



Legislation Details (With Text)

File #: CPC ZC 19-00104 **Version:** 3 **Name:**

Type: Ordinance **Status:** Mayor's Office

File created: 10/31/2019 **In control:** City Council

On agenda: 1/28/2020 **Final action:** 1/28/2020

Title: Ordinance No. 20-1 amending the zoning map of the City of Colorado Springs pertaining to 10.24 acres located at 5640 E Bijou Street from PIP-1 APZ1 AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1 APZ1 AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay).

(Quasi-Judicial)

Related File: CPC PUZ 19-00104, CPC PUP 19-00105

Presenter:
Lonna Thelen, Principal Planner, Planning and Community Development Department
Peter Wysocki, Director, Planning and Development Department

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZC_ORD_CDOTBijou, 2. Exhibit A - legal description, 3. Exhibit B - zoning depiction, 4. VICINITY MAP, 5. Signed Ordinance 20-1.pdf

Date	Ver.	Action By	Action	Result
1/28/2020	2	City Council	finally passed	Pass
1/14/2020	2	City Council	approved on first reading	Pass
11/21/2019	1	Planning Commission	referred	Pass

Ordinance No. 20-1 amending the zoning map of the City of Colorado Springs pertaining to 10.24 acres located at 5640 E Bijou Street from PIP-1 APZ1 AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1 APZ1 AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay).

(Quasi-Judicial)

Related File: CPC PUZ 19-00104, CPC PUP 19-00105

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development Department
Peter Wysocki, Director, Planning and Development Department

Summary:

Applicant: Colorado Department of Transportation
Owner: Colorado Department of Transportation

Location: 5460 East Bijou Street

This project includes concurrent applications for a zone change of 10.24 acres from PIP-1 APZ1 AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1 APZ1 AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay) and a development plan for construction of a 14-bay, 18,800 square foot vehicle storage facility, a 4,000 square foot sand shed and a 10-bay, 6,193 square foot bus storage facility. The site is located at 5640 East Bijou Street, southeast of Platte Avenue and Powers Boulevard.

Background:

This site is currently owned by the Colorado Department of Transportation (CDOT). There are two structures onsite used to store magnesium chloride. The remainder of the site is used to store Bustang buses and temporary storing of snow plow trucks in the winter. Snow plow trucks will stop at this location during a snow event to refill magnesium chloride on the snow plows for de-icing and for mixing with sand. The two structures used for magnesium chloride will remain on the site.

Zone Change:

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B of City Code. Specifically, the request must not be detrimental to public interest, health, safety, convenience or general welfare; the proposal must be consistent with the City's Comprehensive Plan; and the request must be consistent to the approved master plan for the area. Staff finds that the criteria are met. While a more detailed analysis of how the newly adopted PlanCOS applies to this project is provided below, it should be noted that the City has been supporting infill development and redevelopment opportunities.

The property is currently zoned PIP-1 (Planned Industrial Park 1) and is proposed to be rezoned to M-1 (Light Industrial) to allow a maintenance and service facility. The maintenance and service facility use is a public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities having characteristics of commercial services or contracting or industrial activities. This use is a conditional use in the PIP-1 zone district and permitted in the M-1 zone district. The surrounding zoning for this area is a mix of PIP-1, PIP-2 and M-1 zoning. The overlay zone districts on this site are Accident Potential Zone 1 (APZ1) and Airport Overlay (AO). The maintenance and service facility use is a permitted use in the APZ1 overlay. In addition, the Airport Advisory Committee approved this item at the August 28, 2019 Airport Advisory Committee meeting. Staff supports the rezone of this site to M-1 to allow for the best flexibility of uses long term for CDOT as they use this site for a maintenance and service facility for their vehicles.

Comprehensive Plan

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the plan's Vision map as a Newer Developing Corridor. Per the Unique Places Framework Map (**FIGURE 3**) this site is part of the new development corridors. One of the goals of the unique places section of PlanCOS is to encourage development along the corridors identified in **FIGURE 3**. The proposed CDOT maintenance and service facility does not contribute to the unique centers along this corridor; however, the site is locationally necessary for the maintenance and services of CDOT. Therefore, this location was supported.

GOAL UP -4.A - Actively plan and encourage a development pattern consisting of unique centers located along new and redeveloped corridors and at other designated areas throughout the city.

Chapter 4 of PlanCOS includes a Typology that is most applicable to this type of use and request: **Typology 6: Critical Support.** Typologies provide existing examples that recognize the spectrum of land uses that make up the city, and recommend desired elements for those uses and areas. In this case, a CDOT facility of this type and at this location would be very consistent with this Typology given the importance of accommodating these facilities as complimentary uses in logical and appropriate location in order to provide needed support for public services and infrastructure.

As a supplement to this memo, please see the details of the proposed development, staff's analysis of the review criteria, and breakdown of the comprehensive plan in the City Planning Commission Staff Report.

Previous Council Action:

N/A

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

On November 21, 2019, the City Planning Commission unanimously voted to approve this item on the consent calendar.

Stakeholder Process:

The public notification process consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 21 property owners within 1000 feet. No public comment was received.

The applications were sent to the standard internal and external agencies for review and comment. Review comments were received and the remaining comments are listed as technical modifications. The modifications listed are minor. Review agencies for this project include Colorado Springs Utilities, City Traffic, City Engineering, City Fire Department and Police/E-911, as well as School District 11, Peterson, Colorado Department of Transportation, Colorado Springs Airport, and Floodplain and Enumerations.

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:

CPC ZC 19-00104

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 10.24 acres from PIP-1/APZ1/AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1/APZ1/AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay), 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).

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 10.24 acres

located at 5640 E Bijou Street from east of 21st Street from PIP-1 APZ1 AO (Planned Industrial Park 1 with Accident Potential Zone 1 and Airport Overlay) to M-1 APZ1 AO (Light Industrial with Accident Potential Zone 1 and Airport Overlay).