



REVOLUTION CHURCH CHILD CARE – USE VARIANCE

Planning Commission May 14, 2025

Staff Report by Case Planner: Molly O'Brien



Quick Facts

Applicant

Church of the Front Range (DBA
Revolution Church)

Property Owner

Church of the Front Range c/o
Michelle Woodruff

Address / Location

2380 Montebello Drive West

TSN(s)

6321114015

Zoning and Overlays

R-E (Single-Family Estate)

Site Area

4.83 acres

Proposed Land Use

Child Daycare Center, Large

Applicable Code

UDC

Council District

District 1

Project Summary

A Use Variance to allow a child day care center, large in the R-E (Single-Family Estate) zone district consisting of 4.83 acres located at 2380 Montebello Drive West.

File Number

UVAR-25-0002

Application Type

Use Variance

Decision Type

Quasi-Judicial

Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	North Colorado Springs Addition #1	December 1, 1969
Subdivision	Garden Ranch Center	August 20, 1984
Conditional Use Development Plan	Garden Ranch YMCA (CPC CU 80-120)	1980
Variance	CPC SP 82-120-A1	1982
Conditional Use	CPC CU 82-120-A2	1982
Development Plan Minor Modification	AR DP 97-00576	March 5, 1998
Development Plan Minor Modification	AR DP 97-00576-MM01	September 21, 2017
Conditional Use	CUDP-22-0005	November 23, 2022
Master Plan	None	N/A
Prior Enforcement Action	None	N/A

Site History

The existing building on site was constructed in 1983 and operated as a YMCA until 2020. The YMCA had an approved conditional use for childcare and operated childcare programs consistently from the 1980s until the organization's closure in 2020. Revolution Church, also known as Church of the Front Range, obtained a conditional use approval in 2022 for a religious institution use in the R-E (Single-Family Estate) zone district and began operating in that capacity. No childcare has occurred onsite since 2020, meaning that the original conditional use for childcare obtained in the 1980s has expired per UDC Section 7.5.601.C.3 *Post-Decision Actions or Limitations* and, more specifically, subsection b.2 states: "A legally established conditional use is abandoned or discontinued for a period of at least one (1) consecutive year..."

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project, and as such, this item was 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 (UDC).

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M (Mixed-Use Medium Scale)	Offices	None
West	PK (Public Parks)	Park	None
South	R-1 6 (Single-Family - Medium)	Single-Family Residential	None
East	MX-M (Mixed-Use Medium Scale)	Offices	None

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences
(Poster / Postcards)

Two – Initial Submittal / Prior to Public Hearing

Postcard Mailing Radius	1000 feet
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Number of Postcards Mailed	194
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Number of Comments Received	3
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Public Engagement

Staff received one comment in support of the application and two comments in opposition. The comment in support noted the need for childcare in the area and the positive relationship between the existing church and the neighborhood. The comments in opposition had concerns about noise, traffic, parking, and overcrowding of the adjacent Garden Ranch Park. Staff replied to these comments with information about City Code requirements and agency review findings, sharing the Parks Department's limitations on the number of children able to utilize the park at one time without a permit as well as analysis from Traffic Engineering's review of the project. Staff then asked for further clarification about the concerns and later sent out a response from the applicant addressing the specific concerns as well. Staff received no further engagement.

Timeline of Review

Initial Submittal Date	March 6, 2025
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Number of Review Cycles	2
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Item(s) Ready for Agenda	April 23, 2025
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Agency Review

Traffic Engineering

City Traffic Engineering reviewed the application and determined that the proposed development does not meet the threshold of peak hour trip generation per the Traffic Engineering Criteria Manual, and therefore, a Traffic Impact Study (TIS) is not required for this site. In addition, they stated that all nearby roadway systems are built to the ultimate design.

Parks

City Parks indicated that the use of any City of Colorado Springs park site with fifty people or more requires a City event permit to be completed, reviewed, and approved as necessary based on the details of the application. Parks had no other comments or concerns regarding the proposal.

Landscape

The City Landscape Architect staff reviewed the previously approved landscape plan from 2022 and requested several administrative changes be made to reflect current conditions. No landscaping changes to the site are required.

Engineering

City Engineering Development Review had no comments.

CSPD

CSPD shared several recommendations for the applicant to improve the safety of the site, including ensuring adequate lighting. These recommendations were acknowledged by the applicant.

Economic Development

City Economic Development had no concerns with the proposal in relation to the site's position within the Pikes Peak Enterprise Zone. Economic Development noted that childcare facilities are beneficial for supporting a growing workforce within the City.

Use Variance

Summary of Application

The Use Variance application requests to establish a child day care center, large use with summer camp and after-school childcare programming located within an existing religious institution. The childcare provider is a nonprofit organization not directly affiliated with the religious institution. In the Unified Development Code (UDC), this use is defined as an Adult or Child Day Care Center, Large, which is defined as *"a state-licensed facility that is maintained for the whole or part of a day for the care of children under the age of 16 years, or for elderly adults, and that is not located in a dwelling unit occupied by any of the operators of the facility, and in which no children or elderly adults are offered overnight accommodation,"* (UDC Section 7.6.301). Although this use was previously conditionally permitted in the R-E (Single-Family Estate) zone district throughout the YMCA's operation, childcare has not occurred onsite since 2020. Conditional use approvals expire after one consecutive year of the use being abandoned or discontinued per UDC Section 7.5.601.C.3. Additionally, since the implementation of the UDC on June 5, 2023, childcare is no longer permitted either conditionally or by-right in the R-E (Single-Family Estate) zone district, meaning that a Use Variance is required. The applicant opted to submit a Use Variance application following the results of a pre-application meeting on March 3, 2025, and staff received the application on March 6, 2025.

The center is anticipated to host a maximum of 150 elementary-aged children for after-school care and day camp during the summer, with proposed operating hours being 3:00 PM – 9:00 PM on weeknights during the school year and 8:00 AM – 5:00 PM Monday through Friday during the summer (see Attachment 1 – Project Statement). The applicant specified in their project statement that pick-up and drop-off would be staggered throughout operating hours to help mitigate potential traffic congestion in the area. In addition, a site plan was provided showing proposed access, circulation, and parking for the site (see Attachment 2 – Site Plan). The church and childcare center will have one period of overlap during the week on Wednesday evenings from 5:00 PM – 9:00 PM, per the applicant's project statement; sufficient parking is available to accommodate both uses (Attachment 1 – Project Statement).

No structural changes to the site have been proposed to accommodate the proposed land use. The applicant intends to utilize the existing indoor and outdoor facilities, which were previously designed for childcare during the YMCA's operation, per Attachment 1 – Project Statement. The State of Colorado requires that at least 30 square feet of indoor floor space and 75 square feet of outdoor space is provided per student, or at least 4500 square feet of indoor space and 11,250 square feet of outdoor space for a program of up to 150 children. The proposed indoor space for the childcare center will be 15,195 square feet according to the project statement and site plan, including both classroom space and a gymnasium. Due to poor condition of the existing playground onsite, the outdoor play area will be replaced, and until the project is complete, the children will be exclusively using the adjacent Garden Ranch Park as outdoor space (Attachment 1 – Project Statement). The total park area is 8.61 acres and the applicant estimates the play area the program will utilize to be approximately 22,000 square feet in size. The future play area onsite will be 2500 square feet (Attachment 2 – Site Plan), and the applicant intends to use both outdoor areas once the new playground has been installed (Attachment 1 – Project Statement), which is permitted per state licensure requirements. According to the project statement, no more than 30 children will be permitted to use the Garden Ranch Park facilities at one time, with supervision from at least two adult care providers and no outdoor play being allowed after dark.

Application Review Criteria

UDC Code Section 7.5.527.E: Use Variance

The City Council may approve the application or approve it with conditions if Council finds that the following criteria have been met:

1. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the Use Variance would result in undue property loss and not solely a mere inconvenience or financial disadvantage;*

The site in question is unique in that it was zoned R-E (Single-Family Estate), but it was originally developed as a YMCA and has only ever been utilized for civic and organizational purposes as opposed to single-family residential uses. These circumstances are exceptional and do not generally apply to other properties in the same zone district.

2. *That the Use Variance is necessary for the preservation and enjoyment of a property right of the owner and if not approved, the property or structure cannot yield any beneficial use;*

A portion of the site was constructed and formerly used for a childcare center, which is the specifically intended use. Per the applicant, "The building, which includes large recreational and educational spaces within its walls, would be vastly underutilized if it were restricted to providing only twice-weekly services," (Attachment 1 – Project Statement).

3. *That the Use Variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property*

The proposed child day care center, large use falls into the previously established use category of civic and institutional uses and has been a consistent use type throughout the history of the site, with the exception of the past four years since the closure of the YMCA. Staff was unable to identify any specific issues associated with the previous childcare use that occurred onsite for nearly forty years. The application has adequately addressed potential negative impacts and proposed appropriate measures to mitigate them.

Additionally, childcare would be permitted by right at this location as an accessory use to the religious institution through the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), but because the programming will be managed by an outside entity, it must be treated as a separate use and obtain approval through a Use Variance.

4. *That the hardship is not the result of the applicant's own actions;*

The hardship was not self-imposed. Per the applicant's project statement, "Church of the Front Range purchased this property in 2022 following approval of a Conditional Use application to operate a church/religious institution within the building. Since then, we have grown to understand the real and critical needs of families living in the surrounding community, including a primary need for low-cost after-school childcare." City Planning is aware of the need for childcare in Colorado Springs and is actively interested in solutions for alleviating the regulatory burden of zoning requirements pertaining to this use.

5. *That because of these conditions, the application of the UDC prohibition on the requested use on the subject property would effectively prohibit or unreasonably restrict the use of the property;*

The building and site was designed with the very specific needs of a YMCA and supportive programming in mind. Now that the YMCA is no longer there, options for use of the property are extremely limited, considering the R-E (Single-Family Estate) zoning. A childcare use is a reasonable complimentary use to the existing religious institution use and prohibiting this use could represent an unreasonable restriction or prohibition on full use of the property. Please refer to the applicant's justification in Attachment 1 – Project Statement: "Because use of the building as a Child Day Care Center is not an allowed land use in an R-E zoning District (UDC 7.3.201), a strict application of the UDC without approval of the requested Use Variance would prohibit the property from being used to provide these essential services to the surrounding district."

6. *That the Use Variance is not being requested primarily to avoid the time or expense of complying with UDC standards generally applicable to similar properties and development.*

There are no other zoning applications available to achieve the same goal of permitting childcare in the R-E (Single-Family Estate) zone district apart from a Zoning Map Amendment, which staff determined to be inappropriate in this case due to the established character of the neighborhood and proximity to residentially zoned and develop properties. Per the applicant, “Church of the Front Range is not requesting this variance in any way to avoid development costs or compliance with the established UDC requirements. On the contrary, the church is applying for this variance in order to be able to proceed with the considerable investment required to establish and operate this new licensed Child Care Center on the property,” (Attachment 1 – Project Statement).

UDC Code Section 7.3.302.A: Use-Specific Standards

Adult or Child Day Care Center

- a. *This use shall be located on a collector street with direct access to a Major or Minor arterial roadway and shall meet all requisite state and City licensure requirements.*

Montebello Drive West is a collector street with direct access to North Academy Boulevard, which is a principal arterial. Traffic Engineering reviewed the existing infrastructure and determined that it was sufficient to accommodate the proposed use without the need for additional traffic impact studies.

- b. *In the A or R-E zone districts, an Adult or Child Day Care Center, Small shall only be permitted as accessory to a principal residential use.*

The proposed use is Adult or Child Day Care Center, Large, as the program will have more than 16 children.

- c. *In the A zone district, an Adult or Child Day Care Center, Large shall only be permitted as accessory to a principal residential use.*

The zone district is R-E (Single-Family Estate).

- d. *This use shall provide the minimum square footage of indoor and outdoor space pursuant to state requirements. No part of the required outdoor space shall be situated within any front building setback. The required outdoor space shall be screened from adjacent residential properties when necessary to reduce play area sounds.*

As previously stated in the “Application Summary” section, the application meets the minimum state licensing requirements for indoor and outdoor space. The proposed future outdoor space will be located on the east side of the building, which is not located in a front setback and would be screened appropriately by the section of the building to the north and by landscaping. In addition, the Garden Ranch Park play area is approximately 400 feet from the nearest residential area, and there is significant vegetation which provides screening.

After evaluation of the Revolution Church Childcare Center Use Variance, the application meets the review criteria.

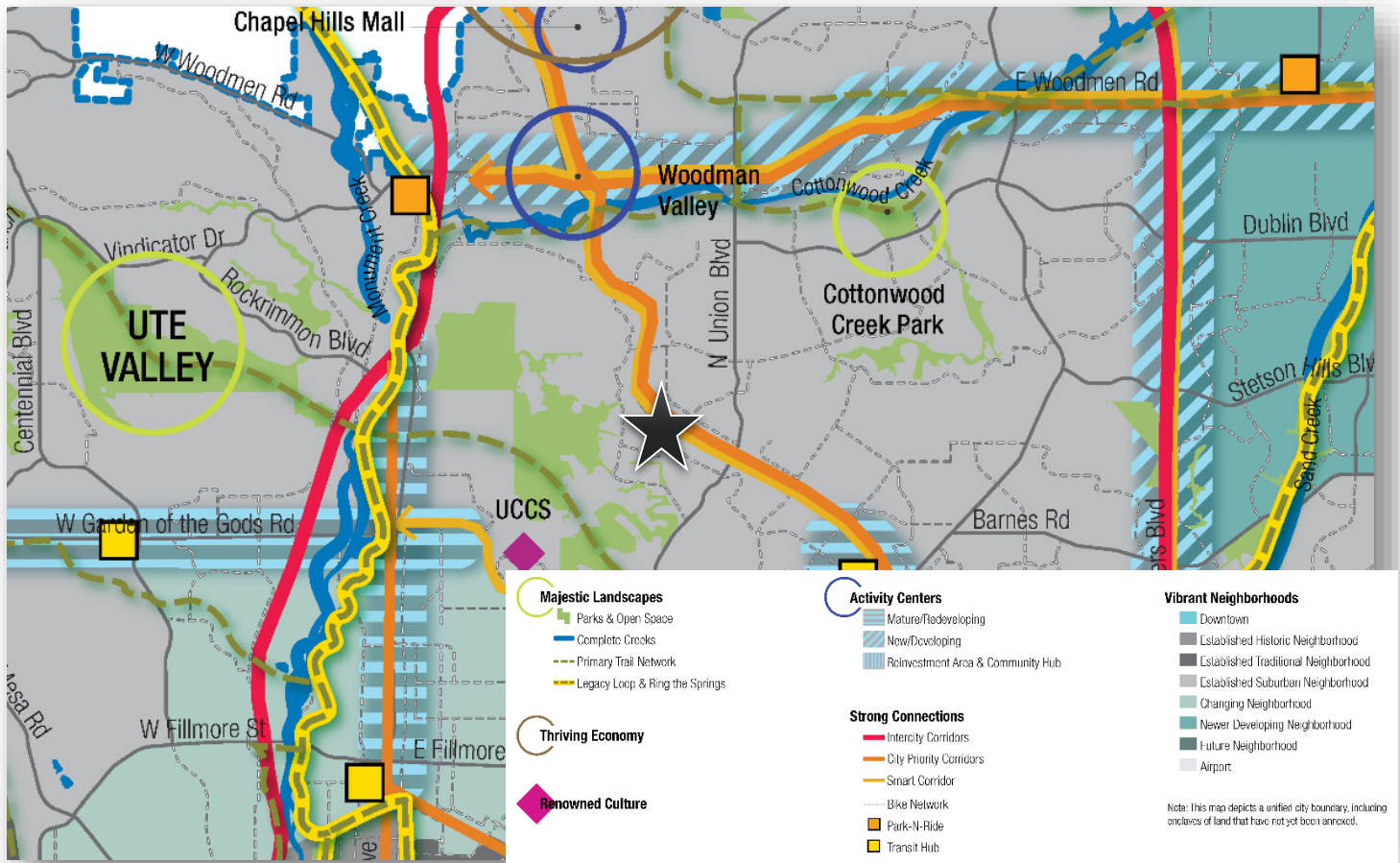
Compliance with Development Standards

Development Standard	Required	Proposed
Parking	52 spaces	213 spaces

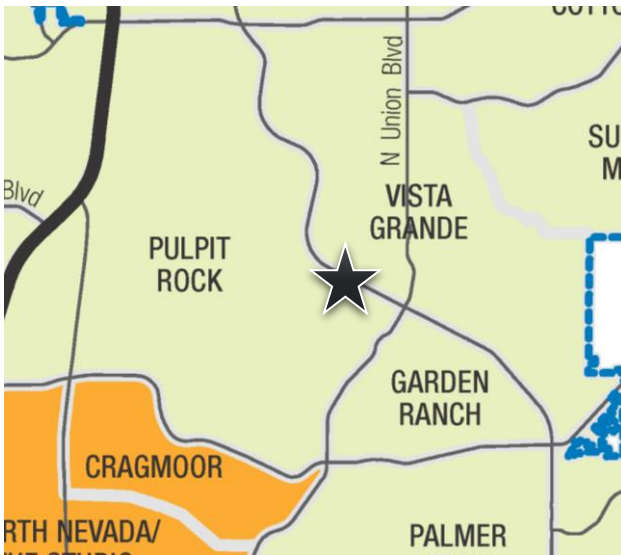
Compliance with Relevant Guiding Plans and Overlays

There are no relevant guiding plans or overlays.

PlanCOS Vision



The application complies with the goals and strategies described in PlanCOS. The site is located within an “Established Suburban Neighborhood” per the neighborhood typologies depicted on the PlanCOS Vision Map. This typology is used to describe areas where incidental redevelopment and infill is encouraged to provide continuous investment and enhancement of existing neighborhoods while protecting the established character of these places. The proposed variance supports the following PlanCOS policies and strategies.

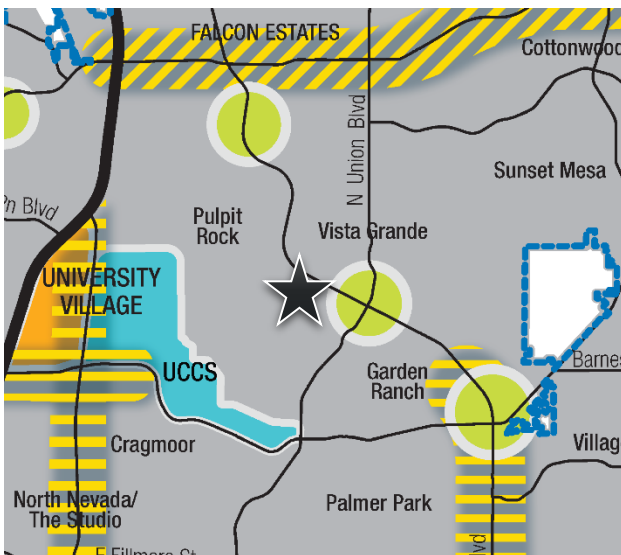


Predominant Typology

- | | |
|-----------------------------------|--------------------------------------|
| Downtown | Established Traditional Neighborhood |
| Newer Developing Neighborhood | Established Suburban Neighborhood |
| Changing Neighborhood | Airport |
| Established Historic Neighborhood | Future Neighborhood |

Vibrant Neighborhoods

The site is in an established suburban neighborhood on the east boundary of the Pulpit Rock area, just north of the Garden Ranch neighborhood. PlanCOS states the goal of the established suburban neighborhood typology is to, “*recognize, support, and enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation.*” The proposed use is consistent with the character of the area and represents ongoing investment and adaptation. This also aligns with Policy VN-3.E, “*Encourage and support the integration of mixed-use development in neighborhoods.*”



Predominant Typology

- | | |
|--|-------------------------------------|
| Neighborhood Centers | Mature/Redeveloping Corridors |
| Community Activity Centers | New/Developing Corridors |
| Entertainment and Commercial Centers | Reinvestment Area and Community Hub |
| Regional Employment and Activity Centers | |
| Downtown | |

Unique Places

The subject site is part of the “Neighborhood Center” typology according to the PlanCOS Vision Map. This typology functions to describe smaller-scale areas where services primarily benefit local residents and a variety of amenities should be encouraged. The proposed childcare use aligns with Strategy UP-2.A-4: “*Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment,*” as it addresses a community need without requiring significant redevelopment and creates new utility for a structure that would otherwise be vacant a significant portion of the time. This also aligns with Strategy UP-2.A-2: “*Provide opportunities for redevelopment by identifying and supporting catalyst projects in underutilized locations such as disinvested shopping centers and business parks, former “big box” retail spaces, and no longer needed school buildings.*”

Statement of Compliance

UVAR-25-0002 – Use Variance

After evaluation of the Revolution Church Childcare Center Use Variance, the application meets the review criteria.