



## Legislation Text

---

**File #:** 16-00134, **Version:** 2

---

Ordinance No. 16-22 amending the zoning map of the City of Colorado Springs pertaining to 8.69 acres located northwest of Powers Boulevard and Victor Place from PIP-2/AO (Planned Industrial Park with Airport Overlay) to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay). Quasi-Judicial

### **Presenter:**

Mike Schultz, Principal Planner, Land Use Review  
Peter Wysocki, Planning and Development Director, Planning and Development Department

### **Summary:**

Applicant: FN, LLC (Joy Focht)  
Owner: FN, LLC (Joy Focht)  
Location: 2420 Victor Place

There are two applications as part of this project:

1. Zone Change
2. Concept Plan

The applicant is requesting a zone change of 8.69 acres from PIP-2/AO (Planned Industrial Park with Airport Overlay) to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay). Associated with the zone change, the accompanying concept plan demonstrates a commercial use of the currently vacant property. The anticipated land use is an automobile sales lot which will require a future development plan submittal.

### **Previous Council Action:**

None.

### **Background:**

The zone change would allow the property owner the ability to market and develop the property with more flexibility than the current zoning allows. The property is surrounded primarily by mini-storage and office and warehouse type uses, all of which are allowed uses within the C-6 zone district.

Because the C-6 zoning has less constraints in regards to certain development standards, in particular building setbacks and lot coverage, staff is recommending that conditions of record be applied to the zone change that will follow the same development standards for setbacks and lot coverage associated with the PIP-2 zone district. The applicant has no objection to these conditions. Staff requested and the applicant agreed to retain a 100-foot building separation from the adjacent residential which is a requirement within the PIP-2 zone district.

Staff is also recommending, due to the proximity of the residential immediately to the west of the site, that certain land uses and activities be prohibited on the site, those uses are listed below in the staff recommendation. The applicant has no objection to these conditions.

This item supports the City's strategic goal relating to promoting job creation and building community. The zone change to a commercial district (C-6) will allow the property owner to take advantage of visibility along Powers Boulevard with the commercial land uses that rely on traffic visibility. During prior zone change discussions staff had cited the traffic issues with the intersection of Victor Place at Powers Boulevard, however recent access improvements from at that intersection have been completed by CDOT and now both deceleration and acceleration lanes.

The attached CPC staff report provides additional background information.

**Financial Implications:**

Not applicable.

**Board/Commission Recommendation:**

At their meeting on January 21, 2016 the Planning Commission voted 9-0 to approve the zone change and concept plan.

**Stakeholder Process:**

Public notice was provided to 67 property owners within 500 feet of the property on two occasions, during the internal review and prior to the Planning Commission meeting. Staff received one letter in opposition to the proposal as well as receiving a follow up e-mail from the property owner.

The applicant provided a response letter to the opposition (a copy of which is located within the CPC staff report) addressing the adjacent property owner's concerns. As of the date of this report staff has not heard back from the adjacent property owner regarding their concerns.

Staff also sent the plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Finance, Police and E-911.

**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:**

Approve the zone change request from PIP-2/AO (Planned Industrial Park with Airport Overlay) to C-6/cr/AO (General Business with conditions of record and Airport Overlay) consisting of 8.69 acres for the site located northwest of the intersection of Powers Boulevard and Victor Place based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries), subject to the following are conditions of record:

1. The following building standards apply:
  - a. Setbacks

- i. Front: 25-ft
  - ii. Rear: 25-ft (min.100-foot building setback adjacent to residentially zoned property)
  - iii. Side: 10-ft
- b. Max. Building Coverage: 40%
2. The following uses are prohibited:
    - a. Body and fender repair services;
    - b. Equipment storage yard;
    - c. Sexually oriented business;
    - d. Construction and/or contractor yard;
    - e. Industrial laundry services (large scale activity).
  3. The following activities are prohibited:
    - a. Use of outdoor intercom system.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 8.69 acres located northwest of the intersection of Powers Boulevard and Victor Place subject to the conditions of record as listed.