

CITY PLANNING COMMISSION AGENDA

STAFF: MICHAEL TURISK

FILE NO.:
CPC CU 16-00121 – QUASI-JUDICIAL

PROJECT: TOWN AND COUNTRY CONDITIONAL USE

APPLICANT: YOW ARCHITECTS

OWNER: KERIWEST USA, LTD.



PROJECT SUMMARY:

Project Description: This is a request for a Conditional Use Development Plan to establish warehouse uses on the 15.82-acre adjacent properties zoned C-6/P/AO (General Business with Planned Provisional and Airport Overlays), and addressed as 3990, 4040, 4060 and 4140 East Bijou Street, located just east of the intersection of North Academy Boulevard and East Platte Avenue.

1. Applicant's Project Statement: **(FIGURE 1)**
2. Planning and Development Team's Recommendation: Staff recommends approval of the Conditional Use.

BACKGROUND:

1. Site Addresses: 3990, 4040, 4060 and 4140 East Bijou Street
2. Existing Zoning/Land Use: C-6/P/AO(General Business with Planned Provisional and Airport Overlays)
3. Surrounding Zoning/Land Uses:
 - North: R1-6 East Platte Avenue; single-family residential
 - South: OC (Office Complex)/parking
 - East: PBC (Planned Business Center)/neighborhood shopping center
 - West: C-5 (Intermediate Business/retail)
4. Comprehensive Plan/Designated 2020 Land Use: New/Developing Corridor
5. Annexation: Pikes Peak Vista Addition No. 2
6. Master Plan/Designated Master Plan Land Use: The properties are not located within an approved Master Plan.
7. Subdivision: Town and Country Corner; Filings 2, 3 and 8.
8. Zoning Enforcement Action(s): None
9. Physical Characteristics: The property is improved with four large commercial-type structures with associated on-site parking. The site shows comparatively little slope.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 53 property owners within 500-feet of the subject property during the internal review as well as prior to the Planning Commission meeting. As of this report, staff has yet to receive any written correspondence, nor any verbal comments or inquiries regarding the request.

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

1. Review Criteria/Design & Development Issues:
 - a. Application Summary
 - i. Conditional Use

This request for a Conditional Use Development Plan is to allow for a change of use to establish warehouse-related uses on the approximately 15.8-acre adjacent and developed subject properties. The proposed change of use for warehousing requires discretionary conditional use approval in the C-6 (General Business) zoning districts. The four buildings on site offer up to 200,000 square-feet of indoor tenant space -- three structures are approximately 60,000 square-feet each, with the fourth structure approximately 20,000 square-feet in size **(FIGURE 2)**.

The subject properties are located within primarily a commercial area; however, R1-6 zoned properties and associated residential uses are to the north of East Platte Avenue (Austin Estates subdivision), as well as R1-6 zoning south of East Bijou Street (commercial use – the Jack Swigert Aerospace Academy). Furthermore, the Easthill Apartments, a nine-acre PUD (Planned Unit Development), lies to the southeast.

The subject site takes access via East Bijou Street and does not lie within a FEMA-designated floodplain. The subject properties were rezoned in 1981 per Ordinance 81-171 and Development Plan AR DPA 96-536 was approved for commercial and retail uses in 1996.

Per City Code, C-6 zoning accommodates general commercial uses that are typically high volume traffic generators, are generally dependent on more than the immediate neighborhood for their market area, and are typically found along or near to arterials and collectors for comparative ease of access. Retail goods and services and general office uses are common. In addition, commercial uses in C-6 are typically intended to serve daily convenience and personal needs for nearby residential areas. However, for the purposes of zoning, per City Code, warehouses and similar such uses are characterized as industrial uses. However, certain, limited industrial-type uses that may be considered comparatively less intense, and that are accessible to the general public and surrounding neighborhoods, may be considered via the conditional use process. Perhaps most importantly, if the industrial-type use is considered in overall harmony in terms of scope and intensity of use with surrounding development, the proposed use should be considered.

The existing structures mentioned above intended for warehouse uses comply with the specific development standards applicable to the C-6 zoning districts, including maximum building height, minimum setbacks and minimum on-site parking requirements. No physical expansion or exterior alterations to the existing structures are proposed with this request. At this time the specific warehouse tenants are not known, as the applicant intends to market the site at a later time.

This conditional use request would be considered an adaptive reuse of a developed property, and thus considered as urban infill. Infill projects are often hampered by site constraints, for example, which can limit the scope and type of development. Furthermore, compliance with certain more "greenfield"-specific site development standards (namely minimum parking standards) can be difficult to achieve. However, the site provides for ample on-site parking and maneuvering areas, particularly given that the minimum parking standard required for warehouse uses (one standard-sized parking stall per 1,000 square-foot of floor area) is less aggressive than the previous commercial and retail uses. Given the 1:1,000 ratio, a minimum of 200 on-site standard-sized parking spaces would be required for the proposed change of use. Per the submitted development plan, the available on-site parking totals 778 standard-sized parking stalls, easily meeting the on-site minimum parking requirement for the use.

As noted above, the subject properties are within a P (Planned Provisional) Overlay. The Planned Provisional Overlay district acts similarly to a "standard" zoning district but establishes special procedures or development standards when the base zone district will not adequately address unique situations or anticipated relationship problems with a developed area. However, as it applies here, the Planned Provisional overlay speaks specifically only to requiring the signage requirements of the C-5 zoning districts, per Ordinance 81-171. As no new signage is associated with this request, this requirement does not apply at this time.

In reviewing the request for a Conditional Use, the following points serve as factors in recommending approval, including, but not limited to:

- The proposed use will occupy existing tenant spaces, with no physical expansion proposed;
- The project is considered infill as it proposes adaptive reuse of existing structures and infrastructure;
- Traffic generated by the warehouse use is anticipated to be comparatively minimal;
- The proposed site is adequately served by streets to carry the level of service needed for the proposed change of use; and
- At approximately 15.8-acres, the site would help mitigate any degree of adverse impact generated that might compromise the health, safety, welfare and/or quality of life of persons living and/or working in the surrounding area; additional mitigation is determined to be unnecessary in order in order to integrate the proposed warehouse use into the surrounding area.

Conformance with the City Comprehensive Plan:

City Code indicates that the requested Conditional Use shall be consistent with the intent and purpose of the Comprehensive Plan (Plan). The Plan's 2020 Land Use Map designates this area of the City as *New/Developing Corridor*; these are areas that have recently developed, or are now in the process of developing, with major retail uses, services, and strip centers accessible exclusively by automobile. Furthermore, these areas are characterized by large and dominating parking lots. The proposed change of use as proposed conforms to several Objectives, Policies and one Strategy of the Plan, including:

i. Objective LU 4: Encourage Infill and Redevelopment

This Objective speaks to integrating a variety of housing types and densities with amenities, services, and retail uses to generate opportunities and choices for households. The subject property is within an area largely zoned commercial...

ii. Policy LU 201: Promote a Focused, Consolidated Land Use Pattern

This Policy emphasizes locating new growth and development in well-defined contiguous areas in order to avoid "leapfrog", scattered land use patterns, and the desire for a focused pattern of development that makes more efficient use of land and natural and financial resources (compared to scattered, "greenfield" development). In contrast to dispersed patterns of development, consolidated development patterns provide for a less costly and more efficient means of providing needed services and public facilities, for example.

The project is represents urban infill, per the Comprehensive Plan's Infill Supplement as it is located within a largely developed, well-defined area that provides for adequate services and infrastructure.

iii. Policy LU 301: Promote a Mixed Land Use Pattern

The change of use as proposed would promote a mix of mutually supportive and integrated residential and in this case primarily non-residential land uses.

Given the above review of Comprehensive Plan compliance, it is the finding of the City's Planning and Community Development Department that the requested Conditional Use conforms to the City's Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

2. Conformance with the Area's Master Plan:

The site does not lie within the bounds of an approved and implemented Master Plan.

STAFF RECOMMENDATION:

CPC CU 16-00121 – CONDITIONAL USE

Approve the request for a Conditional Use Development Plan to establish warehouse uses based upon the finding that the request complies with the Conditional Use review criteria in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.B, subject to compliance with the following technical and/or informational plan modifications:

1. If proposing modifications to the utility systems (e.g., fire service lines, sand/oil interceptor, etc.), provide a Preliminary Utility Plan to Colorado Springs Utilities;
2. Provide documentation showing private ownership of the water lines associated with this area;
3. Include a note on the plan set indicating that the storage of hazardous materials, including potentially volatile or explosive materials, is prohibited;
4. Include a note on the plan set indicating that no outdoor storage is permitted; and
5. Change the parking block data to indicate Warehousing and the required parking ratio (1/1,000).