



## Legislation Text

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**File #:** CPC ZC 18-00083, **Version:** 3

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### **Title**

Ordinance No. 19-64 amending the zoning map of the City of Colorado Springs pertaining to 4.77 acres located southwest of East Fountain Boulevard and Alvarado Drive from OC/PBC/cr/AO (Office Complex and Planned Business Center with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

(QUASI-JUDICIAL)

Related Files: CPC ZC 18-00083, and CPC DP 18-00084

### **Presenter:**

Peter Wysocki, Director of Planning and Community Development  
Rachel Teixeira, Planner II, Planning and Community Development

### **Summary:**

Owner: Valk Properties IV LLC  
Representative: Jehn Engineering  
Location: 3455 East Fountain Boulevard

This project includes concurrent applications for a zone change of 4.77 acres from OC/PBC/cr/AO (Office Complex and Planned Business Center with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay), and a development plan to allow the construction of a self-storage facility, including a three-story structure and mini-warehouses with all appropriate site-specific water quality, access and landscaping per City Code.

Council will note that the recommendation for approval is subject to conditions and technical plan modifications. These conditions and technical modifications will be confirmed before final approval of plans by staff (stamping of the plans as “approved”).

### **Background:**

The subject property is located southwest of East Fountain Boulevard and Alvarado Drive, was annexed into the City in 1964, and platted in 1973. The site has remained vacant since annexation.

The property consists of two zones; the northern area adjacent to East Fountain Boulevard is OC and the southern area adjacent to Alvarado Drive is PBC. The proposal is to rezone the entire 4.77 acres to a new PBC (Planned Business Center) zone in order to consolidate the property into one zoning classification and one zoning ordinance removing the existing condition of record that is no longer applicable.

In 1981, the site was rezoned with the OC/cr and PBC/cr zone district classification. The condition of record that was attached with the two zone districts states “subject to access restricted to Alvarado

Drive.” per Ordinances 81-188 and 81-189. The condition of record was implemented at that time because there was a possibility that Colorado Department of Transportation (CDOT) might proceed in planning the expansion of U.S. 24 by-pass road (East Fountain Boulevard). This would eliminate the curb cuts and the existing frontage road along Fountain Boulevard. However, the corridor is heavily developed with properties to the west having direct access to Fountain Boulevard and the property to the east accessing from a frontage road - which will now be shared with this development.

The plans were sent to City Traffic Engineering and CDOT for review and comments related to the access as planned through the development of the site; access off of the Fountain Boulevard Frontage Road and access to Alvarado Drive. Traffic Engineering had no concerns with utilizing the existing access from the Fountain Boulevard frontage road.

Planning Staff was able to contact and confirm from CDOT that in working with Pikes Peak Metropolitan Planning Organization, there are no plans to expand the U.S. 24 by-pass road (East Fountain Boulevard Frontage Road). The 2045 Long Range Transportation Plan is currently being updated for review and comment, and the expansion of U.S. 24 by-pass road (East Fountain Boulevard) is not on the list. If, in the future, CDOT determines expansion of U.S. 24 necessary, the access to the Fountain Boulevard frontage road can be re-configured or closed and the self-storage facility would have adequate access from Alvarado Drive as this use is a low traffic generator.

The second application is the Fountain Self-Storage Development Plan. The site plan illustrates the location of the one multi-story structure (three floors) with interior vehicular access and seven single-story drive-up storage buildings intended for mini-warehouse use. Parking is being provided for the site along the southern side of the three-story self-storage building which includes eleven standard parking spaces and one handicapped accessible parking space. Located to the north of the proposed three-story self-storage building and along East Fountain Boulevard is the private, full spectrum detention basin which was approved by Water Resources. The drive lanes for the site are paved and the remaining open areas are landscaped and utilized for water quality and on-site detention

The main access into the development is off Alvarado Drive, and another ingress/egress is provided from the existing frontage road along East Fountain Boulevard. Again, if, in the future, CDOT determines expansion of U.S. 24 necessary, the access to the Fountain Boulevard frontage road can be re-configured or closed and the self-storage facility would have adequate access from Alvarado Drive as this use is a low traffic generator.

The attached City Planning Commission staff report summarizes the project in more detail.

The proposed applications strengthen the Colorado Springs economy, and meets the goals pertaining to the life and style by meeting the daily needs of residents and businesses with high quality, varied, and easily accessible options. The development allows both residential and commercial customers to access and connect within the adjacent mix of complementary land uses in the neighborhood.

**Previous Council Action:**

On September 24, 2019, this ordinance was approved on first reading by a vote of 7:1:1:0 with Councilor Avila opposing and Councilor Williams excused.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At the Planning Commission meeting held on August 18, 2019, these items were approved under the Consent calendar. The Planning Commission voted unanimously in favor of the items (with Commissioners Graham and McDonald absent).

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

**Stakeholder Process:**

Public notice was provided to 66 property owners within a 1000-foot buffer of the site notifying the surrounding owners of the development request. Staff did not receive any letters of concern from surrounding neighborhoods.

Staff sent copies of the plan and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, Council of Neighbors and Organizations (CONO), Landscape Architect, City Surveyor, Enumerations, Water Resources, and Fire. CDOT was contacted to confirm whether or not U.S. 24 by-pass road (East Fountain Boulevard) would be expanded. All comments received from the review agencies have been addressed and the final drainage report for this project has been approved by Water Resources.

Please see the Planning Commission staff report and minutes for more details.

**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 18-00083 - ZONE CHANGE

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 4.77 acres changing the zone from OC/PBC/cr/AO (Office Complex and Planned Business Center with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay), based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B), subject to compliance with the following technical modification to the zoning exhibit:

1. Update the text on the plan to reflect the zone change to PBC and elimination of the condition of record

An ordinance amending the zoning map for the City of Colorado Springs pertaining to 4.77 acres located southwest of East Fountain Boulevard and Alvarado Drive from OC/PBC/cr/AO (Office Complex and Planned Business Center with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

