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# CONSENT CALENDAR

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## CITY PLANNING COMMISSION AGENDA

ITEM NOS: A.1, A.2

STAFF: STEVE TUCK

FILE NOS:

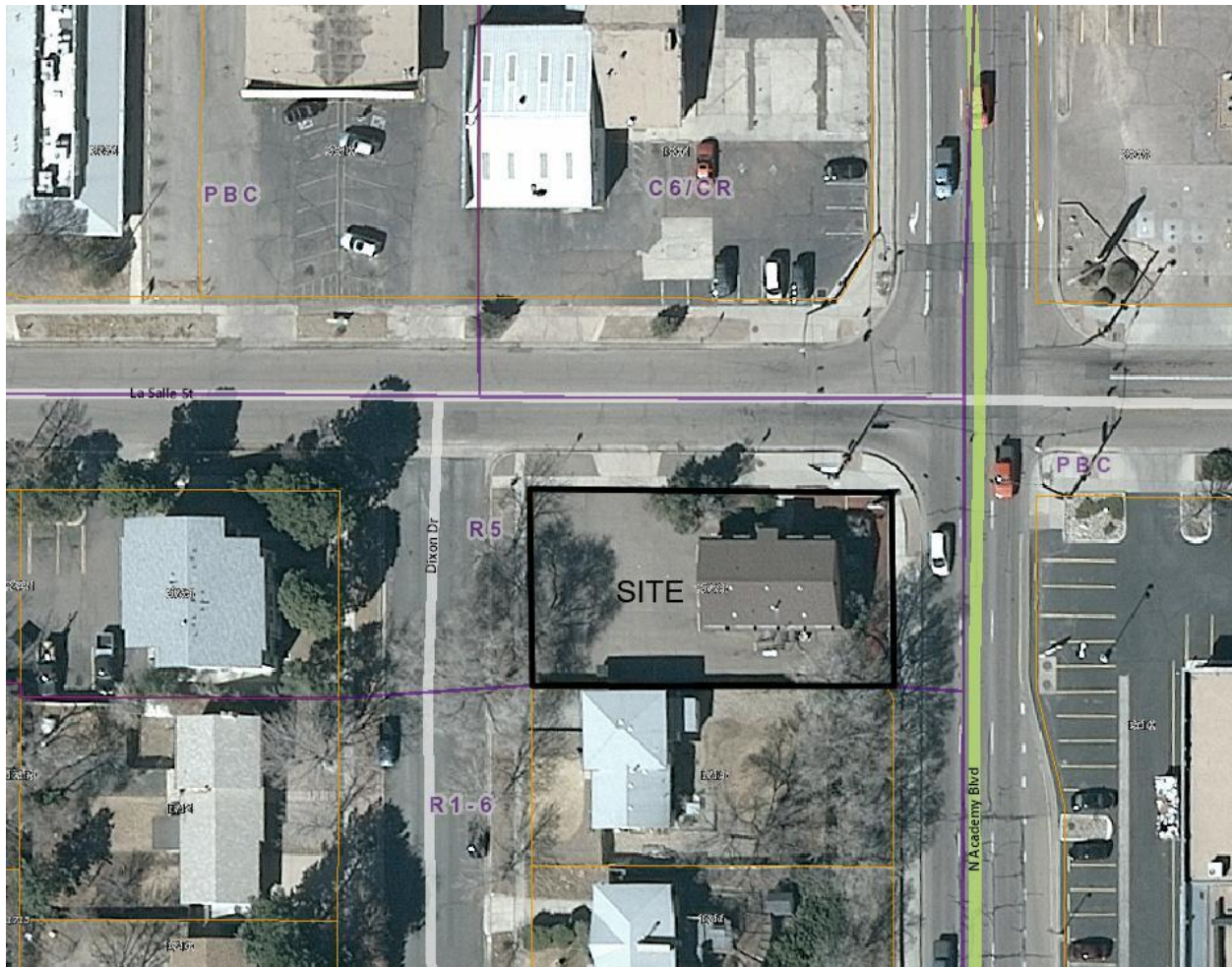
CPC ZC 14-00021 – QUASI-JUDICIAL

CPC DP 14-00022 – QUASI JUDICIAL

**PROJECT:** 3775 EAST LA SALLE STREET

**APPLICANT:** CHARLES LIPPINCOTT

**OWNER:** PATRICIA GRIFFIN



### **PROJECT SUMMARY:**

1. **Project Description:** The applications propose rezoning a 9,115 square-foot, platted lot from R-5 (Multi-Family Residential) to C-5/CR (Intermediate Business with Condition of Record) and the approval of a development plan (**FIGURE 1**) to permit the conversion of the existing medical office building to retail, office and personal improvement services for the applicant's existing firearms store and training facility. As indicated in the applicant's project description (**FIGURE 2**) the training facility is a simulated gun range and does not use live ammunition.
2. **Applicant's Project Statement:** **FIGURE 2**
3. **Planning & Development Team's Recommendation:** Approve both the zone change to C-5/CR and the development plan for 3775 East La Salle Street for office, retail and personal improvement services.

### **BACKGROUND:**

1. **Site Address:** 3775 East La Salle Street
2. **Existing Zoning/Land Use:** R-5 (1962, Ordinance No. 2782)/dentist office (currently vacant)
3. **Surrounding Zoning/Land Use:**  
North: C-6/CR/commercial  
South: R-1 6000/single-family residence  
East: PBC/commercial  
West: R-5/multi-family residential
4. **Comprehensive Plan/Designated 2020 Land Use:** Mature Redevelopment Corridor
5. **Annexation:** 1959, Austin Bluffs Addition No. 8
6. **Master Plan/Designated Master Plan Land Use:** The property is not within an area master plan
7. **Subdivision:** 1961, Palmer Heights Subdivision No. 3
8. **Zoning Enforcement Action:** None
9. **Physical Characteristics:** The 9,115 square-foot lot is developed with a two-story, 3,100 square-foot building constructed in 1969 (**FIGURE 1**). The property has been used for both general and medical offices, but primarily as a dental office. Vehicular access to the 12-space parking lot is from La Salle Street. The property is located on the southwest corner of Academy Boulevard and La Salle Street.

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

Public notification consisting of an on-site poster and 51 postcards mailed to property owners within 500 feet of the property were provided after receipt of the application and prior to the Planning Commission meeting. One email was received from a nearby, long-time property owner. The applicant responded to her questions and concerns, and she replied with a subsequent email in support of the applications.

Agency review comments on the initial development plan were addressed with the submittal of a revised development plan (**FIGURE 1**).

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

1. **Review Criteria/Design & Development Issues:**  
An office in an R-5 zone is a legal nonconforming use, as the R-5 zone was amended in 1980 to prohibit office uses. The requested C-5/CR zone will eliminate the nonconforming status of the property and recognize the commercial nature of the site. The C-5 zone is also consistent with the commercial zoning and uses to the north and

east. Due to the small size of the property and the building, impacts from the site will be minimal for the residences to the west and south. To further reduce potential impacts due to commercial zoning the proposed condition of record prohibits otherwise permitted uses seen as incompatible for the site (see prohibited uses in Staff Recommendation). Few physical changes are proposed for the property (mostly interior remodeling of the building) as all site improvements are in place.

The change of use from medical office will also eliminate the current nonconforming status for the number of parking spaces provided, as a medical use requires 16 parking spaces for a 3,100 square-foot building. The proposed uses of retail, office and personal improvement services require 11 spaces. Twelve parking stalls are provided on-site.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Plan in the Comprehensive Plan shows the property as part of a Mature Redevelopment Corridor that extends along Academy Boulevard. The proposed zone and use are defined as neighborhood commercial in the Comprehensive Plan, a use consistent with designation of Mature Redevelopment Corridor. The applications are consistent with and conform to the Comprehensive Plan.

3. Conformance with the Area's Master Plan:

This property is not located within an area master plan.

**STAFF RECOMMENDATION:**

**Item No: A.1           CPC ZC 14-00021 – Zone Change**

**Approve** the zone change from R-5 to C-5/CR for 3775 East La Salle Street, based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries) and is subject to the following condition of record:

Condition of Record:

The following uses are not permitted: medical marijuana facility, sexually oriented business, liquor sales, bar, detention facility, cemetery, or restaurant.

**Item No: A.2           CPC DP 14-00022 – Development Plan**

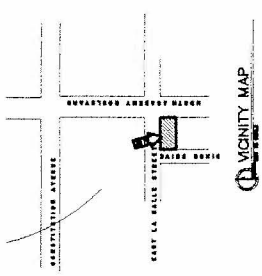
**Approve** the development plan for 3775 East La Salle Street for retail, office and personal improvement services, based on the finding the plan complies with the review criteria in City Code Section 7.5.502.E (Development Plan Review Criteria).

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ZONE = PBC  
COMMERCIAL BUSINESS

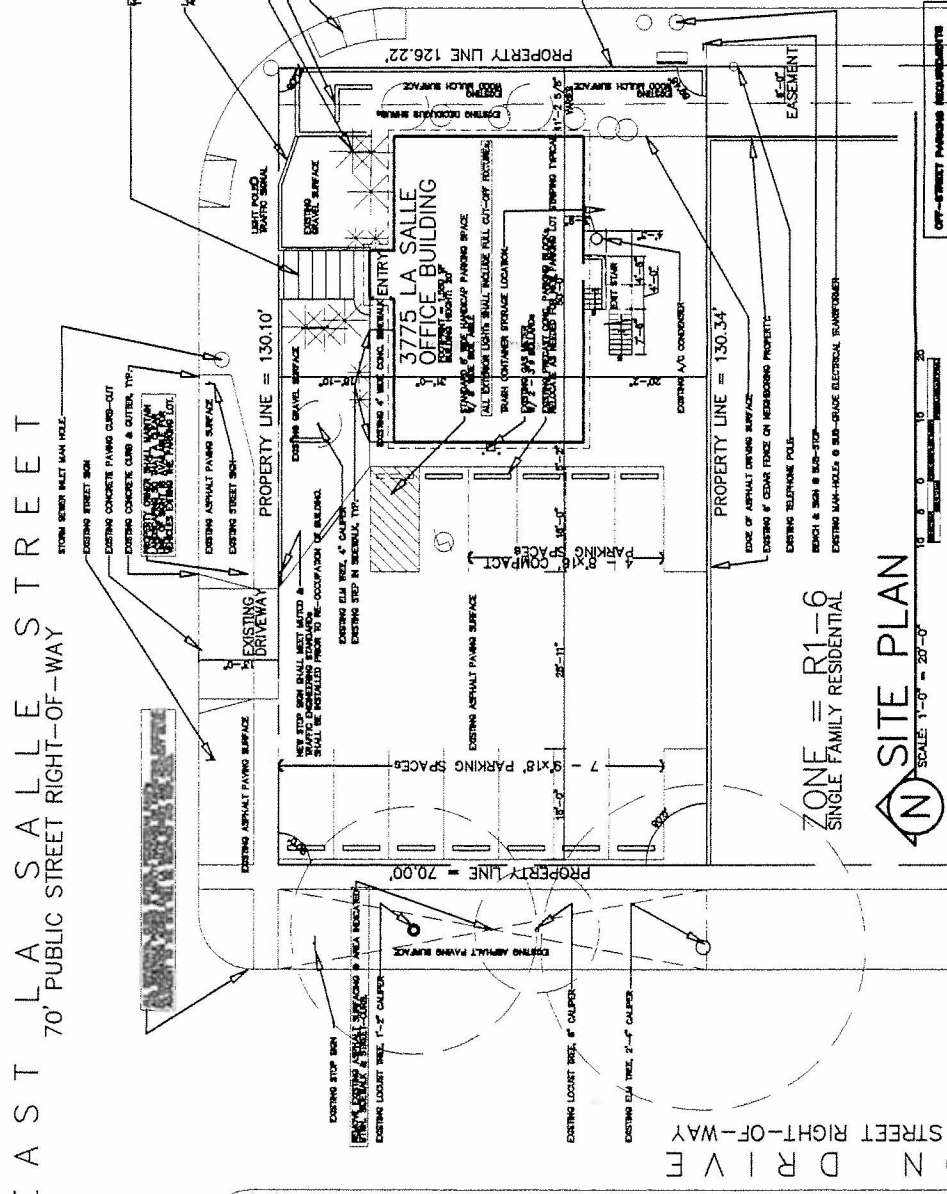
ZONE = C6, CR  
COMMERCIAL BUSINESS

29 EAST BLOND STREET, OFFICE #15  
COLORADO SPRINGS, COLORADO 80902  
719-635-7575  
ARCHITECT  
GERHARD SCHULTEN



EAST LA SALLE STREET  
70' PUBLIC STREET RIGHT-OF-WAY

ACADEMY BOULEVARD  
50' PUBLIC STREET RIGHT-OF-WAY



LEGEND/SITE DATA:

APPLICANT:  
CHARLES LIPPINCOTT III  
1417 PATTER DRIVE SUITE 101  
COLORADO SPRINGS, CO 80909  
719-596-4210 (BUSINESS)

OWNER:  
CHARLES LIPPINCOTT III  
THE GUNSHOP LLC  
1417 PATTER DRIVE SUITE 101  
COLORADO SPRINGS, CO 80909  
719-596-4210 (BUSINESS)

PROPERTY ADDRESS:  
3775 EAST LA SALLE STREET  
COLORADO SPRINGS, COLORADO

LOT SIZE: 9,119 SQUARE FEET  
FOOTPRINT OF EXISTING STRUCTURES:  
1,550 SQ FT

EXISTING LOT COVERAGE: 17%

TAX SCHEDULE NUMBER:  
64034-18-001

LEGAL DESCRIPTION:  
LOT 26 BLOCK 7 PALMER HEIGHTS  
SUBDIVISION  
COLORADO SPRINGS, EL PASO  
COUNTY

EXISTING ZONING: R-5 WITH A  
CONDITIONAL USE FOR A MEDICAL  
OFFICE

PROPOSED ZONING: C-5 WITH A  
CONDITIONAL USE FOR A MEDICAL  
OFFICE. THE FOLLOWING USES SHALL NOT BE  
ALLOWED: MARIJUANA CULTIVATION,  
RETAIL SALES, RESTAURANT, BAR,  
LOBBY SALES, BAR, FACILITY, COUNTRY, OR RESTAURANT.

ZONE = PBC  
COMMERCIAL BUSINESSES

ZONE = R1-6  
SINGLE FAMILY RESIDENTIAL

ZONE = R5  
MULTI-FAMILY RESIDENTIAL

ZONE = R1-6  
SINGLE FAMILY RESIDENTIAL

SITE PLAN  
SCALE: 1"=0' = 20'-0"

PLANTING DATA

LANDSCAPE SETBACK	LANDSCAPE SETBACK	NON-STREET ZONE BOUNDARY BUFFER	NON-STREET ZONE BOUNDARY BUFFER	INTERNAL LANDSCAPING
MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK
MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK
PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS

PLANTING DATA

LANDSCAPE SETBACK	LANDSCAPE SETBACK	NON-STREET ZONE BOUNDARY BUFFER	NON-STREET ZONE BOUNDARY BUFFER	INTERNAL LANDSCAPING
MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK	MINIMUM SETBACK
MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK	MAXIMUM SETBACK
PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS	PLANTING SPECIFICATIONS

SITE PLAN  
THE GUNSHOP LLC OFFICE BUILDING  
3775 EAST LA SALLE STREET  
COLORADO SPRINGS, COLORADO

DATE: 03-19-14  
DRAWN: 1402  
SD-1  
SHEET ONE OF ONE

CPC DP 14-00022

FIGURE 1

## Project Statement

City of Colorado Springs  
Planning and Development  
Land use review  
Attn: Steve Tuck  
Senior Planner  
Re: Charles and Shonda Lippincott  
Proposed Zone Change from R5 to C5  
Property address: 3775 E. La Salle St. Colorado Springs Co 80909  
Known as: Lot 26 Block 7 Palmer Heights subdivision 3 Colorado Springs Co 80909

Our Goal is to obtain a rezoning from R5 to C5. The building was built in 1969 and has always been occupied as a commercial building. The original building permit number 14576 dated 7-7-1969 tag number 8893 states the type of use as an office building, which falls under C5 zoning. Our proposed retail use is consistent with all other business in the direct area. The property is directly on the south west corner of La Salle street and Academy blvd, which is a main through fair in Colorado springs. All of the past tenancy records were established through the polk directories from 1970-2014.

The intended use for our property is to relocate our existing retail store and training facility to gain more exposure. Our current location is on a side street limiting our foot traffic and visibility. Our current location is rented and a total of 1500 square feet. Our new location is 3100 square feet. Ownership of the building comes with many positives, generates income tax for the city, and betters the community with an owner occupied business. We operate a family owned and family orientated business. Our business is a firearms based business, but we are mainly a training facility. We provide an eclectic variation of martial arts and personal stress defense. Our customers consist of local police departments, school district security, local church security teams, bail bondsman, victims of crimes and of course the general public. Please note: Our training facility is a virtual simulation range and not a live fire range.

Our intent for the building is to continue to operate our business out of the location and pass our business onto our children. For the record we are in support of C5 zoning with some restricted use for the following: sexually orientated business, marijuana facilities, bar, liquor store, detention facility, cemetery, restaurants and mining operations. Our goal is to bring positive business and customers to the community and we are not in support of the fore mentioned business's.

We are committed to supporting our community and local small business. In closing I would like to thank you for your consideration in helping us accomplish our business and family goals.

Sincerely,

Charles D. Lippincott III

Shonda A. Lippincott  
The Gun Shop LLC

CPC DP 14-00022  
1 of 1