



City of Colorado Springs

Plaza of the Rockies
South Tower, 5th Floor
Blue River Board Room
121 S Tejon St, Colorado
Springs, CO 80901

Meeting Minutes - Draft Planning Commission

Thursday, December 16, 2021

8:30 AM

Hybrid Meeting - Open to Public
Call 720-617-3426 Conf ID: 815 137 01#
Blue River Board Room

Colorado College

- 7.A. CPC MP 97-00261-A7 MN21** A minor amendment to the Colorado College Master Plan adding multiple properties on the block bound by East Dale Street, North Weber Street, East Cache la Poudre Street, and North Nevada Avenue

(Quasi-Judicial)

Related Files: CPC ZC 21-00084, CPC DP 21-00085

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community Development Department
Peter Wysocki, Planning Director, Planning and Community Development Department

Commissioner Jim Raughton recused himself as he was the former chair of the Fine Arts Center trustees and has had ongoing discussions with the administration of Colorado College relative to the removal of murals painted 85 years ago, he was under sanction from Colorado College because of the position taken.

Commissioner Andrea Slattery recused herself from this project as Colorado College is a client of her employer.

Staff presentation:

Michael Tassi, City Planning, presented a PowerPoint with the scope and intent of this project.

Background

- Site located on the block bound by N. Weber, E. Dale, N. Nevada, and E. Cache la Poudre
- 1.57-acre site
- Zoned C5 and R4
- Owned and used by Colorado College

Proposal

- Amend the College Master Plan to add subject properties
- Establish SU (Special Use) zone

- Gain approval of development plan
 - Documents existing conditions and uses
 - No redevelopment or changes

Master Plan Application

- Initial City-approved Master Plan for Colorado College approved in 1997
- Multiple Amendments over the last 20+ years
 - Many were to add properties and establish SU zoning
 - Others to change uses or redevelop portions of campus

Zone Change Application

- Most College properties have SU zoning
 - SU falls under residential district types
 - "Accommodates primarily colleges or universities and those uses customarily associated with and in close proximity to those institutions"
- SU to replace C5 and R4 for nine College owned parcels
- Total area = 1.57 acres
- The SU zone has slightly different development standards than C-5 or R-4
- Slightly less flexibility & density than the C-5 zone
- Slightly more flexibility & density than the R-4 zone
- Proposed change would provide consistency with the rest of campus

Development Plan Application

- The DP supports the zone change
- Illustrates existing conditions
- No redevelopment proposed on the plan
- Future redevelopment or change of uses trigger DP amendment

Stakeholder Notice

- Two Pre-Submittal meetings with stakeholders
- Formal Public notice at:
 - Application Submittal
 - Prior to Planning Commission
- Notices sent to 263 property owners within 1,000'
- Numerous written public comments received (Figure 4)
- All standard City Agencies have reviewed and support the application
- Stakeholder comments in favor and opposed to the proposed applications.
- Most opponents cited:
 - Campus encroachment into neighborhood
 - Preservation of residential properties
 - Historic preservation
 - Supply of SU zoned properties
 - Uncertainty of Retool outcome

Analysis

- CC has operated since 1874
- The subject properties are owned by CC
- Located immediately east and south of primary campus
- The area is mixed use
- No changes are proposed on the subject properties
- All three applications have multiple review criteria
- Staff report includes analysis on required criteria
- Staff finds that the applications are:

- Consistent with PlanCOS
- Consistent with College and Downtown Master Plans
- Consistent with required review criteria

Recommendation

Recommend to City Council the approval of the proposed master plan amendment, zone change to SU, and development plan based on the findings that the applications meet the required criteria.

Technical Modifications on development plan

Applicant Presentation:

Chris Lieber with N.E.S presented a PowerPoint with the scope and intent of this project along with:

Amber Brannigan, Vice President of Facilities for Colorado College
Clay Matlock, Colorado College

Supporters:

Susan Edmondson, President/CEO of Downtown Partnership

- Submitted a letter of support
- Supports this application because it is in alignment with Experience Downtown Master Plan, as well as other community plans
- This resolves some issues with non-conformance
- Works in complementing the surrounding blocks
- Colorado College has a long record of engaging the neighborhood with any changes
- To the comment about having CC wait until RetoolCOS is completed: This could have a chilling effect on many projects that need to move forward in Colorado Springs. As a community, we cannot freeze all the important work going on as we wait for a process to be completed

Opponents:

Dutch Schulz, President of the Old North End Homeowners Association

- Special Use zoning is too broad and allows almost anything
- Requesting the SU zoning be granted but restricted to certain uses
 - Protects the adjacent residential properties
 - Historic nature of the district
- Need to protect and preserve these properties
 - College could remove buildings if it does not suit the colleges use

Cheryl Brown, on the Board of the Near North End Neighborhood Association

- SU zoning gives too much flexibility to Colorado College to do what they want
- Fear Colorado College as a neighbor
 - Don't follow through with things for the neighborhood
 - 809 N Nevada Ave was sold after construction of Robson Arena because it took away their views
 - 802 N Weber - Pandemic gave Colorado College the opportunity to purchase the neighborhood's beloved studio
 - CC purchased entire block with no master plan to let the

neighbors know what is going on

- CC converted the backyards of homes on Weber into a 50-car parking lot and the lights in the parking lot shine into the homes all night
- Photo of a home on Dale Street showing dilapidated state
- Leave it as residential

Dianne Bridges, Chair of Historic Neighborhoods Partnership

- SU zoning is too broad allowing for building and structures not congruent or consistent with adjacent historic residential neighborhood
- Request two stipulations if the SU zone is approved
 - Written statement to preserve the historic nature of the properties, not just now but for the future
 - Written statement to limit the SU uses to Student Residential, Office, Academic, and Educational options for the property for now and the future

Rebuttal:

Chris Lieber, N.E.S.

- Mr. Lieber pointed out there are several uses in the SU zone and C5 zone that are not acceptable to the college and nor would they be acceptable to the neighborhood
 - The college has no interest in mining
- Any change of use would require a development plan with the City, in which the neighborhood would also be notified allowing them to make comments
- To the comment that a change of zone would allow the college to demolish buildings in this area:
 - Across our community, whether it is the college or anyone else, a simple demolition permit allows the removal of a building or a structure and has nothing to do with zoning or uses
- Response to photo of the dilapidated structure on the south side of Dale:
 - Mr. Lieber explained that a similar condemned structure was purchased by the college and the college greatly improved that site
 - Twenty-four raccoons were live captured and relocated from that site
 - The college is very much interested in the quality of, not just on campus, but the surrounding neighborhood
- Response to residential units' backyards being converted to a parking lot
 - Prior to the purchase of the college purchasing those units, they were predominantly privately owned student rental units
 - There was a significant parking issue on that block and the neighborhood approached the college asking what would be done regarding the parking issue now that the college owned those units
 - CC removed the condemned home and constructing a parking lot in the center of the lot to provide relief
 - CC also worked with the neighborhood on parking when Robson

Arena had events

- General public cannot use that parking lot and can only be used by event staff
- City Staff asked for a note on the development plan that acknowledges the Weber/Wahsatch Historic District, which has been added

Questions:

N/A

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Rickett explained he has tried to be consistent with projects where there is a zone change and there are people in the surrounding area who looked at the zoning of the area, that he would take into consideration their thoughts on allowing the zone change. In this case, the neighbors have brought up good questions and asked as part of the rezoning proposal if the commission could put the restrictions in place that the neighbors have asked for.

Mr. Ben Bolinger, City Attorney, said the commission was making a recommendation to City Council, so the commission could recommend certain uses that might be allowed in the zone, or not be allowed in this case.

Commissioner Almy said hearing the presentations today, he felt the Historic overlay would be honored going forward and any change to any allowed use would require review within the community for approval. Commissioner Almy with that being the case, he would be in favor of approving this project.

Commissioner Hente said in his experience with reviewing applications from the college is that the college keeps their word. If they say they are going to make a change, they do it within the City's guidelines. Commissioner Hente said he will be in support of these applications.

Commissioner Rickett made a motion on the zone change to recommend approval to City Council the zone change from the C5 (Intermediate Business) and R4 (Multi-Family Residential) zones to the SU (Special Use) District, based upon the finding that the application complies with the review criteria in City Code Section 7.5.603.B. with the following conditions:

The zoning conforms with the existing uses being administrative office, dormitory, parking, and college/university uses.

This motion failed for lack of a seconder.

Motion by Commissioner Almy, seconded by Commissioner Wilson, to recommend approval to City Council the minor amendment to the Colorado College Master Plan, based upon the finding that the amendment complies with the review criteria in City Code Section 7.5.408. The motion passed by a vote of 7:0:2:0

Aye: 5 - Vice Chair McMurray, Commissioner Wilson, Chair Hente, Commissioner Rickett and Commissioner Almy

Absent: 2 - Commissioner Graham and Commissioner Eubanks

Recused: 2 - Commissioner Raughton and Commissioner Slattery

**7.B. CPC ZC
21-00084**

An ordinance amending the zoning map of the City of Colorado Springs relating to 1.57-acres located on the block bound by East Dale Street, North Weber Street, East Cache la Poudre Street, and North Nevada Avenue from the C5 (Intermediate Business) and R4 (Multi-Family Residential) to SU (Special Use) zone

(Quasi-Judicial)

Related Files: CPC MP 97-00261-A7MN21, CPC DP 21-00085

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

FIRST MOTION:

Motion by Commissioner Rickett to recommend approval to City Council the zone change from the C5 (Intermediate Business) and R4 (Multi-Family Residential) zones to the SU (Special Use) District, based upon the finding that the application complies with the review criteria in City Code Section 7.5.603.B. with the following conditions:

The zoning conforms with the existing uses being administrative office, dormitory, parking, and college/university uses.

This motion failed for lack of a seconder.

SECOND MOTION PASSED:

Motion by Commissioner Almy, seconded by Commissioner Wilson, to recommend approval to City Council the zone change from the C5 (Intermediate Business) and R4 (Multi-Family Residential) zones to the SU (Special Use) District, based upon the finding that the application complies with the review criteria in City Code Section 7.5.603.B. The motion passed by a vote of 4:1:2:2

Aye: 4 - Vice Chair McMurray, Commissioner Wilson, Chair Hente and Commissioner Almy

No: 1 - Commissioner Rickett

Absent: 2 - Commissioner Graham and Commissioner Eubanks

Recused: 2 - Commissioner Raughton and Commissioner Slattery

**7.C. CPC DP
21-00085**

The Weber and Dale Development Plan for Colorado College covering multiple properties on the block bound by E. Dale St., N. Weber St., E. Cache la Poudre St., and N. Nevada Ave. and totaling 1.57-acres.

(Quasi-Judicial)

Related Files: CPC MP 97-00261-A7MN21, CPC ZC 21-00084

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

Motion by Commissioner Almy, seconded by Commissioner Wilson, to recommend approval to City Council the Weber and Dale Development Plan, based upon the finding that the application complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

- 1. Update the plan to include sheet numbers on all sheets.**
- 2. Update the parking table to ensure that all properties use City standard use and parking categories.**
- 3. Gain final acceptance of the drainage report**

The motion passed by a vote of 5:0:2:2

Aye: 5 - Vice Chair McMurray, Commissioner Wilson, Chair Hente, Commissioner Rickett and Commissioner Almy

Absent: 2 - Commissioner Graham and Commissioner Eubanks

Recused: 2 - Commissioner Raughton and Commissioner Slattery