

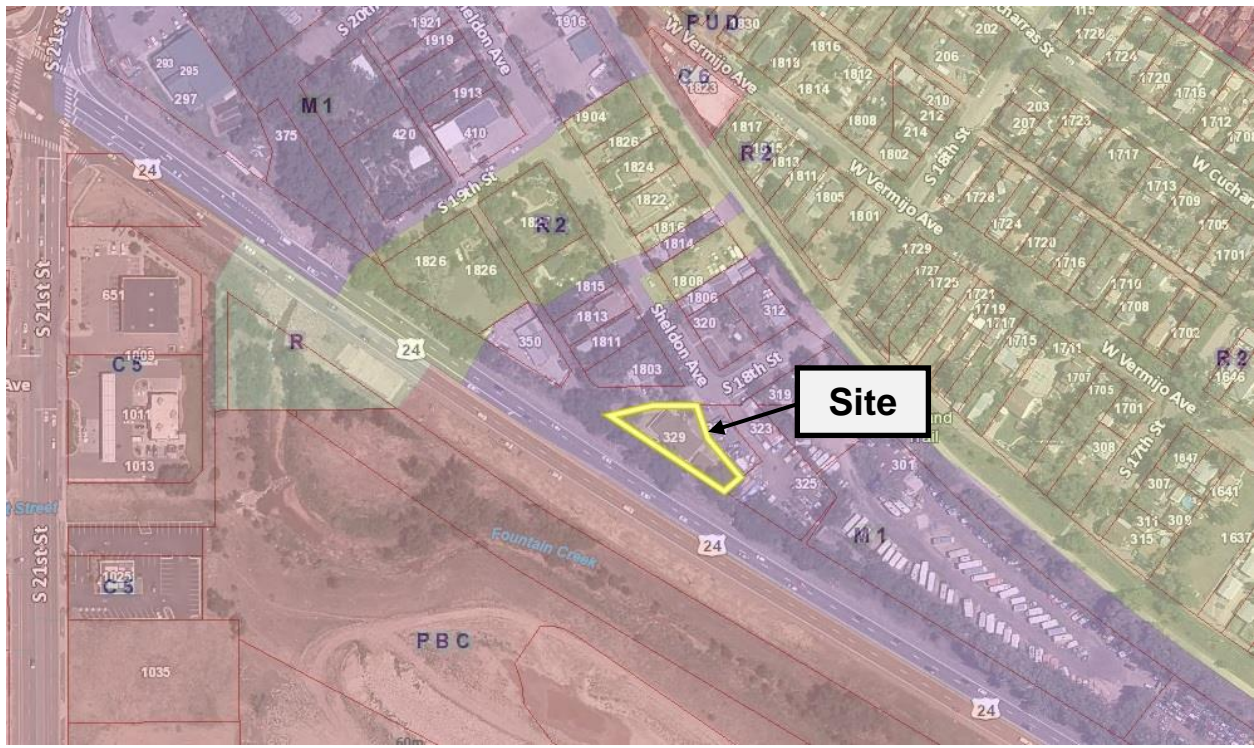
CITY PLANNING COMMISSION AGENDA
April 21, 2022

STAFF: MATTHEW ALCURAN

FILE NO(S):
CPC CU 21-00195 – QUASI-JUDICIAL

PROJECT: MOUNTAIN VIEW RECOVERY CENTER

OWNER/DEVELOPER: MIYA STAFFORD



PROJECT SUMMARY:

1. **Project Description:** The project application is for approval of the Mountain View Recovery Center Conditional Use Development Plan application. If approved, the proposed application will allow for a human service facility providing access to mental health care for drug and alcohol rehabilitation. The site is currently zoned M-1/CU (Light Industrial with Conditional Use) located at 329 South 18th Street consisting of an approximately 9,797 square foot lot. (see “**Conditional Use Development Plan**” / “**Graphic**” attachment).

2. Applicant's Project Statement: (see **"Project Statement" attachment**)
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the application as proposed.

BACKGROUND:

1. Site Address: The project site is addressed 329 South 18th Street.
2. Existing Zoning/Land Use: The property is currently zoned M-1/CU (Light Industrial/Conditional Use) and currently residentially developed with an existing 2,100 square foot home and a detached 600 square foot garage.
3. Surrounding Zoning/Land Use: (see **"Context Map" attachment**)
 - North: M-1/UV (Light Industrial/Use Variance) across from Sheldon Avenue/South 18th Street and currently developed with a single-family residence.
 - East: M-1 (Light Industrial) and currently developed with a legal non-conforming automobile vehicle storage (D & D Sales RV Storage).
 - South: Highway 24 / Midland Expressway / Cimarron Street.
 - West: M-1/UV (Light Industrial/Use Variance) across existing 30-foot public right-of-way and currently developed with a single-family residence.
4. PlanCOS Vision: According to the PlanCOS Vision Map (see **"PlanCOS Vision Map" attachment**), the project site is identified as an Established Historic Neighborhood within a Reinvestment Area & Community Hub.
5. Annexation: The property was annexed into the City under the Midland Addition #7.
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Westside Master Plan/Industrial - Planned (Publicly Initiated)
7. Subdivision: This property is unplatted (Pt of Lot 2 Blk 7 Rustic Home Add No. 2 to Colorado).
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The project site is currently residentially developed with an existing single-family residence.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site and sending postcards to 180 property owners within 1,000 feet of the site, on two occasions: during the internal review stage

and before the Planning Commission hearing. The site was also posted during the two occasions noted above. Public comments were received by staff (**see "Public Comment" attachment**). Interested residents cited concerns about safety, property values, criminal activity, homelessness, business activity, and compatibility with the surrounding neighborhood. City staff did receive a letter in support of the project by a local resident. Further details related to these areas of concern are covered below as part of the findings of this report.

The applicant provided a written response to the received public comments, in a document dated January 24, 2022 (**see "Applicant's Response Letter" attachment**).

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Stormwater, City Parks and Recreation, Engineering, City Traffic, City Fire, and Police. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review. This application is not within the two-mile buffer for military notification.

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

1. Review Criteria/Design & Development Issues:

a. Conditional Use Development Plan Proposal

The Applicant's proposal is for a Conditional Use Development Plan to establish a drug and alcohol treatment facility under the human service shelter category in accordance with City Code Section 7.3.203 which requires a conditional use the M-1 (Light Industrial) zone district. The site configuration for the Mountain View Recovery Center (MVRC) consists of a 9,797 square foot lot, with pedestrian and vehicle access from Sheldon Avenue/South 18th Street (**see "Conditional Use Development Plan" attachment**). The project site consists of an existing 2,100 square foot home with a detached 600 square foot garage adjacent to an existing automobile vehicle storage use (D & D Sales RV Storage) and existing residential uses across the street zoned M-1 (Light Industrial) as well.

MVRC is a Colorado State licensed extended care treatment program that provides group and individual counseling services. MVRC specializes in treating chemical dependency coupled (substance abuse disorder) with other addictive and mental health disorders (co-occurring disorders), focusing on the underlying causal conditions that lead to the addictive behavior. The new multiple-bed facility will maintain the existing living room, kitchen, and laundry facilities inside the existing single-family residence. Clients are supervised twenty-four (24) hours a day, seven (7) days a week by trained staff and do not leave the property unless accompanied by staff. The plan proposes exterior lighting which will be downcast and shielded to prevent any safety issues. MVRC staff will conduct 30-minute perimeter

checks at night. The applicant will also install six (6) new off-site parking spaces, which includes the required handicap parking space. The applicant anticipates a twelve (12) bed, and the six (6) new parking spaces will exceed the minimum one (1) parking space per eight (8) bed requirement. In a residential facility, the State of Colorado allows for a twenty to one (20:1) resident to staff ratio, but MVRC operates at a six to one (6:1) ratio. In addition, MVRC will be required to adhere to the maximum occupancy allowed by Pikes Peak Regional Building Department for this type of use within a residential facility.

- Drainage
 - Water Resources Engineering did not require a drainage letter/report based on no new pavement is proposed.
- Fire Department
 - CSFD has required to provide stairs in the retaining wall at the north side of the building to allow firefighter access across the retaining wall. The applicant has shown this requirement on the site plan.
- Traffic
 - Traffic Engineering has stated that there are no traffic issues with the proposed human service establishment.
- Geohazards
 - A geological-hazard letter/report was not required by City Engineering since the human service establishment does not involve any construction or site development at this time.

b. Findings for Granting a Conditional Use Development Plan

- i. *Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.*

City Planning Staff finds that the request will not injure the value and quality of the surrounding neighborhood, as the immediate area is currently developed with industrial uses and adjacent single-family residential uses also zoned M-1/UV (Light Industrial/Use Variance). Per City Code Section 7.3.105.F, when a human service establishment is a conditional use no human service establishment shall be located within one thousand feet (1,000') of another human service establishment. The applicant has submitted a distance separation map showing no existing human service establishment within the 1,000' spacing requirement. The value and quality of the surrounding industrial use and nearby residential neighborhood will not be injured by the proposed request for a human service establishment request (**see "Context Map" attachment**).

- ii. *Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.*

Based on City Code Section 7.3.301, industrial zone districts are intended to "...promote a mix of industrial uses that provide the City with a sound, diverse industrial base..". Industrial zone districts are also envisioned to minimize traffic congestion and ensure compatibility with adjacent land uses. The applicant's request to develop a human service establishment use is consistent with the additional standards set forth in City Code Section 7.3.105.F for a human service establishment, which are structured to mitigate potential impacts that apply to certain uses conditionally permitted in industrial zone districts; thus, ensuring the intent and purpose of City Code to promote public health, safety and general welfare is adhered with. The applicant is providing sufficient off-street parking and adequate active outdoor space to be located within a fenced rear yard area. In addition, noise impacts on adjacent properties will be minimal as the project site is adjacent to Highway 24.

- iii. *Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.*

The proposed large daycare home and conditional use site plan conforms to the goals and policies of the City Comprehensive Plan (herein referred to as "PlanCOS"). This project provides a service for the greater vicinity as there is a need for a drug and alcohol treatment facility under the human service shelter category in Colorado Springs and is a compatible use with the adjacent industrial use and nearby residential neighborhood. Refer to Section 2 below for additional details.

2. Conformance with the City Comprehensive Plan:

City Planning staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as an Established Historic Neighborhood within a Reinvestment Area & Community Hub (**see "PlanCOS Vision Map" attachment**). The Thriving Economy Framework map does not have a designation called out but allowing the use of a human service facility providing access to mental health care for drug and alcohol rehabilitation within the single-family residence furthers Typology 6: Critical Support recommendation to provide fundamental services and activities. The intent of the Comprehensive Plan is to preserve and enhance existing and established neighborhoods and to evaluate land use proposals in existing stable neighborhoods. The human service facility providing access to mental health care for drug and alcohol rehabilitation will continue to provide a service to the residents within this developed portion of the City.

City planning staff finds the project in question and its associated application to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan:

The project site is located within the adopted Westside master planned area. The neighborhoods surrounding the project are developed with a mix of industrial, commercial, public schools and residential land uses. The applicant's residential primary use proposal is complementary and supportive of the current land use patterns. Through staff's review of the conditional use development plan and consideration of the review criteria for establishing a development plan, the overall area impacts of the project were analyzed and remain supported by the master plan.

STAFF RECOMMENDATION:

CPC CU 21-00195 – CONDITIONAL USE DEVELOPMENT PLAN

Approve the Conditional Use Development Plan for the Mountain View Recovery Center in the M-1/CU (Light Industrial/Conditional Use) zone district, based upon the findings that the request meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 (A, B, and C) and meets the review criteria for granting a Development Plan as set forth in City Code Section 7.5.502(B).