



903 SWOPE AVENUE ZONE CHANGE

Planning Commission January 10, 2024

Staff Report by Case Planner: Austin Cooper



Quick Facts

Applicant

Ryan Lloyd, Echo Architecture

Property Owner

Heather Robinson

Address / Location

903 Swope Avenue

TSN(s)

6409309013

Zoning and Overlays

Current: R-1 6 (Single-Family - Medium)

Proposed: R-2 (Two-Family)

Site Area

7,500 sqft

Proposed Land Use

Single Family Residence with an Accessory Dwelling Unit

Applicable Code

UDC

Project Summary

The applicant is requesting a Zone Change from R-1 6 (Single-Family - Medium) to R-2 (Two-Family) which would allow them to build a duplex or a single-family residence with an ADU (Accessory Dwelling Unit) on the property. Their listed intent is to keep the single-family residence on the property and build an ADU on the west side of the lot.

File Number	Application Type	Decision Type
ZONE-23-0025	Zone Change with Land Use Statement	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Grandview-Knob Hill #2	1955
Subdivision	Knob Hill Addition	1889
Master Plan	Knob Hill Neighborhood Redevelopment Plan	1984
Prior Enforcement Action	N/A	

Site History

The subject property is part of the Knob Hill Addition subdivision plat. The site is currently occupied by a single-story single-family residence that was constructed in 1941 and a detached garage.

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	R-1 6 (Single-Family – Medium)	Single-Family Residential	
West	R-1 6 (Single-Family – Medium)	Institutional	Queen Palmer Elementary School
South	R-2 (Two-Family)	Single-Family and Two-Family Residential	
East	R-1 6 (Single-Family – Medium)	Single-Family Residential	

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences
(Poster / Postcards)

Initial Review / Prior to Planning Commission Hearing

Postcard Mailing Radius

1,000'

Number of Postcards Mailed

262

Number of Comments Received

Two written comments

Public Engagement

The written comments received for this application were both against the proposed application. The applicant did provide three signed acknowledgements from neighbors in support of the application to staff with their initial submittal. The comments against the application centered around the concern that this would set a precedent for allowing similar zone changes in the future, changing the feel of the neighborhood. There were also concerns about the parking and whether the change is consistent with the Comprehensive Plan.

Timeline of Review

Initial Submittal Date	August 5th, 2023
Number of Review Cycles	Two
Item(s) Ready for Agenda	The Zone Change with Land Use Statement will be the only planning review conducted for this project. If this project were to be approved, the applicant could apply for building permits.

Agency Review

Traffic Impact Study

No comments.

School District

No comments received.

Parks

An increase in residential density triggers the Parkland Dedication Ordinance, School Ordinance, and Citywide Development Impact (Police & Fire) fees, all fees to be due at time of building permit.

SWENT

No comments.

Colorado Springs Utilities

Comments have been addressed. New utility service lines will be addressed with building permit submittal.

Zone Change with Land Use Statement

Summary of Application

In accordance with UDC Section 7.5.704.A, the purpose of a zoning map amendment is to establish standards and provide a mechanism for the City to review and decide on an application to rezone property within the City's jurisdiction, where the City has determined that rezoning of those areas is appropriate. An application to establish or change the boundaries of any zone district is required to include a Land Use Plan unless waived or a development plan is submitted in conjunction with the zone map amendment request. The applicant requested a Land Use Plan waiver by submitting a Land Use Statement demonstrating that a Land Use Plan would not serve the purposes of the UDC because one or more of the criteria for a waiver outlined in UDC Section 7.5.514.B.3.a.(1)-(6) are met (see "Land Use Statement" attachment).

- (1) The land area under review is less than ten (10) acres and is planned to be developed in a single phase;

Staff Analysis: The lot is 7,500 square feet which is well under 10 Acres.

- (2) The land is contained in and subject to a previously approved Master or Concept Plan;

Staff Analysis: Not applicable.

- (3) The land is included in a Development Plan application;

Staff Analysis: Not applicable

- (4) The land area is part of an established surrounding development pattern;

Staff Analysis: The surrounding land use pattern consists of single-family and two-family residential structures and is not proposed to deviate from this pattern.

- (5) The proposed zoning pattern for the land aligns with adjacent existing zoning or development; and/or

Staff Analysis: The proposed rezoning would match the zoning to the south and is compatible with the zoning and land uses to the north of the site.

- (6) Major infrastructure or urban services for the land including but not limited to access points and roadway systems, have already been established and are not proposed to be changed.

Staff Analysis: There are no proposed changes to major infrastructure or urban services. The lot will continue to use their current access to East Cache la Poudre Street

Staff finds that the request to waive the requirements for a Land Use Plan has been met in accordance with UDC Section 7.5.514.B.3.

Application Review Criteria

UDC Code Section 7.5.704.D

1. The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).

Staff Analysis: This site is served by a Publicly Initiated Master Plan called Knob Hill Neighborhood Redevelopment Plan. The recommended land use for this area which is referred to as Subarea 1 is low density residential. This is defined within this plan as one and two family residences with a density range of one to eight dwelling units per acre when applied in areas over a block or more in size and typically occurs in the R-1-6000 (now R-1 6) and R-2 zoning categories. The total density of the block is approximately 5 units per acre and would potentially increase to 5.33 with the development of an additional dwelling unit. A policy within the Subarea One section of the Master Plan says that "No zoning changes or use variances should be approved which would allow medium density residential developments in this area. New development should be limited to one or two family dwellings."

Please reference the section immediately following this analysis labeled Compliance with PlanCOS.

2. The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.

Staff Analysis: The request will allow for an additional residence on the lot which would be consistent with the zoning to the south of the property. The lot has the square footage to support either an ADU or duplex under the R-2 zoning allowances and would be required to provide parking for whatever configuration they ultimately decide to pursue in accordance with the parking standards outlined in Section 7.4.1003.

3. The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).

Staff Analysis: As noted, the zone change to R-2 would be consistent with the zoning to the south of the property and is a reasonable zoning classification given the urban nature of the neighborhood with gridded streets to serve and increase in traffic that this new development would create.

4. If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.

Staff Analysis: The proposal will not lead to a noticeable increase in traffic and compliance with development standards would be ensured in the review of building permits if this proposal was to be approved. The lot size would allow for the construction of either an ADU or duplex in the future without a need for any standards to be adjusted as demonstrated in their conceptual site plan.

5. If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.

Staff Analysis: The proposed rezone does not create a dislocation of tenants or occupants, as the site is currently occupied, however the owner proposes to add an ADU without removing the existing structure. The requested rezone is not in conflict with PlanCOS goals.

6. If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514.C.3 (Land Use Plan Criteria).

Staff Analysis: This criterion is not applicable as the applicant has submitted an accompanying Land Use Statement.

7. The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.

Staff Analysis: There is not an approved concept plan for this lot.

8. If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607.D (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

Staff Analysis: The zone map amendment is not for an ADS-O district.

9. If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or governmental regulations.

Staff Analysis: The zone map amendment is not for a PDZ district.

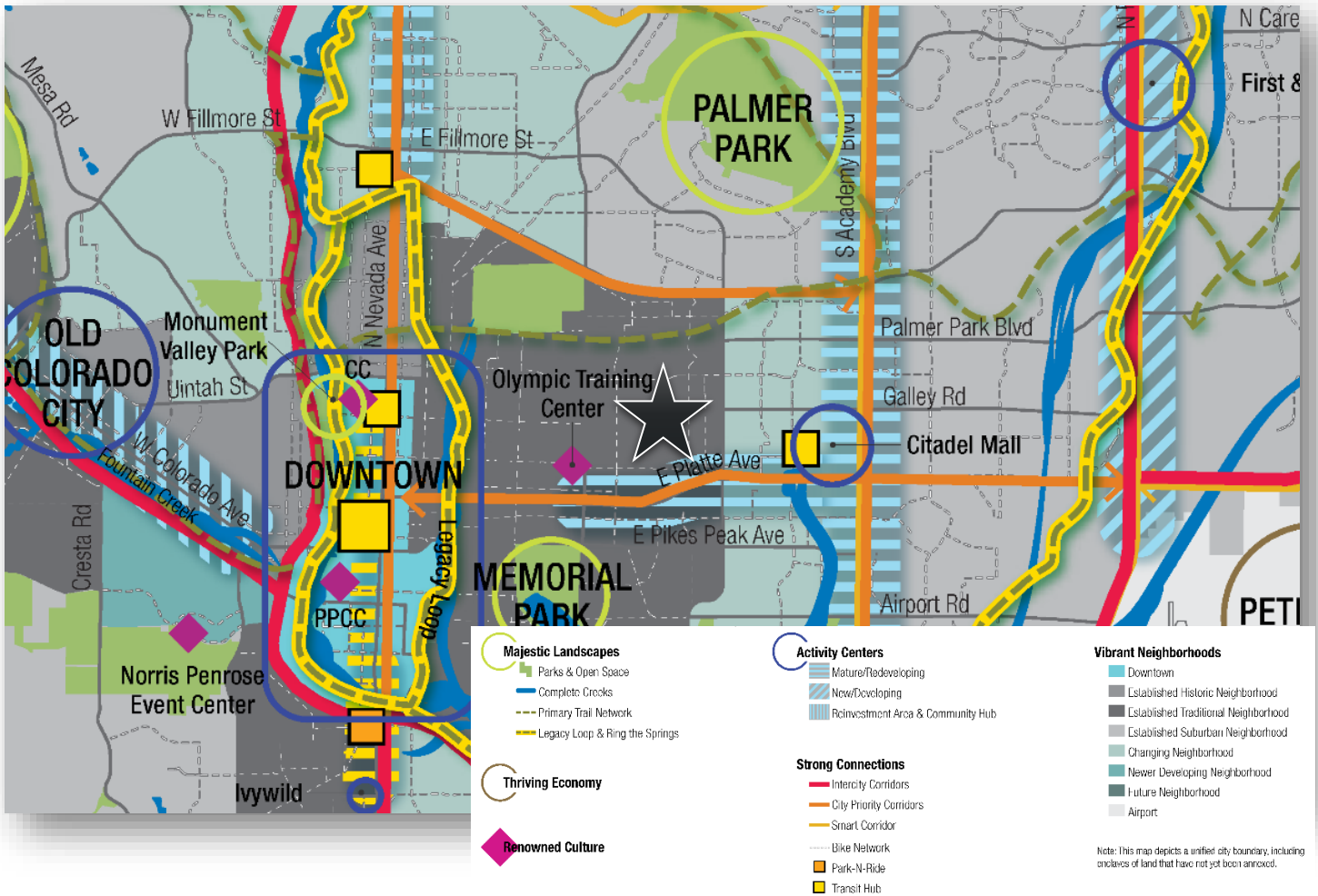
10. Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).

Staff Analysis: The subject property is not within an overlay district.

After evaluation of code section 7.5.504.D the application meets the review criteria.

Compliance with PlanCOS

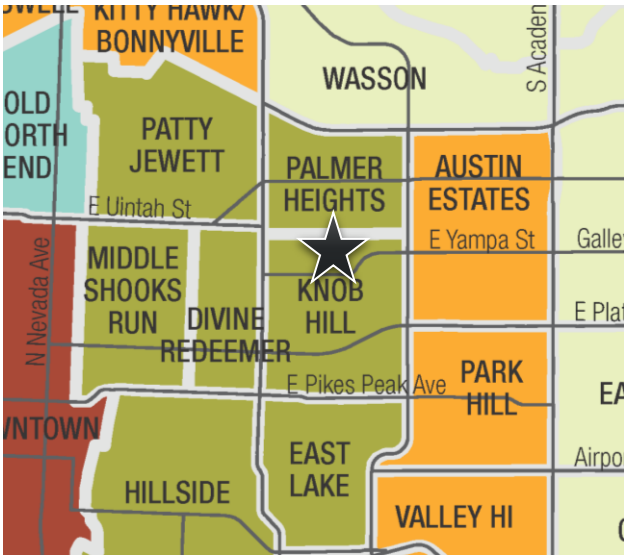
PlanCOS Vision



Staff evaluated the proposed application for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS, the project site is identified as a "Established Traditional Neighborhood".

The goal of PlanCOS as it relates to Traditional Neighborhoods is to recognize, support and enhance the existing character of the neighborhood while supporting their ongoing investment and improved adaptation. Traditional Neighborhoods have a high value in preserving and enhancing walkability features including their gridded street patterns, wide sidewalks, and sometimes limited setbacks.

Staff finds the proposed rezone to be substantially in compliance with the goals, policies, and strategies within PlanCOS

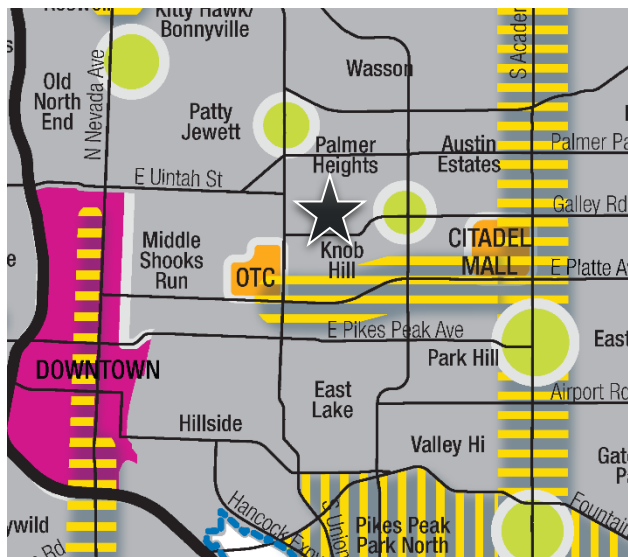


Predominant Typology

- Downtown
- Newer Developing Neighborhood
- Changing Neighborhood
- Established Historic Neighborhood
- Established Traditional Neighborhood
- Established Suburban Neighborhood
- Airport
- Future Neighborhood

Vibrant Neighborhoods

The vibrant Neighborhoods Chapter of PlanCOS encourages this type of application mainly through Goal VN-2 which outlines a need to strive for a diversity of housing types and price points distributed throughout our city. Strategy VN-2.A-6 calls to update the City’s zoning code, processes and standards to support the construction of additional accessory dwelling units and micro homes. Strategy VN-2.A-3 promotes supporting land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors.



Predominant Typology

- Neighborhood Centers
- Community Activity Centers
- Entertainment and Commercial Centers
- Regional Employment and Activity Centers
- Downtown
- Mature/Redeveloping Corridors
- New/Developing Corridors
- Reinvestment Area and Community Hub

Unique Places

The way this project meets the goals within the Unique Places chapter is through Policy UP-2.A which outlines ways to support infill and land use investment throughout the mature and developed areas of the city. Strategy UP-2.A-4 calls for active support for ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.

Statement of Compliance

ZONE-23-0025

After evaluation of the 903 Swope Avenue Zone Change the application meets the review criteria.