



Legislation Text

File #: 14-0267, **Version:** 1

Ordinance No. 14-34 amending the zoning map of the City of Colorado Springs relating to 9,115 square feet located at 3775 East LaSalle Street. CPC ZC14-00021

From:

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Summary:

The applications propose rezoning a 9,115 square-foot, platted lot from R-5 (Multi-Family Residential) to C-5/CR (Intermediate Business with a Condition of Record) and the approval of a development plan to permit the conversion of the existing medical office building to retail, office and personal improvement services for the applicant's existing firearms store and training facility. As indicated in the applicant's project description, the training facility is a simulated gun range and does not use live ammunition.

Previous Council Action:

Zone change to R-5 in 1962 with Ordinance No. 2782.

Background:

An office in an R-5 zone is a legal nonconforming use, as the R-5 zone was amended in 1980 to prohibit office uses. The requested C-5/CR zone will eliminate the nonconforming status of the property and recognize the commercial nature of the site. The C-5 zone is also consistent with the commercial zoning and uses to the north and east. Due to the small size of the property and the building, impacts from the site will be minimal for the residences to the west and south. To further reduce potential impacts due to commercial zoning, the proposed condition of record prohibits otherwise permitted uses seen as incompatible for the site (see prohibited uses in the Proposed Motion). Few physical changes are proposed for the property (mostly interior remodeling of the building) as all site improvements are in place.

The change of use from medical office will also eliminate the current nonconforming status for the number of parking spaces provided, as a medical use requires 16 parking spaces for a 3,100 square-foot building. The proposed uses of retail, office and personal improvement services require 11 spaces. Twelve parking stalls are provided on-site.

Although there are no significant changes to the site design or exterior of the building, a development plan is necessary because: 1) there is no previously reviewed or approved development plan for the existing office use; hence, the new development plan memorializes and creates a record for the developed site; 2) a change of use type (meaning from office use type to commercial use type) requires a development plan; and 3) a zone change requires a concurrent concept plan, but given that the site is already developed, a development plan takes the place of the concept plan.

Financial Implications:

Not applicable.

Board/Commission Recommendation:

The Planning Commission unanimously approved the applications at their May 15, 2014 meeting.

Stakeholder Process:

Public notification consisting of an on-site poster and 51 postcards mailed to property owners within 500 feet of the property were provided after receipt of the application and prior to the Planning Commission meeting. One email was received from a nearby, long-time property owner. The applicant responded to her questions and concerns and she replied with a subsequent email in support of the applications.

Applicable City departments and other agencies were asked to review and comment on the application. Review comments on the initial development plan were addressed with the submittal of a revised development plan.

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 14-00021 - ZONE CHANGE

Approve the zone change from R-5 to C-5/CR for 3775 East La Salle Street, 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) and is subject to the following condition of record:

Condition of Record:

The following uses are not permitted: medical marijuana facility, sexually oriented business, liquor sales, bar, detention facility, cemetery, or restaurant.

An ordinance amending the Zoning Map of the City of Colorado Springs by rezoning 9,115 square feet from R-5 (Multi-Family Residential) to C-5/cr (Intermediate Business with Conditions of Record) located at 3775 LaSalle Street.