



# BLACK ROCK COFFEE – CONDITIONAL USE

Planning Commission April 9, 2025

Staff Report by Case Planner: Allison Stocker



## Quick Facts

### Applicant

Black Rock Coffee, LLC

### Representative

Atwell

### Property Owner

Advanced Storage Barnes LLC

### Address / Location

5570 Barnes Road

### TSN

6325106040

### Zoning and Overlays

Current: MX-L (Mixed-Use Large Scale)

### Site Area

0.91 Acres

### Proposed Land Use

Coffee Shop

### Applicable Code

UDC

## Project Summary

A Conditional Use to allow a drive-through coffee kiosk in the MX-L/CR (Mixed-Use Large Scale with Conditions of Record) zone district consisting of 0.91 acres located at 5570 Barnes Road (Quasi-Judicial)

### File Number

# CUDP-25-0006

### Application Type

Conditional Use

### Decision Type

Quasi-Judicial

## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Chaparral Ridge	July 23, 1985 (Ordinance 85-167)
Subdivision	Chaparral Ridge Filing No. 2	October 17, 2024
Master Plan	High Chaparral	January 14, 2014
Prior Enforcement Action	N/A	

### Site History

The site proposed for Black Rock Coffee was apart of a previously unplatted property consisting of 3.189 acres of vacant land. In 2010, this property went through a zone change application to change the zone from Office Complex with Airport Overlay (OC AO) to General Business with Airport Overlay and Conditions of Record (C-6 AO CR). Through this zone change an extensive list of conditions were imposed upon the site (See Attachment 1- Ordinance 11-15), which stated that all proposed fast-food restaurants within this particular zone will be required to go through the conditional use application process. Although restaurant uses are permitted by right in the Mixed-Use Large Scale (MX-L) zone district, due to the existing Conditions of Record, the applicant is required to submit for a conditional use to be considered for approval.

In addition to the zone change and its conditions of record, the overall site (approximately 3.2 acres) has seen recent planning applications to begin developing the site. In 2023, applications to subdivide the site into three lots were submitted, and the first development plans were submitted for the westerly parcel addressed at 5560 Barnes Road and the easterly parcel addressed at 5580 Barnes Road. These development plans were approved to allow self-storage facility and a minor automobile and light vehicle repair uses. The approval of the two surrounding parcels for development establishes a development pattern for the overall site including site access, flow of traffic, shared parking, and other site features. The proposed development of a drive-through coffee shop, in the centrally located parcel, will be planned and designed around the previously approved development plans to create a cohesive and predictable development pattern for the overall property.

### Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReToolCOS project. 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

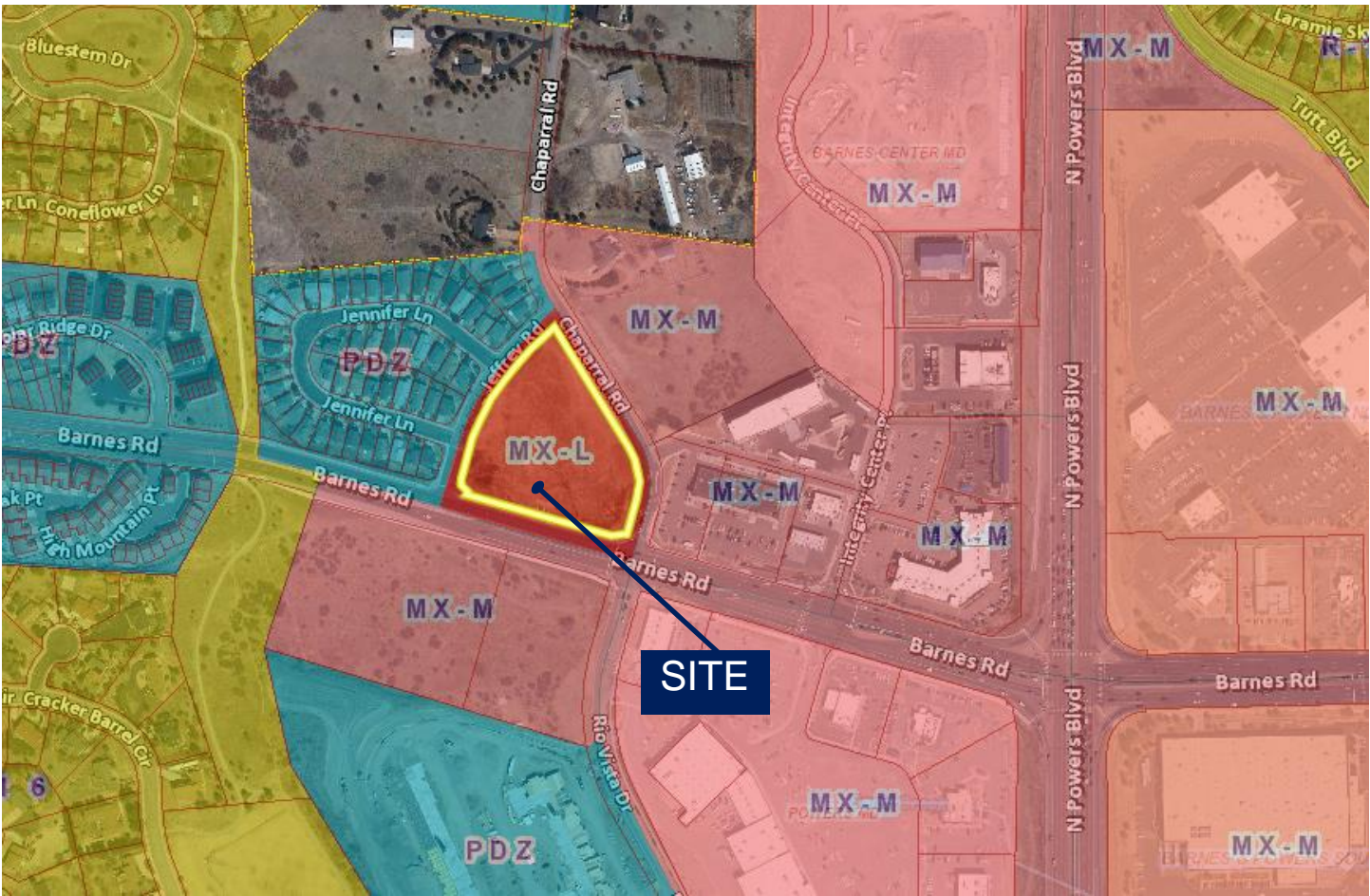
### Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M (Mixed-Use Medium Scale)	Single-Family Detached Estate	N/A



West	MX-L (Mixed-Use Large Scale)	Development Plan approved for Self-Storage	N/A
South	MX-M (Mixed-Use Large Scale)	Development Plan approved for Multi-Family Residential	N/A
East	MX-L (Mixed-Use Large Scale)	Development Plan approved for Brakes Plus	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Once during initial review and prior to City Planning Commission
Postcard Mailing Radius	1,000'
Number of Postcards Mailed	152 Postcards

Public Engagement

No public comments were received by staff at the time of writing this staff report. No further public engagement was conducted.

Timeline of Review

Initial Submittal Date	February 2025
Number of Review Cycles	1 cycle
Item(s) Ready for Agenda	March 2025

Agency Review

Traffic Impact Study

Traffic has reviewed the Traffic Impact Statement (See Attachment 5 – Traffic Impact Statement) that was submitted with the associated Development Plan and found that it meets the Traffic Criteria Manual requirements. The proposed queue length as shown in the associated Development Plan provides sufficient queue length.

SWENT

No comments received on this application.

Colorado Springs Utilities

No comments received on this application.

City Engineering

No comments received on this application.

PLDO/CDI

Per the PLDO/CDI program administrator, this development is applicable to CDI and an estimate will be uploaded to the future development plan and will be due at time of building permit.

Landscape

The final landscape plan will be reviewed as part of the development plan submittal.

Fire

Fire had no comments and recommended approval.

Colorado Springs Airport

Colorado Springs Airport recommended approval, with the condition that an avigation easement is noted on the plat no further action is required.

CSPD

No comments received.

### Summary of Application

The applicant chose to submit a conditional use application with land use statement (See Attachment 3 – Land Use Statement), which is permitted through UDC Section 7.5.601.B.3: “If no Development Plan is submitted with the Conditional Use request, the applicant shall submit a Land Use Statement. This statement shall indicate the following: a. Proposed land uses, housing densities (as applicable), and development intensity; b. Compatibility with adjacent development patterns; and c. Impact to adjacent developments including but not limited to light, noise, and traffic.” A separate development plan must be reviewed administratively subject to approval of the conditional use application and any conditions of approval imposed by the City Planning Commission. The proposed conditional use would allow the development of an approximately seven hundred (700) square foot drive-through coffee shop with associated parking, landscaping, and outdoor seating areas. While fast-food restaurants are permitted within the Mixed-Use Large (MX-L) Scale base zone, the subject property has conditions of record that elevate the decision-making body for fast-food restaurants to a conditional use decided by City Planning Commission (See Attachment 2 – Project Statement).

The Applicant has submitted for their development plan (DEPN-24-0191) which shows the proposed configuration of the project site (See Attachment 4 – Preliminary Development Plan). While this application is still in review, from this plan set the Applicant has shown how the restaurant use fits in within the overall property and how it might affect neighboring residential areas. The drive-thru coffee shop will be nestled in between a self-storage facility to the west and an auto and light vehicle repair facility to the east. The buffering created by the other uses within the commercial area will dampen any noise, smells, and visual impacts created by the drive-thru coffee shop and its outdoor seating areas.

### Application Review Criteria

This conditional use application is required to meet the application review criteria as defined in Section 7.5.601.B.2. This application meets the review criteria as described below:

1. The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).  
Restaurants, which include fast-food establishments, are held to the use-specific standards outlined in Section 7.3.303.B.4. All the listed standards are either specific to other zone districts or are specific to the amount of space a bar area may occupy within the restaurant area. Since none of these standards are applicable to the subject project, the project is considered consistent with this requirement.
2. 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

The proposed drive-through coffee shop will be the last of the three parcels to be developed and as such there is a significant amount of information about how the coffee shop will relate to its surroundings. The site's master developer has already committed to the locations of access points, has contributed to the installation of a new traffic signal at Barnes Road and Chaparral Road which shall help control traffic coming to and from the site, and has accounted for required improvements such as landscaping, sidewalk installation, etc.

The coffee shop itself will be at a lower grade than the neighboring residential to the west and will be visually buffered by the adjacent self-storage facility that is currently under construction. Between the adjacent self-storage facility and the auto repair facility to the east, any noise, smell, or other impacts will be buffered to said residential neighborhood. The building is expected to be 735 square feet and a single-story building, which means that it will fit in with the area's commercial uses in proximity with the Barnes Road and Powers Boulevard intersection. Per City Traffic Engineering, the Traffic Impact Statement meets the requirements set by the City and the proposed queue length is adequate to meet the anticipated demand. The tentative configuration of the drive-

through queue has vehicles entering the northern side of the property in two lanes which merge shortly into one after the order boards. Preliminary drawings show approximately eleven vehicles fitting within the queue area and there is additional area within the site that could be used for queuing before vehicles would stack up on adjacent public roads. This use is consistent with the area's overall commercialization of the Power Boulevard corridor.

3. 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.

The project site is located within a part of the City with built out roads, sidewalk connections, and has existing utility connections. Through the associated Development Plan review, the City's review agencies have deemed the existing infrastructure in this location to be sufficient for the proposed use. Outside of minor improvements and remitting funds for the traffic signal at Barnes Road and Chaparral Road, no further concerns have been raised. The Applicant will be required to ensure sidewalk connections and safe access through the Development Plan.

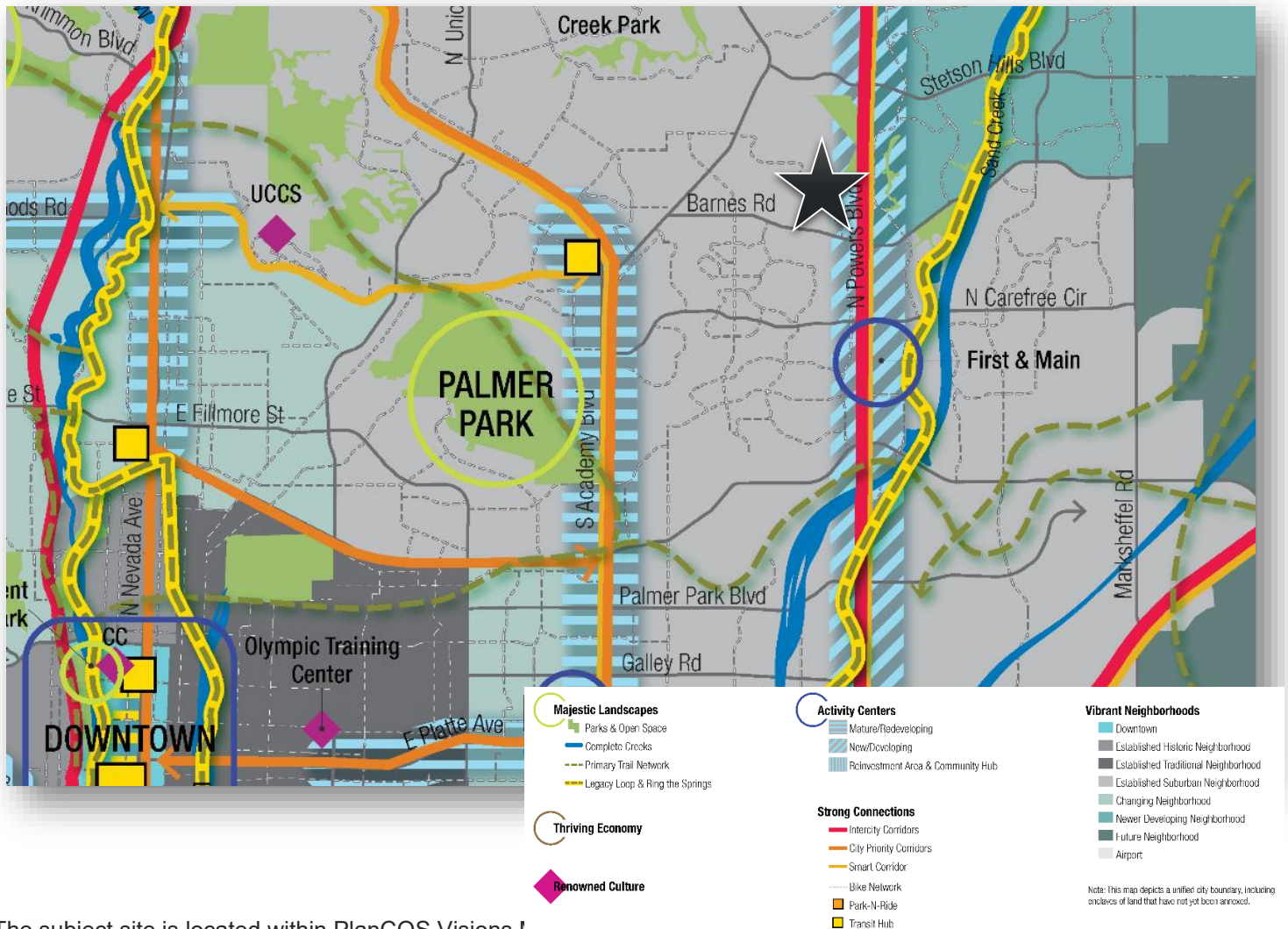
After evaluation of the Black Rock Coffee Conditional Use, the application meets the review criteria.

### **Compliance with Relevant Guiding Plans and Overlays**

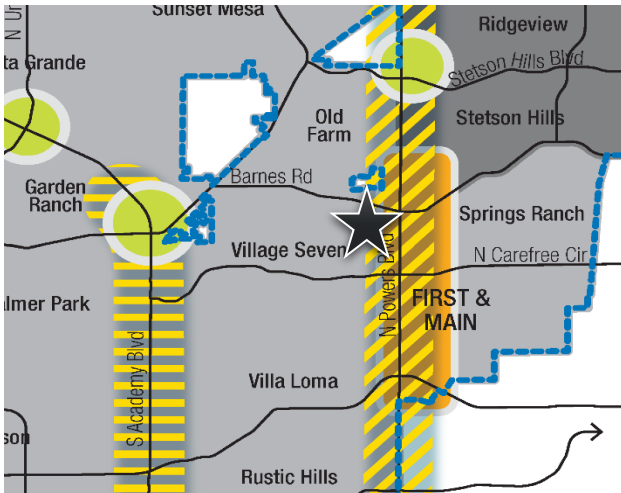
The project site is in the High Chaparral Master Plan, which was last revised by City Council in January 24, 2014. This master plan calls out the subject property as being set aside for Commercial uses. With that, the proposed restaurant (coffee shop) use for 5570 Barnes Road would meet the intent of the master plan.



## PlanCOS Vision



The subject site is located within PlanCOS Vision's 'First & Main' area, which is designated as a 'Majestic Landscape' and 'Activity Center'. This typology is used to describe areas where thoughtful redevelopment and infill is encouraged to provide continuous support of existing neighborhoods. The proposed conditional use supports PlanCOS through the following policy alignment:



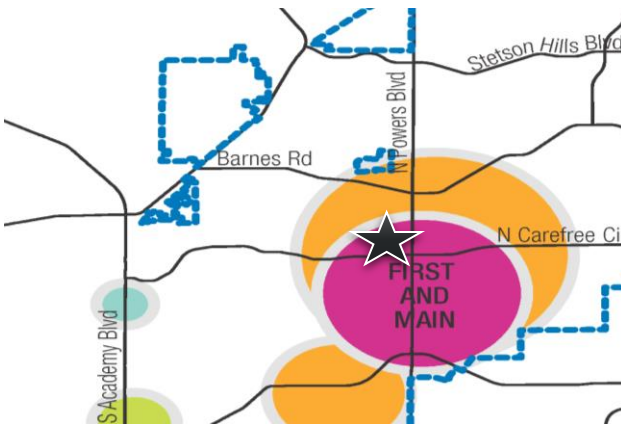
#### Predominant Typology

- 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 site is within a known “Neighborhood Center”. The intent behind this typology is to care for the everyday needs of citizens within easy distance of surrounding neighborhoods. Additionally, this site is directly adjacent to “New and Developing Corridors” which strives to utilize the higher capacity street network for higher intensity development that is street oriented.

This project supports **Policy UP-2.A:** “Support infill and land use investment throughout the mature and developed areas of the City”.



#### Predominant Typology

- Cornerstone Institutions
- Spinoffs and Startups
- The Experience Economy
- Life and Style
- Industry Icons
- Critical Support
- City Boundary
- Interstate 25
- Major Roads

### Thriving Economy

The subject site resides just outside the Thriving Economy typology of “Life and Style”. This typology is intended to provide support retail and services that meet the daily needs of residents and businesses. Development in these areas should be varied and have easily accessible options.

**Strategy TE-2.C-3** emphasizes the need to identify new and underutilized properties that could serve as an opportunity for new retail and dining. The need for further integration of goods and services within our developed areas is discussed in **TE-2.C-3** which encourages a mix of uses to be integrated into our communities.



## Statement of Compliance

### **CUDP-25-0006 – Black Rock Coffee Conditional Use**

After evaluation of the Black Rock Coffee Conditional Use with a Land Use Statement, the application meets the review criteria.