buffer, and the closest distance to the adjacent residential property to the north side of this playground area is 140-feet. This will not be an impact to the neighborhood and the drop-off and pick-up area will sufficiently meet parking needs so that no additional on-street parking will result.

The daycare center project fits with the context of the Westside neighborhood. The surrounding neighborhood consists of a variety of land uses including a neighborhood park, single-family to multi-family residential, nursing home, restaurant, vacant parcel, commercial, religious institution, hotel, boys and girls club, and offices uses. The zoning in the area includes; Single-Family to Multi-Family Residential (R2, R4, R5, and PUD), PBC (Planned Business Center), OR (Office Residential), C5 and

C6 (Intermediate and General Business), and PK (Park) (**FIGURE 3**). The preschool program at Living Hope Church will not be an impact on the values and qualities of this neighborhood. There were no concerns raised by neighbors with the property posting and postcard mailing during the internal review phase of the project. This preschool program will allow parents to have a facility near their residence and/or work on the west side of Colorado Springs.

In addition, the use of a church building to provide preschool programs for surrounding neighborhoods is not a new concept. There are a number of churches that house preschool programs during the week when church programs are not held. City Code, however, does not permit the specific use of daycare center in the R2 zone district. It is a permitted use in the R5, SU, office, and commercial type zone districts.

Staff finds that the daycare center use variance development plan for Living Hope Church is consistent with the review criteria and standards found in City Code Sections 7.5.803(B) and 7.5.502(E).

2. Conformance with the City's Comprehensive Plan(PlanCOS)

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 Living Hope Church daycare center is consistent with the envisioned land use pattern for the subject parcel as it relates to the Vibrant Neighborhoods and Unique Places vision themes in PlanCOS (**FIGURE 4**).

Vibrant Neighborhoods

The project site is identified on the plan's Vision map as an Established Historic Neighborhood. Per the Vibrant's Neighborhoods Framework map this site is part of the established historic neighborhood that extends from north of Highway 24 to south of W. Uintah Street between Interstate Highway 25 and N. 31st Street.

The project has the desired elements of a strong sense of identity, sense of place, and community, where there is a high value for the preservation of the existing design and architecture within the neighborhood. The applicant's educational institution for a pre-school land use within the existing church building supports the goal of the neighborhood typology in recognizing, supporting, and enhancing the existing character of the Westside neighborhood, while supporting the ongoing investment and improved adaptation.

Goal VN-3: Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs.

Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods.

Strategy VN-3.E-1: Focus incentives for mixed-use development within parts of the city that have been identified as priority redevelopment areas or corridors that have the potential for enhanced multimodal access and walkability.

Unique Places

The project site is identified on the plan's Vision map as Westside Neighborhood Center. This site extends from north of Highway 24 to south of the City's limits, between Interstate Highway 25 to the western edge of the City's limit per the Unique Places Framework map.

As a whole, this project provides another land use within the existing religious institution building. The daycare center will provide a benefit for the west side of the city, and will offer daycare services program for the community. Here, the neighborhood center typology provides a focal point for community life and services at a neighborhood scale.

Goal UP-4: Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

Policy UP-4.C: Ensure that the City Zoning Code supports the intent of unique places.

Strategy UP-4.C-1: Support additional mixing and integration of land uses as zoning use-by-right or administrative approval.

It is the finding of the Planning and Development Department that this daycare center use variance development plan supports the PlanCOS Goals, Policies and Strategies with Vibrant Neighborhoods and Unique Places visions.

3. Conformance with the Area's Master Plan

The site is designated as multi-family residential in the Westside Master Plan. A daycare center is accessory to the multi-family residential land use designations, and provides an option for preschool on the west side of Colorado Springs. The religious organization has been in existence since the 1970's with a variety of religious names including First Assembly of God, Living Springs Worship Center, and now Living Hope Church.

STAFF RECOMMENDATION:

CPC UV 20-00025 – USE VARIANCE DEVELOPMENT PLAN

Approve the use variance development plan for the daycare center at Living Hope Church, 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 the development plan review criteria as set forth in City Code Section 7.5.502(E).