

**GENERAL APPLICATION FORM**

Edited 9/25/18

Tax Schedule Number(s):

Project Name: Project Academy

Existing Zone: PBC AO

Acreage: 11.75

Site Address: 715 S. Academy Blvd

Direction from
Nearest Street
Intersection:South from Airport Rd and North from
E. Fountain Blvd on S. Academy Blvd**TYPE OF PLAN(S)** - Check all that apply. Note: MJ=Major Amendment; MN=Minor Amendment; MM=Minor Modification

- | | |
|--|--|
| <input type="checkbox"/> 2020 Land Use Map Amendment | <input type="checkbox"/> Property Boundary Adjustment |
| <input type="checkbox"/> Administrative Relief | <input type="checkbox"/> PUD Concept Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Amendment to Plat Restriction | <input type="checkbox"/> PUD Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> PUD Zone Change |
| <input type="checkbox"/> Building Permit to Unplatted Land | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Building Permit Prior to Platting | <input type="checkbox"/> Subdivision Plat <input type="radio"/> Prelim <input type="radio"/> Prelim & Final <input type="radio"/> Final |
| <input type="checkbox"/> CMRS No. <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 | <input type="checkbox"/> Subdivision Waiver <input type="radio"/> Design <input type="radio"/> Process |
| <input type="checkbox"/> Concept Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input checked="" type="checkbox"/> Use Variance <input checked="" type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Conditional Use <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Vacation of Plat |
| <input type="checkbox"/> Coordinated Sign Plan (CSP) | <input type="checkbox"/> Waiver of Replat |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Zone Change; Proposed Zone: _____ |
| <input type="checkbox"/> Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> FBZ Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Historic Preservation <input type="radio"/> Re-roof <input type="radio"/> Hearing Request | <input type="checkbox"/> FBZ Conditional Use <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Landscape Plan <input type="radio"/> Preliminary <input type="radio"/> Final <input type="radio"/> Irrigation | <input type="checkbox"/> FBZ Interim Use Plan |
| <input type="checkbox"/> Master Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> FBZ Minor Improvement Plan |
| <input type="checkbox"/> Nonuse Variance | <input type="checkbox"/> FBZ Warrant |
| <input type="checkbox"/> Preservation Easement Adjustment | |

PROPERTY OWNER AND/OR APPLICANT/CONSULTANT ACKNOWLEDGEMENT OF RESPONSIBILITIES:

The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I am fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval. The applicant/owner by his or her signature understands and agrees that he or she is responsible for the completion of all on-site and off-site improvements as shown and approved on the final plan (including landscaping, paving, lighting, etc.) prior to receiving a Certificate of Occupancy.

11.13.20

Signature of Property Owner

Date

Signature of Consultant

Date

Signature of Developer

Date

APPLICANT CONTACT INFORMATION (please print or type)

Property Owner: Realty Income Properties 25, LLC

Contact Name:

E-Mail:

Phone:

Developer:

Contact Name:

E-Mail:

Phone:

Consultant/Main Contact name: Steve Smith - Ware Malcomb

Phone: (303) 689-1517

Address: 900 S. Broadway, Suite 320

City: Denver

State: CO

Zip Code: 80209

E-Mail: ssmith@waremalcomb.com

PLANNER AUTHORIZATION: (CITY USE ONLY)☒ Checklists ☒ Distribution Form ☒ Project Blurb ☒ E-mail to Admin. Initial Review Level: ☐ AR ☒ CPC ☐ DRB ☐ HP

Payment \$ 2,050.00

Assigned to: Tasha Brackin

Date: 11/13/2020

Receipt No.: 38437

City File No: CPC UV 20-00158



DEVELOPMENT PLAN, CONDITIONAL USE AND USE VARIANCE SUBMITTAL CHECKLIST

SUBMITTAL CHECKLIST: This checklist is intended to assist in preparing a complete plan that will address all City development standards, requirements, and review criteria. The following information must be included with the plan submittal. If justified, the City may exempt any requirement. *The Land Use Review Division may require additional information in accordance with City Code section 7.5.202.B.*

| <u>Applicant</u> | <u>Planner</u> |
|---|--------------------------|
| <input type="checkbox"/> General Development Application Form | <input type="checkbox"/> |
| <input type="checkbox"/> 1 copy of a Project Statement containing the following information: | <input type="checkbox"/> |
| 1. Description: Describe the project and/or land uses proposed; | |
| 2. Justification: Justify the approval of the project and address the review criteria listed at the end of this checklist; & | |
| 3. Issues: Explain how the issues identified during the pre-application process have been addressed or mitigated. | |
| <input type="checkbox"/> 1 copy of a Development Plan showing all "Plan Contents" below | <input type="checkbox"/> |
| <input type="checkbox"/> Mineral Estate Owner Notification Certification Affidavit (Public Hearing Items ONLY) | <input type="checkbox"/> |
| <input type="checkbox"/> All plans, documents, and reports uploaded to Dropbox folder (Planner to send folder invite link through email) | <input type="checkbox"/> |

REPORTS & STUDIES: (to be determined at the pre-application or LDTC meetings) *The reports and/or studies must be prepared by the appropriate qualified professional.*

| | |
|---|--------------------------|
| <input type="checkbox"/> 2 copies of a Geologic Hazard Study (EDRD & LUR) | <input type="checkbox"/> |
| <input type="checkbox"/> 2 copies of a Drainage Study (WRE) | <input type="checkbox"/> |
| <input type="checkbox"/> 2 copies of a Traffic Impact Analysis (EDRD) | <input type="checkbox"/> |
| <input type="checkbox"/> Submittal of the Hydraulic Grade Line (HGL) Request Form to Colorado Springs Utilities (CSU) | <input type="checkbox"/> |
| Email completed form and map to waterplanning@csu.org or fax to 719-668-5651 prior to application submittal. | |
| <input type="checkbox"/> Submittal of the Wastewater Facilities Master Report to Colorado Springs Utilities (CSU) | <input type="checkbox"/> |
| Email completed form and map to wwmasterplansubmit@csu.org prior to application submittal. | |

PLAN CONTENTS: All plans should be neat, clear, legible and drawn to a standard Engineer's scale. Inaccurate, incomplete, and poorly drawn plans may be rejected. Plans must not exceed 24 in. x 36 in. and should be folded no larger than 9 in. x 14 in. with the lower right-hand corner exposed.

Each **Plan Sheet** should show the following information:

| | |
|--|--------------------------|
| <input type="checkbox"/> Development Plan name | <input type="checkbox"/> |
| <input type="checkbox"/> City File Number | <input type="checkbox"/> |
| <input type="checkbox"/> Sheet number (i.e. 1 of X, 2 of X, etc.) | <input type="checkbox"/> |
| <input type="checkbox"/> North arrow | <input type="checkbox"/> |
| <input type="checkbox"/> Scale, both written and graphic | <input type="checkbox"/> |
| <input type="checkbox"/> Space for City stamp in the bottom right corner | <input type="checkbox"/> |

Provide the following information on the **Cover Sheet**:

| | |
|--|--------------------------|
| <input type="checkbox"/> Vicinity Map | <input type="checkbox"/> |
| <input type="checkbox"/> Sheet Index Map (for multiple sheets) | <input type="checkbox"/> |
| <input type="checkbox"/> Project name and description | <input type="checkbox"/> |
| <input type="checkbox"/> Owner, Developer, and Applicant name | <input type="checkbox"/> |
| <input type="checkbox"/> Date of preparation | <input type="checkbox"/> |
| <input type="checkbox"/> Total development plan area in acres or square feet | <input type="checkbox"/> |
| <input type="checkbox"/> Legal description | <input type="checkbox"/> |

PLAN CONTENTS: *continued from previous page*

| Applicant | Planner |
|---|--------------------------|
| <input type="checkbox"/> Site address, if known | <input type="checkbox"/> |
| <input type="checkbox"/> Tax Schedule Number | <input type="checkbox"/> |
| <input type="checkbox"/> Name of master plan and City File Number (if applicable) | <input type="checkbox"/> |
| <input type="checkbox"/> Name of concept plan and City File Number (if applicable) | <input type="checkbox"/> |
| <input type="checkbox"/> FEMA floodplain statement including community map number and date. Indicate whether the site is or is not located within a designated floodplain. | <input type="checkbox"/> |
| <input type="checkbox"/> Proposed land uses and buildings with respective footprint and gross square footage and/or acreage | <input type="checkbox"/> |
| <input type="checkbox"/> Notes describing any existing or proposed easements permitting the use of property by others | <input type="checkbox"/> |
| <input type="checkbox"/> Parking information: Indicate the City Code formula used for the total number of parking spaces, the number of compact spaces, and the number of handicapped spaces both required and provided. | <input type="checkbox"/> |
| <input type="checkbox"/> Zone district and any applicable conditions of record with City Ordinance number | <input type="checkbox"/> |
| <input type="checkbox"/> Notes describing additional standards for specific uses (if applicable) | <input type="checkbox"/> |
| <input type="checkbox"/> Notes describing any approved variances which apply to the property, including City file number and approval date | <input type="checkbox"/> |
| <input type="checkbox"/> Notes describing the project's inclusion within a special district, improvement incorporation and/or its subjectivity to a development agreement (if applicable) | <input type="checkbox"/> |
| <input type="checkbox"/> Notes describing the use, ownership and maintenance of common areas, tracts, no-build and/or preservation areas and easements (if applicable) | <input type="checkbox"/> |
| <input type="checkbox"/> Geologic Hazard Study disclosure statement (if applicable): "This property is subject to the findings summary and conclusions of a Geologic Hazard Report prepared by _____ dated _____, which identified the following specific geologic hazard on the property: _____. A copy of said report has been placed within file # _____ or within the subdivision file _____ of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Avenue, Suite 105, Colorado Springs, CO, if you would like to review said report." | <input type="checkbox"/> |
| <input type="checkbox"/> If within an airport overlay, the following note must be added: "The aviation easement dedicated herein for public aviation purposes, shall be considered a public easement subject to those terms and conditions as specified on the instrument recorded at reception no. 217069667 of the Records of El Paso County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect." | <input type="checkbox"/> |
| <input type="checkbox"/> Approximate schedule of development | <input type="checkbox"/> |
| <input type="checkbox"/> <u>Public Facilities</u> - A note shall be placed on the site plan making reference to the public facilities requirements for the installation and construction and/or contributions. | <input type="checkbox"/> |
| <input type="checkbox"/> <u>PUD Projects</u> : indicated the City ordinance number and approved land use types, maximum building heights and the intensity or density of development. | <input type="checkbox"/> |
| <input type="checkbox"/> <u>Residential Projects</u> : indicate the potential housing types and the number of lots and/or units, maximum density range, minimum lot area and width, minimum front, side and rear setbacks, maximum building height, and maximum lot coverage. Indicate the average lot size for DFOZ overlay and small lot PUD projects. | <input type="checkbox"/> |
| <input type="checkbox"/> <u>Non-residential Projects</u> : Indicate the potential land use types and approximate site area and building use, floor area, minimum lot area and width, minimum front, side and rear setbacks, building height and percent of lot coverage. Indicate the total percent of site covered with both structures and impervious surfaces. | <input type="checkbox"/> |

The following categories explain the **graphic components** required. The information may be shown on multiple sheets.

LAND USE:

| | |
|---|--------------------------|
| <input type="checkbox"/> City boundaries (when the development plan area is adjacent to a city boundary) | <input type="checkbox"/> |
| <input type="checkbox"/> Property boundaries and dimensions | <input type="checkbox"/> |
| <input type="checkbox"/> Existing and proposed lots and tract lines, with dimensions | <input type="checkbox"/> |
| <input type="checkbox"/> Existing and proposed land uses within the property boundaries. Include area, dimensions, and densities (if applicable). | <input type="checkbox"/> |
| <input type="checkbox"/> Existing and proposed zone district boundaries | <input type="checkbox"/> |
| <input type="checkbox"/> Existing and proposed public or private open space and common areas. Provide sizes and dimensions. | <input type="checkbox"/> |

PLAN CONTENTS: *continued from previous page.*

| Applicant | Planner |
|---|--------------------------|
| <input type="checkbox"/> Existing streams and other natural features as shown in the approved Land Suitability Analysis. Show preservation easements and/or protection areas. | <input type="checkbox"/> |
| <input type="checkbox"/> Existing historic sites and resources | <input type="checkbox"/> |
| <input type="checkbox"/> Existing and proposed topography at two-foot maximum contour intervals | <input type="checkbox"/> |
| <input type="checkbox"/> Show existing and proposed easements, indicating dimensions, use and maintenance information | <input type="checkbox"/> |
| <input type="checkbox"/> Location and dimensions of building and landscape setbacks and buffers | <input type="checkbox"/> |
| <input type="checkbox"/> Subdivision name labels for all lots adjacent to the site | <input type="checkbox"/> |
| <input type="checkbox"/> Show the locations of any water quality features | <input type="checkbox"/> |
| STREETS & ALLEYS: EXISTING | |
| <input type="checkbox"/> Existing and proposed streets, intersections, street names, classifications with the exact location and widths of right-of-ways and pavement types, curb types and other street improvements | <input type="checkbox"/> |
| <input type="checkbox"/> Identify all streets as "public" or "private" | <input type="checkbox"/> |
| <input type="checkbox"/> Show and label all access points to the property from adjacent streets and alleys | <input type="checkbox"/> |
| <input type="checkbox"/> Show and label all speed line of sight visibility areas at all street intersections | <input type="checkbox"/> |
| <input type="checkbox"/> All existing and proposed medians, traffic islands, traffic control devices, and roundabouts. Provide dimensions and size and identify maintenance responsibilities | <input type="checkbox"/> |
| <input type="checkbox"/> Show all existing and proposed acceleration and deceleration lanes, including dimensions, length and width | <input type="checkbox"/> |
| <input type="checkbox"/> Show any existing or proposed encroachments into the public right-of-way that require a Revocable Permit | <input type="checkbox"/> |
| <input type="checkbox"/> Provide typical cross-sections for all proposed streets and alleys | <input type="checkbox"/> |
| SIDEWALKS & TRAILS: EXISTING | |
| <input type="checkbox"/> Show all existing and proposed locations, dimensions and surface materials of all sidewalks, trail and bicycle pathways. Note the condition of these facilities. | <input type="checkbox"/> |
| <input type="checkbox"/> Show pedestrian ramps at all pedestrian crossings, at all intersections with reference made to City standard type | <input type="checkbox"/> |
| <input type="checkbox"/> Show any and all sidewalks connecting building entries to exterior and public sidewalks | <input type="checkbox"/> |
| <input type="checkbox"/> Show and label existing and proposed public improvement easements for sidewalks and pedestrian ramps outside of dedicated right-of-way areas | <input type="checkbox"/> |
| <input type="checkbox"/> For detached sidewalks, show the distance from the back of curb to the edge of sidewalk | <input type="checkbox"/> |
| <input type="checkbox"/> If applicable, show the size and location and provide a detail of bicycle storage/parking racks | <input type="checkbox"/> |
| INTERNAL TRAFFIC CIRCULATION, DRIVEWAYS, AISLES, & FIRE LANES: EXISTING | |
| <input type="checkbox"/> Provide location, grade, dimensions and pavement material for all access travel-ways including driveways, drive aisles, fire lanes, curb cuts, and intersections. Call out City standard details if within City right-of-way or easements. | <input type="checkbox"/> |
| <input type="checkbox"/> Show and label any access easements, existing or proposed | <input type="checkbox"/> |
| <input type="checkbox"/> Show the location and dimensions of all loading and maneuvering areas and stacking lanes. Provide pavement type, as well. | <input type="checkbox"/> |
| <input type="checkbox"/> Identify location and type of any curbs and/or sides of roadways and extents thereof to be marked as fire lane(s) | <input type="checkbox"/> |
| <input type="checkbox"/> For residential projects, indicate the minimum length of driveways from garage door to property line and to back of sidewalk | <input type="checkbox"/> |
| <input type="checkbox"/> Show any noise mitigation methods (i.e. sound barrier walls, etc.), if applicable | <input type="checkbox"/> |
| PARKING LOTS, AREAS, & SPACES: EXISTING | |
| <input type="checkbox"/> Location and dimensions of parking lots/areas and drive aisles. Indicate pavement material. | <input type="checkbox"/> |
| <input type="checkbox"/> Location and number of all regular, compact, and handicapped spaces and access aisles. | <input type="checkbox"/> |
| <input type="checkbox"/> Provide a typical or detail with dimensions of typical regular and compact parking spaces types | <input type="checkbox"/> |

PLAN CONTENTS: *continued from previous pages*

| Applicant | Planner |
|--|--------------------------|
| <input type="checkbox"/> Provide a detail with dimensions of typical handicap parking spaces, side aisles, ramp design and location, and signage | <input type="checkbox"/> |
| <input type="checkbox"/> Indicate the type of curbs and provide details for the perimeter enclosure for parking areas and landscape islands | <input type="checkbox"/> |

ADA SITE ACCESSIBILITY: EXISTING

- | | |
|---|--------------------------|
| <input type="checkbox"/> Provide ADA accessible route from public right-of-way with clear identification of the corridor (Note: 60% of all public entrances must meet the ADA Standards 206.4.1) | <input type="checkbox"/> |
| <input type="checkbox"/> Provide ADA accessible parking stalls (location and quantity with adjacent aisles and signage. Include clear identification of ADA route from stalls to designated ADA building entry) | <input type="checkbox"/> |
| <input type="checkbox"/> Provide ADA accessible ramps along all ADA accessible corridors | <input type="checkbox"/> |

Provide ADA Design Professional Standards notes on plan, per below:

- | | |
|---|--------------------------|
| <input type="checkbox"/> The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by the City of Colorado Springs does not assure compliance with the ADA or any other Federal or State accessibility laws or any regulations or guidelines enacted or promulgated under or with respect to such laws. Sole responsibility for compliance with Federal and State accessibility laws lies with the property owner. | <input type="checkbox"/> |
|---|--------------------------|

BUILDINGS & STRUCTURES:

- | | |
|--|--------------------------|
| <input type="checkbox"/> Indicate the use for all buildings | <input type="checkbox"/> |
| <input type="checkbox"/> Show the exact location, dimensions, footprint, size and height of buildings | <input type="checkbox"/> |
| <input type="checkbox"/> Show the exact distance to the closest property line(s) | <input type="checkbox"/> |
| <input type="checkbox"/> Location and type for all freestanding and low-profile signs | <input type="checkbox"/> |
| <input type="checkbox"/> Location, type, materials, size and height with detailed exhibits for all fences, retaining walls and sound barrier walls | <input type="checkbox"/> |
| <input type="checkbox"/> Location, type, materials, size and height with detailed exhibit for all trash enclosures | <input type="checkbox"/> |

BUILDING ELEVATION DRAWINGS: EXISTING

- | | |
|---|--------------------------|
| <input type="checkbox"/> Show all sides of the building, indicating height, scale, design, materials, and colors. <i>Note: The purpose for reviewing building elevations during development plan review is to ensure compatibility between the proposed structures and the surrounding properties. It is understood that the proposed building design will evolve and may not be finalized until time of building permit. At that time, the City will review the elevations for substantial compliance. Major changes may be considered administratively.</i> | <input type="checkbox"/> |
|---|--------------------------|

SITE LIGHTING: EXISTING

- | | |
|--|--------------------------|
| <input type="checkbox"/> Location of all site exterior light fixtures including freestanding and those attached to a building if known (if attached to a building, show also on the elevation drawings) | <input type="checkbox"/> |
| <input type="checkbox"/> Indicate the type of light (e.g. metal halide) | <input type="checkbox"/> |
| <input type="checkbox"/> Ensure all lighting is full cut-off and provide a detail of each light with mounting or pole height details, wattage and lumens of each fixture | <input type="checkbox"/> |
| <input type="checkbox"/> Show the type and location of existing and proposed street-lights, if this information is available | <input type="checkbox"/> |
| <input type="checkbox"/> A photometric plan may be required for certain uses that are adjacent to other less intensive uses, uses that are often extensively lit, such as gas canopies, convenience food stores, and auto sales. This plan will be required on a case by case basis, and the planner will notify the applicant as early in the process as possible | <input type="checkbox"/> |
| <input type="checkbox"/> If no exterior lights are proposed, then a note shall be added to specifically state that no site lighting will be provided for the project | <input type="checkbox"/> |

PHASING PLAN: N/A

- | | |
|--|--------------------------|
| <input type="checkbox"/> Phase area boundaries and sequence | <input type="checkbox"/> |
| <input type="checkbox"/> Provide phase timing and sequencing information for the construction of the project and the construction and installation of public utilities, facilities, and site improvements for each phase area. | <input type="checkbox"/> |
| <input type="checkbox"/> Show barriers at edges of each phase to prevent vehicles from entering and parking on unpaved areas (if applicable) | <input type="checkbox"/> |

ADDITIONAL PLAN COMPONENTS:

| <u>Applicant</u> | <u>Planner</u> |
|---|--------------------------|
| <input type="checkbox"/> Preliminary Grading Plan | <input type="checkbox"/> |
| <input type="checkbox"/> Preliminary Utility and Public Facility Plan | <input type="checkbox"/> |
| <input type="checkbox"/> Preliminary or Final Landscape Plan | <input type="checkbox"/> |
| <input type="checkbox"/> Coordinated Sign Plan (CSP) | <input type="checkbox"/> |
| <input type="checkbox"/> Hillside or Streamside Compliance Plan | <input type="checkbox"/> |
| <input type="checkbox"/> Land Suitability Analysis | <input type="checkbox"/> |

DEVELOPMENT PLAN REVIEW CRITERIA:

The City will review the development plan using the following criteria. A development plan shall be approved when the plan complies with all of the requirements of the zone district in which it is located, is consistent with the intent and purpose of the Zoning Code and is compatible with the land uses surrounding the site.

1. Will the project design be harmonious with the surrounding land uses and neighborhood?
2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development?
5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design?

CONDITIONAL USE REVIEW CRITERIA

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions, only if all three (3) of the following findings are made:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

USE VARIANCE REVIEW CRITERIA

The following criteria must be met in order for a Use Variance to be granted:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the petition would result in undue property loss; and
2. That such variance is necessary for the preservation and enjoyment of a property right of the petitioner; and also,
3. That such variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property.

November 12, 2020

City of Colorado Springs
Planning & Development Department

Land Use Review

Tasha Brackin - Senior Planner
30 S. Nevada Ave, #701
Colorado Springs, CO 80903

RE: Project Academy – 715 S. Academy Blvd
Project Statement

Ms. Brackin

On behalf of our client, thank you for receiving this Use Variance Submittal package for the property located at 715 S. Academy Blvd.

Project Description: The subject property is an existing concrete masonry, single story facility constructed in the 80's as a Sam's Club. The building had been used as retail up until the store closed in the fall of 2015 and has remained vacant ever since. The proposal for a Use Variance does not include any revisions to the existing site, building or infrastructure. The proposed tenant will be utilizing the space as a delivery station serving the surrounding neighborhoods and bringing approximately 115 jobs to the area. The building will be where customer orders are prepared for last-mile delivery to the surrounding neighborhood. These packages are small in nature and able to be handled by a single employee loading the vans for delivery. It is important to note that there is no high bay racking / high pile storage that would typically be found in an industrial distribution facility. As such, it is difficult to classify a delivery station within the current uses listed in the City of Colorado Springs Zoning Code.

In additional to the attached development plan, the following is in response to the required criteria stated on the Development Checklist:

1. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the petition would result in undue property loss.*

Response: As evident by the building being vacant for +/- 5 years, the demand for large box retail outlets have diminished with the increase in E-commerce. The number of big box users has shrunk as well so the likelihood of a similar use occupying this facility is small. Other than seasonal users for Halloween and Christmas, new tenants occupying existing +135,000 sf buildings are uncommon. Considering the zoning across S. Academy is C-6 and has broader allowance of uses than the PBC zone, it is becoming increasingly unlikely that a tenant fitting the current use will be found.

As the likelihood of finding a tenant that is allowed within the PBC zoning and needing such a large facility dwindles, the site will continue to fall into disrepair. Basic maintenance is being performed but the site primarily functions as a pass through for neighborhood traffic. This is a high-profile location located directly on S Academy Blvd which is part of a Great Streets Plan. The vision statement for this project is to 'Promote, support and adaptively redevelop the Academy Boulevard Corridor as a Great Street with access to alternate modes of transportation, public/private investment in business and residential development, and enhanced connectivity with the street, between land uses, and with neighborhoods'. It is contradictory to this vision statement to exclude a fitting use because it really has not been identified in the code.

WARE MALCOMB

ARCHITECTURE
PLANNING
INTERIORS

CIVIL ENGINEERING
BRANDING
BUILDING MEASUREMENT

'Warehouse and Distribution' as a use is probably the closest that would describe a delivery station. On one hand, both receive and convey goods but that is the extent of the similarity. 'Warehouse and Distribution' is only allowed in the Industrial zones per City code. This is standard for most urban jurisdictions as warehouse and distribution is typically served by large semi-trucks for both inbound and outbound product. The warehouses are designed for high pile storage in racks that will go up to +30' in height. Overall, industrial is segregated from commercial and residential zones partly because of truck traffic but also because they tend to be unsightly uses. The proposed delivery station will only use five of the existing dock positions and those will only be utilized for incoming packages in the early morning. All outgoing parcels are in small vans. There isn't the intense racking and product storage for the proposed use that would draw comparisons to warehouse and distribution.

2. That such variance is necessary for the preservation and enjoyment of a property right of the petitioner.

Response: As indicated, the marketplace is evolving and moving away from big box retail. By allowing a delivery station use, the existing facility will be able to house a function that has become vital to consumer activity at a neighborhood level. Otherwise, it remains likely that it will stay vacant.

3. That such variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property.

Response: The proposed delivery station use is actually very similar in terms of site use to that of the original Sam's Club. The building footprint will remain the same and is larger than typically needed to serve the surrounding area. The parking field located on the south side of facility will remain so the maximum number of vehicles parked on site will not be increased. Due to the larger footprint, van loading will take place inside the building which would be the only change to the site would it be necessary to perform this function outside. In addition, adding these types of facilities provides an increased support not only for nearby residents but also local businesses that are able to receive goods in a timelier manner. All packages are of a standard Class I-IV commodity, non-hazardous.

Ware Malcomb appreciates your consideration in this request and are looking forward to working with the City to move this forward. Please don't hesitate to reach out with any questions or concerns.

Sincerely,



Steve Smith
Senior Project Manager



PRE-APPLICATION MEETING SUMMARY

Area: South Date: 9/10/2020

Pre-Application No.: TKB-20-119

Applicant(s) Present: Steve Smith and team

Lot Size: 11.75 acres

Site Location: 715 South Academy

TSN: 6423202005

Project Description: Potential use of property for manufacturing or warehouse with office

Zone: PBC AO

APPLICATION(S) REQUIRED: ☐ No application to the Planning Department required

- | | | |
|---|--|---|
| <input type="checkbox"/> 2020 Land Use Map Amendment | <input type="checkbox"/> Development Agreement (PUD Zone) | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Administrative Relief | <input checked="" type="checkbox"/> Development Plan <input checked="" type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Subdivision Plat <input type="radio"/> PP <input type="radio"/> FP <input type="radio"/> PFP |
| <input type="checkbox"/> Amendment to Plat Restriction | <input type="checkbox"/> Historic Preservation Board | <input type="checkbox"/> Subdivision Waiver <input type="radio"/> Design <input type="radio"/> Process |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Master Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Use Variance <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Building Permit to Unplatted Land | <input type="checkbox"/> Minor Improvement Plan | <input type="checkbox"/> Vacation of Plat |
| <input type="checkbox"/> CMRS No. <input type="checkbox"/> | <input type="checkbox"/> Nonuse Variance / Warrant | <input type="checkbox"/> Vacation of Public Right-of-Way |
| <input type="checkbox"/> Concept Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Preservation Easement Adjustment | <input type="checkbox"/> Waiver of Replat |
| <input type="checkbox"/> Conditional Use <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Property Boundary Adjustment | <input type="checkbox"/> Zone Change |

Visit the Land Use Review Division website at www.coloradosprings.gov/planninginfo for application forms and checklists

MJ = Major Amendment, MN = Minor Amendment, and MM = Minor Modification

NEIGHBORHOOD ORGANIZATION:

Neighborhood Association/Contact: Crestline Heights; Lakewood Townhomes; Satellite Hotel; 15th+ ☐ Neighborhood Meeting

PUBLIC NOTIFICATION REQUIREMENTS:

Note: Applicant will be required to pay for postage at time of poster pick-up.

- | | | |
|---|---|--|
| <input type="checkbox"/> Pre-Application Stage | <input checked="" type="checkbox"/> Internal Review Stage | <input type="checkbox"/> Public Hearing Stage |
| <input checked="" type="checkbox"/> Postcard | <input checked="" type="checkbox"/> Poster | <input type="checkbox"/> No Public Notice Required |
| Buffer Distance: <input type="checkbox"/> 150 ft. | <input type="checkbox"/> 500 ft. | <input checked="" type="checkbox"/> 1,000 ft. |
| <input type="checkbox"/> Custom distance: _____ | | |

ADDITIONAL STUDIES/MATERIALS TO BE SUBMITTED WITH APPLICATION:

- | | | |
|--|---|---|
| <input type="checkbox"/> Geo-Hazard Report | <input checked="" type="checkbox"/> Traffic Impact Analysis | <input checked="" type="checkbox"/> Drainage Report |
| Contact: <u>Patrick Morris, 719-385-5075</u> | Contact: <u>Zaker Alazze, 719-385-5468</u> | Contact: <u>Jonathan Scherer, 719-385-5546</u> |
| <input type="checkbox"/> Hydraulic Grade Line | <input type="checkbox"/> Wastewater Master Facility Report | <input type="checkbox"/> Land Suitability Analysis |
| <input checked="" type="checkbox"/> Elevation Drawings | <input type="checkbox"/> Mineral Estate Owner Notification | <input type="checkbox"/> Other: _____ |

LDTG MEETING: ☒ Yes ☐ No

Date: Nov 4

Time: 9:45 am

COMMENTS: (This is a preliminary listing of issues and attention items; additional issues will likely surface as the application proceeds through the review process):

Considering use of property for warehouse or manufacturing; PBC zone does not allow such uses but does allow a "Business Park" use as defined per code: BUSINESS PARK: One or more buildings adaptable to a combination of office, light storage, distribution, and showroom uses, where a minimum of twenty five percent (25%) and a maximum of sixty five percent (65%) of the floor area is used for office space. If question arises about meeting minimum office space, determination by manager of "substantially similar use" may be requested - provide floor plan and project description for consideration.

Change in use requires a major Development Plan amendment; use checklist of submittal items found on planning web page for full list of entitlement submittal requirements. Image from Academy BLVD will be important and upgrading landscaping for compliance with code is necessary as well as providing landscape buffer between this use and the adjacent residential; landscape code sections provided at pre app meeting, ensure screening of stored vehicles and loading docks from adjacent rights-of-ways.

Drainage report requirements to be verified with Jonathan Scherer and will depend upon limits of disturbance. You may contact him and other engineering reviewers to determine other report requirements or if any public improvements such as sidewalks are needed

Opportunity and Enterprise Zones occur on property; contact Chelsea Gaylord in Economic Development for information: 385-6803
Property is in Community Development Target Area 4 - contact Katie Sunderlin for information: 385-5345

NOTE: The above information is intended to assist in the preparation of an application. This sheet is not a complete list of submittal requirements. Refer to the Zoning and Subdivision Ordinances and the appropriate application checklists for further information and details.

This form and the information contained herein is valid for 6 months.

Fee Estimate: \$4,036.00

Number of Plans: one printed and one electronic uploaded to dropbox

Tasha Brackin, AICP

Senior Planner
Land Use Review
Planning & Community Development

30 S. Nevada Avenue, Suite 701
P.O. Box 1575, MC 155
Colorado Springs, CO 80901-1575

Phone: (719) 385-5369
Fax: (719) 385-5167
tbrackin@springsgov.com

PLANNING & DEVELOPMENT DEPARTMENT
Project Notification Information

Date: November 13, 2020

Planner: Tasha Brackin

Planner email: Tasha.Brackin@coloradosprings.gov

Planner phone number: (719) 385-5369

Applicant Email: ssmith@waremalcomb.com

Applicant Name: Steve Smith

TSN: 6423202005

Site Address (to be used on postcard): 715 South Academy Boulevard

RAPID RESPONSE

PROJECT:

| | | | |
|--------------------------|---|-------------------------------------|---|
| <input type="checkbox"/> | Pre-application Notice | <input checked="" type="checkbox"/> | Standard Notification |
| <input type="checkbox"/> | Pre-application Neighborhood Meeting Notice | <input type="checkbox"/> | Standard with Neighborhood Meeting Notice |
| <input type="checkbox"/> | No notice | <input type="checkbox"/> | Poster only |

PUBLIC NOTICE:

- ☐ 150 feet ☐ 500 feet ☒ 1,000 feet
☐ Modified (attach modified buffer) ☐ No public notice

PROJECT BLURB

Provide a project blurb for each application type, adjust language as needed. Note code sections where applicable for variances. 727-751

Use Variance (new)

Request by Realty Income Properties 25, LLC, with representation by Ware Malcomb, for approval of a Use Variance to occupy and use the existing facility as a Delivery Station. If approved the proposed application would allow for the existing vacant facility to be utilized in a manner appropriate with the zone district and surrounding uses. The site is zoned PBC AO (Planned Business Center with Airport Overlay), is 11.75 acres in size, and is located at 715 South Academy Boulevard.

POSTCARD

Include 3-5 highlighted points to best describe the project.

- This project proposes a use variance to allow a Delivery Station in the PBC zone district.
- No new construction is proposed and the existing facility is vacant.

Neighborhood Meeting Information: N/A

- N/A

POSTER

Fill out applicable information below:

What type of project is proposed? (large bold letters on poster, approx. 35 characters):

Use variance to allow a Delivery Station to occupy the existing vacant building

Subtext (below bold letters, file number or additional information approx. 55 characters):

RAPID RESPONSE

Planning and Development Distribution Form

Use Variance

Directions: Planners select at least one check box under each section to determine the application distribution.

Planner Intake Date: 11/13/2020

Admin Receive Date: **11/13/20**

Project Name: New Use Variance for "Project Academy" Delivery Station

1. PUBLIC NOTICE: (see Project Blurb to establish noticing parameters)

2. Date buckslip comments are due (21 calendar days after submittal): November 25, 2020

3. HOA: (Note HOA number or write N/A) #74, #269, #129 and #130

(Add emails for HOA to mailing list if no email contact info)

4. STANDARD DISTRIBUTION:

☒ Include all standard distribution recipients (either check here or individually check boxes below)

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--|
| | <input type="checkbox"/> None | |
| 85 | <input type="checkbox"/> Utilities Development Services | Buckslips@csu.org |
| 9 | <input type="checkbox"/> Fire Prevention | Steven.Smith@coloradosprings.gov |
| 24 | <input type="checkbox"/> DR&S | SAPPLEGATE@coloradosprings.gov |
| 21 | <input type="checkbox"/> Michelle Ontiveros, CSPD (MC 1565) | Michelle.Ontiveros@coloradosprings.gov |
| 17 | <input type="checkbox"/> Cory Sharp, Land Surveyor (MC 155) | Cory.Sharp@coloradosprings.gov |
| 19 | <input type="checkbox"/> Century Link | Patti.Moore@CenturyLink.com Bea.Romero@centurylink.com Melissa.Spencer@CenturyLink.com |
| 77 | <input type="checkbox"/> CSU Customer Contract Administration | Buckslips@csu.org |
| 11 | <input type="checkbox"/> CSPD | bjones2@springsgov.com |
| 13 | <input type="checkbox"/> Parks & Recreation | Britt.Haley@coloradosprings.gov Constance.Schmeisser@coloradosprings.gov Emily.Duncan@coloradosprings.gov |
| 23 | <input type="checkbox"/> Enumerations | addressing@pprbd.org |
| 29 | <input type="checkbox"/> Flood Plain | Keith@pprbd.org |
| 98 | <input type="checkbox"/> USPS | Elaine.f.kelly@usps.gov |
| 45 | <input type="checkbox"/> Zaker Alazzeah, Traffic – School Safety | SAPPLEGATE@coloradosprings.gov |
| 65 | <input type="checkbox"/> Zaker Alazzeah, Traffic Eng (MC 460) | SAPPLEGATE@coloradosprings.gov |
| 48 | <input type="checkbox"/> Street Division | Corey.Rivera@coloradosprings.gov Cole.Platt@coloradosprings.gov |

| | | |
|----|---|--|
| | | |
| 60 | <input type="checkbox"/> Transit | Roger.Austin@coloradosprings.gov |
| 25 | <input type="checkbox"/> County Health Department | catherinemcgarvy@elpasoco.com |
| 88 | <input type="checkbox"/> Parking Enterprise | Scott.Lee@coloradosprings.gov |
| 3 | <input type="checkbox"/> CONO | rdavis@cscono.org |
| 92 | <input type="checkbox"/> Forestry | Jeff.Cooper@coloradosprings.gov |
| 30 | <input type="checkbox"/> Comcast | dale_stewart@cable.comcast.com Jason_Jacobsen@comcast.com DENNIS_LONGWELL@comcast.com WSTMWR_MDSubmissions@comcast.com |
| 56 | <input type="checkbox"/> PlanCOS | PlanCOS@coloradosprings.gov |

5. LANDSCAPE PLAN:

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--|
| | <input checked="" type="checkbox"/> None | |
| 35 | <input type="checkbox"/> Preliminary LS | Daniel.Gould@coloradosprings.gov Checklist, professional qualifications, alternative compliance request |
| 82 | <input type="checkbox"/> Final LS | Daniel.Gould@coloradosprings.gov Checklist, professional qualifications, alternative compliance request |

6. SCHOOL DISTRICT:

| ID# | Division Name | Email/Distribution Notes |
|-----|---|--|
| | <input checked="" type="checkbox"/> None | |
| 36 | <input type="checkbox"/> School District # 2 | mwilsey@hsd2.org |
| 68 | <input type="checkbox"/> School District # 3 | neald@wsd3.k12.co.us |
| 37 | <input type="checkbox"/> School District # 11 | johnstp@d11.org |
| 38 | <input type="checkbox"/> School District # 12 | cooper@cmsd12.org |
| 39 | <input type="checkbox"/> School District # 20 | tom.gregory@asd20.org |
| 69 | <input type="checkbox"/> School District # 22 | terryebert@ellicottschools.org |
| 41 | <input type="checkbox"/> School District # 49 | mandrews@d49.org |

7. MILITARY INSTALLATION (if within a 2 mile buffer):

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--------------------------|
| | <input checked="" type="checkbox"/> None | |
| | | |

| | | |
|----|--------------------------------------|--|
| 84 | <input type="checkbox"/> Fort Carson | john.j.sanders71.civ@mail.mil Thomas.j.wiersma.civ@mail.mil |
| 46 | <input type="checkbox"/> NORAD | Michael.kozak.2@us.af.mil Michael.Shafer.4@us.af.mil joseph.ems@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil |
| 26 | <input type="checkbox"/> USAFA | corine.weiss@us.af.mil craig.johnson.35.ctr@us.af.mil steven.westbay.ctr@us.af.mil elizabeth.dukes.3.ctr@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil |
| 75 | <input type="checkbox"/> Peterson | Michael.Shafer.4@us.af.mil Joseph.Elms@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil |

8. OPTIONAL DISTRIBUTION (Depending on Location of Site):

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--|
| | <input type="checkbox"/> None | |
| 59 | <input type="checkbox"/> StratusIQ – AKA Falcon Broadband | jlandis@stratusiq.com tking@stratusiq.com cotrin@stratusiq.com BLR & Flying Horse (ONLY) |
| 54 | <input type="checkbox"/> Budget/Finance – Fiscal Impact Analysis | budget@coloradosprings.gov For Major MP Amendments |
| 27 | <input type="checkbox"/> CDOT (adjacent to CDOT ROW) | Valerie.sword@state.co.us |
| 34 | <input type="checkbox"/> Colorado Geological Survey | cgs_lur@mines.edu |
| 33 | <input type="checkbox"/> SECWCD, Garrett Markus | garrett@secwcd.com |
| 18 | <input type="checkbox"/> Streamside Area Overlay | Tasha.Brackin@coloradosprings.gov |
| 15 | <input type="checkbox"/> Hillside Overlay | Kerri.Schott@coloradosprings.gov |
| 42 | <input type="checkbox"/> Historic Preservation Area Overlay | Daniel.Sexton@coloradosprings.gov |
| 44 | <input type="checkbox"/> Development Review Enterprise | Kurt.Schmitt@coloradosprings.gov Coordinated Sign Plans to Kurt if Submitted |
| 20 | <input type="checkbox"/> Airport | Kandrews@coloradosprings.gov |
| 63 | <input type="checkbox"/> El Paso County Dev. Services Division | NinaRuiz@elpasoco.com Review of Plans within ½ mile of a County/City Border |
| 43 | <input type="checkbox"/> Wescott Fire District (adjacent only) | admin@wescottfire.org |
| 5 | <input type="checkbox"/> Metro District | Metro District Email |

| | | |
|----|---|---|
| | | |
| 71 | <input type="checkbox"/> Falcon Fire Protection District | tharwig@falconfirepd.org |
| 72 | <input type="checkbox"/> Black Forest Fire Protection District | chief@bffire.org |
| 81 | <input type="checkbox"/> Broadmoor Fire Protection District | chief@broadmoorfire.com noalsperran@gmail.com |
| 80 | <input type="checkbox"/> CSURA – Urban Renewal | Jwalker@springsgov.com ; |
| 65 | <input type="checkbox"/> Kate Brady, Bike Planning, Traffic | Kate.Brady@coloradosprings.gov |
| 9 | <input type="checkbox"/> Fire Prevention, Jessica Mitchell | Jessica.Mitchell@coloradosprings.gov If DP, CP is accompanying an Annexation |
| 31 | <input type="checkbox"/> Housing and Community Development, Steve Posey | Steve.Posey@coloradosprings.gov Review of plans for all affordable housing proposals AND new proposals that would displace existing low income residents. |
| 53 | <input type="checkbox"/> UCCS Review – North Nevada Overlay zone | mwood@uccs.edu |
| 49 | <input checked="" type="checkbox"/> Chelsea Gaylord, Economic Development | Chelsea.Gaylord@coloradosprings.gov QOZ |
| | <input type="checkbox"/> Mike Kilabrew – ADA – Downtown Area | Michael.Kilabrew@coloradosprings.gov |

9. LAND USE REVIEW:

Hard Copy Full sized plans

| | | |
|--------------------------|---|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> Planner | Traffic Report, Drainage Report, Geo-Hazard Report |
|--------------------------|---|--|

Special notes or instructions: