

**CITY PLANNING COMMISSION AGENDA**

**STAFF: MATTHEW FITZSIMMONS**

**FILE NO(S):**  
**CPC CU 16-00141 - QUASI-JUDICIAL**

**PROJECT: HAVEN HOUSE - 111 N WALNUT ST.**

**APPLICANT: CHARLES A. PATERSON**

**OWNER: ITHAKA LAND INC.**



**PROJECT SUMMARY:**

1. Project Description: This is a request for a Conditional Use to establish one unit of affordable housing (3 bedrooms) in a C-6 commercial zone. Ithaka Land Inc. owns and maintains properties for the benefit of low-income people. They hold property "in trust" and "in perpetuity" on behalf of people with limited incomes. This property, which is surrounded by residential use, is situated on a 4,500 square foot lot and is located one lot northeast of W. Kiowa St. and N. Walnut St.
2. Applicant's Project Statement: **(FIGURE 1)**

3. Planning and Development Team's Recommendation: **Staff recommends approval of the conditional use.**

#### **BACKGROUND:**

1. Address: 111 N. Walnut St.
2. Existing Zoning/Land Use: C-6 (General Business)
  - a. Vacant Office (principal structure)
  - b. Commercial Equipment Building (2 Car Garage)
3. Surrounding Zoning/Land Use: **(FIGURE 2)**
  - North: C-6 – Single Family Residential Use
  - South: C-6 – Single Family Residential Use
  - East: C-6 – Single Family Residential Use
  - West: R-2 – Single Family Residential Use
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: Town of Colorado Springs, 1872
6. Master Plan/Designated Master Plan Land Use: Westside Master Plan / "Near West Residential Area"
7. Subdivision: Parrish Add to Colorado Springs
8. Zoning Enforcement Action: None
9. Physical Characteristics: Built in 1972 as a commercial building, this structure is situated on the front lot line (west side) and north lot line. It has a flat roof, white siding and masonry façade, with a shingled mansard roof on top. There is a two car garage in the back yard, next to the large concrete patio. **(FIGURE 3)**

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Public notice was provided to 88 property owners within 500-feet of the subject property during the internal review as well as prior to the Planning Commission meeting. Staff has received comments from one stakeholder group: the Organization of Westside Neighbors (OWN). **(FIGURE 4)**

Staff corresponded via email with OWN representatives during the initial review. The board was comfortable with the building being used as affordable housing and realizes that the façade will not be upgraded to look like the other houses in the neighborhood, which they would have preferred. As of this report, no other stakeholders have contacted staff regarding this project.

Staff sent the plans to the standard internal and external review agencies for comments. Given the nature of the project, few comments or required modifications were received. The revised plans meet all the technical requirements of review agencies.

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

1. Review Criteria / Design & Development Issues:

##### Conditional Use

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions only if all three (3) of the following findings are made:

- A. **Surrounding Neighborhood:** *That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.* The surrounding neighborhood's value is expected to increase once this long time vacant building is converted to a residence and occupied by a family. All the neighboring structures are 100+ year old residential homes within the same C-6 commercial zone. Yet this is the only neighboring property that was used as a commercial building. The fabric of the community will be more complete once this structure is allowed to convert to residential.
- B. **Intent of Zoning Code:** *That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.* Allowing the structure to become residential in this C-6 zone would better the health, safety and general welfare of the family that will live at the property and the surrounding community. For the first time since its construction in 1972 this structure will be residential, which is consistent with the rest of the surrounding neighborhood.
- C. **Comprehensive Plan:** *That the conditional use is consistent with the Comprehensive Plan of the City.*

2. Conformance with the City Comprehensive Plan:

City Code indicates that the requested Conditional Use shall be consistent with the intent and purpose of the Comprehensive plan (Plan). The Plan's 2010 land use map designates this area of the City as "General Residential." The proposed change of use as proposed conforms to several Objectives, Policies and Strategies of the Plan, including:

**Objective LU 6:** *Meet the Housing Needs of All Segments of the Community*

Planning and development activities, both in the public and private sector, shall include measures intended to ensure the sufficient provision of housing to meet the needs of the entire community, including housing affordable to lower-income households.

**Strategy LU 601d:** *Integrate Affordable Housing into Neighborhoods*

Integrate housing that is affordable to a broad range of incomes and households within neighborhoods, whether by location or design. Ensure that affordable housing will complement the formation of a neighborhood. Avoid the segregation of affordable housing.

**Objective LU 4:** *Encourage Infill and Redevelopment*

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

**Policy LU 401:** *Encourage Appropriate Uses and Designs for Redevelopment and Infill Projects*

Work with property owners in neighborhoods, the downtown, and other existing activity centers and corridors to determine appropriate uses and criteria for redevelopment and infill projects to ensure compatibility with the surrounding area.

**Strategy LU 401d:** *Adopt Zoning Standards and Apply Building Codes that Support Infill and Redevelopment*

Adopt flexible zoning standards to encourage infill and redevelopment projects. Ensure that public health and safety considerations are addressed through the appropriate building codes and standards. Apply building codes and standards to infill and redevelopment projects in a uniform and consistent manner.

**Policy LU 201:** *Promote a Focused, Consolidated Land Use Pattern*

This Policy emphasizes locating new growth and development in well-defined contiguous areas in order to avoid "leapfrog", scattered land use patterns, and the desire for a focused pattern of development that makes more efficient use of land and natural and financial resources (compared to scattered, "greenfield" development). In contrast to dispersed patterns of development, consolidated development patterns provide for a less costly and more efficient means of providing needed services and public facilities, for example.

The project represents urban infill, per the Comprehensive Plan's Infill Supplement as it is located within a largely developed, well-defined area that provides for adequate services and infrastructure.

Given the above review of Comprehensive Plan compliance, it is the finding of the City's Planning and Community Development Department that the requested Conditional Use conforms to the City's Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan: Westside Master Plan –*"Near West Residential Area"* Converting a commercial property to a residential property is aligned with the Westside Master Plan for this "residential area." The plan highlights the blocks surrounding the project site as a low density (0-10 DU/AC) residential neighborhood that wants to "prevent any encroachment of commercial or industrial uses into the residential area (pg 7)." It also states the desire to "continue to stabilize this residential area by making available a variety of governmental assistance programs including housing rehabilitation. (pg 7)." Ithaka Land trust may not be a governmental agency, but it is an organization that is rehabilitating a commercial property into residential, which is consistent with the Westside Master Plan.

**STAFF RECOMMENDATION:**

CPC CU 16-00141 – CONDITIONAL USE **(FIGURE 5)**

**Approve** the request for a Conditional Use to allow the commercial building at 111 N. Walnut Street to be converted and used as a single family house in a C-6 zone, based upon the finding that the request complies with the conditional use review criteria in City Code section 7.5.704. No further technical and or informational plan modifications are needed.