

CITY PLANNING COMMISSION AGENDA
December 19, 2019

STAFF: MATTHEW FITZSIMMONS

FILE NOS:
CPC PUZ 19-00087 – QUASI-JUDICIAL
CPC PUD 19-00088 – QUASI-JUDICIAL

PROJECT: 532 W. COLORADO APARTMENTS

OWNER: DESIRABLE HOLDINGS, LLC

APPLICANT: LAND PATTERNS, INC.



PROJECT SUMMARY:

1. **Project Description:** The project includes concurrent applications for a PUD zone change and a PUD development plan; a waiver of replat is being reviewed administratively. The project is herein referred to as “532 West Colorado Avenue.” The property associated with this project is 0.44 acres in size and is located at the northeast corner of West Colorado Avenue and South Chestnut Street. The property is within a developed commercial and residential area.

The proposed rezone will change the current zoning for the subject property from C-6 (General Business) to a PUD (Planned Unit Development: multi-family residential development, maximum density of 114 dwelling units per acre (not to exceed 50 units) and 60-foot maximum building height). The associated PUD Development Plan illustrates the details of the development.

2. Applicant's Project Statement: **(Refer to FIGURE 1)**
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the applications as proposed with technical modifications listed in the proposed motions.

BACKGROUND:

1. Site Address: 532 West Colorado Avenue
2. Existing Zoning/Land Use: C-6 (General Business) / Currently a parking lot
Surrounding Zoning/Land Use: **(Refer to FIGURE 2)**
North: C-6 (General Business) / Single Family Residential
East: C-6 (General Business) / Commercial use including: Tattoo Parlor, Secondhand Shop, Vacant, and Proposed Bar.
South: C-6 (General Business) / Construction Equipment Rental, Tattoo Parlor
West: C-6 (General Business) / Medical Marijuana Dispensary, Motel, Parking lot
3. Annexation: Town Of Colorado Springs – 1872
4. PlanCOS Vision: This is an infill project located at the eastern edge of the Westside neighborhood on the PlanCOS vibrant neighborhood map. The site is just outside of the Downtown and "Reinvestment Area and Community Hub" areas on the Plan's Unique Places map. West Colorado Ave. is identified as a Multimodal Corridor on the Plan's Strong Connections Framework map.
5. Master Plan/Designated Master Plan Land Use: The Westside Plan - 1980
6. Subdivision: Parrish's Addition to the City of Colorado Springs - 1874
7. Zoning Enforcement Action: None
8. Physical Characteristics: The project site is a flat paved parking lot with access to West Colorado Avenue on the south side and an alleyway on the north side.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to 216 property owners within 1,000 feet of the site by way of postcards mailed on three occasions:

1. During the internal review stage,
2. Prior to the neighborhood meeting, and
3. Prior to the Planning Commission hearing.

The site was also posted during the three occasions noted above. City Planning Staff received comments from about 7 residents regarding the project. Copies of the emails are attached **(FIGURE 3)**.

About twenty stakeholders attended the neighborhood meeting that was held on September 5, 2019. The Applicants presented their updated plans to the audience and then answered questions. All but a few of the stakeholders opposed the project proposal for a variety of reasons. These include, but are not limited to:

- Parking:
 - The current site is a parking lot that is used by neighboring businesses. This project would eliminate these parking spaces and make it harder for those businesses to find parking for their employees and customers.
 - This project will further increase the demand on the parking in the neighborhood. Many residents and business owners believe that there is currently not enough parking and this project will worsen the situation.
- Size: The size and scale of the building is out of character with the neighborhood and will block views of the mountains.
- Design: The modern design of the building does not fit into the eclectic and historic character of the surrounding West Side neighborhood.
- Density: There will be too many people in this building, making traffic worse in the area.

- Landscaping: There will not be sufficient green space around the building because it will be placed on the property line and reverse angled parking on South Chestnut Street will be placed where the parkway would have been located.

In addition to considering community input, Staff sent the applications to the standard agencies and service providers who had no objections to the proposed applications, but did have technical modifications that have been or are currently being addressed.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

a) Zone Change

The proposed zone change (**FIGURE 4**) will cause the property's zone designation to change from C-6 (General Business) to PUD (Planned Unit Development: multi-family residential development, maximum density of 114 dwelling units per acre (not to exceed 50 units) and 60-foot maximum building height). Given the size of the site, no more than 50 dwelling units would be permitted on the site. The property is located in an area that is undergoing some redevelopment and where a demand for residential uses currently exists. A multi-family residential development with similar density, height and design was successfully completed in 2017 by the same developers approximately 900 feet away at 22 North Spruce Street. That development changed the zone to a PUD for the same reasons as this application.

The current C-6 (General Business) zone allows residential uses as a conditional use utilizing R-5 (multi-family residential) standards for the development plan. These standards include: a 45 foot height maximum; 800 square feet required per unit (4 stories); setbacks of: front – 20ft, side – 5ft, rear – 25ft; maximum lot coverage of 40%; and the standard parking ratios (1.1-studio, 1.5-one bedroom, 1.7-two bedroom, 2-three bedroom).

Without the proposed PUD zone change, the proposed building could not be located adjacent to the lot lines like the neighboring buildings, nor would the density, building height, or lot coverage standards allow what is being proposed. The Downtown standard of one parking space per unit is also being requested because of its proximity to downtown and other factors that are discussed later in this report. Standard parking ratios would severely limit any development in this neighborhood, due to small lot sizes.

Staff finds that the proposed zone change meets the PUD criteria as set forth in City Code Section 7.3.603 as well as the Zone change criteria found in Section 7.5.603.B.

The following are the zone change criteria from City Code Section 7.5.603.B. with a short discussion on how this project meets these criteria:

1. *The action will not be detrimental to the public interest, health, safety, convenience or general welfare.* When completed, this project will bring much needed life and activity to a corridor that connects the Downtown to Old Colorado City. The future residents will likely frequent the stores, restaurants and bars in the area which will bring an economic boost to the neighborhood and likely reduce the overall transportation needs of the residents. There will be more eyes on the streets at all times of the day and night, making the area safer for all, from the shop owner to the lone pedestrian.
2. *The proposal is consistent with the goals and policies of the Comprehensive Plan.* Many of the goals and policies of the Comprehensive Plan (PlanCOS) are embodied in this development, especially the fact that this is an infill project that will bring density and life to the core of the City. The relevant goals and policies from PlanCOS can be found in the Comprehensive Plan section below.

3. *Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request. The West Side Plan from 1980 is the most recent area plan for this site and is discussed in more detail below. That plan, much like PlanCOS, supports infill residential projects such as this proposed project.*
4. *For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this chapter. This criteria does not apply to this application because it is not in an MU zone district.*

b) PUD Development Plan

The proposed 532 West Colorado Avenue Apartments (**FIGURE 5**) development plan will establish a 50 unit multi-family residential building on a 0.44 acre parcel with a maximum building height of 60 feet. An administratively reviewed waiver of replat will allow for the four historically platted lots that constitute this property to be legally combined into one lot.

The plan sets the specific dimensional requirements and illustrates the envisioned layout for the development. The fifty efficiency and one-bedroom units will allow greater housing options and affordability around the Downtown, with walkable access to commercial retail, bars, restaurants, parks and is within walking or biking distance from downtown Colorado Springs.

As illustrated on the development plan, access to the proposed project site is gained from multiple directions. There are a few different parking areas that can be accessed from three different City rights-of-way which aids in the reduction of traffic impact to the area. The eastern most parking area consists of a one-way driveway off of West Colorado Avenue with eight uncovered stalls. The center parking area consists of twenty-five covered parking stalls that are located directly underneath the structure and accessed via the alleyway. The third parking area is on the east side of the South Chestnut Street right-of-way and consists of thirteen reverse angled on-street parking stalls. In addition, there are two parking stalls directly off of the alleyway and two stalls in front of the building off of West Colorado Avenue. In total, this project proposes to have one parking stall for each of the studio or one bedroom apartments, fifty in total. In addition to the fifty parking stalls on and off the street, the developer is also proposing to include bike parking, a Pike Ride (bike share) station, and a parking area for motorcycles/mopeds. This development is also located on Mountain Metro Route #3, with two bus stops within 400 feet of the site, which may reduce the need for residents to use a car to get downtown or west to Old Colorado City and Manitou Springs.

Staff finds that the applicant has addressed the parking concerns by reducing their unit count from the original proposal of fifty-four units to fifty units to ensure that each one of the units has a parking stall on the property or directly adjacent to the property on City right-of-way. The proposed units are studio apartments and one bedroom apartments, which have a good likelihood of only having one occupant.

This West Side neighborhood is becoming more and more walkable as more commercial establishments open for business. This project will bring customers to within walking or biking distance of all of Downtown and Old Colorado City, which will help these businesses thrive without the need to add additional and costly parking facilities. The traffic and parking study submitted with this application (**FIGURE 6**) found that there is sufficient capacity for additional parking in the surrounding area.

Additional concerns that were discussed during the neighborhood meeting included the size and design of the structure. While the density of the building may be greater than the surrounding one and two-story commercial structures, the building's proximity to Downtown,

the commercial corridor of West Colorado Avenue, and the I-25 Interstate justify the increased building scale, the proposed number of residents, and the project as a whole.

The contemporary design of the building better incorporates the bulk and scale of the building without attempting to imitate historic styles that can be found in the neighborhood. The eclectic and diverse building stock of this neighborhood allows for new styles to be introduced while still respecting the architectural history. This is an infill project that is eliminating a parking lot from a main commercial corridor, it is not eliminating any historic structure that added to the character of the community.

Neighbors have expressed concerns about the increased traffic this project could create in the neighborhood. Staff has closely examined this issue and agrees with the traffic study that while the 50 units will increase volumes, the roads around the site will be able to accommodate the increased traffic. As discussed above, the parking is divided into three areas with separate access points around the building. These three areas will divide the traffic into smaller groups and direct them into the alleyway or South Chestnut Street. The dispersing of traffic will minimize the perceived traffic impacts. Staff believes that this project is adequately parked at the Downtown standard of one parking space per unit (50 total) due to the fact that all of the units are either studios or small one bedroom units.

Additionally, traffic from multi-family residential buildings utilize parking at different times of the day than most commercial development. The parking lot will be filled during the night while the residents are home and less occupied during the day while residents are at work. Inversely, commercial buildings typically have peak use during the day and may be empty at night. As a result, residential and commercial developments can both use the same parking spaces, reducing the overall need for parking.

The proposed reversed angled parking along South Chestnut Street is public street parking and will be open to all vehicles. This would allow the thirteen spaces to be used by the public at all times. Between West Colorado Avenue and the alley to the north, South Chestnut Street currently has eight parking spaces open for all vehicles. This proposal will increase available public parking by five spaces.

Current alternative parking standards allow developments to count on-street parking spaces that are directly adjacent to the property towards their parking requirements (thirteen on South Chestnut Avenue and two on West Colorado Avenue). These alternative standards also allow reductions in parking requirements if they are close to biking facilities, a Pike Ride Station or within 400' of a Mountain Metro Transit stop. These reductions, which could have been implemented in the existing C6 zone district, were not calculated for this development plan because a PUD allows the applicant and planner to establish a project-specific parking standard. The applicant's experience with the similar project at 22 N. Spruce Street and the traffic study indicates that an adequate amount of parking stalls are provided for the development. Those calculations took into account all of the alternative transportation options and proximity to the downtown.

The current parking lot at 532 West Colorado Avenue has been a separately owned parking lot for many decades. This lot is not legally required for any of the neighboring businesses, but parking was leased throughout the years to individuals and the surrounding businesses. The property owners do not have the responsibility to perpetually make this lot available for businesses that fall short on their parking needs. The current owner has an agreement to allow Fallen Heroes Tattoo parlor to utilize the parking lot until they develop the site. All neighboring properties either meet parking requirements, pre-date parking requirements, or have received a non-use variance for parking.

Pedestrian traffic will increase in the area as there will be more residents and the fact that this area of town is seeing a resurgence of popularity due to the additional bars and shops. This

project proposes new sidewalks to replace the current stamped concrete ones that are not ADA compliant. Staff sees the proposed improvements and potential of increased pedestrian traffic as a healthy and welcome change for the neighborhood.

The City agencies have reviewed the project and have determined that there is enough capacity with the current and planned utilities.

This Development Plan accompanies the proposed establishment of a PUD zone as required by City Code Section 7.3.603; the PUD development must be evaluated using the review criteria found in Section 7.3.606. Most of the development plan criteria have been addressed above and throughout this document.

The following technical modifications are proposed to be included as part of the project approval, for minor corrections to the development plan:

1. Update the language under General Notes – Item #6 - on Sheet 1 of 12 to show multifamily-residential as the only permitted use type with the height maximum at 60' and maximum DU/Acre at 114 (not to exceed 50 units).
2. Update the sheet count to reflect the 12 pages.
3. Update the landscape design on the southeast corner of the site to buffer the sidewalk from parked cars.
4. Update location of ADA stall on S. Chestnut St. to be closer to the front door.
5. Update the plan to reflect the final design of S. Chestnut based on City Engineering and Traffic input.
6. Include parking blocks on the S. Chestnut St. parking stalls.
7. Update the plan to illustrate adequate pipe size and junctions specifications for the necessary storm water infrastructure per WRE's input.
8. Revise the drainage letter and resubmit for approval.

Staff finds that the proposed plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E.

2. Comprehensive Plan Conformance:

The proposed applications appear to be complementary to the envisioned comprehensive land use pattern for the West Colorado Avenue Corridor as it relates to several themes in PlanCOS. The Vibrant Neighborhoods chapter of PlanCOS calls out the associated area for development as an Established Historic Neighborhood. The Plan identifies the goals to enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation. Additionally, PlanCOS notes that most Established Neighborhoods should expect some degree of infill. The proposed development will further the PlanCOS policies regarding infill and investment in mature and developed areas by providing an additional housing choice in the area and establishing higher-density housing in proximity to open space, major thoroughfares, and activity centers.

The following are some strategies and passages within PlanCOS that support infill projects like the subject property:

New Residential Net Density: A mix of residential densities is important to support people with different incomes and in different stages of life. Where appropriate, most residential neighborhoods should be planned and designed to increase citywide densities overall in order to support a more sustainable infrastructure and networks of services, and to ultimately support emerging technology multimodal transportation systems. This measure tracks the net density of added residential units every year.

Strategy VN-2.A-3: Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels.

Strategy VN-2.A-4: Allow for zoning residential bonuses that result in the provision of additional attainable housing, such as increased heights or densities.

Goal VN-3: Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs.

Maintaining housing attainability will continue to be a challenge due to natural market appreciation, increasing land and construction costs, and the impacts of regulations. Housing options are essential for an excellent quality of life, strong economy, business retention, and new business recruitment.

From the Unique Places chapter of PlanCOS, the project site and larger West Colorado Ave. corridor are identified as a Reinvestment Area and Community Hub under the urban place typologies. The following strategies, goals and policies found in this chapter support aspects of the proposed project:

Strategy UP-1.A-5: Design urban activity centers to encourage walkability.

Goal UP-2: Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the city.

Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions.

Strategy UP-2.A-2: Provide opportunities for redevelopment by identifying and supporting catalyst projects in underutilized locations such as disinvested shopping centers and business parks, former “big box” retail spaces, and no longer needed school buildings.

Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.

Policy UP-3.A: Proactively participate and invest in the development of Downtown as the city’s premier urban activity center.

Policy UP-4.B: Within unique centers, incorporate density and mixed uses along with higher standards of design, attention to the public realm, and design for multimodal access including transit.

Staff finds 532 W. Colorado Apartments development in substantial compliance with PlanCOS.

3. Master Plan Conformance: Westside Neighborhood Plan

The West Side adopted an area plan in 1980 called simply “The West Side Plan.” This plan is still the operative plan for the whole west side, which consists of the neighborhoods on either side of the West Colorado Avenue, from the I-25 expressway to Manitou Springs. The subject property is in subarea boundary #8 – Near West Commercial. The following are objectives from the plan for the Near West Commercial area and the general area:

- Plan for much of the area as a downtown-support area...mixed uses and multi-family housing utilizing additional land use controls...
- Encourage new growth through infilling where appropriate...
- Consider rezoning where significant differences in use and zoning currently exist...
- The plan recommends nothing more intensive than medium density residential uses be allowed. This use would provide an acceptable transition and excellent site for the inner city medium density development and would also provide compatibility with those single family units remaining in the area.

This project is considered by Staff as a high density development, but the Westside Plan's recommendation was for the whole area and not along a main corridor that can handle the additional traffic. Staff considers this development suited for higher density due the proximity to employment, shopping and recreation centers of the City. The building at 22 North Spruce Street is almost identical to this proposed building and is within the same Near West Commercial zone. That building is situated on a narrower street with single family residences directly adjacent. Staff considers this development to be a good transition from the commercial uses across North Spruce Street and the I-25 expressway, to the single family neighborhood directly west of the site.

In general this plan would support the proposed project, but the way planners view residential dwellings has changed significantly since 1980. At that time residential dwellings were separated from commercial uses of the downtown and surrounding areas. Planners now promote a mix of uses in and around the downtown to help keep these areas active and vibrant at all times. This plan does support infill and rezoning where appropriate.

STAFF RECOMMENDATIONS:

CPC PUZ 19-00087 – CHANGE OF ZONING TO PUD

Recommend approval to City Council the zone change of the 0.44 acres located at 532 West Colorado Avenue from C-6 (General Business) to a PUD (Planned Unit Development: multi-family residential development, maximum density of 114 dwelling units per acre (not to exceed 50 units) and 60-foot maximum building height), based upon the findings that the change of zone request complies with the review criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603 and the zone change criteria as set forth in Section 7.5.603.B.

CPC PUD 19-00088 – PUD DEVELOPMENT PLAN

Recommend approval to City Council the development plan for 532 West Colorado Avenue Apartments, with the technical modifications listed below, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502.E.

Technical Modifications:

1. Update the language under 'General Notes – Item #6 - on Sheet 1 of 12 to show multifamily-residential as the only permitted use type with the height maximum at 60' and maximum DU/Acre at 114 (not to exceed 50 units).
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