

# 315 E. Dale St.

An appeal of Planning Commission's Recommendations

CPC ZC 17-00059

CPC DP 17-00058

CPC NV 17-00060

July 25, 2017

Ryan Tefertiller, Urban Planning Manager



# Vicinity Map



# 315 E. Dale



- Site Details
  - Zoned R5 (Multi-Family Residential)
  - 4,000 square foot lot
  - Roughly 2,000 square foot structure
  - Detached garage
  - 3 on-site parking stalls
- Applications
  - Zone Change to OR (Office Residential)
  - Development Plan (no changes to site)
  - Parking Variance

# Zoning





# History



- Prior to 1994 site shown as R5 on City Zoning Maps
- Zone change to OR on *adjacent site* in 1994
  - Official zoning map incorrectly changed to show 315 E. Dale as OR zone
- Current owner purchased property in 2006 thinking it was OR zoned
- 2012 - maps corrected to show R5 zone
- Owner began dialog with City Planning in 2013 regarding desire for office use

# History, cont.



- Home Occupation Permit issued in 2014 for counseling service
- 2017 – desire to sell property with use flexibility
  - Residential, office, or mixed office-residential
- City Planning agreed to serve as applicant due to past errors on zoning maps

# Neighborhood concerns:



- Retain residential character
  - “commercial creep”
- Parking supply/demand
- Noise/lights/traffic
- Property values
- Other
  - See Figure 4 in Staff report



# Development Plan



- Required to establish OR zone
- Establish general office use
- No changes to site

**Improvement Location Certificate**  
(THIS IS NOT A PROPERTY SURVEY AND SHOULD NOT BE USED TO CONSTRUCT ANY IMPROVEMENTS)

**LEGEND**  
 ⊕ = CHAIN LINK FENCE  
 ✕ = WIRE FENCE  
 ⊞ = WOOD FENCE  
 ⚡ = OVERHEAD UTILITY LINE

**Owner -** Connie Fairchild  
**Lot Size -** 4,000 sq. Ft.  
**Address -** 315 E. Dale St.  
**TSN: 64874-01-006**  
**Current Zone -** R-5  
**Proposed Zone -** OR  
**Existing use -** residential with a home occupation  
**Proposed use -** office

**Parking:**  
 required for office use  
 2,240 sq. Ft. x 1/400 = 5.725  
 provided = 3

**Dale Street East**

**Scale:** 1" = 20'  
**Legal Description**  
 The East 40 Feet of the North 1/2 of Lot 1, Block 14, Addition No. 1 to the Town of Colorado Springs, now a part of the City of Colorado Springs, County of El Paso, State of Colorado.

**Surveyor's Certificate**  
 I hereby certify that this Improvement Location Certificate was prepared for the \* Mortgage Lender and the Title Company and that it is not a Land Survey or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building or other future improvement lines. I further certify that the improvements on the described parcel on this date \*\*, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted. (C.R.S. 38-51-109)  
This Improvement Location Certificate (ILC) was prepared without the benefit of a title policy or covenant and easements that exist that are not shown herein. This ILC DOES NOT constitute a title search or easements research by Alessi and Associates, Inc. Rather all information regarding title and easement matters should be obtained from a Title Commitment or Policy. All easements shown were taken from the recorded Plat. Legal description from client.

**PREPARED BY:**  
**ALESSI & ASSOCIATES, Inc.**  
 APPRAISERS • ENGINEERS • SURVEYORS  
 2989 Broadmoor Valley Road    Tele. 719/540-8832  
 Colorado Springs, CO 80906    Fax 719/540-2781

**REPORTED STREET ADDRESS:**  
**315 Dale Street E.**  
 \*\*DATE: 8/23/2006  
 \*LENDER/CLIENT: Re/max Property  
 BORROWER: Fairchild  
 \*TITLE COMPANY: B1 Escrow  
 JOB NUMBER: 061928

# Parking



- Requirement based on 1 per 400 sf
- 5 stalls required for 2,000 sf building
- New parking reduction factors allow one stall to be located on-street
- Relief still needed for 3 stalls where 4 req.



# Analysis



- Site is within a mixed use area
- OR zone adjacent to west and south
  - Alley creates demarcation to east
  - Dale creates demarcation to north
- Consistent with Master Plans
- Consistent with Comprehensive Plan
- Required criteria are met

# Planning Commission



- Planning Commission voted unanimously on June 15, 2017 to recommend approval of all three applications.
  - Two stakeholders (the appellants) spoke in opposition
- An appeal by Cheryl Brown, Dianne Bridges and neighbors of Planning Commission's recommendation filed on June 23, 2017.

# Recommendations



## CPC ZC 17-00059 – ZONE CHANGE

Recommend denial of the appeal and approval of the change of zone for 315 E. Dale St. from R5 (Multi-Family Residential) to OR (Office Residential), based upon the finding that the request complies with the review criteria in City Code Section 7.5.603.B.

## CPC DP 17-00058– DEVELOPMENT PLAN

Recommend denial of the appeal and approval of the proposed development plan for 315 E. Dale St., based upon the finding that the request complies with the review criteria in City Code Section 7.5.502.E., with the two technical and information modifications to the plan as described in the Planning Commission Staff report.

## CPC NV 17-00060– NON-USE VARIANCE

Recommend denial of the appeal and approval of the non-use variance to allow general office use within the existing structure at 315 E. Dale St. with three on-site parking stalls where four are required by the zoning code, based upon the finding that the request complies with the review criteria in City Code Section 7.5.802.B.



# Questions