



# HUMBLE PAWS

Planning Commission August 14, 2024

Staff Report by Case Planner: William Gray, Senior Planner



## Quick Facts

### Applicant/Property Owner

Humble Paws, LLC

### Property Owner

AAA Griffin Dusty, LLC

### Address / Location

1516 Dusty Drive

### TSN(s)

6429404014

### Zoning

LI (Light Industrial)

### Site Area

20,800 square feet

### Proposed Land Use

Animal Care Facility

### Applicable Code

Unified Development Code

## Project Summary

The Applicant is proposing a Conditional Use for an Animal Care Facility and a Non-Use Variance to allow the facility to be zero feet (existing conditions) to any property line where 55 feet is required.

File Number	Application Type	Decision Type
CUDP-24-0003	Conditional Use	Quasi-Judicial
NVAR-24-0008	Non-Use Variance Plan	Quasi-Judicial

## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Stratton Addition No.1	February 8, 1966
Subdivision	Cloverleaf Subdivision	March 13, 1957
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

### Site History

The 20,800 square foot site is a part of Cloverleaf Subdivision that was approved in 1957 when it was in unincorporated El Paso County. Cloverleaf Subdivision was annexed into the City of Colorado Springs by Stratton Addition No. 1 in 1966.

The property is zoned LI (Light Industrial). All the area annexed as part of Stratton Addition No. 1 is zoned LI (Light Industrial and GI (General Industrial) and was zoned this way in 1966 when annexed.

The site was originally developed with the existing commercial building located on the street frontage in 1964. The storage/warehouse structure was added on the property in 2002.



### Applicable Code

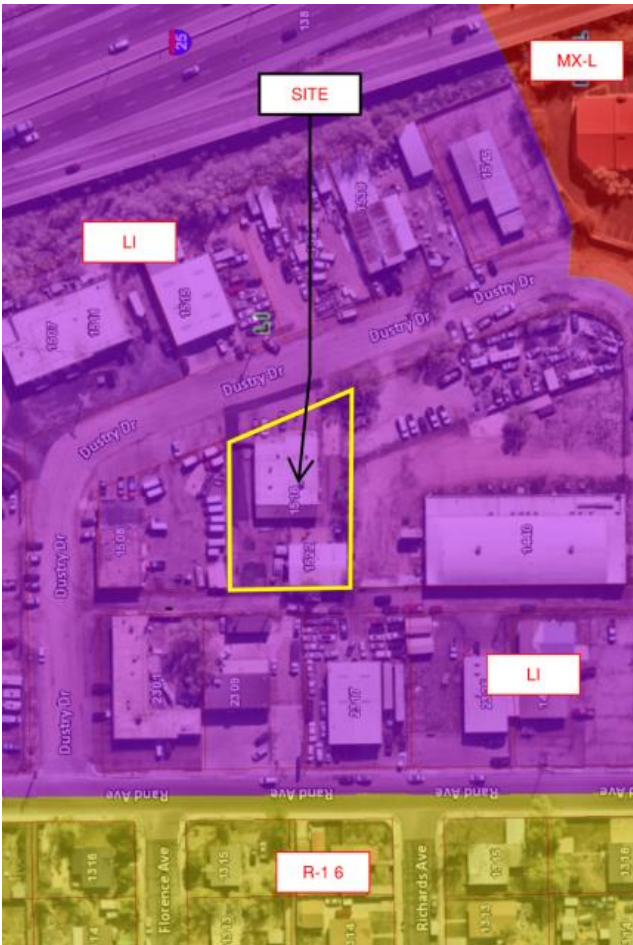
All references within this report that are made to “the Code” and related sections are references to the Unified Development Code (“UDC”)

## Surrounding Zoning and Land Use

### Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	LI (Light Industrial)	Light Industry – Plumbing Contractor	
West	LI (Light Industrial)	Commercial – Retail Medical Marijuana	
South	LI (Light Industrial)	Vacant Light Industrial Building	
East	LI (Light Industrial)	Commercial – Automotive and Light Vehicle Repair and Light Industry – Swimming Pool Contractor	

### Zoning Map (See “Attachment 1 - Zoning Map”)



## Context Map (See "Attachment 2 - Context Map")



## Stakeholder Involvement

### Public Notice

Public Notice Occurrences (Poster / Postcards)	2, Initial Review and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	137, mailed 2 times
Number of Comments Received	No public comment

### Public Engagement

Public engagement for the application was the City's required public notice requirements for a Conditional Use and a Non-Use Variance. Postcards were sent to property owners of record within 1,000 feet of the site and a Poster was placed on the property. As indicated above, no public comment was received.

No neighborhood meeting was held for this application.

## Timeline of Review

Initial Submittal Date	April 16, 2024
Number of Review Cycles	3 review cycles
Item(s) Ready for Agenda	July 19, 2024

## Agency Review

### Traffic Impact Study

A Traffic Impact Study (TIS) is not required for the proposed commercial use.

### SWENT

No site disturbance is proposed.

### Engineering

Engineering reviewed the application and stated that they have no issues or comments for the application.

### Colorado Springs Utilities

Colorado Springs Utilities reviewed the application and provided no review comments.

### Fire

Conditional use is acceptable. Required access around the building is met from the public street. No requirements for fire apparatus to drive on site.

## Conditional Use and Non-Use Variance

### Summary of Application

The proposed project includes an application for a Conditional Use and a Non-Use Variance (**see “Attachment 1-Project Statement”**). The conditional use is for an Animal Care Facility in the LI (Light Industrial) zone, and the non-use variance is to allow the use to be zero feet (existing conditions) to any property line where 55 feet is required. The standard is UDC Section 7.3.303.A.1.a *‘Each building and any associated run shall be constructed at least fifty-five (55) feet from any property line.’* The proposed animal care facility can’t be placed in this location without a variance to the standard.

The application is located at 1516 Dusty Drive. Parcel size is 20,800 square feet. It is a developed site with two (2) buildings. The building nearest Dusty Drive is an Office building type and the building at the rear of the lot is a storage building. The property was developed in the mid-1960’s. The office building and the yard to the north side of the building and northwest corner of the property are part of the proposed use. Access to the property is from Dusty Drive and off-street parking is in front of the building. The parking standard is 1 per 400 square of gross floor area. The gross floor area of the building is 4,000 square feet. 10 parking spaces are required, and 10 spaces are provided. Services provided with this animal care facility are training, boarding and dog walking.



## Application Review Criteria

### UDC Section 7.5.601, Conditional Use

An application for Conditional Use is subject to the following Criteria for Approval:

1. *The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).*
2. *Describe how the size, scale, height, density, traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and*
3. *Describe how the City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible.*

Staff finds that the review criteria of UDC Section 7.5.601, which are applicable to a Conditional Use, are met with this application.

### UDC Section 7.5.526, Non-Use Variance

An application for a Non-Use Variance may be approved if the Planning Commission determines that:

1. *The application complies with any standards for the use in Part 7.3.3 (Use-Specific Standards);*
2. *The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district;*
3. *That the extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone in the absence of relief;*
4. *That the granting of the Non-Use Variance will not have an adverse impact upon surrounding properties; and*

Staff finds that the review criteria of UDC Section 7.5.526, which are applicable to a Non-Use Variance, are met with this application.

## Statement of Compliance

### CUDP-24-0003

City Planning has reviewed the proposed Conditional Use for Humble Paws and finds that the proposed application meets the criteria as set forth in City Code Section 7.5.601.

### NVAR-24-0008

City Planning has reviewed the proposed Non-Use Variance for Humble Paws and finds that the proposed application meets the criteria as set forth in City Code Section 7.5.526.