



Legislation Text

File #: CPC ZC 20-00086, **Version:** 3

Ordinance No. 20-68 amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), located at 3855 and 3865 Tutt Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

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Summary:

Owner: First Presbyterian Church of Colorado Springs
Developer: D. Stefano-Building & Restoration, Inc.
Representative: YOW Architects, PC
Location: 3855 and 3865 Tutt Boulevard

The project includes concurrent applications for a zone change and development plan. The zone change request changes the zoning from PBC/cr/SS/AO (Planned Business Center with Conditions of Record, and Streamside and Airport Overlays) to PBC/cr/SS/AO (Planned Business Center with Conditions of Record, and Streamside and Airport Overlays). The development plan illustrates how the 1.48-acre site will be developed with an 82,884 square foot three-story commercial building for an indoor min-warehouse use and ancillary site improvements.

Background:

The request will rezone the 1.48-acre project site from PBC/cr/SS/AO (Planned Business Center with Conditions of Record, and Streamside and Airport Overlays) to PBC/cr/SS/AO (Planned Business Center with Conditions of Record, and Streamside and Airport Overlays). (see "Zone Change Exhibit" attachment) Per City Code Section 7.3.202(C) *PBC - Planned Business Center*, this zone district accommodates commercial land uses and preserves and enhances areas for a range of retail sales and service establishments. 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 standards are outlined under City Code Section 7.3.204 *Office, Commercial, Industrial, and Special Purpose Zone District Development Standards*. In order to develop the property with the proposed mini warehouse land use, the applicant is seeking to remove the mini warehouse land use from the list of prohibited land uses in the PBC zone district. City Planning staff is unsure why this commercial use and others were prohibited in the zone district in the first place, as the previous zone change application file is incomplete. All other land uses

previously prohibited will remain prohibited under the proposed PBC/CR/AO/SS zoning for the property. Those prohibited land uses include: all residential uses, auto service, automotive rentals, automotive sales, automotive wash, bar, bed and breakfast, campground, construction sales and services, consumer repair services, convenience food sales, general food sales, specialty food sales, funeral services, hotel/motel, liquor sales, pet services, indoor entertainment, indoor sports and recreation, outdoor sports and recreation, drive-in or fast food restaurant, quick serve restaurant, sit-down restaurant, sexually oriented business, teen club, veterinary service, cemetery, columbarium, mausoleum, all mining operations, broadcast tower, freestanding CMRS facility, and stealth freestanding CMRS facility. On balance with the purpose and intent of this commercial zone, as stated in City Code Section 7.3.202 *Purpose and Specific Requirements of Individual Zones*, the proposed commercial zone blends well with the surrounding area and will allow for the property to be developed with a commercial land use consistent with the commercial uses already operating in the immediate area. (see "Context Map" attachment).

The requested Tutt Self-Storage Development Plan (see "Development Plan" attachment) consists of an infill development proposal for an 82,884 square foot three-story commercial building for an indoor mini-warehouse use and ancillary site improvements. The site design and layout is in conformance with the dimensional controls established by City Code Section 7.3.204 *Office, Commercial, Industrial, and Special Purpose Zone District Development Standards*. City Planning staff applied the parking calculation for the "Mini-Warehouse" use, which does not have a set parking ratio and instead requires parking stalls to be provided based on any planned accessory uses. As proposed, a 400 square foot office space will be created as an accessory use within the proposed building. The parking ratio required for an office use is one (1) space per 400 square feet. As illustrated on the site plan, 11 parking spaces have been provided on-site when two (2) parking spaces are required (this includes one (1) accessible and one (1) van accessible parking spaces).

From a site design and layout perspective, the applicant will incorporate pedestrian and vehicular improvements within the project site and along the adjacent shared private access drive to afford greater connectivity between the project and the surrounding area and nearby public streets. The pedestrian improvements will consist of 4- and 5-foot sidewalk segments, which connect to existing sidewalk within the larger Tutt Office Park development. Pedestrians will also be able to access the site via the Mountain Metro Transit stop located to the west along Tutt Boulevard.

The development parameters outlined above reinforce why this project will be a good infill development. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing a development plan, as set forth in City Code Section 7.5.502(A).

While the project site and envisioned land use did not warrant the preparation of a traffic impact study, the City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the proposed development plan. Traffic has determined that the site design and layout affords adequate sightlines and queuing for vehicles entering and exiting the site via the shared private drives adjacent to the development. As no roadway improvements are presently necessary, no remitting of funds trigger has been applied to the development plan. City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the development plan and accompanying final drainage report, prepared by Rockwell

Consulting, Inc. SWENT has accepted the analysis and recommendations set forth in the report. Stormwater from the proposed project and adjacent commercially developed parcels will be captured and directed to an existing private water quality pond located to the east of the new commercial building in Tract A. As designed, all proposed stormwater improvements were found to comply with the City Drainage Control Manual.

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 New/Developing Activity Center and the Legacy Loop & Ring the Springs and Complete Creeks Majestic Landscape. (see "PlanCOS Vision Map" attachment) The Tutt Self-Storage project is consistent with one of the core values of PlanCOS, which reinforces the important of encouraging the infill development proposals. One of the "Big Ideas" in the Thriving Economy Chapter 3 of PlanCOS is entitled "Expand Our Base", which has goal TE-2 that states:

"Diversify the local economy by fostering a range of business types and sizes."

Another "Big Idea" from Chapter 3 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 has determined that the project's land use, location and site design meets the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this infill development 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 through the infill development of a vacant parcel Tutt Office Park development, which is the east of Tutt Boulevard, with a complimentary commercial project. The development of additional commercial land uses in this area will support existing land uses in the area and create new employment opportunities that strengthen the Colorado Springs economy.

Previous Council Action:

City Council previously took action on this property in the 2006 when the property was zoned.

Financial Implications:

N/A.

City Council Appointed Board/Commission/Committee Recommendation:

At the City Planning Commission meeting held on August 20, 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 65 property owners on three occasions: during the internal review and prior to the Planning Commission and City Council hearings. The site was also posted during the three occasions noted above. City Planning staff received no comments in favor or opposition to the project.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set 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, City SWENT, City Parks, City Airport, Council of Neighborhood Organizations (CONO), Police, E-911 and Colorado Geological Survey. All comments received from the review agencies have been addressed. As an infill project within an established neighborhood, City Planning staff notes that the following review agency provided project specific comments:

- City SWENT - City SWENT staff requested clarification of and design specifications for the proposed stormwater improvements and their compliance with the City's Drainage Control Manual. Based on revisions made to the plans and concurrently reviewed final drainage report, the project's stormwater improvement were found to comply with the City's Drainage Control Manual and the FDR has been approved.
- City Traffic - No comments or objections were raised by the City's Traffic Division of Public Works.
- Colorado Geological Survey (CGS) - CGS concurred with the analysis and recommendations of Entech's geological description and information of geological hazard. As such, CGS had no objections to the approval of the project applications.

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:

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Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), based upon the findings that the zone change meets the review criteria as set forth in City Code Section 7.5.603 and meets the criteria for establishment of conditions of record as set forth in City Code Section 7.3.507, with the following conditions of record:

Prohibited uses include:

All residential uses, Auto Service, Automotive Rentals, Automotive Sales, Automotive Was, Bar, Bed and Breakfast, Campground, Construction Sales and Services, Consumer Repair Services, Convenience Food Sales, General Food Sales, Specialty Food Sales, Funeral Services, Hotel/Motel, Liquor Sales, Pet Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Sports and Recreation, Drive-In or Fast Food Restaurant, Quick Serve Restaurant, Sit-Down Restaurant, Sexually Oriented Business, Teen Club, Veterinary Service, Cemetery, Columbarium, Mausoleum, All

mining operations, Broadcast Tower, WCF-Nonstealth Freestanding Facility, WCF-Stealth Freestanding Facility.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), pursuant to the Zoning Ordinance of the City of Colorado Springs.

Prohibited uses include:

All residential uses, Auto Service, Automotive Rentals, Automotive Sales, Automotive Wash, Bar, Bed and Breakfast, Campground, Construction Sales and Services, Consumer Repair Services, Convenience Food Sales, General Food Sales, Specialty Food Sales, Funeral Services, Hotel/Motel, Liquor Sales, Pet Services, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Sports and Recreation, Drive-In or Fast Food Restaurant, Quick Serve Restaurant, Sit-Down Restaurant, Sexually Oriented Business, Teen Club, Veterinary Service, Cemetery, Columbarium, Mausoleum, All mining operations, Broadcast Tower, WCF-Nonstealth Freestanding Facility, WCF-Stealth Freestanding Facility