



## Legislation Details (With Text)

**File #:** CPC ZC 20-00047    **Version:** 3    **Name:** Lexus of Colorado Springs

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

**File created:** 5/28/2020    **In control:** City Council

**On agenda:** 8/11/2020    **Final action:** 8/11/2020

**Title:** Ordinance 20-51 amending the zoning map of the City of Colorado Springs pertaining to 8.5 acres of land from Office Complex with Streamside Overlay (OC/SS) to General Business with Conditions of Record and Streamside Overlay (C6/cr/SS), located 5580-5590 North Nevada Avenue.

(Quasi-Judicial)

Related Files: CPC ZC 20-00047, CPC DP 20-00048

Presenter:  
Daniel Sexton, Principal Planner, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ZC\_ORD\_LexusOfColoradoSprings, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change, 4. Vicinity Map, 5. Signed Ordinance 20-51.pdf

Date	Ver.	Action By	Action	Result
8/11/2020	2	City Council	finally passed	Pass
7/28/2020	2	City Council	approved on first reading	Pass
6/18/2020	1	Planning Commission	referred	Pass

Ordinance 20-51 amending the zoning map of the City of Colorado Springs pertaining to 8.5 acres of land from Office Complex with Streamside Overlay (OC/SS) to General Business with Conditions of Record and Streamside Overlay (C6/cr/SS), located 5580-5590 North Nevada Avenue.

(Quasi-Judicial)

Related Files: CPC ZC 20-00047, CPC DP 20-00048

**Presenter:**

Daniel Sexton, Principal Planner, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Summary:**

Owner: Fellowship Bible Church of Colorado Springs  
Developer: Olive Real Estate Group, Inc.  
Representative: NES. Inc.  
Location: 5580-5590 North Nevada Avenue

The project includes concurrent applications for a zone change and development plan. The zone change request changes the zoning from OC/SS (Office Complex with Streamside Overlay) to C6/cr/SS (General Business with Conditions of Record and Streamside Overlay). The development plan illustrates the redevelopment of the 8.5-acre project site as a car dealership with associated site improvements.

**Background:**

The applicant's zone change request will rezone the 8.5-acre project site from OC/SS (Office Complex with Streamside Overlay) to C6/cr/SS (General Business with Conditions of Record and Streamside Overlay). (See "Zone Change Exhibit" attachment) Per City Code Section 7.3.202(E) C6 - General Business, this zone district accommodates general commercial uses that are typically high volume traffic generators and are generally dependent on more than the immediate neighborhood for their market area. As a base commercial zone district, City Code Section 7.3.203 Permitted, Conditional and Accessory Uses sets forth the permitted and conditionally permitted land uses allowed in the zone and dimensional controls are outlined under City Code Section 7.3.204 Office, Commercial, Industrial, and Special Purpose Zone District Development Standards. The applicant has proposed to prohibit certain land uses within the zone to align with the envisioned commercial redevelopment of the North Nevada Avenue corridor. More specifically, the proposed prohibit land uses include: detoxification center, equipment storage yard, crematory services, sexually oriented business, cemetery, construction or contractor yard, and mining. On balance with the surrounding commercial zoning, the proposed zone will be contiguous to an already established C6 zone located to the south and is adjacent to PBC (East) and OC (North) zones. (See "Context Map" attachment).

The requested Lexus of Colorado Springs Development Plan (see "Development Plan" attachment) illustrates the redevelopment of the former religious institutional property with an automotive sales use with accessory automotive service and wash activation. The applicant is proposing on-site vehicle display/storage capacity of 492 vehicles with 90 customer and employee parking stalls. The site design and layout for the redevelopment is substantially in conformance with dimensional controls established by City Code. More specifically, the proposed site plan exceeds that landscape requirements of City Code 7.4.3 Landscape Standards, with a very robust planting regime along the street frontages and internal parking lot islands and peninsulas. The combination of landscape plantings, LED full cut-off light fixtures and 6-foot tall ornamental fencing around the parameter mitigate off-site impacts within the immediate neighborhood.

Additionally, the applicant will incorporate pedestrian and vehicular improvements within the project site and along adjacent roadways to afford greater connectivity between the project and the surrounding area. The pedestrian improvements will consist of 9-foot public sidewalks meandering along North Nevada Avenue and on-site pedestrian pathways. Roadway improvements will be minimal as the medical facility to the north recently improved Pulpit Peak View; however, any roadway disturbance will be repaired and pavement markings will be restriped. As designed, the Lexus of Colorado Springs project will meet or exceed the streamside protection standards for development within the Streamside Overlay, as stated in City Code Section 7.3.508(E) Development Standards.

The project site is located within the North Nevada Avenue Urban Renewal Area (herein referenced as "URA"). (See "North Nevada URA Map" attachment) As a property within the URA, the development must adhere to Urban Redevelopment Area Design Guidelines, which provide information necessary to design, construct, and maintain a project that is in keeping with the guiding

principles and character of the URA. Based on City Planning and Urban Renewal Authority staff's review of the project, the applicant's proposal is in general conformance with the Urban Redevelopment Area Design Guidelines. A stipulation has been added to the plan to remind the applicant, designers, contractors, and even future owners that the property must adhere to the URA commitments. City Planning and Urban Renewal Authority staff will continue to monitor the project as it moves through construction drawing approvals and is developed.

The project applications have been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified as an Established Suburban Neighborhood, but is also adjacent to a Mature/Redeveloping activity center. (See "PlanCOS Vision Map" attachment) The Lexus of Colorado Springs project is consistent with one of the core values of PlanCOS, which reinforces the important of encouraging the mixing of uses through redevelopment proposals. One of the "Big Ideas" in the Thriving Economy Chapter 3 of PlanCOS is entitled "Embrace Sustainability", which has goal TE-4 that states:

"Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas."

A policy for this goal further reinforces that development should "Prioritize development within the existing City boundaries and built environment (not in the periphery)." Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff recommends that the project's land use, location and development design meets the overall intent of this idea. Adaptive and responsive change is another core value of PlanCOS. For the reasons provided in this overall staff report, staff City Planning staff finds that this redevelopment proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

The project supports the City's Strategic plan of building community and collaborative relationships and provides a platform for the building of neighborhoods and communities, as it will allow for the further redevelopment of the North Nevada Avenue corridor with a complimentary commercial land use. The development of additional commercial land uses in this area will support existing and emerging industries, and create new employment opportunities that strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

City Council previously took action on this property in the mid-1960s when the property was annexed into the City.

**Financial Implications:**

The project site is not part of a master planned area. As such, no master plan applications or corresponding fiscal impact analysis was required for this project.

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on June 18, 2020, the project applications were considered under the Consent Calendar. Without discussion, Planning Commission voted unanimously 8-0-1 (with Commissioner McMurray absent) to approve the project applications.

### **Stakeholder Process:**

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 18 property owners on three occasions: during the internal review and prior to the Planning Commission hearing. The site was also posted during the three occasions noted above. City Planning staff did not receive any public comments concerning the proposal.

The applications were sent to the standard internal and external review agencies for review and comments. Review comments received have been addressed. The internal and external commenting agencies for this project included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Water Resource Engineering, City Parks, Council of Neighborhood Organizations (CONO), Police, USAFA, and E-911.

As an infill project within an established neighborhood, City Planning staff notes that the following review agency provided project specific comments:

- USAFA - Provided a comment letter requesting that the standard USAFA notice be applied to all entitlement documents and that a private aviation easement be filed to help protect the USAFA's flight mission.

### **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 20-00047

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 8.5 acres from Office Complex with Streamside Overlay (OC/SS) to General Business with Conditions of Record and Streamside (C6/cr/SS), based upon the findings that the request meets the review criteria as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 8.5 acres located at 5580-5590 North Nevada Avenue from OC/SS (Office Complex with Streamside Overlay) to C6/cr/SS (General Business with Conditions of Record and Streamside)

Prohibited uses include:

Detoxification Center, Equipment Storage Yard, Crematory Services, Sexually Oriented Business, Cemetery, Construction or Contractor Yard, and Mining