



## Legislation Text

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**File #:** CPC ZC 18-00180, **Version:** 3

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Ordinance No. 19-45 amending the zoning map of the City of Colorado Springs pertaining to .93 acres located at the southwest corner of North Cascade avenue and Buchanan Street, changing the zoning from PUD (Planned Unit Development) to C-6/CR (General Business with Conditions of Record).

(QUASI-JUDICIAL)

Related File: CPC DP 18-00181

**Presenter:**

Morgan Hester, Principal Planner, Planning and Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Owners: Wess Novak  
Consultant: Farnsworth Group, Inc.

This project includes concurrent applications for a zone change and development plan for the Novak Business Park. The subject property is located at the southwest corner of North Cascade Avenue and Buchanan Street and consists of .93 acre.

The proposed rezone will change the current zoning PUD (Planned Unit Development - Mobile Home Park) to C-6/CR (General Business with conditions of record). The development plan allows construction of 14,400 square foot mixed office/warehouse, multi-tenant building with associated site improvements.

**Previous Council Action:**

On June 25, 2019, this Ordinance was approved on first reading on the Consent Calendar.

**Background:**

The property, consisting of .93 acre, is located at the southwest corner of North Cascade Avenue and Buchanan Street. The property was previously zoned MHP (Mobile Home Park), a zone district that was made obsolete in the early 1990's when all "MHP" zoned properties were rezoned to PUD (Planned Unit Development). Staff believes the prior MHP zoning was applied to the entire north half of the block for possible expansion of the existing mobile home park located south of the site (currently known at Mountain View Mobile Home Park).

The adjacent Penrose Hospital property was rezoned from MHP to C-6/CR (General Business with conditions of record) in 1980 in order to allow the administrative services building still located on the property. Microfiche records for that project did not provide any background or history of the MHP

zoning, but it is apparent that the existing PUD zoning replaced the now obsolete MHP zone district.

According to the El Paso County Assessor's Records the two structures on the property were constructed in 1924 (south building) and 1938 (north building). This area was annexed into the City in 1970, the MHP (Mobile Home Park) zone district was applied to the north half of the block as it was anticipated that the existing mobile home park(s) located immediately south would eventually expand. However, that expansion did not occur and now this property is required to rezone for commercial development.

The C-6 zone district will create a transition between the mobile home parks to the south and the M-1 (Light Industrial) zoning north of Buchanan Street. The additional conditions of record that are proposed to accompany this zone change will further minimize potential use-to-use issues with the subject property and the residential area to the south of the site:

1. Truck traffic will be allowed only between the hours of 7:30 AM and 5:30 PM (this is a similar condition of record existing on the adjacent Penrose Hospital property).
2. The following uses require conditional use approval:
  - i. Automotive repair garage
  - ii. Body and fender repair services
  - iii. Construction and/or contractors yards
  - iv. Custom manufacturing
  - v. Light Industrial

The development plan illustrates a 14,400 square foot office/warehouse building, with multiple tenant spaces, situated on the northern portion of the site. The two existing structures on the site will be razed. The required 23 off-street parking stalls and a loading area is shown on the south portion of the site, behind the building.

#### **Financial Implications:**

None

#### **Board/Commission Recommendation:**

Both the zone change and the development plan were before the City Planning Commission on May 16, 2019 as new business items. After a brief presentation and no opposition to the project, the Planning Commission voted unanimously to recommend approval to City Council of both the zone change (5-0-3-1: Yes: 5, No: 0, Absent: 3, Excused: 1) and development plan (5-0-3-1: Yes: 5, No: 0, Absent: 3, Excused: 1).

The zone change was recommended for approval with the following conditions of approval:

1. Truck traffic will be allowed only between the hours of 7:30 AM and 5:30 PM (this is a similar condition of record existing on the adjacent Penrose Hospital property).
2. The following uses require conditional use approval:
  - i. Automotive repair garage
  - ii. Body and fender repair services
  - iii. Construction and/or contractors yards
  - iv. Custom manufacturing
  - v. Light Industrial

The development plan was recommended for approval with a number of technical modifications as outlined in the minutes from the hearing.

**Stakeholder Process:**

The public process included posting the site and sending postcards to 56 property owners located within a 1000-foot buffer of the subject property. Staff received one (1) email (see CPC Report for copy) voicing concern of the proposed zone change and development plan. Additional detail on the neighbor issues are outlined within the City Planning Commission staff report that is attached.

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, Water Resources Engineering, City Traffic, Police and E-911.

**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 changing the zoning for .93 from PUD (Planned Unit Development) to C-6/CR (General Business with Conditions of Record), based upon the findings that the change of zone 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 the following conditions of record:

1. Truck traffic will be allowed only between the hours of 7:30 AM and 5:30 PM.
2. The following uses will require conditional use approval:
  - i. Automotive repair garage
  - ii. Body and fender repair services
  - iii. Construction and/or contractors yards
  - iv. Custom manufacturing
  - v. Light Industrial

An ordinance amending the Zoning Map of the City of Colorado Springs pertaining to 0.93 acres located at the southwest corner of North Cascade Avenue and Buchanan Street from PUD (Planned Unit Development) to C-6/CR (General Business with Conditions of Record).