



Quick Facts

Applicant

N.E.S., Inc.

Property Owner

Casco Construction Corp.

Address / Location

7050 Commerce Center Drive

TSN(s)

6307002014

Zoning and Overlays

MX-M/cr/AF-O/SS-O/HS-O/WUI-O/HR-O (Mixed-Use Medium Scale with conditions of records with United States Air Force Academy, Streamside, Hillside, Wildland Urban Interface, and High-Rise Overlays)

Site Area

1.41 acres

Proposed Land Use

General and Medical Office

Applicable Code

Unified Development Code

Project Summary

The applicant is proposing a development standards adjustment to allow a 10' front parking setback where 20' is required in the MX-M (Mixed-Use Medium Scale) zone district.

File Number

DVSA-24-0009

Application Type

Development Standards Adjustment

Decision Type

Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Monument Creek Commerce Center (Ord 83-218)	September 13, 1983
Subdivision	Monument Creek Commerce Center Filing No. 4, Lot 4	December 22, 1996
Master Plan	Monument Creek Commerce Center	October 21, 1996
Prior Enforcement Action	N/A	N/A

Site History

The subject property was originally annexed on August 23, 1983, as part of the Monument Creek Commerce Center annexation. It was platted as part of Monument Creek Commerce Center Filing No. 4 on December 22, 1996. A concept plan of the same name was approved on June 4, 1996. The land is currently vacant.

Previous code (Chapter 7) did not have a specific front parking setback requirement. The 20-foot front parking setback in the MX-M (Mixed-Use Medium Scale) zone district was created as part of the implementation of the Unified Development Code (UDC).

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project. The subject application is reviewed under the Unified Development Code. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M/cr/AF-O/HS-O/WUI-O/HR-O (Mixed-Use Medium Scale with conditions of records with United States Air Force Academy, Hillside, Wildland Urban Interface, and High-Rise Overlays)	Hotel	None
West	MX-M/cr/AF-O/SS-O/HS-O/WUI-O/HR-O (Mixed-Use Medium Scale with conditions of records with United States Air Force Academy, Streamside, Hillside, Wildland Urban Interface, and High-Rise Overlays)	Monument Creek	None

South	MX-M/cr/AF-O/SS-O/HS-O/WUI-O (Mixed-Use Medium Scale with conditions of records with United States Air Force Academy, Streamside, Hillside, and Wildland Urban Interface Overlays)	E Woodmen Road	None
East	MX-M/cr/AF-O/HS-O/WUI-O (Mixed-Use Medium Scale with conditions of records with United States Air Force Academy, Hillside, and Wildland Urban Interface Overlays)	Hotel and Gas Station	None

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Internal Review/Prior to City Planning Commission Hearing; affidavit of posting provided to staff
Postcard Mailing Radius	1000'
Number of Postcards Mailed	22
Number of Comments Received	None

Public Engagement

No neighborhood meeting was held for this item.

No citizen comments were received.

Timeline of Review

Initial Submittal Date	October 1, 2024
Number of Review Cycles	Four
Item(s) Ready for Agenda	January 21, 2025

Agency Review

Traffic Engineering

Traffic Engineering had no comments on this item.

School District 20

The district had no comments regarding this request.

SWENT

All comments addressed.

Colorado Springs Utilities

All comments addressed.

Engineering Design

All comments addressed.

Fire

No comments received.

Streamside Overlay

Staff does not find that the proposed development standard adjustment conflicts with the SS-O standards. Rather, the allowance of the 10' parking setback will allow the reasonable use of the site and limit the amount of disturbance to both the hillside and streamside by allowing impervious surface to locate further to the east.

Hillside Overlay

Staff determines that there are no issues with the proposed development standards adjustment from a Hillside Overlay perspective. The 10' parking setback will aid in less disturbance by pulling parking further away from existing slopes and better maintaining existing landforms

United States Air Force Academy

No comments received.

Development Standards Adjustment

Summary of Application

The applicant is requesting a Development Standards Adjustment to allow a 10' front parking setback where 20' is required in the MX-M (Mixed-Use Medium Scale) at 7050 Commerce Center Drive (See Attachment 1 - Project Statement and Attachment 2 - Site Plan). Much of the site contains steep slopes and a utility easement, limiting the buildable area. A reduction to the front parking setback would allow the applicant to meet the required number of parking spaces more easily.

Per UDC section 7.5.525, a Development Standards Adjustment must *"provide compensating benefits that are reasonably related to the proposed waiver and would not otherwise be required by the UDC or State law."* The applicant has proposed three compensating benefits as part of the Development Standards Adjustment application: a trail and outdoor patio, a rain garden, and enhanced architectural design on the proposed building (which will be approved by a separate development plan). A trail near Monument Creek would be a harmonious use, while an outdoor patio would allow employees and visitors to enjoy the natural beauty of Monument Creek. The proposed rain garden would provide enhanced drainage and improved water quality near the stream corridor, which would help combat concerns of increased run-off from the approval of the Development Standards Adjustment, as well as providing an additional aesthetic feature. Finally, the proposed architectural enhancements to the building (See Attachment 3: Architectural Renderings) exceed what is required in city code. The provided renderings show three building material types and façade articulation on all sides, including the side facing Monument Creek and the proposed trail.

Application Review Criteria

UDC Section 7.5.525.E

The Planning Commission may approve or approve with conditions a Development Standards Adjustment if the Planning Commission determines that the proposed alternative design meets the following criteria:

1. *The alternative design achieves the intent of the subject standard to the same or better degree than the standard for which a waiver is requested;*
2. *When considered together with compensating benefits, the alternative design advances the goals and policies of this UDC to the same or better degree than the standard for which a waiver is requested;*
3. *The alternative design imposes no greater impacts on adjacent properties that would occur through compliance with the specific requirements of this UDC; and*
4. *The alternative design provides compensating benefits that are reasonably related to the proposed waiver and would not otherwise be required by this UDC or State law. Compensating benefits may include one or a combination of the following:*
 - a. *Benefits to the general public:*
 - (1) *Parks, trails, or other similar public or cultural facilities;*
 - (2) *Public landscape buffers or beautification areas;*
 - (3) *Public art;*
 - (4) *Permanent conservation of natural areas or lands;*
 - (5) *Increased building setbacks;*

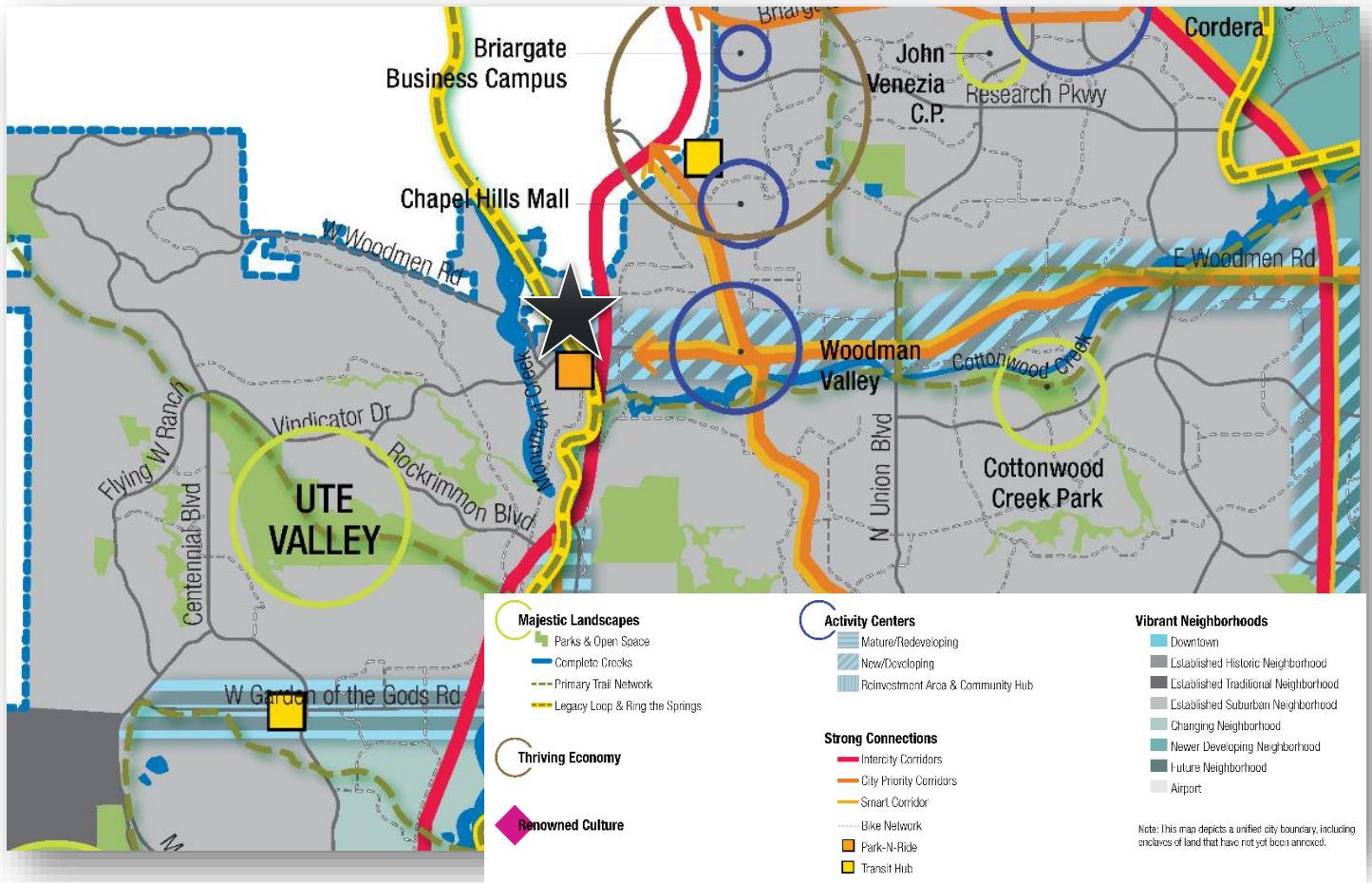
- (6) *Decreased building height; or*
 - (7) *Other benefits as agreed upon by the Planning Commission.*
- b. *Benefits the users, customers, or residents of the proposed development:*
 - (1) *Green space or public open space, trails, or other similar recreational amenities;*
 - (2) *Upgrades in architectural design;*
 - (3) *Increased landscaping;*
 - (4) *Increased buffering;*
 - (5) *Permanent conservation of natural areas or lands;*
 - (6) *Secure bicycle facilities, where appropriate; or*
 - (7) *Other benefits as agreed upon by the Planning Commission or City Council.*

After evaluation of the Development Standards Adjustment, the application meets the review criteria.

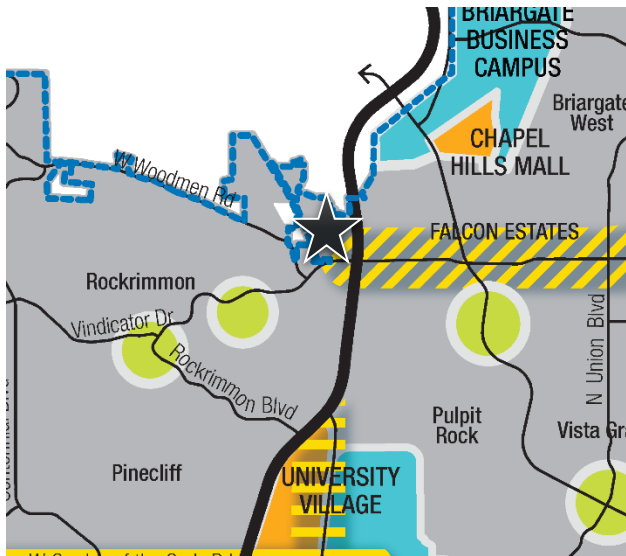
Compliance with Relevant Guiding Plans and Overlays

This Development Standards Adjustment meets the standards of the United States Air Force Academy, Streamside, Hillside, Wildland Urban Interface, and Highrise Overlays. In addition, the Development Standards Adjustment is unrelated to the condition of record on the site, which involves the height of a clock tower that has not seemingly been built.

PlanCOS Vision



The proposed Development Standards Adjustment is substantially in compliance with PlanCOS. In particular, the project would aid goals of infill and improved stormwater systems.

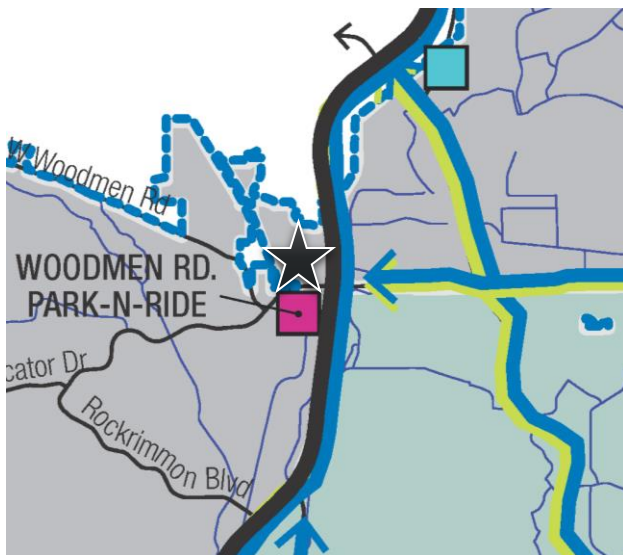


Predominant Typology

- Neighborhood Centers
- Community Activity Centers
- Entertainment and Commercial Centers
- Regional Employment and Activity Centers
- Downtown
- Mature/Redeveloping Corridors
- New/Developing Corridors
- Reinvestment Area and Community Hub

Unique Places

By aiding in the development of an oddly shaped and topographically impaired lot, this project follows Policy UP-2.A, “Support infill and land use investment throughout the mature and developed areas of the city.” Strategies UP-2.A-1 and -4, “Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions” and “Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment,” respectively, are directly related to this request.



Predominant Typology

- Urban Core Streets
- Established Suburban Streets
- Developing Suburban Streets
- Future Streets
- Smart Corridors
- Multimodal Corridors
- Bike Master Plan Network
- Major Destination Areas
- Transportation Hubs
- Park-N-Rides

Strong Connections

By avoiding any disturbance to Monument Creek, this Development Standards Adjustment is in line with Policy SC-3.B, “Design stormwater infrastructure as an integral and connected part of new development and redeveloping areas and preserve or incorporate naturalistic stream profiles and features where feasible.” In addition, the rain garden improves drainage and water quality, meeting Policy SC-3.A, “Design new and redeveloped projects to reduce their contribution to regional stormwater flows and to improve the quality of the runoff that is generated.”

Statement of Compliance

DVSA-24-0009 – 7050 Commerce Center Development Standards Adjustment

After evaluation of the Development Standards Adjustment, the application meets the review criteria.