



# City of Colorado Springs

City Hall  
107 N. Nevada Avenue  
Colorado Springs, CO  
80903

## Meeting Minutes - Draft Planning Commission

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Thursday, March 21, 2019

8:30 AM

Council Chambers

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**6.D. CPC ZC  
18-00178**

An ordinance amending the zoning map for the City of Colorado Springs pertaining to 8.43 acres located at 7133, 7149, 7165, 7207, and 7239 North Academy Boulevard, changing the zoning from PBC/cr (Planned Business Center with Conditions of Record) to PBC/cr (Planned Business Center with Conditions of Record).

(QUASI-JUDICIAL)

Related File: CPC DP 99-00215-A5MJ18

Presenter:

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Senior Planner, Planning and Community Development

**Staff presentation:**

**Daniel Sexton** presented a PowerPoint on the scope and intent of this project.

**Commissioner Scott Hente** asked Mr. Sexton if he could explain exactly what was changing with this project.

Mr. Sexton explained from the physical development itself, nothing was changing but the current owners of the property were looking for greater flexibility and versatility to sign leases for other tenants with other uses. Mr. Sexton explained there was a vacant space within the commercial buildings with whom the owners have a prospective tenant who would like to do liquor sales, which is not allowed with the current conditions of record.

**Applicant Presentation:**

**Andrea Barlow** with N.E.S. presented a PowerPoint with the scope and intent of project.

Mr. Barlow explained the reason for the major amendment to the development plan is to remove some of the prohibited uses. Specifically, the conditions of record that restrict:

- General food;
- Convenient food sales;
- Liquor sales;

as there is a vacant tenant space that the client wants to fill.

Ms. Barlow also said they are proposing to add restricted uses to clarify that the convenience food sales will not include fuel sales and prohibited use of methadone clinics. Ms. Barlow explained the client was willing to give up the marijuana sales that is now allowed in the PBC zone, but only if the zone change is approved to allow liquor sales.

**Megan Tollefson**, property owner, said since coming into owner of this in 2011, several improvements were made with the intent of being good neighbors.

Ms. Tollefson pointed out:

- The vacant space has been difficult to lease because many do not want a 6,000 square foot building, but something smaller or much larger
- The prospective tenants will be putting in an upscale liquor store as opposed to discounted liquor sales
- It should not increase crime which neighbors were concerned about
- A property manager will be overseeing the property and addressing homeless camps or other property issues

**Supporters:**

None

**Opponents:**

None

**Questions of Staff:**

Commissioner Jim Raughton asked Mr. Sexton if the methadone clinic could be deleted.

Mr. Sexton clarified that the proposal was to add a prohibition of the methadone clinic as a condition of record. Commissioner Raughton said he would let that stand.

**Rebuttal:**

None

**DISCUSSION AND DECISION OF PLANNING COMMISSION:**

No discussion.

**Motion by Hente, seconded by McMurray, to recommend approval to City Council the zone change of 8.43 acres from (PBC/cr) Planned Business Center with Conditions of Record to (PBC/cr) Planned Business Center with Conditions of**

**Record, based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B).**

**The motion passed by a vote of 6:0:3**

**Aye:** 6 - Hente, Raughton, McMurray, Vice Chair Graham, Eubanks and Almy

**Absent:** 3 - Chairperson McDonald, Satchell-Smith and Smith

- 6.E. CPC DP 99-00215-A5 MJ18** A Major Amendment of the BSK Subdivision Filing No. 1 Development Plan project illustrating updated site data and revisions to the development and operational stipulations applied to the development located at 7133, 7149, 7165, 7207, and 7239 North Academy Boulevard.

(QUASI-JUDICIAL)

Related File: CPC ZC 18-00178

Presenter:

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Senior Planner, Planning and Community Development

See Item 6.D. CPC ZC 18-00178

**Motion by Hente, seconded by Almy, to recommend approval to City Council the major development plan amendment for the BSK Subdivision Filing No. 1 project, based upon the findings that the amended development plan meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E).**

**The motion passed by a vote of 6:0:3**

**Aye:** 6 - Hente, Raughton, McMurray, Vice Chair Graham, Eubanks and Almy

**Absent:** 3 - Chairperson McDonald, Satchell-Smith and Smith