

**CITY PLANNING COMMISSION AGENDA**

**STAFF: MIKE SCHULTZ**

**FILE NO(S):**

**CPC A 15-00060 - LEGISLATIVE**

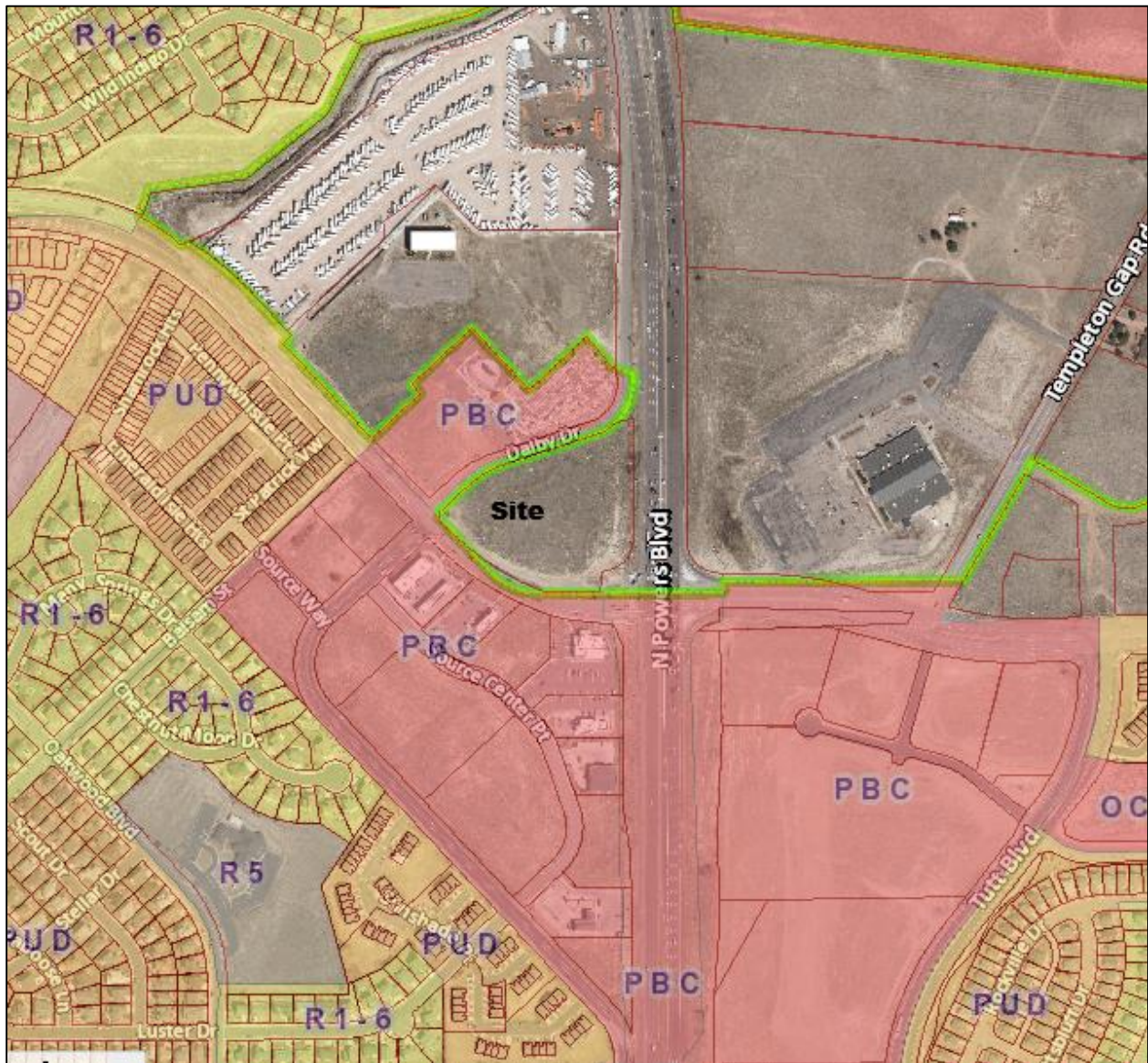
**CPC ZC 15-00081 - LEGISLATIVE**

**CPC DP 15-00082 – QUASI-JUDICIAL**

**PROJECT: KUM & GO STORE #685**

**APPLICANT: OLSSON ASSOCIATES**

**OWNER: WILFRED E. PERKINS**



## **PROJECT SUMMARY:**

1. Project Description: This project includes concurrent applications for annexation, zoning and a development plan for property located at the northwest corner of Powers Boulevard and Dublin Boulevard.

The annexation area consists of 7.711 acres, approximately 4.23 acres of which is right-of-way for both Powers Boulevard and Dublin Boulevard. The zoning will establish a PBC/AO (Planned Business Center with Airport Overlay) zone for the property. The associated development plan illustrates the development of a Kum & Go convenience store on 1.877 acres with the remaining 1.6 acres consisting of a concept diagram for future retail on the northern portion of the site.

A final plat is also under administrative review regarding the development of this site.

2. Applicant's Project Statement: **(FIGURE 1)**
3. Planning and Development Department's Recommendation: Staff recommends approval of the applications, subject to conditions and the listed technical modifications.

## **BACKGROUND:**

1. Site Address: No address is assigned to this property.
2. Existing Zoning/Land Use: Unincorporated El Paso County A-5 (Agriculture)/Vacant
3. Surrounding Zoning/Land Use:  
North: PBC/Outdoor Entertainment  
South: PBC/Restaurant and Convenience Store  
East: Unincorporated El Paso County RR-5/  
Church  
West: PBC/Vacant
4. Comprehensive Plan/Designated 2020 Land Use: No designation at this time since it is located outside the city.
5. Annexation: Under current consideration.
6. Master Plan/Designated Master Plan Land Use: There is not a master plan for this site.
7. Subdivision: The property was platted in El Paso County as Templeton Gap Heights Filing No. 3, 1968.
8. Zoning Enforcement Action: No enforcement cases are active.
9. Physical Characteristics: The site is relatively flat with no significant vegetation.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public process included posting the site and sending postcard notifications to 29 property owners within 500 feet of the property. The notice was sent when the applications were submitted and notice of the City Planning Commission hearing.

Staff did not receive any written opposition to the proposal. Staff did meet with the property owner immediately north, Steven Hittle, along with Olsson Associates, regarding contributions and/or reimbursements to the full build out to Dalby Drive; the applicant agrees to those terms.

Staff also sent the plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, Airport, City Fire, City Landscape, Police and E-911.

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

1. Review Criteria / Design & Development Issues:

Annexation

The request is to annex the property into the municipal limits of the City of Colorado Springs and develop two (2) commercial properties. The annexation itself consists of 7.711 acres; approximately 4.23 acres of which is right-of-way for both Powers Boulevard and Dublin Boulevard. (**FIGURE 2**)

The site is part of a larger enclave referred to as Templeton Gap, an area completely surrounded by the City limits and contiguous to the municipal limits of the City of Colorado Springs. Therefore, the property is eligible for annexation. Because the property is planned for a single use, there is no master plan requirement. The development plan acts as the planning document and illustrates the use layout.

A Fiscal Impact Analysis (FIA) is required for all annexation requests and is completed by the City Budget Office. The FIA was completed on October 23, 2015. The FIA states that there are minimal identifiable marginal costs of providing services to this development, as the surrounding infrastructure and roadways are already being maintained by the City as they fall within the service area of surrounding parcels. The result of the FIA is a positive cumulative cash flow for the City during the 10-year timeframe. (**FIGURE 3**)

The draft annexation agreement is attached as **FIGURE 4**. The property is located along a portion of Dublin Boulevard that is planned to be widened. Although PPRTA (Pikes Peak Rural Transportation Authority) will be responsible for completing that section of Dublin, the developer will need to escrow \$31,858 to the PPRTA for sidewalk, curb & gutter and pedestrian ramps, adjacent to this property for the future Dublin improvements project. The developer will also be required to escrow \$75,000 to the City for the future anticipated traffic signal at the intersection of Dublin Boulevard and Dalby Drive.

PBC/AO Zoning

The zoning request is to zone the property PBC/AO (Planned Business Center with Airport Overlay). This zoning is similar to the commercial zoning adjacent to the site and the southwest and southeast corners of Powers Boulevard and Dublin Boulevard.

Development Plan

The development plan (**FIGURE 5**) illustrates the layout for a proposed convenience store on the south portion of the site. The plan also conceptually illustrates a future retail pad site on the northern portion of the site. No access is shown along either Powers or Dublin Boulevards, two access points are shown along Dalby Drive.

There is an existing large private access easement that runs north-south through the property which the applicant is coordinating with Real Estate Services to quit claim because they are unable to determine the benefitting party.

2. Conformance with the City Comprehensive Plan:

**Policy CIS 202: Annexation will be a Benefit to the City of Colorado Springs**  
Evaluate proposed annexations to determine if the request is a benefit to the City.

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

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

**Strategy LU 203a:** Locate the Places that People Use for Their Daily Needs and Activities Close to Each Other

Group and link the places used for living, working, shopping, schooling, and recreating and make them accessible by transit, bicycle, and foot, as well as by car.

**Policy LUM 213: Potential Annexation Areas**

Utilize the Potential Annexation Area designation for areas that are likely to be incorporated by the City.

**Objective LU 3:** Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

**Policy LU 301:** Promote a Mixed Land Use Pattern

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

**Objective CCA 6: Fit New Development into the Character of the Surrounding Area**

Often the overall character of a new development is not realized until the project is completed. This can lead to unintended impacts and incompatible development. Applicants for new developments need to clearly identify how their projects will fit into the character of the surrounding area and the community as a whole with respect to height, scale, bulk, massing, roof forms, signage, overall site design, pedestrian and vehicular access, and relation to the public right-of-way.

**Policy CCA 601: New Development Will Be Compatible with the Surrounding Area**

New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

*It is the finding of the Land Use Review Division that the Kum & Go Store #685 annexation, zoning, and development plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives. The City Annexation Guide strongly recommends annexation of areas identified within an enclave for proposed urban development.*

3. Conformance with the Area's Master Plan:

This property is not part of a master plan.

**STAFF RECOMMENDATION:**

**CPC A 15-00060 – ANNEXATION**

Recommend approval to the City Council of the Kum & Go Store 685 Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 with the following conditions of approval:

1. Letter of Assent approval from Southeastern Colorado Water Conservancy District must be received prior to scheduling the City Council Hearing.
2. The final annexation agreement must be submitted to staff prior to scheduling the City Council Hearing.

**CPC ZC 15-00081 – ESTABLISHMENT OF ZONE**

Recommend approval to the City Council of the establishment of the PBC/AO (Planned Unit Development with Airport Overlay) zone district, based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

**CPC ZC 15-00082 – DEVELOPMENT PLAN**

Recommend approval to the City Council of the Kum & Go Store 685 development plan based upon the findings that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications along with the condition of record:

1. Clarify line dimensions on the development plan.
2. The proposed water main is to be designated as “private”, please label the main accordingly and remove the 30’ PUE.

Condition of Approval

1. Process the quit claim of the private access easement prior to final approval.