



## Legislation Text

---

**File #:** AR CP 11-00482-A3MN21, **Version:** 2

---

A minor amendment to the Southwest Powers Boulevard and North Carefree concept plan allowing a car wash located at 3611 Rio Vista Drive.

Related File: CPC ZC 21-00177

### **Presenter:**

Tamara Baxter, Senior Planner with Central Team, Planning & Community Development  
Peter Wysocki, Director of Planning and Community Development

### **Summary:**

Owner: ABBA Real Estate, Inc.  
Developer: JB Partners CS, LLC  
Representative: Baseline Engineering Corp.  
Location: 3611 Rio Vista Drive

The project includes concurrent applications for a zone change and minor concept plan amendment to allow for a future automotive wash. The zone change request changes the zoning from OC/cr/AO (Office Complex with Conditions of Record and Airport Overlay) and R5/cr/AO (Multi-family Residential with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

### **Background:**

The proposal will rezone 1.279 acres, which includes the 1.16-acre project site and Tract A (access and utility easement) to the east consisting of .12 ac, from OC/cr/AO (Office Complex with Conditions of Record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay) specifically to lay the framework for a future automotive wash ('car wash') at this location.

The subject property and the property to the south were rezoned from R-5/cr/AO (Multi-Family Resident with Conditions of Record and Airport Overlay) to OC/cr/AO (Office Complex with Conditions of Record and Airport Overlay) in 2016 and was envisioned to be 'General / Medical Office. A development plan for an ABBA eye care center was approved however never developed.

The request to rezone the property to PBC/AO (Planned Business Center with Airport Overlay) will allow for the development of a future car wash, which is not a permitted use in the OC (Office Complex) Zone District. The envisioned car wash use is consistent with the automotive commercial developments to the north along North Carefree Circle, which consisting of a convenience food sale with gas sales (gas station) and retail use, which currently is an auto parts store. The surrounding uses provide an appropriate transition between the residential developments to the west and south.

The accompanying Minor Concept Plan Amendment application requests to change the proposed use type identified on the Southwest Powers Boulevard and North Carefree Concept Plan from 'General/Medical Office' which falls under the 'Office' use type in City Code Section 7.3.203 to 'Automotive Wash' (car wash) which falls under the 'Commercial' use type in City Code Section 7.3.203. The dimensional standards for the PBC AO (Planned Business Center with Airport Overlay) zone district can be met with future development of this site.

There are two existing access points which serve this overall office and commercial area. There is a right-in/right-out access point along North Carefree Circle between the auto retail store and the gas station. Two access points are anticipated along Rio Vista Drive. There is an existing three-quarter access point off Rio Vista Drive between the day care center and the auto retail store, and a future three-quarter access point is identified to serve the future office development. The site will utilize these existing accesses and signalized intersections. The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") reviewed the Traffic Technical Memorandum that was submitted. Traffic agreed with the findings and recommendations of the memorandum.

An existing drainage letter was approved by City Engineer in 2017 for the ABBA Eye Care Center development, which ultimately was not developed. There is an 'existing private extended' detention base in the southwest corner for the Southwest Powers Boulevard and North Carefree Concept Plan area. The City's Colorado Springs Stormwater Enterprise (herein referenced as "SWENT") allowed the applicant to defer the submittal of a drainage memorandum or letter until the development plan for the car wash is submitted.

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map (**see "PlanCOS Vision Map" attachment**), the project site is identified as an Established Suburban Neighborhood and New Developing Activity Center.

This project is consistent with core values of PlanCOS, which reinforces the important of encouraging the infill development proposals. The following "Big Ideas" from PlanCOS which provided the basis of the goals/vision themes of the PlanCOS pertain to the proposed project. These include the following:

- Chapter 2 entitled "Embrace Creative Infill, Adaptation, and Land Use Change" which has Goal UP-2, which states *"Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market."*
  - Policy UP-2.A in Chapter 2: *"Support infill and land use investment throughout the mature and developed areas of the city."*
- Chapter 4 entitled "Expand our Base", which has Goal TE-2, which states *"Diversify the local economy by fostering a range of business types and sizes."*
- Chapter 4 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 [Policy TE-4.A] for this goal further reinforces that development should “*Prioritize development within the existing City boundaries and built environment (not in the periphery).*”

For the reasons provided in this overall staff report, City Planning staff finds that this redevelopment proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

The project supports the City’s Strategic plan goals of building community and collaborative relationships and provides a platform for the building neighborhoods and communities through the infill redevelopment of the properties with new commercial use. The development of new commercial options will further redevelopment and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

NA

**Financial Implications:**

NA

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on March 17, 2022, the project applications were considered under the Consent Calendar. Without discussion, the City Planning Commission recommended approval of the project applications to the City Council by a vote of 7:0:2:0 (Commissioners Graham and Raughton were excused).

**Stakeholder Process:**

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 223 property owners on two occasions; during the initial review and prior to the Planning Commission and City Council hearing. The site was also posted during three occasions noted above. City Planning staff received five written comments in opposition expressing general concerns of too many car washes in the surrounding area and extra traffic on the roads (**see “Public Comment” attachment**). The applicant provided a written response to the received public comments (**see “Public Comment Response” attachment**). No follow-up correspondences from the public were received.

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, Colorado Springs Airport, and City SWENT. All comments received from the review agencies have been addressed.

**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:**

AR CP 11-00482-A3MN21

Approve the Minor Amendment to the Southwest Powers Boulevard and North Carefree Concept Plan allowing a car wash, based upon the findings that the request meets the review criteria for a concept plan, as set forth in City Code Section 7.5.501(E).

N/A