

CITY PLANNING COMMISSION AGENDA

STAFF: MICHAEL TURISK

FILE NO.:
CPC CU 16-00042- QUASI-JUDICIAL

PROJECT: SPRINGS WASTE SYSTEMS

APPLICANT: TERRA NOVA ENGINEERING, INC.

OWNER: OLGA ZHUKOVA



PROJECT SUMMARY:

1. Project Description: The vacant and adjacent subject properties that regard this request for a Conditional Use Development Plan for, per City Code, a garbage services company include three platted lots located near to the northwest corner of Drennan Road and South Academy Boulevard that are approximately 10.7 acres in total and addressed as follows: 3640 (Lot 1), 3720 (Lot 2) and 3760 Drennan Road. (Lot 3).

Note that garbage service companies are not permitted uses in the current C-6 zoning district, but require Conditional Use approval in the proposed M-1 zoning district.

To this point, recall that on April 21, 2016, the Planning Commission considered and unanimously recommended approval of the rezone request to M-1 (and the associated Concept Plan); this Conditional Use request for the Planning Commission's consideration represents the next procedural step in the entitlement process to facilitate the proposed garbage services company use.

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

BACKGROUND:

1. Site Addresses: 3640; 3720; and 3760 Drennan Road
2. Existing Zoning/Land Use: C-6 (General Business) with CU (Conditional Use) and AO (Airport Overlay). *Note that on May 24, 2016 City Council will consider the rezone request for M-1 (Light Industrial) that was unanimously approved by Planning Commission on April 21, 2016.*
3. Surrounding Zoning/Land Use:
North: PUD (Planned)/Lamplighter Mobile Home Park
South: M-1 (Light Industrial)/Truck and auto storage
East: PBC (Planned Business Center)/Boychuk Avenue
West: M-1 (Light Industrial)/vacant
4. Comprehensive Plan/Designated 2020 Land Use: Mature Redevelopment Corridor
5. Annexation: Pinehurst Addition #2; 1969
6. Master Plan/Designated Master Plan Land Use: The property is located in the Academy Boulevard Corridor Great Streets Plan which as adopted as an element of the City Comprehensive Plan in 2011. This document does not identify site-specific land uses. It does identify this area (intersection of Academy Boulevard and Drennan Road/Proby Parkway) as "minor gateway" intersection. By comparison, the Academy Boulevard/Hancock Expressway intersection to the north is identified as a major activity node. (See analysis of Comprehensive Plan below)
7. Subdivision: Katie Meade Subdivision
8. Zoning Enforcement Action(s): None
9. Physical Characteristics: The property is unimproved and flat.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was mailed to 13 property owners within 500-feet of the subject property, and notice was posted on site during the internal review process for the Conditional Use Development Plan and prior to the Planning Commission meeting on May 19, 2016. Per testimony provided at the Planning Commission hearing on April 21, 2016, recall that staff convened a neighborhood meeting on February 29, 2016 to provide opportunity for the applicant and staff to present the proposal to potentially interested neighbors, but no attendees were noted.

Per the discussion amongst Commissioners at the public hearing regarding the rezone request on April 21, 2016, concern was conveyed that individual tenants of the Lamplighter Mobile Home Community were not formally noticed by City staff (notification of individual tenants of mobile home parks and apartments is not standard practice, as only owners of such are notified).

To allay the Commission's concerns, staff recently discussed the proposed project with the manager of the community, and provided notice to display at the common area. Furthermore, staff directed the applicant to post notice near to the community (and along the Drennan Road frontage). However, as of this report, staff has not received any comments regarding the proposed Conditional Use.

The applications were also sent to internal agencies for review and comment. Review agencies for this project included Traffic Engineering, City Engineering, and Fire Prevention and their review comments have been largely addressed.

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

1. Review Criteria/Design & Development Issues:

The most notable concern regards the potential impact upon the Lamplighter Mobile Home Community to the north. The applicant is cognizant of the need to operate as a good neighbor by mitigating the potential for negative off-site impacts generated by the proposed use. Therefore, a robust landscape buffer and opaque screening along the north property boundary adjacent to the City-owned drainage way (Sand Creek Peterson Field) has been provided. Due to its width, said drainage way provides for a measure of additional setback. In addition, the applicant has indicated that loading docks shall not be oriented to the north towards the Lamplighter community, and trucks slated to depart during the early morning hours would do so from the south portion of the subject property.

Although the proposed use is defined per City Code as a "garbage services company", the proposed project would not include a landfill, on-site refuse/recyclables storage and/or recycling activities. Rather, the project would facilitate storage and maintenance of Springs Waste System's truck fleet and other vehicles, and would include an administrative building(s) to coordinate route logistics and provide other administrative functions. The site would act in essence as a point of departure for trucks embarking on daily routes and provide parking/storage capacity after hours. Because the site would not accommodate a landfill or recycling facility, the proposed use would have much less potential for significant off-site impacts, particularly upon the nearby residential community.

The proposed Conditional Use Development Plan generally complies with the review criteria, and is considered reasonable given that the site is proximate to other industrial-zoned properties and uses (and could be considered an extension of the Drennan Industrial Center to the west. Also, given the comparatively limited project scope of this particular garbage services use, the proposed Conditional Use is not considered one that would seriously threaten public health, safety, welfare or quality of life, including for those who reside in the Lamplighter Mobile Home Community to the north of the project site.

Despite requiring Conditional Use approval, staff finds that the proposed development is consistent with the spirit of the Zoning Code in that it is, as noted, a reasonable extension of industrial-type uses and zoning in the area. Taken further, the proposed use would conceivably integrate into the overall fabric of surrounding mixed commercial, industrial, and to a lesser degree, residential uses.

Development Plan:

The Conditional Use Development Plan (**FIGURE 2**) illustrates a proposed approximately 22,000 square-foot maintenance and storage building and a 4,000 square-foot administration building (Lots 2 and 3) with associated parking (Phase I). Ingress and egress would be provided via Boychuk Avenue. A possible future 24,000 square-foot administration/customer service building would be constructed at the western portion of the subject property (Lot 1; Phase II), at which time a driveway cut would be made off of Drennan Road. If approved, curb and gutter would be installed along the Drennan Road frontage.

Although the proposed project is defined per City Code as a garbage services company, it would not include a landfill or on-site storage of refuse and/or recyclables. Rather, the site would be used to store and maintain Springs Waste System's fleet trucks and other vehicles, and would include an administrative building(s) to coordinate route logistics and provide other administrative functions. The site would act in essence as a point of departure for trucks embarking on routes during the day and provide parking/storage after operating hours. Because the site would not accommodate a landfill or recycling facility, the proposed use would likely have much less potential for significant off-site impact upon on the area, particularly upon the residential community to the north. Also, the proposed activities associated with the Conditional Use are considered reasonable given that the site is proximate to other industrial-zoned properties and uses.

The subject property is vacant and lies adjacent to a comparatively large area of industrially-zoned properties to the west, as the Drennan Road corridor from South Academy Boulevard westward accommodates a number of M-1 and M-2 properties, one of the largest such areas with contiguous industrial zoning in the City that includes the Drennan Industrial Center. As noted, the Lamplighter Mobile Home Community lies to the north, separated by the subject property by a comparatively wide (approximately 100-foot) City-owned drainage way (Sand Creek Peterson Field). As noted, the Development Plan indicates a landscape buffer and opaque screening at the north property boundary adjacent to the drainage way in an effort to provide for off-site impacts mitigation. All told, the setback at the north property boundary would be 135-feet. In addition, the applicant has indicated that loading docks shall not be oriented to the north towards the Lamplighter community. In addition, the applicant has indicated that loading docks shall not be oriented to the north towards the Lamplighter community, and trucks slated to depart during the early morning hours would do so from the south portion of the subject property. Furthermore, an east/west orientation of the maintenance building is not preferred because it is determined that truck bays would potentially be more visible to Lamplighter residents, and truck maintenance would generate more north-directed off-site noise (**FIGURE 3**).

Real Estate Services has requested an avigation easement given the site's location within the City's Airport Overlay. In addition, the Airport Advisory Commission (AAC) was provided notice of the application, and approved a "no objection" recommendation for the property and proposed use.

Review of the resubmitted Development Plan indicates that only minor changes are needed prior to staff approval. After careful consideration, Staff supports the Conditional Use request as proposed. Staff has reviewed the Development Plan and finds that the applications are consistent with the review criteria and standards of the City Code.

2. Conformance with the Comprehensive Plan:

The City's Comprehensive Plan indicates at least one objective, policy and strategy that support the proposed Conditional Use, including:

- *Objective LU 2: Develop a Land Use Pattern That Preserves the City's Natural Environment, Livability, and Sense of Community*

This objective regards emphasizing a focused pattern of development that makes more efficient use of land and natural and financial resources than scattered, "greenfield" development.

- *Policy LU 201: Promote a Focused, Consolidated Land Use Pattern*

This policy speaks to locating new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

- *Strategy LU 801f: Plan and Locate Mixed Uses to Serve Industrial Areas*

This strategy regards planning and locating complementary mixed-use centers to serve the needs of employees in industrial areas, including commercial, service, and restaurant uses.

Additionally, the Comprehensive Plan designates this area of the City as a Mature Redevelopment Corridor, corridors that "...line older arterial streets and state highways with retail uses and auto-oriented services developed in a typical strip commercial pattern, with multiple curb cuts, individual parking lots, cluttered signage, and small lots." However, of particular relevance to this request, Mature Redevelopment Corridors also provide for significant infill and redevelopment opportunities.

What's more, per the recently adopted Infill Comprehensive Plan Supplement (Supplement) (March 2016), "Infill projects seeking approval or consideration of zoning changes should generally be supported if they advance the overall infill and redevelopment principles, goals and outcomes." The proposed Conditional Use represents development in an older and largely developed area of the City, and the Supplement considers the development of large vacant properties, such as this, as infill, particularly when largely surrounded by pre-1980 development as is largely the case here. In addition, regarding the manner in which the request is in overall harmony with -- and respectful of -- the City's Comprehensive Plan regards a highly relevant Plan goal that speaks to "*substantial development and redevelopment need on sites that present an opportunity for conversion to new and/or intensified uses.*"

Given the above it is the finding of the City's Planning and Community Development Department that the Conditional Use conforms to the City's Comprehensive Plan 2020 Land Use Map and the Plan's Goals and Objectives.

3. Conformance with the Area's Master Plan:

The Academy Boulevard Corridor Great Streets Plan ("Plan") identifies the site within the "Proby Portal" which is further described as a "Mixed Use Gateway Intersection." Generally, the Plan is fairly permissive in addressing potential land use changes and recognizes the need to be relatively adaptable to the evolving market, including an acknowledgement that parts of Academy Boulevard are "over-retailed". However, at the same time, the Plan recommends against uses that may not be compatible with the redevelopment context at a given location.

In this case that context is somewhat unique given the proximity of the commercial area to the south, the residential area to the north, and heavier industrial uses to the west, and further south.

The Plan notes the limited traffic flow east of Academy Boulevard along with access limits created by the new interchange. The Plan also notes a limited area immediately available for large scale mixed use redevelopment. There are no specific opportunities identified for this quadrant. The short term recommendation for this site is to “*support higher density mixed uses with a residential focus.*”

In terms of long term recommendations immediately applicable this property, the Plan had recommended the potential for a transit facility in this area.

Staff notes that this recommendation is no longer particularly applicable because an alternate location (closer to Hancock Expressway) has now been planned and recommended for this use.

STAFF RECOMMENDATION:

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Approve the Conditional Use Development Plan for a garbage services company for Springs Waste Systems based upon the findings that the Conditional Use complies with the three (3) review criteria for granting of Conditional Uses and complies with the Development Plan review criteria as set forth in City Code Sections 7.5.704 and 7.5.502, subject to compliance with the following informational and/or technical plan modifications:

1. Approval of the Conditional Use Development Plan is contingent upon approval by City Council of the associated rezone and Concept Plan applications.
2. On page two of the Development Plan, clarify the height of the trash enclosure. Note that if it is taller than six-feet then an address and separate permit will be required.
3. Continue coordination with Colorado Springs Utilities regarding the location of the wastewater service line, sand oil interceptor(s) for maintenance facilities, additional easement dedication and the location of the fire hydrant along Boychuk Avenue.