



Quick Facts

Applicant

Aaron McLean, Galloway US

Property Owner

Academy Flintridge, LLC

Developer

QuikTrip Corp.

Address / Location

4760 Flintridge Drive

TSN(s)

6322307078

Zoning and Overlays

Current: MX-N (Mixed-Use Neighborhood)

Proposed: MX-M (Mixed-Use Medium Scale)

Site Area

1.23

Proposed Land Use

Convenience store with fuel canopy

Applicable Code

Chapter 7

Project Summary

This application requests a rezoning of 1.23 acres located at 4760 Flintridge Drive from MX-N (Mixed-Use Neighborhood) to MX-M (Mixed-Use Medium Scale) in order to develop the site as a convenience store with fuel canopy station. The project also consists of the associated development related to the convenience store with fuel canopy station use. **(Figure 1 – Project Statement)**

File Number	Application Type	Decision Type
ZONE-23-0012	Zone Change	Quasi-Judicial
DEPN-23-0083	Development Plan	Quasi-Judicial

Staff Recommendations

Recommend approval to City Council the zone change of 1.23 acres from MX-N (Mixed-Use Neighborhood) to MX-M (Mixed-Use Medium Scale) based upon the findings that the request complies with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.603.

Recommend approval to City Council the Quik Trip Development Plan based upon the findings that the request complies with the criteria as set forth in City Code Section 7.5.502.



Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Gordon’s Addition #1	October 1, 1968
Subdivision	Garden Rach Estates No 1 Replat of Block 6 Subdivision Lot 2 Plat	July 24, 1979
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

Site History

The current office building that now occupies the site was constructed in 1976. The zoning of the property was established in 1980, after the annexation and establishment of the office building.

Applicable Code

The subject application(s) were submitted prior to the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is permitted to elect which Code they prefer their application(s) be reviewed under. The subject application(s) were chosen to be reviewed under previous Chapter 7 per the applicant’s instructions. All subsequent references within this report that are made to “the Code” and related sections are references to previous Chapter 7.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M	Commercial (McDonald’s)	
West	MX-N	Multi-tenant office	
South	MX-N	Multi-tenant office	
East	MX-M	Commercial (Bank)	

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Internal Review / Neighborhood Meeting / Planning Commission Public Hearing
Postcard Mailing Radius	1000 feet
Number of Postcards Mailed	365 Postcards
Number of Comments Received	16 written comments



Public Engagement

During the initial public response period, the applicant and staff agreed that a neighborhood meeting would be held to listen to the public's concerns. During the initial public response period and subsequent neighborhood meeting, the majority of the concerns centered around increased traffic, high speeds of cars on residential streets that would increase due to the new development, proximity to existing gas stations, increase in crime and homelessness, and health concerns related to the gas station use. The applicant agreed to perform a trip generation study to alleviate any concerns regarding traffic and explained that their site would be staffed 24/7 to deter crime when possible. They would follow all applicable City, State and Federal Guidelines when it came to health concerns related to the gas station use. **(Figure 2 – Public Comments) (Figure 3 – Public Comment Response)**

Agency Review

Traffic Engineering

While initially there was not a concern with the proposed use, due to the neighborhood opposition and concerns about traffic, Planning and Traffic Engineering agreed that a trip generation study comparing the existing traffic with the proposed use is required. The study was provided and accepted by the Traffic Engineering Department calling for no additional improvements to be made to the traffic infrastructure surrounding the site. **(Figure 6 – Trip Generation Comparison)**

School District

No comments received.

Parks

No comments received.

SWENT

All comments addressed.

Colorado Springs Utilities

All comments addressed.

Zone Change

Summary of Application

The applicant is requesting a zone change from MX-N (Mixed Use Neighborhood) to MX-M (Mixed-Use Medium Scale) to use the property as a convenience store with a fueling station. The application was submitted on April 5th, 2023 under previous Chapter 7. The use was not allowed under their previous zone district which required a rezoning application to be filed. The MX-M (Mixed-Use Medium Scale) zoning would be consistent with the other three corners of this intersection and allow for the MX-N (Mixed Use Neighborhood) zoning to serve as a buffer to the existing residential to the southwest. **(Figure 4 – Exhibit A) (Figure 5 – Exhibit B)**

Compliance with Relevant Code Sections and Review Criteria

This application has gone through several rounds of reviews and has met all the conditions and applicable codes through all the standard review agencies. Through the review process, staff ensured that all review criteria were met with specific criterium outlined below.



The applicant through their site design, project statement and public comment response letter has shown to comply with this section of the review criteria. While the trip generation study outlines that there is expected to be more traffic associated with this use, the traffic impacts do not warrant additional improvements. The City Traffic Engineering Department has agreed with this analysis and recommends approval of the application. Environmental and health concerns have been addressed through the site design and applicable City, State and Federal guidelines that monitor this type of use. While homelessness and crime are a concern of the nearby residents, this use is not responsible for the nationwide issue of homelessness and the site will be open and staffed 24/7 to prevent and deter any vagrancy and criminal activity. Ultimately, this application provides a zoning district that is consistent with the other three corners of the intersection and has a “buffer” zone of MX-N (Mixed-Use Neighborhood) that separates this use from nearby residential zone districts. This location sits at the corner of a principal arterial (North Academy Boulevard) and a collector (Flintridge Drive) which are both heavily used by vehicular traffic making this a reasonable place for an auto-oriented business.

Development Plan

Summary of Application

After multiple rounds of review and public input, the applicant has addressed all of the review criteria in place for a commercial development. As noted above, this application was submitted under previous Chapter 7. UDC has additional development standards for a gas station/ fueling canopy, and that is a 250 foot requirement from the property line of the use to any residential use. Although this provision was not a part of the review criteria given, they are not subject to the new UDC, the applicant has made efforts in their Development Plan to alleviate the use from nearby residents by locating the fuel canopy 253 feet from the residentially zoned property. While they were unable to create additional screening on their property due to shared access easements to the southeast side of the development, there is an existing privacy fence located at the rear of the residential properties closest to the site, screening the intended use from the nearby residences. The building is pushed closer to the northwest of the site to match the existing characteristics of the site to the west while maintaining the setback and landscaping requirements with parking to the south to meet their required parking. Staff finds all design and development criteria were met resulting in a Development Plan that is ready for approval pending the zoning decision. **(Figure 7 – Development Plan)**

Compliance with Relevant Code Sections and Review Criteria

To submit for a Zone Change, the applicant must provide either a Concept Plan or Development Plan in association with the Zone Change application to show the intended land use for the future development under Chapter 7 of the City's Codes (pre-UDC). This applicant chose to submit a Development Plan to accompany their Zone Change application and the compliance with the Development Plan Review Criteria will be discussed below. Through the review process, staff ensured that all review criteria were met with specific criterium outlined below.

The applicant through their site design, public comment response letter has shown to comply with this section of the review criteria. As previously mentioned, the configuration of the buildings and gas canopy are to have the least affect the surrounding residential uses. The canopy is in the east corner of the site, furthest away from the residential use and the convenience store is located between the residential homes and the canopy while also maintaining the street setback consistent with the property to the northwest.

The applicant prepared a Trip Generation Study to confirm with the Traffic Engineering Department that any alterations to the use would not result in future traffic improvements being required. Traffic Engineering agreed with the report that did not call for any further mediation efforts being required.

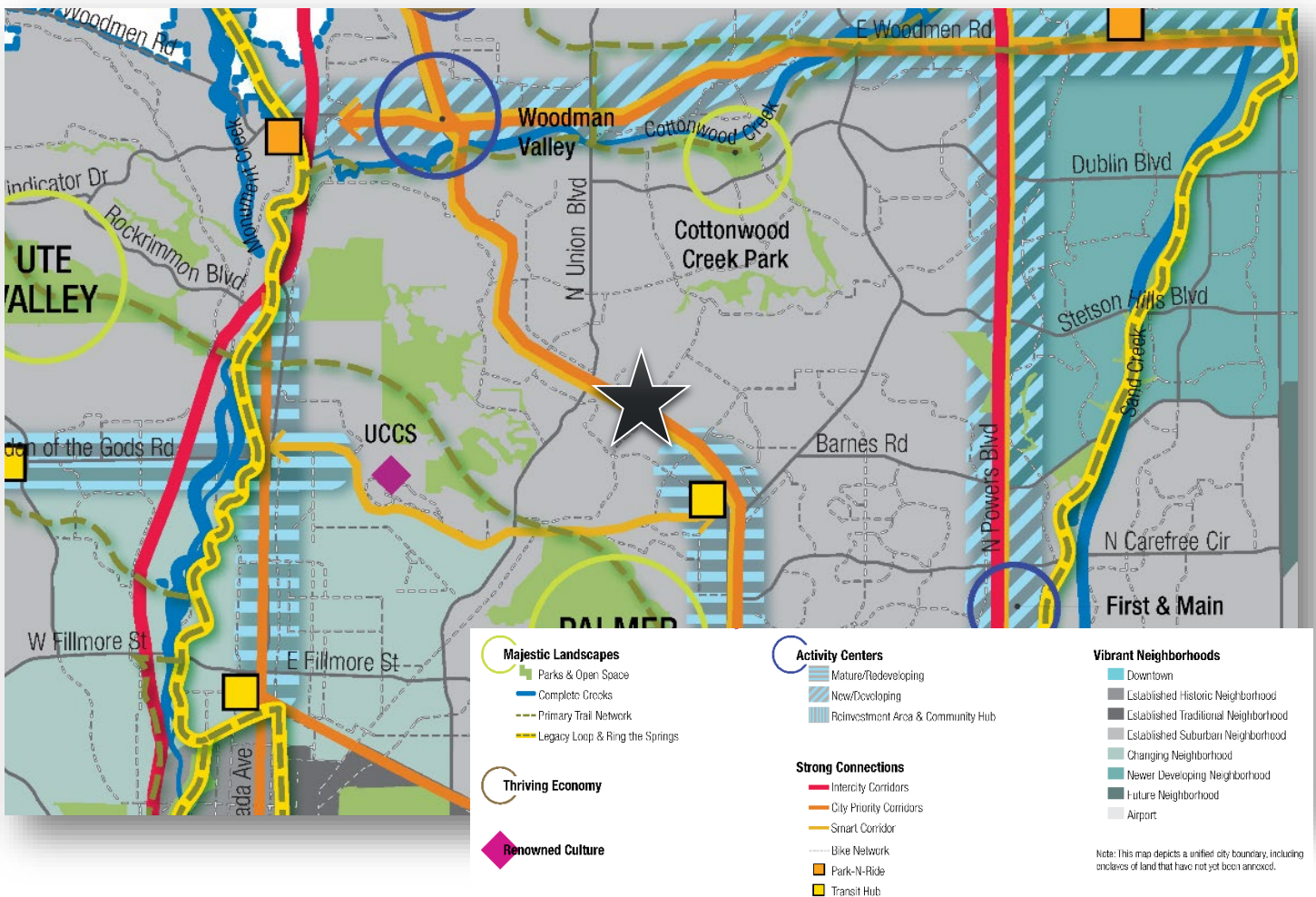
The applicant provided a Photometric plan within their plan documents to show where light would be distributed throughout the site. While this is not required under code, it does show minimal impacts to the surrounding properties that would result in light spillover that would impact the residential property. Noise is not anticipated to be any greater than the

surrounding public rights-of-way and odor impacts would be closely considered through other Local, State and Federal guidelines pertaining to a gas station use.

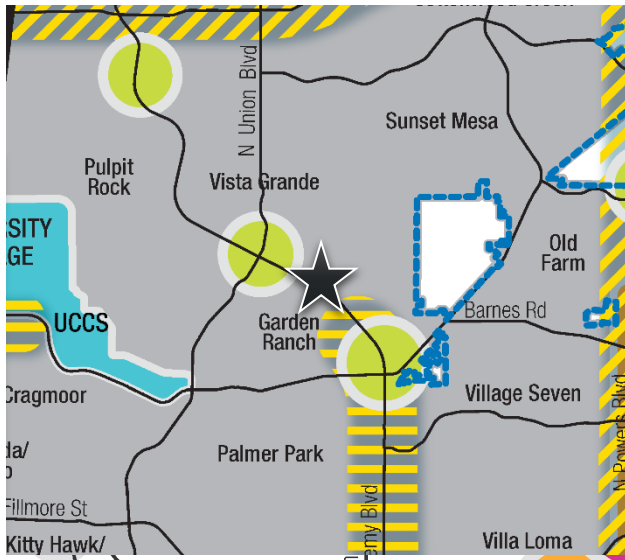
This site is not within the boundaries of any concept plan or master plan that would affect the guidelines beyond the requirements of the code and PlanCOS.

Compliance with PlanCOS

PlanCOS Vision



This development falls in the classification of Established Suburban Neighborhood in the city’s Comprehensive Plan (PlanCOS). PlanCOS calls out established neighborhoods as places that have been primarily built-out but should expect some degree of infill and redevelopment. Established Suburban Neighborhoods are specifically called out as having “a high value in maintaining the privacy of homes and safe streets for families.” This project is proposing a redevelopment of an existing site while maintaining the current traffic patterns to minimize their impacts on the street as well as orienting their building to block any unwanted sightlines to the fuel canopy.



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

The subject property is immediately adjacent to the Mature/Redeveloping corridor of Academy Boulevard. Goal UP-4 calls for the strengthening of our overall community by developing connected centers and corridors. Policy UP-2.A calls for supporting infill and land use investment throughout the mature and developed areas of the city. Strategies within this policy include actively supporting ongoing and potential infill projects (UP-2.A-4) and to encourage the redevelopment of vacant properties in the core area of the city by using rezoning (UP-2.A-1).

Recommendation

ZONE-23-0012

Recommend approval to City Council the zone change of 1.23 acres from MX-N (Mixed-Use Neighborhood) to MX-M (Mixed-Use Medium Scale) based upon the findings that the request complies with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.603.

DEPN-23-0083

Recommend approval to City Council the Quik Trip Development Plan based upon the findings that the request complies with the criteria as set forth in City Code Section 7.5.502.