

CITY PLANNING COMMISSION AGENDA

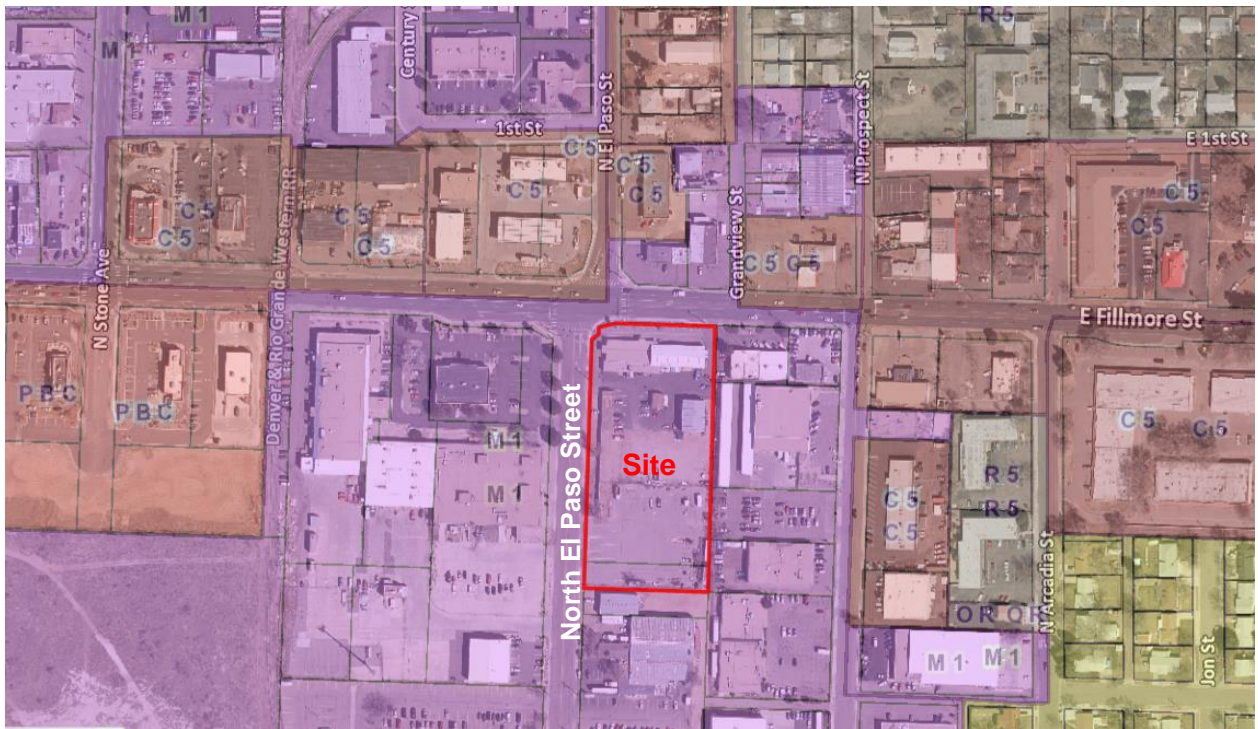
STAFF: MICHAEL SCHULTZ

FILE NO.:
CPC CU 16-00117 – QUASI-JUDICIAL

PROJECT: MAVERIK GAS STATION

APPLICANT: MAVERIK INC.

OWNER: FILLMORE LLC



PROJECT SUMMARY:

1. **Project Description:** This is a request for a Conditional Use Development Plan to establish a 5,602 square foot convenience store/gas station with 14 fueling pumps on a 2.75-acre site zoned M-1 (Light Industrial). The property is addressed at 2961 North El Paso Street, located at the southeast corner of East Fillmore Street and North El Paso Street.
2. **Applicant's Project Statement:** (FIGURE 1)
3. **Planning and Development Team's Recommendation:** Staff recommends approval of the conditional use subject the technical and informational modifications to the development plan.

BACKGROUND:

1. Site Addresses: 2961 North El Paso Street (former site of ABC Plumbing)
2. Existing Zoning/Land Use: M-1 (Light Industrial)
3. Surrounding Zoning/Land Uses:
 - North: M-1 (Light Industrial) and C-5 (Intermediate Business)/ General retail and convenience gas stations
 - South: M-1 (Light Industrial)/Medicinal Marijuana dispensary, contractor's yards, distribution facilities
 - East: M-1 (Light Industrial)/Printing office
 - West: M-1 (Light Industrial)/General office
4. Comprehensive Plan/Designated 2020 Land Use: Mature/Redevelopment Corridor
5. Annexation: Colorado Springs Addition #2, 1970; Anton Nelson Addition, 1964; Kitty Hawk Addition, 1954
6. Master Plan/Designated Master Plan Land Use: The property is not located within an approved Master Plan.
7. Subdivision: Kitty Hawk Subdivision
8. Zoning Enforcement Action(s): None
9. Physical Characteristics: The property is improved with several structures for the prior use as a plumbing supply store (ABC Plumbing). The site is entirely impervious consisting of buildings or paving and gradually slopes to the south.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 51 property owners within 500-feet of the subject property during the internal review as well as prior to the Planning Commission meeting. As of this report, staff has yet to receive any comments or inquiries regarding the request.

Staff sent plans to the standard internal and external review agencies for comments. Additional review comments remain and are outlined within the technical and information comments provided at the end of the report. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, Stormwater Engineering and City Fire. The site is not within the Airport Overlay and was not sent to the Airport Advisory Committee.

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

1. Review Criteria/Design & Development Issues:

Conditional Use

This request for a Conditional Use Development Plan is to allow a convenience store within an M-1 (Light Industrial) zone district at the southeast corner of East Fillmore Street and North El Paso Street. The proposed development would raze all of the existing structures on site and construct a new 5,602 square foot convenience store along with ten (10) fueling pumps and an additional four (4) diesel fueling pumps on the south side of the proposed building; the site will consist of 2.75 acres. **(FIGURE 2)**

The subject property is located along the East Fillmore Street commercial corridor; the corridor has intermittent zoning comprising of PBC (Planned Business Center), C-5 (Intermediate Commercial) and M-1 (Light Industrial). There has been recent redevelopment activity within the corridor, a Kum & Go convenience store was recently constructed on the northwest corner of East Fillmore Street and North El Past Street and a number of new commercial buildings were constructed on the south side of East Fillmore Street at North Stone Avenue.

Conditional use approval is necessary to allow a convenience store within the M-1 (Light Industrial) zone. Staff supports the conditional use request citing that a majority of the land uses located within immediate frontage of East Fillmore Street consist of office, commercial and only a few light industrial users; thus the use would be consistent with other retail/commercial land uses within the corridor.

The building and fueling pumps are oriented toward East Fillmore Street with three (3) access points provided to the site; one (1) access is proposed along East Fillmore Street and will utilize an existing shared access with the adjacent property to the east. The East Fillmore Street access will be a full-movement access as there are no existing or proposed medians to restrict westbound turn movements. An additional two (2) access points are proposed along North El Paso Street. The southerly access is for semi-trucks. This access allows better maneuvering to the diesel fueling pumps located south of the convenience store building. The site proposes 42 parking stalls around the convenience store; this is more than twice the City Code required 19 off-street parking stalls for this use.

No additional modifications to either East Fillmore Street or North El Paso Street are necessary for this project; the applicant will be installing new sidewalk and pedestrian ramps along with both street frontages as well as installing a new bus stop concrete pad along East Fillmore Street. Pedestrian access is being provided from North El Paso Street to the entry of the building in order to avoid having pedestrians access the site through the fueling area. Staff is requesting the applicant provide at least one (1) bike rack on-site to accommodate bike riders.

A 20-foot landscape buffer along East Fillmore Street and 10-foot landscape buffer along North El Paso Street will be installed and bring the site into compliance with the City's landscape requirements. On-site water quality detention is being provided on the south side of the site to capture and treat stormwater runoff.

Technical and Informational Modifications

There are no significant modifications necessary listed within the technical and informational modifications of the staff recommendation section. The consultant does need to coordinate with Colorado Springs Utilities regarding completion of the Wastewater Master Facility Form and the hydraulic grade line (HGL) form as well as clarification of comments on the development plan.

Water Resources Engineering and Management is also requesting additional clarification on information on the grading plan sheets of the development plan.

Metro Transit is requesting an additional public improvement easement to accommodate the future bus stop located in front of this site along East Fillmore Street.

Land Use Review is requesting additional clean up and clarification of items within the development plan, the most significant item is the request for a single bike rack to be provided adjacent to the building.

2. Conformance with the City Comprehensive Plan:

City Code indicates that the requested Conditional Use shall be consistent with the intent and purpose of the Comprehensive Plan (Plan). The Plan's 2020 Land Use Map designates

this area of the City as *New/Developing Corridor*; these are areas that have recently developed, or are now in the process of developing, with major retail uses, services, and strip centers accessible exclusively by automobile. Furthermore, these areas are characterized by large and dominating parking lots. The proposed change of use as proposed conforms to several Objectives, Policies and one Strategy of the Plan, including:

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Policy LU 401: Encourage Appropriate Uses and Designs for Redevelopment and Infill Projects

Work with property owners in neighborhoods, the downtown, and other existing activity centers and corridors to determine appropriate uses and criteria for redevelopment and infill projects to ensure compatibility with the surrounding area.

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

This Policy emphasizes locating new growth and development in well-defined contiguous areas in order to avoid "leapfrog", scattered land use patterns, and the desire for a focused pattern of development that makes more efficient use of land and natural and financial resources (compared to scattered, "greenfield" development). In contrast to dispersed patterns of development, consolidated development patterns provide for a less costly and more efficient means of providing needed services and public facilities, for example.

The project is represents urban infill, per the Comprehensive Plan's Infill Supplement as it is located within a largely developed, well-defined area that provides for adequate services and infrastructure.

Policy LU 301: Promote a Mixed Land Use Pattern

The change of use as proposed would promote a mix of mutually supportive and integrated residential and in this case primarily non-residential land uses.

Given the above review of Comprehensive Plan compliance, it is the finding of the City's Planning and Community Development Department that the requested 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 site does not lie within the bounds of an approved and implemented Master Plan.

STAFF RECOMMENDATION:

CPC CU 16-00117 – CONDITIONAL USE

Approve the request for a Conditional Use Development Plan to allow a convenience store within an M-1 (Light Industrial) zone based upon the finding that the request complies with the conditional use review criteria in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

1. Add a note that a geo-hazard study was not conducted for this proposed development.
2. The parking on the adjacent lot one-way in and out, add a note and directional arrow of the traffic flow for the adjacent lot.
3. Note the general dimensions of the convenience store building.
4. Ensure ADA access route is accommodated from the ADA access aisle to the front entry of the building.
5. Within the "Parking" portion of the table, note 19 spaces required. Within the "Parking Ratio" portion of the table replace "car" with "space(s)".
6. Provide a minimum of one bike rack (2 stall rack) adjacent to the building.
7. Note adjacent zone districts to the subject property.
8. Provide a detail of the garbage enclosure.
9. Clarify enclosure on the south side of the building.
10. Label diameter and material for all existing and proposed utilities.
11. Complete the Wastewater Master Facility Form and submit to CSU.
12. Label what is proposed for existing electric facilities.
13. Provide a copy of the HGL Response form.
14. Show and label all existing gas lines in El Paso Street and Fillmore Street.
15. Show and label the existing wastewater service for the site. Label "To be removed / abandoned".
16. Show existing fire hydrant alignment.
17. Show the existing wastewater main in Fillmore Street.
18. The existing water mains are not drawn correctly. Revise accordingly. Also, show existing 20-inch water main in Fillmore Street.
19. Limit the max height of proposed trees beneath overhead electric lines to 12-feet.
20. On the grading plan label all existing and proposed contours.
21. On the grading plan tie in all existing contours crossing proposed contours.
22. On the grading plan, refer to COS DCM Vol. 1 Table 8-2 for approved inlets.
23. On the Utility and Public Facility plan, label the 72" RCP on N. El Paso St. as "public".
24. Move the striped stop bar behind the public sidewalk.
25. Ensure sufficient public improvement easement is provided for the future bus stop along E. Fillmore Street.