TAKE 5 AT SPACE CENTER DRIVE

Planning Commission April 10, 2024

Staff Report by Case Planner: Drew Foxx

Quick Facts

Applicant
Andrea Papierski

Matrix Design Group

Property Owner
Jacksonia Corporation

Developer
Fast Oil LLC

Address / Location
1197 Space Center Dr

TSN(s)
6412101037

Zoning and Overlays
Current: MX-M / CR AO APZ2 (Mixed-Use Medium Scale / Condition of Record in Airport Protection Zone 2 with Airport Overlay)

Site Area
25,030 Sq. Ft.

Proposed Land Use
Automobile and Light Vehicle Repair, Minor

Applicable Code
Unified Development Code

Project Summary

Request for approval of a conditional use permit to allow for the development of a 1,725 sq. ft. drive-thru oil change facility in the Mixed-Use Medium Scale zone district on a .575 acres vacant lot at 1197 Space Center Drive.

File Number	Application Type	Decision Type
CUDP-24-0001	Conditional Use Permit	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

Action	*Name*	*Date*
Annexation	Smartt's Addition #9	1963
Subdivision	Creekside Plaza	October 12th, 2022
Concept Plan	Creekside Plaza	October 14th, 2019
Prior Enforcement Action	N/A	N/A

Site History

This parcel was annexed into the City of Colorado Springs in 1963 and has remained vacant land ever since. The Creekside Plaza Subdivision was recorded in October of 2022 and created eight (8) lots, including the subject lot. There have been no physical or land use-related changes to the property since annexation. The subject lot is the first of the eight lots in the Creekside Plaza Subdivision to propose development.

Applicable Code

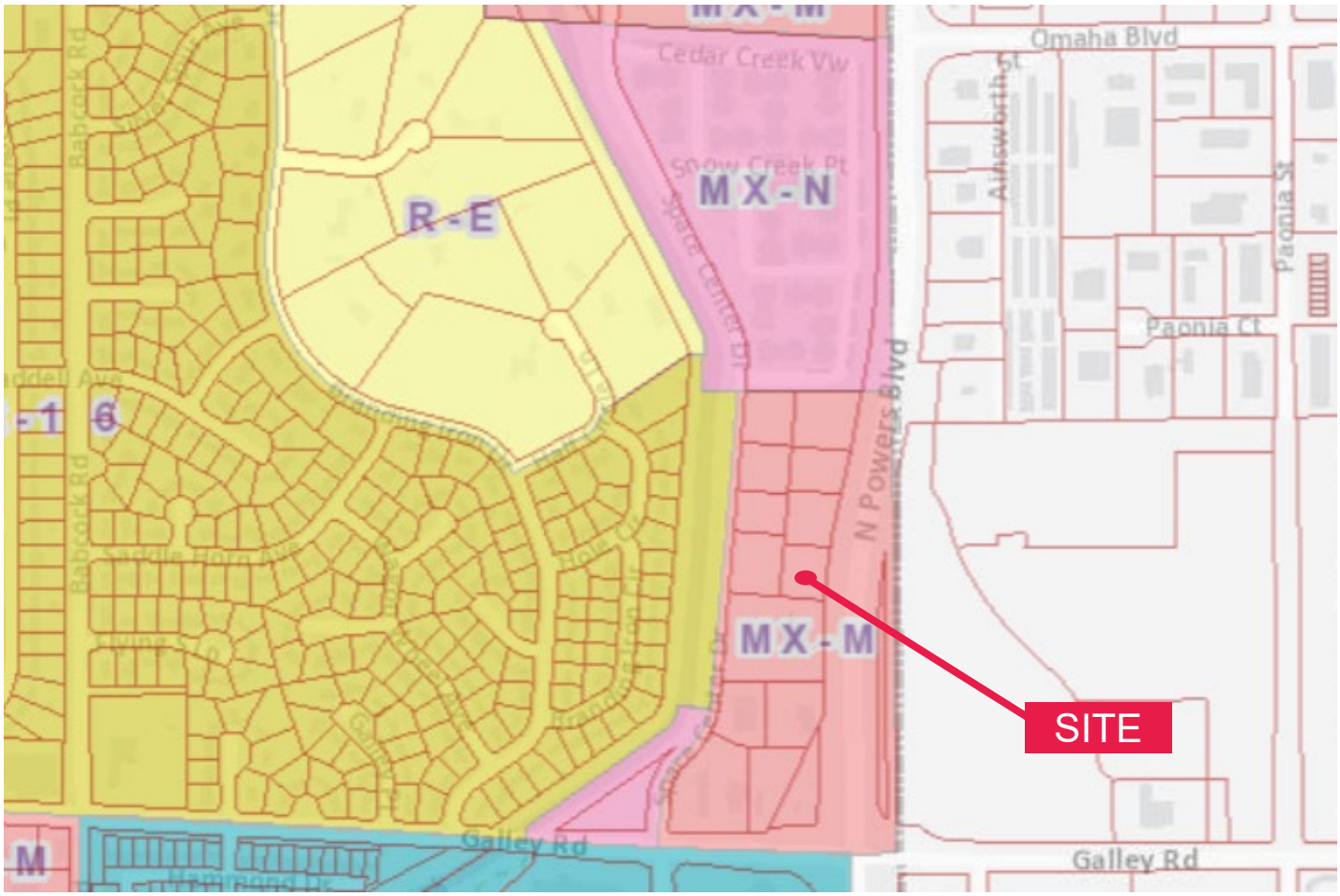
The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project. The subject application(s) were required to be reviewed under the Unified Development Code. All subsequent references within this report that are made to "the Code" and related sections are references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

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	Zoning	*Existing Use*	*Special Conditions*
North	MX-N: Mixed-Use Neighborhood	Dwelling, Multi-Family	N/A
West	R-1 6: Single-Family – Medium	Dwelling, Single-Family Detached	N/A
South	MX-M: Mixed-Use Medium Scale	Office	Ordinance No. 87-175
East	CC: Commercial Community	Vacant	Owner: Colorado Dept. of Transportation

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences *(Poster / Postcards)*	Initial Review / Planning Commission Public Hearing
Postcard Mailing Radius	1000’
Number of Postcards Mailed	76
Number of Comments Received	None

Public Engagement

No neighborhood meeting was scheduled, and no opposition was received for this project.

Timeline of Review

Initial Submittal Date	January 16th, 2024
Number of Review Cycles	Three
Item(s) Ready for Agenda	March 19th, 2024

Agency Review

Traffic Impact Study

- The proposed development will generate less traffic than the previously approved development.
- A concurrent application for the development plan is being reviewed administratively and the site plan shows that development will be utilizing an existing driveway. The driveway meets the City Traffic Criteria Manual guidelines.
- The proposed site access is located along a private street. City traffic has no concerns with the access location.
- Traffic Engineering reviewed the Trip Generation Letter and determined that the letter was complete and provided adequate information and analyses per the requirements of the Traffic Criteria Manual and Traffic Engineering staff.

Engineering Development Review

- Per the approved development plan for Creekside Plaza. All the public improvements along Space Center Drive shall be installed prior to issuing the first Certificate of Occupancy (C.O.).

Parks

- CDI: Citywide Development Impact Fees for Police and Fire apply to all new and redeveloped residential and nonresidential development, per City Code 7.5.532. This new Conditional Use development is applicable to CDI and an estimate has been uploaded to this file for review and will be due at time of building permit.

SWENT

- The proposed project is part of a larger common plan of development and will therefore require a separate Grading and Erosion Control Plan (GEC) and the City s Stormwater Management Plan (CSWMP).
- It appears that the eastern portion of the Site show runoff from disturbed area flowing offsite without being treated. Please note that no more than 5% of the total area of disturbance (totaling no more than 1 acre) shall flow offsite without receiving WQ treatment.

Colorado Springs Utilities

- No comments received. The concurrent develop plan is currently being evaluated further by Colorado Springs Utilities.

Conditional Use Permit

Summary of Application

The applicant is proposing a 1,725 sq. ft. drive-thru oil change facility (Take 5) on lot 2 of the currently undeveloped Creekside Plaza subdivision. The proposed use is defined as “automobile and light vehicle repair, minor”, and is permitted conditionally within the associated MX-M zone district. Primary access to the site will be located along a private drive off Space Center Drive. No access is permitted directly onto Powers Blvd. from this subdivision. A land use statement has

been submitted as the primary supporting document for effective evaluation of this conditional use request. A concurrent development plan application is currently under administrative review (City File No. DEPN-24-0049).

Application Review Criteria

UDC Code Section 7.5.601.C.2

A. The application complies with any use-specific standards for the use in Use-Specific Standards 7.3.303.I.1: Automobile and Light Vehicle Repair, Minor and Major**:**

   a. All work on vehicles shall be done entirely within an enclosed building.

      i. All maintenance of customers' vehicles will be completed within the three (3) work bays proposed within the primary structure.

   b. Automotive parts or junk vehicles may not be stored outside.

      i. This facility will not store vehicles or vehicle parts outside. As part of the operations occurring within this facility, most customers will not exit their vehicles.

   c. The nearest point of the building in which the repair activity occurs shall be more than one hundred (100) feet from the boundary of any residential zone district.

      i. No residential zoning is within 100 feet of the location of the proposed structure. The nearest residential zone district is 190 feet from the western lot line of the subject property.

B. The size, scale, height, density, multimodal traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and

   a. There is no measurable adverse impact expected to occur from this use on the existing commercial uses to the south, nor the commercially zoned, vacant lots to the north and west. Further west exists residential zoning but is separated by Sand Creek, a 60' public right-of-way (Space Center Drive), and a .749-acre lot (Lot 1) within this subdivision. Powers Blvd. to the east separates this use from vacant, state-owned land to the east. All surrounding lots are subject to the same dimensional standards and use regulations making this lot compatible with the surrounding area. Finally, there were no concerns from traffic regarding the impacts of the proposed use (see 'Agency Review').

C. The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible.

   a. No existing infrastructure exists adjacent to the proposed development other than a public street providing future access to the Creekside Plaza subdivision (Space Center Dr.). A development plan was approved for Creekside Plaza subdivision identifying required infrastructure for each lot. The proposed development will be responsible for installation of all adjacent infrastructure (i.e., sidewalks, streets, utilities, storm drains, etc.) prior to approval of the certificate of occupancy.

After evaluation of the Conditional Use Permit application for the Take 5 at Space Center Drive, the application meets the review criteria.

Compliance with Relevant Guiding Plans and Overlays

Ordinance 87-175 / City File No. CPC P 87-291

The proposed development is required to follow the conditioned design parameters included in the ordinance for the applicable MX-M zone district. The applicant has included these conditions in the development plan concurrently under administrative review.

Airport Overlay

The proposed development has been referred to the Airport Advisory Commission and was presented to the Commission on February 28th, 2024. The AAC has no objection to the development with the following conditions:

- Avigation Easement: An avigation easement is required or provide proof of previous recording (book/page or reception number). Add avigation easement note to plat.
- Accident Potential Zone (APZ-2): A portion of the proposed development is within the Accident Potential Zone 2 (APZ-2) subzone of the Commercial Airport Overlay District. The proposed use associated with this development is permissible in the APZ-2 subzone.
- Noise: Due to the proximity of the development in relation to the 65 DNL, the Airport Advisory Commission recommends the developer include sound mitigation construction techniques consistent with best practices for any office space use.
- FAA Form 7460-1: Based on elevation data and distance to runway, the applicant will need to file Federal Aviation Administration (FAA) Form 7460-1 Notice of Proposed Construction or Alteration for any new vertical development at this site, including temporary construction equipment, and provide FAA documentation to the Airport before the commencement of construction activities.

Creekside Plaza Concept Plan (City File No. AR CP 99-00611-A4MN19)

The proposed development is largely in compliance with the access locations, easement locations, lot configuration, dimensional standards, use regulations, and public improvement requirements per the Creekside Plaza concept plan. There is a concurrent development plan application currently under administrative review that is also largely in compliance with the previously approved Creekside Plaza concept plan. While this approved concept plan indicates specific use types, the development will be required to meet the MX-M dimensional standards and use regulations, as well as the conditions found within the applicable zoning ordinances.

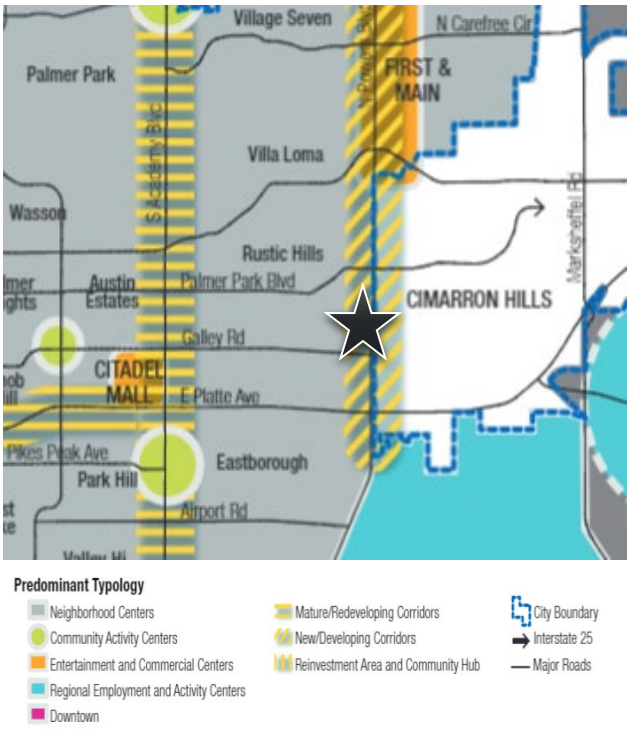
Creekside Plaza Development Plan (City File No. AR DP 21-00315)

The proposed development will provide shared access, drainage retention, utility easements, lot configuration, and fire lanes concurrent with this approved development plan.

Compliance with PlanCOS

PlanCOS Vision

According to the city's comprehensive plan (Plan COS; adopted 2019), the project site is within a "new/developing" activity center. These areas are primarily involved with high traffic volumes, new developments, or developments that primarily involve non-residential uses. Activity centers are intended to consist of mixed uses and encompass a range of uses that promote the goals and intentions of the Unique Places vision theme of PlanCOS. Specifically, activity centers are an element of typology four (4) for Unique Places and encourage the continuing adaptation and development of regional centers as more functionable centers, with increases in desired elements and diversified uses. Ultimately, the proposed development is the initial step in the creation of a commercial center consisting of eight (8) lots. This subdivision is staged to become a resourceful pocket of commercial uses within this "activity center" along Powers Blvd. and provide a mixture of supporting services.



Unique Places

Typology 4: Regional Employment and Activity Centers

The goal of this place typology is to encourage the continuing adaptation and development of regional centers as more complete and well-functioning places, each with an increase of desired elements and unique places within them. The proposed development accomplishes this by supporting the following goals and policies.

- Goal UP-2: 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: Support infill and land use investment throughout the mature and developed areas of the city.

Statement of Compliance

City File No. CUDP-24-0001

After evaluation of the Conditional Use Permit the application meets the review criteria.