



July 6, 2020

LETTER OF INTENT: SPACE VILLAGE APARTMENTS VARIANCE OF USE

Property/Owner Information:

OWNER: Elite Property Group, LLC
Address: 6875 & 6895 Space Village Drive
Colorado Springs, CO 80936
Parcel ID #: 54170-000-019
Zoning: CC (Commercial Community) District
Acreage: 0.628 acres (survey performed by Drexel, Barrell & Co.)

REQUEST:

Elite Property Group, LLC requests approval of a variance of use to permit the continued reuse of a multifamily residential housing within an existing motel structure in the CC zoning district. The structure contains a total of 22 units: 12 one – room (studio) units, & 10 two-room (efficiency) units. Each unit has a small kitchen and individual bathroom.

JUSTIFICATION

The motel building constructed in 1983 and was used to provide short term lodging and extended stay accommodations for travelling patrons, out of town/state contractors, and other short term/non-permanent guests. The variance will allow the long-term lease/occupancy of units for residential rather than transient daily/weekly occupancy.

A special use permit (AL-02-022) was approved April 2003 that recognized the non-conforming hotel/lodging use of the subject site, including adjacent hotel facilities currently under separate ownership and not included in this variance request. The current owner, Bridledale, LLC, purchased the property in 2013 and has continued its operation as a multifamily apartment use.

Major long-term development activity and master planning efforts are being considered on adjacent and nearby properties in and along the US Highway 24, State Highway 94, Meadowbrook Parkway, Peterson Road, Marshfield Road corridors, and Peterson Air Force Base. The multifamily use of the 22- unit building has responded positively to changing rental housing market and economic growth occurring adjacent to the site.

The applicant acknowledges responsibility to maintain compliance with applicable County, State or federal regulations air, water, odor or noise standards, and all other applicable requirements and/or Board imposed conditions of approval. A traffic memo prepared by

Is this meant to be Marksheffel Rd?
I did not find a Marshfield Road in the vicinity of the site.

Drexel, Barrell & Co. dated, July 2, 2020 has been submitted in support of the use variance. The finds that the "proposed change in use for this site, vehicular traffic will be more than adequately accommodated by the existing access locations and Space Village Avenue". Additional detailed review of traffic, drainage, and other plans and reports will be reviewed at the site development plan process and completion of the final plat for the property.

The attached variance site plan includes parking, circulation, open space, fencing, screening, and landscaping details associated with the site and use. Additional detailed site development plan review is required to demonstrate compliance with all applicable development standards of the Land Development Code under an administrative process. The existing infrastructure and levels of public service which have served the property is in use and adequate to support the multifamily residential use of the existing hotel/motel structure.

Review and Approval Criteria:

In approving a variance, the Board may consider the following:

- ***The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.***

Since the property can be used to provide short term lodging and housing as a hotel, the variance approval will permit the continued use of the property and units for longer term residential leases.

Strict application of the Code would require a residential rezoning of the property from the CC to the RM-30 multifamily zone, additional bulk, density, and dimensional variances approved by the Board of Adjustment, and potential recognition of legal non-conformities.

Rezoning the property to a residential land use shifts the burden of compliance with certain buffering and screening requirements to surrounding and adjacent commercial property owners to protect the residential property from future impacts commercial land uses and development within the immediate area. Approval of the variance retains the underlying commercial zoning and permits the BOCC to impose additional development or impact mitigating conditions on the approval and ongoing operation of the use on the site.

- ***The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;***

The conversion of the hotel use to multifamily housing is compatible with surrounding land uses in the immediate vicinity which are commercially zoned and include the following land uses:

- Value Inn & Suites: extended stay motel (lodging)
- Travel Lodge by Wyndham
- Loaf and Jug
- Kum & Go
- Colorado Military Academy
- Sandy's Restaurant
- The Sod Depot

The motel has provided short term lodging and extended accommodations for travelling patrons, out of town/state contractors, and other short term/non-permanent guests. The change in use authorizes the lease/rental of units for longer periods of time to a single tenant rather than requiring daily or weekly renewable leases. The continued occupancy of the units does not change, but rather fewer people are residing in the area for longer periods of time.

Continuation of the multifamily use within the existing hotel structure is not detrimental to development within the area.

Since the use has been in operation, the BOCC approved a service plan for the Peterson Gateway Metropolitan District which authorities include the financing design, and maintenance of gateway landscaping improvements surrounding the Peterson Rd/Space Village Drive/Highway 24 interchange, the Space Village 3 Final Plat, and development plan for a new gas station/convenience store at the Peterson/Space Village intersection. Approval of the variance has not been nor will be detrimental to development in the area. Approval of the variance will not be detrimental to the health, safety, or welfare of the inhabitants of the County or the area.

- ***The proposed use will be able to meet air, water, odor or noise standards established by during construction and upon completion of the project;***
The applicant, Elite Property Group, LLC, acknowledges responsibility to maintain compliance with applicable County, State or federal regulations air, water, odor or noise standards, and all other applicable requirements and/or Board imposed conditions of approval.
- ***The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;***

Elite Property Group, LLC acknowledges its responsibility to maintain compliance with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action

- ***The proposed use will not adversely affect wildlife or wetlands;***

The proposed use will not adversely affect wildlife or wetlands.

- ***The applicant has addressed all off-site impacts;***

All impacts with respect to meeting the variance application criteria have been addressed. Additional detailed review of traffic, drainage, and other plans and reports will be reviewed at the final plat and site development plan process.

- ***The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or***

The attached variance site plan demonstrates adequate parking, circulation, open space, fencing, screening, and landscaping associated with the site and use. Additional detailed site development plan review for compliance with all applicable development standards of the Land Development Code under an administrative process.

Studio/Efficiency units require 1.1 space per dwelling unit with an additional 1 parking space per 3 units for guest parking. The site contains 22 Units (1.1) = 24.2 (24) spaces required for residents with 7 (22units/3) guest spaces required. A total of 31 spaces is required to comply with on-site parking standards with two (2) additional accessible spaces to meet ADA accessibility standards. The plan provides a total 33 on-site parking spaces: 31 spaces to meet resident and guest parking and two (2) spaces for ADA compliance.

A concurrent request for a parking variance to permit 33 spaces (22 resident, 8 guest, & 3 ADA spaces to include a van accessible space), where 44 spaces are required based on an equitable consideration of the conditions affecting the property.

- ***Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.***

The existing infrastructure and levels of public service which have served the property will continue to provide services and are currently adequate to support the proposed (existing) multifamily residential use of the existing hotel/motel structure including future projected demands. Utilities and public services impacts are reviewed with additional detail with the final plat application process. A final plat is required to remedy the existing subdivision violations and to confirm the availability and adequacy

of required services needed to support the permitted and allowed land uses in the underlying zone or as otherwise authorized.

Water and wastewater service is provided by Cherokee Metropolitan District; electrical and gas services are provided by CSU. Emergency and fire protection services are provided by Cimarron Hills Fire Protection District. Police protection is provided by the El Paso County Sheriff Department.

Property History/Development Timeline

The following summary is presented for reference and background information purposes and not intended to be a complete land use history of the site.

- Portions of the property were zoned I-3 (Heavy Industrial) and C-1 (Commercial)
- PBP-83-002Z: rezoned CC (Community Commercial, formerly PBP) February 24, 1983
 - Split zoned (portions of property zoned I-3 and C-1)
 - Hotel/lodging were permitted uses in C-1
 - Staff encouraged zoning to PBP (Currently CC)
- PBP-83-017: Site Development Plan Approval which included:
 - 22,000 SF 70- unit hotel with conference and business facilities.
 - Two (2) extended stay lodges with suite/studio style units with kitchenettes and laundry facilities
 - Convenience commercial and retail
 - Lodging (hotel/motel/extended stay options)
 - Single story 20-unit building.
- BOA -83-074: approved dimensional variances necessary to mitigate limitations of zoning district with respect to existing development on the property. See attached for additional information.
- Hotel constructed in 1985 together with hotel on adjacent property (parcel ID No. 54170-00-020)
- Subject property in current configuration created Cir 1986 in support of development of hotels located on both the subject and adjacent parcel (not part of this application or associated with applicant and/or subject property.)
- SP-90-001: Approved as part of 4 lot preliminary plan
- 1991 County LDC amendments CC (Community Commercial) district required special use for hotel/lodging uses. Subject property becomes legal nonconforming use.
- AL-02-022: made nonconforming use as hotel conforming in new CC zone district