

CITY PLANNING COMMISSION AGENDA  
JUNE 8, 2023

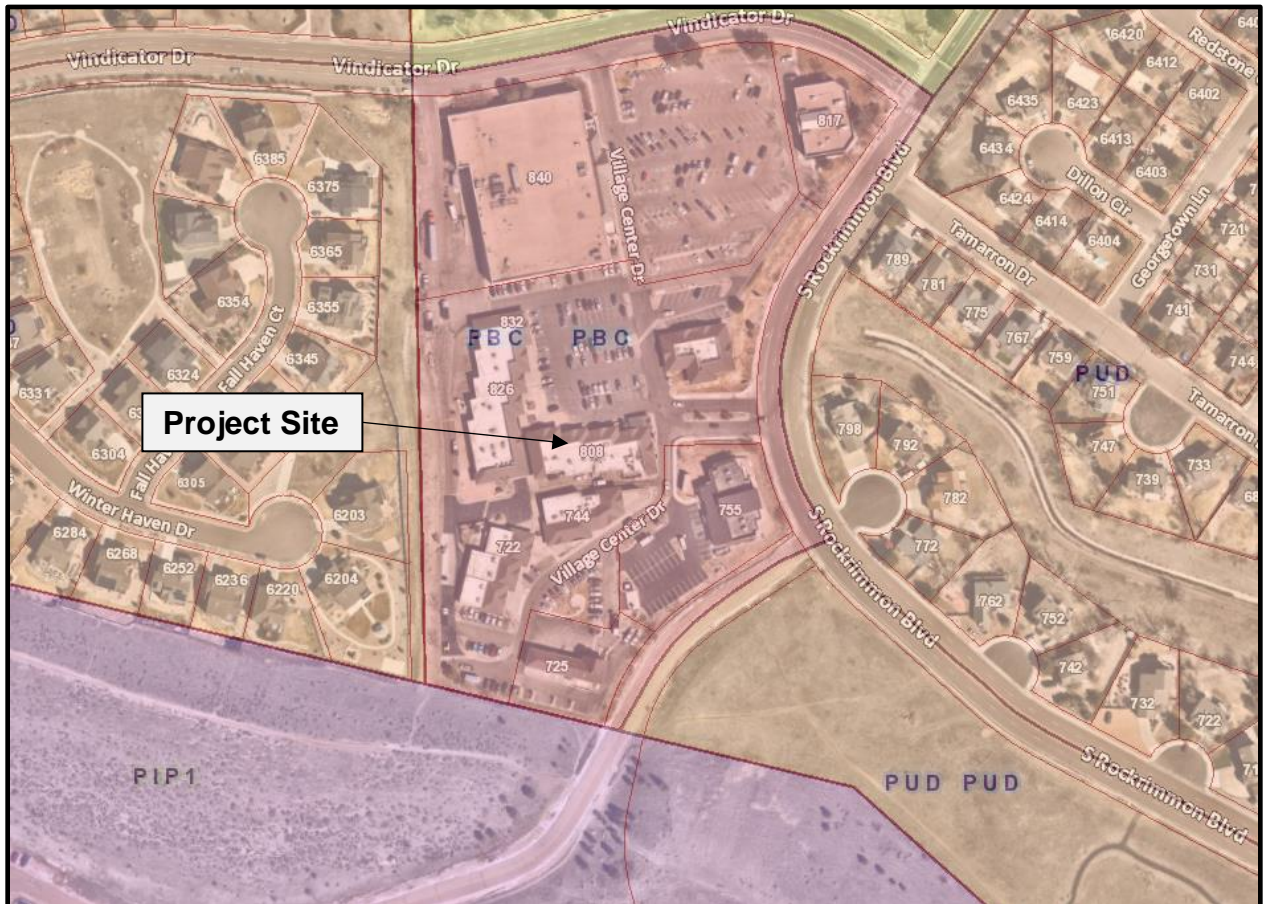
STAFF: AUSTIN COOPER

FILE NO:  
CUDP-23-0011 – QUASI-JUDICIAL

**PROJECT:** SAFE PLACE 4 PETS RELOCATION

**OWNER:** MONITOR ROCKRIMMON, LLC

**APPLICANT:** SAFE PLACE 4 PETS



## **PROJECT SUMMARY:**

- **Project Description:** This project application is for approval of a conditional use development plan to establish a kennel use at 808 Village Center Drive. The proposal consists of using an existing 1,223 square-foot tenant space for the proposed kennel use without making any site improvements (**see “Conditional Use Development Plan” attachment**). The proposed kennel use is a conditionally permitted land use in the PBC (Planned Business Center) zone district.
- **Applicant’s Project Statement:** (**see “Project Statement” attachment**).
- **Planning and Development Department Recommendation:** City Planning staff recommends approval of the application.

## **BACKGROUND:**

- **Site Address:** The property address is 808 Village Center Drive.
- **Existing Zoning/Land Use:** The subject property is currently zoned PBC/HS(Planned Business Center (to become MX-M (Mixed-Use Medium Scale)) with hillside overlay) and is currently a commercial center.
- **Surrounding Zoning/Land Use:**
  - North: PBC/HS (Planned Business Center (to become MX-M (Mixed-Use Medium Scale)) and hillside overlay) and currently commercially developed.
  - South: PIP-1/CR/HS (Planned Industrial Park (to become BP (Business Park (Planned District)) with a condition of record and Hillside Overlay) and industrially developed.
  - East: PUD/HS (Planned Unit Development – residential with Hillside Overlay) and residentially developed with single family homes.
  - West: PUD/HS (Planned Unit Development – residential with Hillside Overlay) and residentially developed with single family homes.
- **PlanCOS Vision:** According to the PlanCOS Vision Map (**see “PlanCOS Vision Map” attachment**), the project site is identified as an Established Suburban Neighborhood.
- **Annexation:** The subject property was annexed into the City in 1966, under the Golden Cycle Addition #1 (Ordinance unknown).
- **Master Plan/Designated Master Plan Land Use:** The project site is part of the Rockrimmon Master Plan, which is a privately initiated master plan that has been deemed implemented.
- **Subdivision:** The property is currently platted as Lot 1 under the Village Center at Rockrimmon Filing No. 3.
- **Zoning Enforcement Action:** None
- **Physical Characteristics:** The lot is currently built out as a shopping center.
- **Applicable Code:** This request was submitted prior to the Unified Development Code (UDC) effective date of June 5, 2023, and as such was processed and reviewed under Chapter 7 standards. All established requirements in Chapter 7 have been met and therefore should be reviewed by this body under those standards.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

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 199 property owners on two occasions; during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. Staff received one written comment regarding the application. The comment related to the application mainly focused on increased sound and incompatibility of the land use within the immediate area (**see “Public Comment” attachment**).

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City

Engineering, City Stormwater, City Parks and Recreation, Engineering, City Traffic, City Fire, and Police. Staff received no agency comments on the application.

## **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

### 1. Review Criteria / Design & Development Issues:

#### a. Background information

The approximate 4.28-acre site is located at the southwest corner of Vindicator Drive and South Rockrimmon Boulevard. The applicant's current lease (at 1520 North Hancock Avenue) is being terminated to create the new City of Colorado Springs Senior Center and as part of that agreement, the city agreed to help the applicant find a suitable location for their business. The applicant will use the space as an office and a place for cats that are yet to be adopted and have not found a suitable foster home. They are not proposing to house any dogs at the facility. Safe Place 4 Pets is a non-profit agency that provides care, support, and rehoming services for pets of terminally ill people.

#### b. Conditional Use Development Plan

The submitted conditional use development plan for the Safe Place 4 Pets project proposes no site changes to the property, only the establishment of the kennel use in a currently available tenant space at 808 Village Center Drive (**see "Conditional Use Development Plan" attachment**). Parking the new use will not require any changes as the current parking calculations as multi-tenant commercial center is parked as a commercial center use, which does not distinguish individual parking use types. Staff informed the applicant that per City Code Section 7.3.203 a kennel use is a conditionally permitted land use in the PBC (Planned Business Center) zone district and thereby subject to the review and approval of a conditional use develop plan application by the City Planning Commission.

City Planning staff finds that the proposed plan is in conformance with the purpose for establishing a development plan as set forth in City Code Section 7.5.502(E) and a Conditional Use as set forth in City Code Section 7.5.704.

### 2. Conformance with the City Comprehensive Plan:

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

The project is consistent with one of the core values of PlanCOS, which reinforces the importance of encouraging infill development proposals. One of the "Big Ideas" in the Vibrant Neighborhoods Chapter 2 of PlanCOS is entitled "Embrace Creative Infill, Adaptation and Land Use Change", which has goal VN-3 that states:

*"Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs."*

To do this, PlanCOS suggests, "New development should focus on safe connections into and within these neighborhoods."

A "Big Idea" from Chapter 4, entitled "Embrace Sustainability", 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 for this goal further reinforces that development should “*Prioritize development within the existing City boundaries and built environment (not in the periphery).*”

Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project’s land use, location and site design meet the overall intent of this idea.

For the reasons provided in this overall staff report, City Planning staff finds that this infill development proposal and its associated application to be in substantial conformance with PlanCOS and its guidance.

3. Conformance with the Area’s Master Plan:

The project site is located within the privately initiated, Rockrimmon Master Plan which is an “implemented” master plan. According to City Code Section 7.5.402(B)(2), a master plan can be deemed implemented when 85 percent or more of the planned area is built out. The neighborhood surrounding the project is developed with a mix of commercial, residential, and open space; as such, City Planning staff finds this kennel project is complimentary of the surrounding land use patterns. Through staff’s review of the development plan application and consideration of the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E), and the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 the overall area impacts of the project were analyzed.

**STAFF RECOMMENDATION:**

**CUDP-22-0013 – CONDITIONAL USE DEVELOPMENT PLAN**

Approve the conditional use development plan for the Safe Place 4 Pets project, based upon the findings that the request meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704, and the review criteria for granting a Development Plan, as set forth in City Code Section 7.5.502(E).