



Legislation Details (With Text)

File #: CPC CP 18-00110 **Version:** 2 **Name:**

Type: Planning Case **Status:** Passed

File created: 1/31/2019 **In control:** City Council

On agenda: 4/23/2019 **Final action:** 4/23/2019

Title: The Academy Corner Concept Plan depicting future commercial development for the property located at the northwest corner of North Academy Boulevard and Palmer Park Boulevard consisting of .638 acre.

(QUASI-JUDICIAL)

Related File: CPC ZC 18-00109

Presenter:
Peter Wysocki, Director Planning and Community Development
Michael Schultz, Principal Planner, Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. FIGURE 2 - Concept Plan, 2. 7.5.501.E Concept Plans

Date	Ver.	Action By	Action	Result
4/23/2019	2	City Council	approved	Pass
3/21/2019	1	Planning Commission	referred	Pass

The Academy Corner Concept Plan depicting future commercial development for the property located at the northwest corner of North Academy Boulevard and Palmer Park Boulevard consisting of .638 acre.

(QUASI-JUDICIAL)

Related File: CPC ZC 18-00109

Presenter:

Peter Wysocki, Director Planning and Community Development
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Summary:

Owner: Steve Hunsinger
Developer: Steve Hunsinger
Consultant Representative: John Nelson Associates
Location: Northwest corner of North Academy Boulevard and Palmer Park Boulevard

The project includes a zone change request and an accompanying concept plan. The request is to rezone the subject property from OR (Office Residential) to PBC/CR (Planned Business Center with Conditions of Record). The Academy Corner Concept Plan illustrates commercial development of the site (restaurant use is illustrated to demonstrate the likely use of the property). The subject property is located at the northwest corner of North Academy Boulevard and Palmer Park Boulevard and consists of .638 acre.

Previous Council Action:

See CPC Staff Report regarding the background and history on this property.

Background:

The property has lengthy history regarding the zoning of the site, having been before City Planning Commission and City Council on numerous occasions during the 1980's. Staff recognizes that the property has sat vacant for decades, partly due to the current zoning (OR - Office Residential) compared to the surrounding zoning of PBC (Planned Business Center) and C-5 (Intermediate Business).

Due to the adjacent residential land uses Staff is recommending that conditions of record be applied restricting the following uses that may not be conducive to the adjacent homes:

The following uses are prohibited:

1. All uses listed under Automotive and equipment service;
2. Business Park;
3. Construction Sales and Services;
4. Funeral Services (and accessory crematory services);
5. Sexually Oriented Business;
6. All Medical marijuana facilities

Additional analysis of the site will be completed by Planning Staff once a development plan is submitted and use is determined to ensure a good use-to-use relationship (i.e. fencing, landscaping, lighting, etc.).

The attached CPC Staff Report provides the background and history of the property in regards to the zoning and prior approved plans.

Financial Implications:

N/A

Board/Commission Recommendation:

At the Planning Commission meeting held on March 21, 2019, the zone change and concept plan items were approved under the consent calendar. The Planning Commission voted 6-0 in favor of the items.

Please reference the minutes from the hearing for a detailed record.

Stakeholder Process:

The public process included posting the site and sending postcards to 192 property owners located within a 1000-foot buffer of the subject property. Staff did not receive any comments objecting to this request.

Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, Police and E-911. This site is not within the Airport Overlay and was not seen by the Airport Advisory Committee and is outside of the buffer for review by USAFA.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

Proposed Motion:

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Approve the Academy Corner Concept Plan for commercial development, based upon the findings that the concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501.E.

N/A