



PLANNING COMMISSION STAFF REPORT

REZONING CASE: SU-18-003 **REPORT DATE:** November 5, 2018

CASE NAME: Prestige Imports – Long Term Temporary Use **PLANNING COMMISSION DATE:** December 5, 2018

ADDRESSES OF SUBJECT PROPERTIES: 8600 & 8630 W. Colfax Ave. Lakewood, CO 80214 **Parcel Identification Numbers:** 49-031-00-011, 49-031-00-020, 49-031-00-021

APPLICANT: Scott West
Prestige Imports, Inc.
9201 W. Colfax Ave.
Lakewood, CO 80215

REQUEST:

The applicant is requesting a Long-Term Temporary Use (LTTU) Permit to allow for the temporary storage of vehicles in the Mixed-Use Neighborhood Urban (M-N-U) zone district. Per Section 17.2.4.3 of Lakewood's Zoning Ordinance, the Planning Commission makes final decisions on LTTU applications.

CITY STAFF:

Stephen Wilson, Planning – Development Assistance
Keith Hensel, Engineering Development Assistance

STAFF RECOMMENDATION:

That the Planning Commission approve Long-Term Temporary Use Permit Case No. SU-18-003 to allow for the parking of vehicles, subject to the conditions listed in the staff report and Planning Commission resolution.

Stephen Wilson, Principal Planner
Planning – Development Assistance

Paul Rice, Manager
Planning – Development Assistance

ATTACHMENTS TO THE REPORT:

Attachment A – Conceptual Land Use Plan
Attachment B – Vicinity Map
Attachment C – Zoning Map
Attachment D – Neighborhood Meeting Summary

I. SUMMARY OF REQUEST

The applicant is requesting approval of a Long-Term Temporary Use Permit to allow for the parking of vehicles on a property that is zoned Mixed-Use Neighborhood Urban (M-N-U). The purpose is to allow for the parking of inventory automobiles while a permanent solution is developed.

Existing vehicles are already parked on-site per the approved by the Long Term Temporary Use that was approved in 2016 by the Planning Commission, and extended in 2018 by the Planning Director. The extended Long Term Temporary Use will expire in on January 20, 2019 and the applicant is aware that if a second long-term permit is not approved, the vehicles will have to be moved off the site.

The subject property is roughly 'L' shaped, is approximately 2.3 acres in area and was previously vacant. There is an existing Nonconforming Use Certificate for Minor Motor Vehicle repair and the storage of vehicles is not allowed without a temporary use permit.

The applicant has already improved the property by cleaning-up items that were dumped illegally, mowing the weeds and installing security fencing. The existing paved surface is acceptable as an all-weather surface as determined by Lakewood Code Enforcement and Lakewood Engineering.

II. PROCESS

As described in Section 17.4.3.BB (page 4-26) of the Lakewood Zoning Ordinance, a Long-Term Temporary Use (LTTU) permit may be approved by the Lakewood Planning Commission subject to the special use process described in Article 2.

Approval of the LTTU by the Planning Commission will authorize the parking of vehicles on-site at 8600 & 8630 for a period of two years and the Planning Director may authorize an extension of up to six additional months. At the end of that time, the applicant must move the vehicles off-site or apply for an additional LTTU.

The applicant has followed the special use procedures as specified in Article 2 of the Lakewood Zoning Ordinance and these procedures include the submittal of a preplanning application, holding a neighborhood meeting, submitting a formal application and requesting a public hearing before the Planning Commission.

There are supplemental standards specific to LTTU's listed in Article 4, Section 17.4.3.1.BB of the Zoning Ordinance. The supplemental standards are summarized as follows:

1. The Director may recommend approval for two years and may approve one extension for up to 6 months.
2. Parking for the LTTU shall be determined by the Director to be consistent with other similar uses as identified in Article 8 (Parking & Loading Standards).
3. The LTTU shall be subject to the special use process.

The applicant has addressed the supplemental standards and the Conceptual Land Use Plan (Attachment A) shows the basic layout of the parking as well as recommended conditions of approval. No additional site plan will be required unless the applicant proposes changes to the site and if approved, this LTTU will expire on January 20, 2021.

III. ZONING AND LAND USE

	North	South	West	East
Adjacent Zoning Designation	Mixed-Use General Suburban (M-G-S)	Mixed-Use Neighborhood Urban (M-N-U)	Mixed-Use Neighborhood Urban (M-N-U)	Mixed-Use Neighborhood Urban (M-N-U)
Adjacent Land Uses	Retail & Recreation Center	Office	Retail	Retail

See Attachment B - Vicinity Map and Attachment C - Zoning Map.

The subject property consists of three parcels and both structures are located on the parcel fronting on W. Colfax Avenue. There is an existing abandoned drive-in restaurant, the old A&W, that will remain as-is for now and the second structure will be used for minor motor vehicle service.

IV. PUBLIC NOTIFICATION, AGENCY REVIEW AND NEIGHBORHOOD COMMENTS

Notices for the neighborhood meeting and for the Planning Commission public hearing were mailed to 157 tenants and owners of property within 300 feet of the subject property and were mailed to four registered neighborhood organization located within 1/4-mile of the subject property as required by the Lakewood Zoning Ordinance.

The case materials were sent to outside agencies for review but no significant comments were received because no major site improvements are proposed.

The neighborhood meeting was held on September 4, 2018 and 1 person attended (See Attachment D). The attendee, Bill Marino, was supportive of the proposal and expressed support from other business owners in the area based on a conversation at the West Colfax Community Association meeting.

V. ANALYSIS

Article 2 of the Lakewood Zoning Ordinance provides specific review criteria for Special Use Permits. Each review criterion is shown below in bold text and staff's analysis follows each criterion in standard text. The following is a summary of staff's analysis.

A. The proposed special use is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance.

The supplemental standards for a Long-Term Temporary Use will be satisfied with the Planning Commission review.

B. The proposed special use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance.

As no major site improvements are proposed so the standards in Article 5 do not apply to this proposal.

C. The proposed special use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance.

As no major site improvements are proposed, the standards in Article 7 do not apply to this proposal.

D. The proposed special use is consistent with the Comprehensive Plan and other adopted City plans.

The LTTU is consistent with the Comprehensive Plan because it supports the goal to encourage investment in Lakewood. And, the LTTU will support other City plans that support the evolution of the historic corridor in a way that aligns with the vision and values of the community.

E. The proposed special use will not substantially impair the appropriate use or development of adjacent property.

Because there is an existing acceptable all-weather surface on-site and the applicant is not proposing any expansion of impervious area, drainage and run-off are not anticipated to change. The proposed LTTU is not anticipated to impair the appropriate use or development of the adjacent properties.

VI. FINDINGS OF FACT AND ORDER

Based upon the information and materials provided by the applicant, the neighborhood meeting and the staff report, staff supports the LTTU request. Therefore, the City of Lakewood staff recommends that the Planning Commission find that:

1. Scott West, Prestige Imports, Inc, is requesting approval of a Long-Term Temporary Use Permit to allow for the long-term temporary storage of inventory vehicles; and
2. Notice of the public hearing was sent to the fee owners of the property and residents within 300 feet of the site and registered neighborhood associations within ¼ mile of the site as required by the Lakewood Zoning Ordinance; and
3. Notice of the public hearing was posted on site and published in the newspaper of record, as required by the Lakewood Zoning Ordinance; and
4. The proposed vehicle storage use (surface parking lot) is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance; and
5. The proposed use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance; and
6. The proposed use is consistent with the applicable design standards set forth in Article 7 of the Zoning Ordinance; and
7. The proposed vehicle storage use (surface parking lot) will not substantially impair the appropriate use or development of adjacent property.

THEREFORE

The Planning Commission adopt the findings of fact and order as presented in the staff report and **APPROVE** Case No. SU-18-003 as a Long-Term Temporary Use Permit as required under the Zoning Ordinance, with the following conditions:

1. The Long-Term Temporary Use will expire on January 20, 2021 and vehicles must be removed from the site unless an extension is granted by the Planning Director.
2. There will be no transport/truck access to the site.
3. No parking area surface changes are allowed without review and a permit.
4. The site will be maintained weed-free and the drainage facilities will be maintained.

Cc: Case File: SU-18-003
Scott West