



Legislation Details (With Text)

File #: CPC ZC 17-00061 **Version:** 3 **Name:**

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

File created: 5/2/2018 **In control:** City Council

On agenda: 9/11/2018 **Final action:** 9/11/2018

Title: Ordinance No. 18-87 amending the zoning map of the City of Colorado Springs pertaining to 33,724-square foot area located on the southeast corner of North Chestnut Street and West Fillmore Street from R1-6000 (Single-Family Residential) and C5 (Intermediate Business) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC DP 17-00063

Presenter:
Michael McConnell, Planner II, Land Use Review

Sponsors:

Indexes: Waffle House

Code sections:

Attachments: 1. ZC_ORD_Waffle House, 2. Exhibit A, 3. Exhibit B, 4. Vicinity Map, 5. Signed Ordinance 18-87

Date	Ver.	Action By	Action	Result
9/11/2018	2	City Council	finally passed	Pass
8/28/2018	2	City Council	approved on first reading	Pass
7/19/2018	1	Planning Commission	referred	Pass
5/17/2018	1	Planning Commission	postpone to a date certain	Pass

Ordinance No. 18-87 amending the zoning map of the City of Colorado Springs pertaining to 33,724-square foot area located on the southeast corner of North Chestnut Street and West Fillmore Street from R1-6000 (Single-Family Residential) and C5 (Intermediate Business) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC DP 17-00063

Presenter:
Michael McConnell, Planner II, Land Use Review

Summary:
Applicant: Kimley Horn and Associates Inc, Kyle Watson
Owners: WH Capital LLC

Location: 755 West Fillmore Street, southeast corner of North Chestnut Street and West Fillmore Street.

This project includes concurrent applications for a zone change from C5 (Intermediate Business) and R1-6000 (Single-Family Residential) to one new C5 (Intermediate Business) zone district and a development plan for a new 2,020 square foot restaurant building with associated parking and landscaping.

Previous Council Action:

City Council previously took action on this property with Annexation in 1985 as part of the Silver Valley Addition.

On August 28, 2018, Council approved this ordinance on first reading on the Consent Calendar.

Background:

The property was annexed into the City as part of the Silver Valley addition in 1985 and is included in the now implemented Mesa Springs Master Plan. As part of the Comprehensive Plan, this parcel is classified as part of a Mature Redevelopment Corridor.

When the Interstate 25 interchange was reconstructed several properties adjacent to the project were acquired by the Colorado Department of Transportation and demolished. As a result, North Chestnut Street was rerouted to the current location and several additional properties were split or otherwise dissected. The subject property, being one of those impacted by this change, now has an irregular shape and is split between two different zone districts; the original C5 (Intermediate Business) and the former residential property as R1-6 (Single-Family Residential). The two properties have been replatted administratively.

The development plan will consist of a new 2,020 square foot restaurant building that will be set further back from the road to satisfy the current setback requirements. The current building is set approximately 8 feet from the North Chestnut Street right-of-way. The new development plan will improve ADA access to the site as well as formalize the parking areas and bolster the onsite landscaping.

This project meets City goals of supporting infill development and fulfills the comprehensive plan criteria for the Mature Redevelopment Corridors.

Financial Implications:

N/A

Board/Commission Recommendation:

At their meeting held July 19th 2018 the City Planning Commission voted unanimously for the approval of the associated applications.

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

Stakeholder Process:

The public notification process consisted of providing notice to adjacent property owners within 1,000

feet of the site, which included the mailing of postcards to 107 property owners on two occasions: once during the initial review of the project and a separate mailing was sent out prior to the City Planning Commission meeting. During these posting periods no comments were received by staff.

Staff sent copies of the plans and supporting documents to the standard internal and external agencies for comments. All comments submitted by the reviewing agencies have been addressed. The agencies that commented initially are the City Landscape Architect, City Surveyor, Colorado Springs Utilities, Engineering Development Review, Colorado Springs Fire Department and Mountain Metropolitan Transit, Traffic Engineering and Water Resources Engineering.

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:

Adopt an ordinance amending the zoning map of the City of Colorado Springs changing the zone of 33,724 square feet from R1-6000 (Single-Family Residential) and C5 (Intermediate Business) to C5 (Intermediate Business), based on the findings that the zone change request complies with the review criteria for granting a zone change in City Code Section 7.5.603(B).

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 33,724 square feet located on the southeast corner of North Chestnut Street and West Fillmore Street from R1-6000 (Single-Family Residential) and C5 (Intermediate Business) to C5 (Intermediate Business)