

## Project Statement

City of Colorado Springs Zone Change Application

Property Address: 315 East Dale Street, Colorado Springs, CO 80903

### Description of Proposed Zone Change

The property owner is requesting a zone change from the existing zoning of R-5 to OR for the property located at 315 East Dale Street in downtown Colorado Springs.

### Justification for Zone Change Request

When the current owner purchased the property in September of 2009, Planning Department staff advised that the property was zoned OR. The owner was subsequently notified by Planning staff that the property was in fact zoned R-5, not OR. The confusion appears to have stemmed from a discrepancy in City zoning maps. A timeline of the zoning history for the subject property follows below:

- Pre-1993 – subject property shown as R-5 on zoning maps
- 1994 – adjacent property at 731 N. Weber rezoned from OR/CR to OR via ordinance 94-221
- 1996 – zoning map illustrates the subject property at 315 E. Dale as OR; a review of the zoning ordinances between 1994 and 1996 revealed no ordinances changing the zone for 315 E. Dale
- 1996-2008 – City zoning maps illustrate the property as OR
- Current paper maps at Land Use Review department front counter (dated 2012) illustrates a unique district for the subject property but has no labels – the property is not identified as OR, R5 or any other use.
- Current GIS maps label the property as R5

While the legal zoning for the property would be R5 since there is no evidence that it was ever changed, it has been in use as a home office since its purchase in 2009. The surrounding properties present no uniform zoning pattern for the neighborhood, and include a variety of zoning designations including OR-CU, R2, R5, CU, OR, R4 and UV. The predominant use for surrounding properties is office/commercial, which is the highest and best use for the subject property at 315 E. Dale as well.

Given the overall commercial character of the neighborhood, the value of the property is highest if sold with an OR zoning designation that allows for consistent use with the surrounding properties. It is unlikely that the property would be as appealing as a residential dwelling when surrounded by office and commercial owners, which has a significant negative impact on value as a residential property. Granting the OR zoning would remedy this issue and allow the property to be conveyed with zoning consistent with its highest and best use.