

CITY PLANNING COMMISSION AGENDA  
AUGUST 20, 2020

STAFF: KATELYNN WINTZ

FILE NO(S):  
CPC CU 20-00081 – QUASI-JUDICIAL  
CPC NV 20-00105 – QUASI-JUDICIAL

PROJECT: CARLO CAR WASH  
OWNER/DEVELOPER: CTB REAL ESTATE HOLDINGS, LLC  
CONSULTANT: NES, INC.



## **PROJECT SUMMARY:**

1. Project Description: The project includes concurrent applications for a conditional use development plan and nonuse variance for .68-acre of land located at 1802, 1804, 1808 East Dale Street and 803 and 827 North Union Boulevard for an automotive wash and ancillary site improvements (herein referred to as "Carlo Car Wash") in the C-5 (Intermediate Business) zone district. **(see "Conditional Use" attachment)** The nonuse variance request proposes a 15-foot front yard building setback along North Union Boulevard where a 20-foot setback is required **(see "Conditional Use" attachment)**.

A concurrent waiver of replat application is being administratively reviewed. The waiver of replat will allow for the consolidation of five whole platted lots to create one buildable area across multiple property boundaries.

2. Applicant's Project Statement: **(see "Project Statement" attachment)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

## **BACKGROUND:**

1. Site Address: The properties associated with this project are addressed as 1802, 1804, 1808 East Dale Street and 803 and 827 North Union Boulevard.
2. Existing Zoning/Land Use: The properties are zoned C-5 (Intermediate Business) and residentially developed with underutilized buildings.
3. Surrounding Zoning/Land Use:  
North: C-5 (Intermediate Business) and is commercially developed.  
South: C-5 (Intermediate Business) and is commercially developed.  
East: R-2 (Two-family residential) and is developed for residential use and civic use as a religious institution.  
West: PCR (Planned Cultural Resort) (Olympic Training Center) and R-2 (Two-family residential) and is commercially and residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map **(see "PlanCOS Vision Map" attachment)**, the project site is identified as an Established Traditional Neighborhood.
5. Annexation: The properties were annexed into the City under the 1<sup>st</sup> Addition to Knob Hill annexation (January 22, 1957, Ordinance No. 2346).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Knob Hill Neighborhood Redevelopment Plan, the land use designation is identified as commercial. This master plan is considered operative.
7. Subdivision: The subject properties are platted as Lots [add lot numbers] of the Knob Hill Addition to Colorado Springs subdivision.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is residentially developed with some underutilized buildings along East Dale Street.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 245 property owners on two occasions; during the initial review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received public comments in opposition to the project and the concerns raised consisted of traffic concerns, noise mitigation, and an outright objection to the commercial development (**see “Public Comment” attachment**). The applicant’s provided a neighborhood response letter addressing the concerns as noted by the public (**see “Neighborhood Response Letter” attachment**)

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, City Fire, City Police, and City Landscape Architect. All comments received from the review agencies have been addressed.

- Streets Program – North Union Boulevard is planned for 2C overlay during the 2023 season, after paving season North Union Boulevard will be under moratorium until 2028. If infrastructure construction, storm sewer, or utility tie-in work impacting North Union Boulevard is not completed before the scheduled repaving, restoration limits and degradation fees will be defined prior to the completion of work.
- Landscaping – A preliminary landscape plan was submitted for consideration. There are two requests for landscaping alternative compliance, a reduction of the landscape buffer and a reduction of the landscape setback along North Union Boulevard. The plans propose a combination of installation of 6-foot opaque vinyl fence and evergreen shrubs to buffer the site between the residentially zoned and used properties to the north and east of the project site and a 10-foot reduction of the required landscape buffer. The City Landscape Architect finds the requests to still meet the intent of the landscaping standards.

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

### 1. Review Criteria / Design & Development Issues:

#### a. Application Summaries:

##### i. Conditional Use Development Plan

The proposed Carlo Car Wash Conditional Use Development Plan (**see “Conditional Use” attachment**) consists of an infill redevelopment proposal for a 3,573 square foot automotive wash and ancillary site improvements. Commercial development at this site is consistent with the surrounding neighborhood, where both north and south of this site are commercially developed and part of a commercially zoned corridor along North Union Boulevard (**see “Vicinity Map” attachment**). The site design and layout is generally compliant with City Code Section 7.3.204 *Office, Commercial, Industrial and Special Purpose Zone District Development Standards*, with the exception of the nonuse variance request for a reduction of the minimum required front yard building setback outlined in the following section of this report. City Planning staff applied the automotive wash use parking requirements, which are one (1) space per bay or stall. Carlo Car Wash is designed with adequate stacking distance of vehicles queueing to use the wash bay; there are two bail out points, one to the left leading vehicles into the vacuum and parking area and a secondary bail out with restricted out only access to North Union Boulevard. As shown on the site plan, 15 parking spaces with 1 ADA van accessible space (2 non-assigned spaces, 1 non-assigned ADA van accessible space, and 12 vacuum stalls) have been provided where 13 parking spaces, including 1 ADA van accessible space, are required. A preliminary landscaping plan was submitted illustrating 16 trees on site, shrubs, rock mulch and cobble; a final landscape and irrigation plan will be required within 90 days of building permit issuance. The subject properties are bounded by a residential zone district to the

east. The site design includes the installation of a 6-foot vinyl fence along the eastern and northern property boundaries to mitigate off-site impacts and adequately buffer the site from the adjacent land uses.

City Planning staff finds the application to be consistent with the purpose of the Conditional Uses, as set forth in City Code Section 7.5.701 *Conditional Uses* and City Code Section 7.5.502(E) *Development Plans Review Criteria*.

ii. Non-Use Variance

The nonuse variance application requests relief to allow a 15-foot front yard building setback from the property boundary along North Union Boulevard where a 20-foot front yard building setback is required per City Code Section 7.3.204 *Office, Commercial, Industrial and Special Purpose Zone District Development Standards* (see “**Conditional Use**” attachment). The project area is along a portion of North Union Boulevard with a large right-of-way, in addition to the four-lane principal arterial there is 20 feet of right-of-way between the parkway and the property boundary containing a lawn area and a public sidewalk. The buildings developed in the commercial corridor have varying building setback distances where granting the non-use variance relief is consistent with the surrounding development.

City Planning staff finds the request meets the three review criteria for a non-use variance to be granted:

- Extraordinary or exceptional physical conditions – The width of the project site is unable to accommodate the required setback and a second stacking lane due to the width of the site. The granting of the non-use variance for the requested 5-foot reduction of the required setback allows the project as designed to meet other necessary design requirements.
- No reasonable use of the site – The property has remained in a state of disrepair for several years. The granting of the non-use variance will allow for infill redevelopment and investment. Additionally, the requested non-use variance for the requested 5-foot reduction of the required setback allows the project as designed to meet other necessary design requirements.
- No adverse impact upon surrounding properties – The existing development with underutilized buildings have potential to become detrimental to the public health, safety, and welfare to the surrounding properties. The granting of the non-use variance will provide an opportunity demolish the existing structures and develop the site providing a needed reinvestment that will not be detrimental to public health, safety and welfare to the surrounding properties.

City Planning staff finds the application to be consistent with the purpose of granting a non-use variance, as set forth by City Code Section 7.5.801 *Variances Purpose*

2. Conformance with the City Comprehensive Plan:

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 Traditional Neighborhood (see “**PlanCOS Vision Map**” attachment). The project aligns with PlanCOS Chapter 2 Policy UP-2.A, which states

“Support infill and land use investment throughout the mature and developed areas of the city.”

Strategies UP-2.A-1, UP-2.A-4 and UP-2.A-5 reinforce the projects conformance with PlanCOS as these strategies highlight the desire to encourage active support and design flexibility of infill redevelopment.

Economic diversity is a core principle of PlanCOS and the foundation of supporting a thriving local economy. In Thriving Economies, Chapter 4 of PlanCOS, the project aligns with the “Big Idea” titled “Embrace Sustainability and Policy TE-4.A, which states

*“Prioritize development within the existing City boundaries and built environment (not in the periphery)”*

The subject property for Carlo Car Wash is underutilized commercial property with several buildings in varying states of disrepair in the established Knob Hill neighborhood, prioritizing and encouraging infill development at the proposed site aligns with Strategy TE-4.A-1.

For the reasons provided in this staff report, City staff finds this redevelopment proposal to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area’s Master Plan:

The Knob Hill Redevelopment Plan is an operative master plan adopted in 1984. The Carlo Car Wash project site is shown on the Recommended Land Use Map with a master plan land use designation of “Commercial”. The proposed project aligns with several of the objective of the master plan related to redevelopment, revitalization of commercial areas of Knob Hill and elimination of blighting influences. The existing buildings are in a state of disrepair and are reportedly being used by unhoused persons in the city. Redevelopment of the project site will remove the existing buildings in line with Objective A - eliminate substandard housing conditions, Objective C - encourage the revitalization and growth of new businesses in the area, and Objective F - to achieve a safe, desirable and visually-attractive environment in both residential and commercial areas of Knob Hill.

For the reasons provided in this staff report, City staff finds this redevelopment proposal to be substantially in conformance with the area’s master plan and its guidance.

**STAFF RECOMMENDATION:**

**CPC CU 20-00081 – Conditional Use Development Plan**

Approve the Conditional Use Development Plan for the Carlo Car Wash, based upon the findings that the request complies with the review criteria for granting a conditional use, as set forth in City Code Section 7.5.704, and the development plan review criteria, as set forth in City Code Section 7.5.502(E).

**CPC NV 20-00105 – Nonuse Variance**

Approve the nonuse variance request to allow a 15-foot front yard setback where 20 feet is required per City Code Section 7.3.204, based upon the findings that the request complies with the non-use variance review criteria in City Code Section 7.5.802.B.