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City of Colorado Springs  
Mr. Matthew Fitzsimmons- Planner II, AICP LEED  
Urban Planning Division  
30 S. Nevada, Suite 603  
Colorado Springs, CO, 80901

## Project Statement

**Project:** **FBZ Conditional Use Application**

Phil Long Parts and Accessories:  
File No.: **TBD**  
117 East Las Vegas Street

**Site:** LOTS 37 THRU 43, UNNUMBERED PART AS FOLS, BEG 16.0 FT S OF SE COR OF LOT 43 BLK 11, TH W 190.0 FT, S 203.0 FT, E 190.0 FT, TH N 203.0 FT TO POB, AKA LOT 44, TOG WITH VAC ALLEY ADJ, ALL IN BLK 11 SOUTH END ADD COLO SPGS  
Tax Schedule No.: 64192.20.018  
Existing Zoning: FBZ- COR/ cu (previous application No AR NV 06-00356)

**Project Scope:** Convert a vacant building from previous Assembly use to Auto Parts Storage (13,000 sf) (and Auto Accessories- 5,000 sf). The project requires a Conditional use for the Parts Storage in the FBZ district. There are NO planned site changes.

**Building:** The physical building was built in 1965, there are NO proposed site changes. The building renovations are limited to demo of several interior walls to create open storage space, re-opening of one (1) overhead door, that was blocked-in at an unknown time, and creation of one (1) new overhead door for Parts Receiving door on the front of the building.

**Facilities:** The site and building are fully serviced with all requisite utilities and NO changes or additional demand is created by this use.

**Lighting:** No new lighting is planned for this project. All exit door and security lighting currently in place or mounted on the building will be repaired and put on a photocell for operational use and building code compliance.

**Traffic/Parking:** There are NO proposed site access changes as all site entrance approaches as constructed today. The proposed use will have two (2) to three (3) large trucks per day. One (1) tractor/trailer arrives between 4:00 am and 6:00am daily, Fed Ex usually by 10:00am and the others throughout the day. No large trucks left on site at night. We will have three (3) to four (4) route delivery drivers making short stops at the site throughout the day, usually two (2) – three (3) trips per driver. Phil Long Dealerships will only be applying tint and protective film at the site, no mechanical repair. They expect 10-15 units per day, with a crew of 6 on site during the day, Monday - Friday. No cars will be left outside, the front 150', street facing parking lot will only be used for truck maneuvering.

**Drainage:** Generally all paving and grading remains as built with NO changes such all drainage will remain as historically constructed. This site per the current 2019 flood plain map shows this site is NOT in any flood plain.

**Justification:**

This site was originally zoned and constructed as a C-6 zone, which when developed by our clients was a primary consideration for this site. The city taking of the C-6 and re-zoning to the FBZ does not allow full historic vested property rights nor this current requested use as Auto parts Storage.

Given the structure is a large footprint of open warehouse type space with a large parking lot, it is clear it does not fit the standards as outlined in the FBZ district, in essence it was made non-conforming when re-zoned. The simple administrative broad stroke of a new zone must consider the conditions for which the property was legally developed and expectations to limit and grandfather what is reasonable to burdened unto a vested property owner.

Understanding the goals and intent of the FBZ district, for all existing properties, consideration must be given that this site is limited to options of tenants, simply because of the neighborhood blight. Currently the project site is the target of homeless use of the parking lot and constant vandalism. The owner's last tenant left this location due to the homeless conflicts and issues. This blight was energized from a recent shelter project that did cause a negative impact to this owner property, and it will take extreme measures and action to re-develop the area to attract businesses as desired by and as focus of the FBZ outlines. We expect that reaction to take years and re-develop of the entire neighborhood, to change the dynamic of the social issue to attract Class A users as the zone desires. In the meantime, we consider any occupied building is an asset over a vacant property, and our use as storage at the least is a non-invasive, compatible use to fill a vacant property for an interim period.

Staff comments and responses by applicant:

**1. Project does not conform well with the FBZ and is not considered the highest and best use:**

- a. As we have noted above the best and highest use for this property is restricted by neighborhood influences and blight. We suggest that this is the current best and highest use.

**2. Project does not engage well with the challenging situation at Dorchester Park:**

- a. The building siting as constructed does NOT relate to the park because it was built in a way to provide street and parking access from Las Vegas St. Currently due to proximity to property lines openings are not allowed or desired. Until the city resolves the issues at Dorchester Park, its presence is more or a detriment than a

benefit to the neighborhood. Homeless activates cause life safety and health risk as the back of this building, faces the park, is an area of illegal activates that are an on-going city policing matter, including the homeless issues that led to the fencing of the shelter.

**3. Landscaping is needed to screen the parking lot:**

- a. The historic building siting on the land allows for no landscaping on the back (south) or east and west alleys partially due to use by adjoining landowners. The front of the lot, as all neighborhood properties has no landscaping and none is planned as there are concerns on how to protect and maintain it.

**4. Roll up door on front elevation:**

- a. Use necessitates a door, under traditional site layouts where the building façade is 25' or less to a street, doors can be a visual distraction. In this situation, the building is 240' from Las Vegas St. such the structure as a whole is very indistinguishable to passer by public such the proposed door, in a normal closed position and with low frequency of trucks does not create an objectionable view in an area known for high traffic truck volumes.

**5. Noise Barrier:**

- a. The LDRS and staff report a 1981 Condition of Record for an undefined noise barrier (wall). This wall was never constructed as the owner recalls there were trees along the east property line that conflicted with the requirement. Because this condition of record was part of a prior, abandoned use, said condition is no longer applicable an via this application we request to abolish said requirement from the records as the proposed use has less sound than traffic on the public streets.

We feel this development is consistent with the inherited conditions and intent of the city development code and we respectfully request for approval of this application.

If you have any comments or questions, please feel free to contact me.

Respectfully submitted,



Bruce W. Barr, RA, LEED® AP, AIA  
dba Art C. Klein construction, Inc.

enc : FBZ CU application

cc: Bonicelli Brothers Inc, Phil Long Dealerships