



January 27, 2020

LETTER OF INTENT: SPACE VILLAGE APARTMENTS VARIANCE OF USE

Property/Owner Information:

OWNER: Bridle Dale, 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.)

Per representative, if this has changed please amend here and throughout

REQUEST:

Bridle Dale, LLC requests approval of a variance of use to permit the continued reuse of an existing motel structure as multifamily residential housing in the CC zoning district. The structure contains a total of 22 units: 12 one (1) BR units, & 10 two (2) Bedroom 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. According to the records of the El Paso County Assessor’s Office, the site has been assessed residentially as an apartment building since 1994. Assessment of the site as multifamily residential apartments instead of commercial hotel/lodging by the Assessor does not imply approval of any land use changes on the property. This information is provided to demonstrate the actual land use of the property through historic Assessor’s records, the compatibility of the use with surrounding uses, and the ability of the site to continue operation as a multifamily use without any significant site alterations or improvements.

AL-02-022

A special use permit (AL-04-022) 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.

The applicant recognizes discrepancies in the land use history of the property resulting from undocumented or mis-documented and undisclosed use changes with respect to compliance with previous land use permits. The owner wishes to legitimize the continuous multifamily

A traffic memo (Refer to ECM appendix B) is required at this stage. Please submit a traffic memo with the re-submittal. Be sure to identify in the study the change in trip generation from the previously approved use to the proposed use.

residential use of the property since 1994, and to resolve outstanding zoning and subdivision violations resulting from decades of ownership changes and variations of the use of the property by previous owners over the last 26 years, including the last seven (7) years under the current ownership. The variance will permit the long-term lease/occupancy of units for residential rather than transient daily/weekly occupancy.

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. Additional detailed review of traffic, drainage, and other plans and reports will be completed during the site development plan process and final platting of the property.

The attached site plan includes parking, circulation, open space, fencing, screening, and landscaping details associated with the site and multi-family use for the variance application. Additional detailed site development plan review is required to demonstrate compliance with applicable development standards and BOCC conditions of approval. The existing infrastructure and levels of public utility services, including electric, water, and wastewater services, 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 may 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. Approval of the variance would prevent the displacement of residents, many of whom have lived on the property for several years.

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;***

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

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 Hotel/Motel use permits 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.

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, Bridle Dale, 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;***

- Bridle Dale, LLC acknowledges its responsibility to maintain compliance with all conditions of approval assigned to the variance permit, alternate parking ratio, other applicable requirements of this Code and all applicable County, State and federal regulations.

- ***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 depicts the parking, circulation, open space, fencing, screening, and landscaping associated with the site and use. Traffic circulation, open space, fencing, screening, and landscape buffers and setbacks are adequate for the proposed use. The site does not; however, meet the current parking requirements for a multifamily use. The applicant is requesting approval of an alternate parking ratio which is discussed in more detail below.

The original development plan approval included a parking ratio for motels/hotels of one (1) space per lodging unit. A total of 22 spaces were provided for patrons, with additional spaces for non-patron guests and ADA parking.

Multifamily parking ratios require 1.5 spaces per single bedroom unit and 1.7 per two-bedroom unit. Under this ratio, 18 spaces are required for the 12 single-bedroom units

and 17 spaces are required for the 10 two-bedroom units for a total of 35 resident spaces.

One (1) space per three (3) units is required for guest parking for a total of 7 guest spaces (22units/3= 7.33 spaces, rounded down to 7 spaces). ADA requires 2 compliant spaces where 26 to 50 standard spaces are required.

A total 44 spaces are required (35 resident spaces, 7 guest spaces, 2 ADA compliant spaces) are required to meet the multifamily parking ratios. The site does not support the addition of spaces beyond what currently exists.

Alternate Parking Ratio/Compliance Request: The applicant proposes an alternate use of the historic hotel parking ratio of 1 space per unit instead of the multifamily parking ratios. Application of this ratio, requires 22 resident spaces, seven (7) guest spaces, and two (2) ADA compliant spaces. The plan maintains the previous parking ratios with the addition of a third ADA complaint parking space as depicted on the site plan.

Landscaping areas have been identified to provide the required 15% open space requirements. 8,377 SF open space has been provided where 4,144 SF is required. Additional landscaping for screening and buffering will be provided at the site development plan for compliance review against the landscape code and any additional landscaping related as a condition of approval.

- **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.

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.

provide a discussion to the need of the final plat that is required for the lot

Provide justification, is there a shared parking agreement with the neighbor?