

**CITY PLANNING COMMISSION AGENDA**

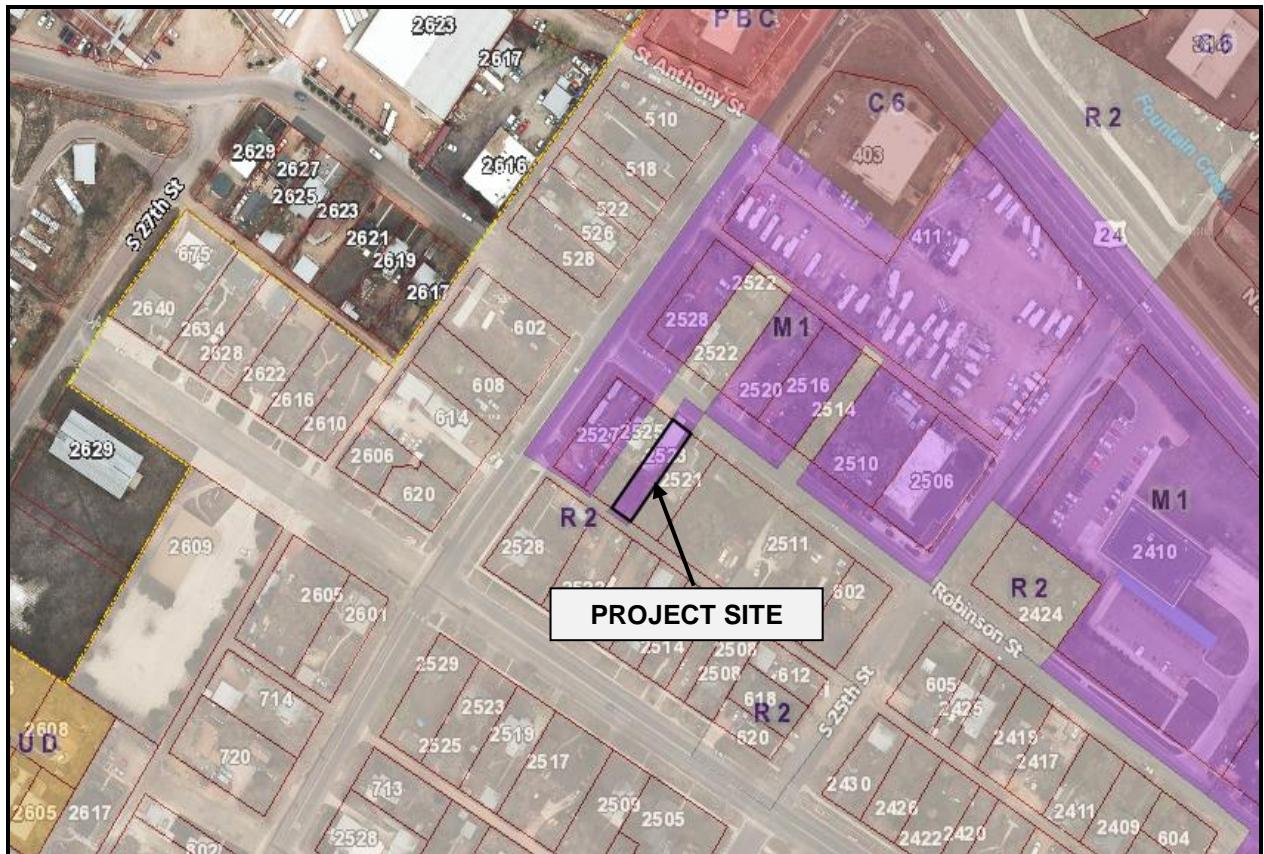
**STAFF: DANIEL SEXTON**

**FILE NO(S):**  
**CPC CU 17-00077 – QUASI-JUDICIAL**

**PROJECT: 2523 ROBINSON STREET CONDITIONAL USE**

**APPLICANT: SHIVAWN NELSON**

**OWNER: SHIVAWN & JOSH NELSON**



## **PROJECT SUMMARY:**

1. Project Description: This project is for a conditional use permit to allow a single-family detached residential land use in an M-1 (Light Industrial) zone district (herein referred as “2523 Robinson Street”). The property is located at 2523 Robinson Street, is 4,200 square feet in area and zoned M-1 (Light Industrial). The site layout is illustrated on the conditional use development plan attached as **FIGURE 1**.
2. Applicant’s Project Statement: (**FIGURE 2**)
3. Planning and Development Team’s Recommendation: Staff recommends approval of the application.

## **BACKGROUND:**

1. Site Address: The site is addressed as 2523 Robinson Street.
2. Existing Zoning/Land Use: The subject property is currently zoned M-1 (Light Industrial), and previously used as a photography studio and church.
3. Surrounding Zoning/Land Use:  
North: M-1/R-2 (Light Industrial and Two-Family Residential), and developed as single-family residential.  
East: R-2 (Two-Family Residential), and developed as single-family residential.  
South: R-2 (Two-Family Residential), and developed as single-family residential.  
West: M-1/R-2 (Light Industrial and Two-Family Residential), and developed as single-family residential.
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: The subject property was annexed into the City in January 31, 1917 per the Colorado City & Vicinity (Ord. 997).
6. Master Plan/Designated Master Plan Land Use: The project site is within the boundaries of Westside Master Plan and is identified as LR (Low Density Residential 0-10 Dwelling Units per Acre), and the Midland Master Plan and is identified as Residential Low Density at 0-10 Dwelling Units per Acre.
7. Subdivision: The property is platted as Lot 4 of the Resubdivision of the North Half of Block 240 of Anthony Bott Addition Number 2.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is currently developed with a single principal structure, which was previously used as a photography studio and church.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 159 property owners on two occasions: once during the internal review stage and once prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. In response to the public solicitation for comments, one adjacent resident contacted staff with a question concerning the processing of a conditional use permit versus a zone change. Staff contacted the resident to clarify the applicable provisions of City Code and the chosen permitting process.

Staff input is outlined in the following sections of this report. Staff sent copies of the plans and supporting documentation to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Fire Prevention, CONO, and Organization of Westside Neighbors (“OWN”).

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

1. Review Criteria / Design & Development Issues:

a. Application Summary

i. Conditional Use

The project includes the conversion of an existing 1,674 square foot building previously used as a photography studio and church into a single-family detached residential dwelling unit. The proposed conditional use development plan for the 2523 Robinson Street project (**FIGURE 1**) illustrates the envisioned layout for the proposed residential land use on the subject property. Vehicular access to the subject property will be via an existing mid-block alley located between Robinson Street and Bott Avenue. As no off-street parking facilities were previously provided on-site, the applicant is proposing to create one off-street parking space in the southwest portion of the property adjacent to the alley. The applicant has also secured a perpetual easement with the abutting property owner to the northwest for the use, construction, maintenance, and repair of the roof eave, siding, and associated appurtenances of the existing building that encroach onto the abutting property (**FIGURE 3**).

As proposed, staff finds that the requested conditional use permit for a single-family detached residential land use in an M-1 zone district is compatible with the surrounding neighborhood, as the immediate area is a mix of M-1 and R-2 zones, and is largely developed with single-family dwellings. The proposed land use also does not substantially injure or diminish the value and qualities of the area, as the applicant has proposed a land use consistent with the approved master plans for this area and has secured an easement with the abutting property for the encroachments of the existing building.

Staff finds that the proposed conditional use development plan meets the review criteria set forth in City Code Section 7.5.502(E) and the three findings for granting a conditional use permit as set forth in City Code Section 7.5.704.

2. Conformance with the City Comprehensive Plan

Based on the City's Comprehensive Plan as amended, the proposed application appear to be consistent with the envisioned development patterns for the subject parcel, which is identified as General Residential per the Plan's 2020 Land Use map.

a. Objective LU 4: Encourage Infill and Redevelopment

The applicant's proposal is in-line with the City's efforts to encourage projects that enhance and create quality neighborhoods. The neighborhood surrounding this project site contains a mix of land uses, with residential land uses being the predominant use. The applicant's proposed conversion of the current building from a commercial/civic land use to a residential land use is compatible with the existing character and context of the surrounding development. The conversion of the current building to a residential land use is further supported by the current master plans for this area, which support the creation of a well-functioning residential neighborhood.

b. Objective LU 5: Develop Cohesive Residential Areas.

Throughout the City, residential areas function as the foundation for developing vibrant neighborhoods. Neighborhoods provide a structure for bringing individuals together and ensure that areas are appropriately integrated into the city-wide network of land uses and services. The applicant's proposal supports this objective by strengthen the residential land use pattern of the surrounding neighborhood through the reduction of fragmented land uses and includes a land use compatible with the surrounding area.

c. Infill Chapter, Policy Recommendation 1: Neighborhoods

Per the Infill chapter to the City's Comprehensive Plan, infill and redevelopment projects are often more complex and challenging based on the current mix of land uses and trajectory of development patterns in surrounding mature neighborhoods. To ensure this project did not encounter any major obstacles, the applicant engaged property owners in the surrounding neighborhood prior to application submittal. The applicant's proposal appears to be a good fit as the current context and character of the immediate area is already largely residential.

As indicated above, staff finds the 2523 Robinson Street project to substantially conform to the Comprehensive Plan's goals, objectives, and the 2020 Land Use map.

3. Conformance with the Area's Master Plan

The project site is located within the boundaries of the Westside Master Plan and Midland Master Plan, and is identified in both plans as an area intended for residential development. The applicant's redevelopment proposal establishes a new land use vision for the property, which aligns with the land use designation established by both master plans for this site. Staff finds the 2523 Robinson Street project to be consistent and in substantial compliance with both the Westside Master Plan and Midland Master Plan as amended.

**STAFF RECOMMENDATION:**

**CPC CU 17-00077 – CONDITIONAL USE PERMIT**

Approve conditional use permit for 2523 Robinson Street, based upon the findings that the conditional use development plan meets the review criteria set forth in City Code Section 7.5.502(E) and the three findings for granting a conditional use permit as set forth in City Code Section 7.5.704.