



## Legislation Details (With Text)

**File #:** CPC ZC 17-00054    **Version:** 3    **Name:**

**Type:** Planning Case    **Status:** Mayor's Office

**File created:** 6/22/2017    **In control:** City Council

**On agenda:** 9/12/2017    **Final action:** 9/12/2017

**Title:** Ordinance No. 17-73 amending the zoning map of the City of Colorado Springs pertaining to 1.46 acres from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center) located at the southeast corner of North Academy Boulevard and North Carefree Circle

(Quasi-Judicial)

**Presenter:**  
Peter Wysocki, Director Planning and Community Development  
Michael Schultz, Principal Planner, Planning and Community Development

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD\_ZC CVS Store 11001, 2. Exhibit A - Legal Description, 3. Vicinity Map, 4. Signed Ordinance 17-73

Date	Ver.	Action By	Action	Result
9/12/2017	2	City Council	finally passed	Pass
8/22/2017	1	City Council	approved on first reading	Pass
7/20/2017	1	Planning Commission	referred	Pass

Ordinance No. 17-73 amending the zoning map of the City of Colorado Springs pertaining to 1.46 acres from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center) located at the southeast corner of North Academy Boulevard and North Carefree Circle

(Quasi-Judicial)

### Presenter:

Peter Wysocki, Director Planning and Community Development  
Michael Schultz, Principal Planner, Planning and Community Development

### Summary:

Applicant: Kimley Horn Associates

Owners: Slate Carefree Holdings, LLC & Thomas Stoen

Location: Southeast corner of North Academy Boulevard and North Carefree Circle

This project includes concurrent applications for change of zone from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center) zone district consisting of 1.46 acres and a development plan for a 13,111 square foot pharmacy and retail store.

**Previous Council Action:**

On August 22, 2017, this Ordinance was approved on first reading on the Consent Calendar.

**Background:**

The request is to rezone a portion of property to be acquired from the Carefree Shopping Center to include with the proposed replatting and redevelopment of the subject lot for a 13,111 square foot retail pharmacy store. The subject property is improved with a vacant bank building. That building would be razed to clear the site for the proposed retail building.

The proposal by CVS is to acquire additional property from the adjacent Carefree Shopping Center in order to own and maintain two (2) access drives (one at North Academy Boulevard and the other at North Carefree Circe) that will serve both the subject property and the shopping center. The proposed CVS store site is zoned PBC and the Carefree Shopping Center is zoned C-6. City Code Section 7.2.105.B requires that platted lots have only one base zone. With the addition of the adjacent property to the redevelopment of the subject site, the new lot configuration would have two (2) base zone districts (PBC and C6); thus the need to rezone to establish a single base zone. The applicant is seeking to include the acquired property from the C-6 (General Business) zone district to PBC (Planned Business Center); the change of zone would create one base zone for the entire 1.46 acre site.

Please see the attached City Planning Commission staff report for additional detailed analysis.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At their meeting on July 20, 2017 the City Planning Commission, as part of their consent calendar, voted unanimously to recommend approval of both applications to City Council. Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

Upon submittal of the requests public notice was mailed to 103 property owners within a 1,000-foot radius of the subject site and the property was posted as part of the internal review notification. Staff did not receive any public comments. Prior to the City Planning Commission hearing the site was posted with the public hearing information and a postcard was mailed to the same 103 property owners located within 1,000 feet of the site.

Staff sent plans to the standard internal and external review agencies for comments including Colorado Springs Utilities, City Engineering, City Traffic Engineering, Water Resources Engineering, City Fire, City Police, Enumerations, Floodplain, Real Estate Services, City Landscape, Comcast, E-911 and Parks and Recreation. There are no outstanding major review comments regarding this project.

**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
4. Refer the matter back to the City Planning Commission for further consideration

**Proposed Motion:**

Approve the ordinance rezoning 1.46 acres from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center) based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.46 acres located at the southeast corner of North Academy Boulevard and North Carefree Circle from PBC (Planned Business Center) and C-6 (General Business) to PBC (Planned Business Center).