



Quick Facts

Applicant

Cushing Terrell

Property Owner

CD Markshuffel & Barnes LLC

Address / Location

7752 Barnes Road

TSN(s)

532414003

Zoning and Overlays

Current: MX-M

Site Area

Approx. 34,000 SF

Proposed Land Use

Auto and Light Vehicle Repair

Applicable Code

UDC

Project Summary

A conditional use to allow an auto and light vehicle repair use in the Mixed-Use Medium Scale (MX-M) zone district consisting of approximately thirty-four thousand (34,000) square feet located at 7752 Barnes Road.

File Number	Application Type	Decision Type
#CUDP-23-0020	Conditional Use	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	Stetson Hills Annexation #2	June 1984
Subdivision	Willowind Commercial Filing No. 4	April 2023
Master Plan	Stetson Hills Master Plan	Updated in 2006
Prior Enforcement Action	N/A	

Site History

The Willowind Commercial Center has been an anticipated hub of local commercial needs along the growing Markshuffel corridor. The commercial center was initially platted and received a concept plan approval that would guide the development within the lots and identified the shared access, parking, and other amenities amongst the whole commercial center. Since then, only two of the eight (8) lots have been developed. Lot Four (4) is a multi-unit commercial building currently occupying by several small-retail and personal service businesses. Lot 1 of Willowind Commercial Filing No. 3 which is in the same commercial center is owned and operated by the 711 cooperation. All other lots are presently vacant.

In 2022, renewed interest in the vacant parcels resulted in a replat of the Willowind Commercial Center (SUBD-22-0090) and major amendment to the concept plan (COPN-22-0018). These applications shifted lot lines and predicted new uses for the vacant lots. Shortly after the submittal of numerous new development plans for the vacant lots. The Les Schwab application was one of these applications and has been an anticipated use for the overall Willowind Commercial Center since the initial applications were submitted in 2022.



Originally the applicant attended a pre-application meeting for this use in 2022. The proposed use was considered a permitted by right use in the Planned Business Center (PBC) zone district and there were no major concerns discussed at said pre-application meeting. However, the applicant was unaware of the upcoming Code rewrite and did not submit their application until after the June 5th, 2023 shift to the Unified Development Code. Under the UDC, the proposed use is required to gain approvals from City Planning Commission for the Conditional Use and complete a Development Plan in order to approve the site design.

Currently, the Conditional Use application is prepared for the Colorado Springs' Planning Commissions determination and shall be accompanied with a Land Use Statement. The concurrently reviewed Development Plan (DEPN-23-0128) will continue its administrative review until such time as the Conditional Use achieves approval and the Development Plan is deemed complete and ready for approval.

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the applicant will be reviewed under the Unified Development Code. All subsequent references within this report that are made to "the Code" and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M	Commercial Center	
West	MX-M	Convenience Store	
South	County	Vacant	
East	MX-M	Currently Vacant / Proposed Car Wash	

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	2
Postcard Mailing Radius	1000'
Number of Postcards Mailed	164 postcards
Number of Comments Received	0

Public Engagement

No public comments or questions were received regarding this application's public comment period. The concurrently reviewed Development Plan application (DEPN-23-0128) did not receive any as well.

Timeline of Review

Initial Submittal Date	October, 2023
Number of Review Cycles	2

Agency Review

Agency reviewers did not have any major comments regarding the proposed use. Comments received on this project were primarily related to site design and improvements which are to be reviewed and resolved under the concurrent development plan application (DEPN-23-0128). Agency reviewers have no objections to this use.

Conditional Use Application

Summary of Application

The Applicant is proposing the development of a new Les Schwab, light automotive and vehicle repair, at the vacant lot at 7752 Barnes Road. This site is within the Mixed-Use Medium (MX-M) zoning district, which requires a conditional use approval to have this use on site. At this time, the Applicant anticipates that the standalone building will consist of an approximately nine thousand (~9,000) square foot facility which will have some office space and six (6) service bays.

The Land Use Review Division is concurrently reviewing the Development Plan application (DEPN-23-0128). This application has preliminarily been found to meet all relevant Development Plan criteria and all Use-Specific Standards as outlined in Section 7.3.3. but still has on-going reviews to resolve outstanding review comments. This application shall not be approved until such time as the Conditional Use approval has been issued and the Development Plan has resolved all open comments.

Application Review Criteria

Below are the three review criteria as outlined in zoning code Section 7.5.601. The applicant meets these criteria as follows:

- a. The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).

The proposed auto and light vehicle use meets all the use-specific standards which includes the following:

- a. All work on vehicles shall be done entirely within an enclosed building.
- b. Automotive parts or junk vehicles may not be stored outside.
- c. The nearest point of the building in which the repair activity occurs shall be more than one hundred (100) feet from the boundary of any residential zone district.

The site has been designed so that all work shall occur within the building and the Applicant does not require outdoor storage of any kind. The nearest residential areas to the north and south are estimated to be over 300 feet away from the proposed building. Additionally, the related development plan (DEPN-23-0128) will include a general note that specifies that this use shall abide by these standards.

- b. The size, scale, height, density, multimodal traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and

This project's location within the Willowind Commercial Subdivision affords it the opportunity to be included within a unified development. At the time of the concept plan (COPN-22-0018) approval, the issues of access, parking, and other services were contemplated and prepared with the anticipation of a variety of future retail and consumer services uses, such as Les Schwab.

Additionally, the site's location at the corner of the Barnes and Markshuffel intersection provides an opportunity for new retail and services to locate in a rapidly growing area of town where many consumer services are currently lacking. The proximity to residential uses is approximately three hundred (300) feet away from the proposed building envelope, which should reduce any possible noise or sound impacts created by the business.

- c. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible

This site has been evaluated to ensure that all public infrastructure has enough existing capacity. No deficiencies were found as it related to this particular lot. However, in conjunction with other associated projects, improvements shall be made to the Markshuffel and Barnes intersection, which will indirectly support the flow of traffic within the Willowind Commercial Center and allow better access to the Les Schwab facility.

Staff has evaluated this application based on the review criteria for Conditional Uses (Section 7.5.601) application and have found that this application meets these criteria.

Compliance with Development Standards

Below are development standards applicable to the Mixed-Use Medium Scale (MX-M) zone district.

Development Standard	Required	Proposed
*Setbacks	25'	25'
Parking	16 Stalls	31 Stalls
*Building Height	45'	30'

*Per the approved Concept Plan (COPN-22-0018), this site is subject to setbacks and building height maximums that were established under the Concept Plan. All setbacks are intended to provide distancing from the periphery of the unified development (Willowind Commercial Center); specifically, to Barnes Road, Marksheffel Road, and the "Rear Setback".

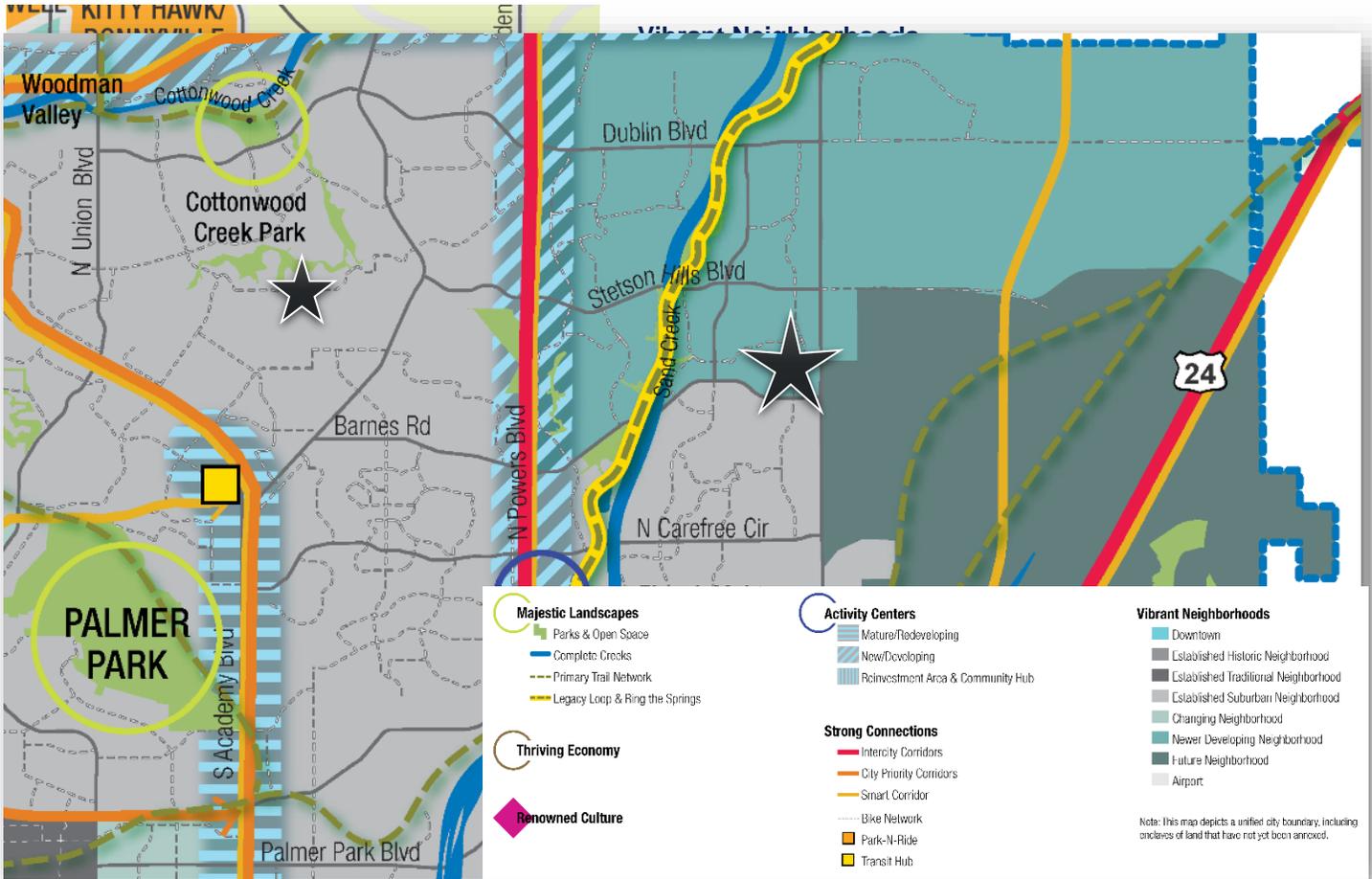
Compliance with Relevant Guiding Plans and Overlays

This site is within the Stetson Hills Master Plan. The subject lot and the entirety of the Willowind Commercial Center is within an area set aside as "Community Commercial" per this plan. Given that automotive and light vehicle repair has become a common consumer service with a business model that has minimal impact on neighboring properties, this use would be complimentary to existing and proposed uses and meets the intent of a "Community Commercial" area.

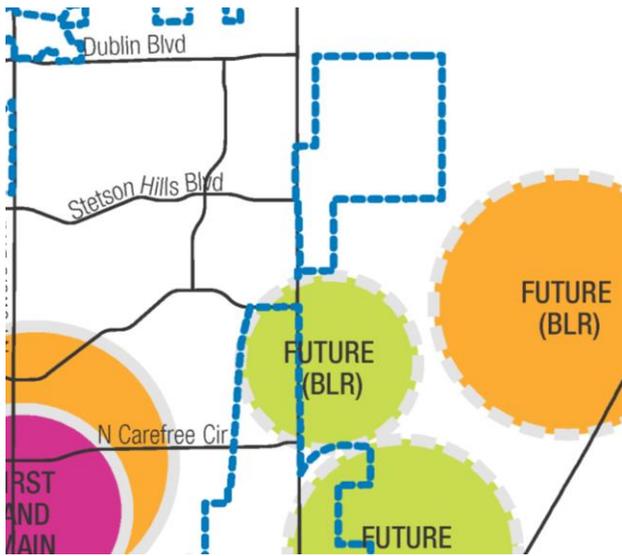
This site is within the Airport Overlay District and was reviewed by the Airport Advisory Commission. The commission did not have any objections to the proposed Conditional Use or the related Development Plan.

Compliance with PlanCOS

PlanCOS Vision



The subject site is located within PlanCOS Visions Map’s typology of “Newer Developing Neighborhoods”. This typology is used to describe areas where continued growth, infill, and opportunities exist for developing well-rounded neighborhoods.



Thriving Economy

The subject side resides just outside the Thriving Economy typology of “Spinoffs and Startups”. This typology is intended to provide support for growing hubs of industry, which is an anticipated element of the adjacent Banning Lewis Ranch development.

This project is supported by **Strategy TE-1.C-5** by providing **convenient access to services through proactive planning.**

Additionally, this project is reflective of **Strategy TE-2.B-3** which emphasizes the need to retain plans, such as the Stetson Hills Master Plan, that calls on providing a complimentary mix of uses.

Statement of Compliance

CUDP-23-0020

After evaluation of the Les Schwab Conditional Use, the application was found to meet the review criteria.