



Legislation Details (With Text)

File #: 14-0069 **Version:** 1 **Name:**
Type: Resolution **Status:** Passed
File created: 3/27/2014 **In control:** City Council
On agenda: 4/8/2014 **Final action:** 4/8/2014
Title: CPC MP 04-00280-A1MJ13 - Master Plan Amendment
Design Guidelines for the North Nevada Urban Renewal Area (Planning & Development - Peter Wysocki)

Sponsors:

Indexes:

Code sections:

Attachments: 1. North Nevada Design Guidelines - Attachment 1, 2. North Nevada Design Guidelines - Attachment 2, 3. North Nevada Design Guidelines - Attachment 3, 4. URA design guidelines resolution - Attachment 4

Date	Ver.	Action By	Action	Result
4/8/2014	1	City Council	adopted	Pass
4/8/2014	1	City Council	approved	Pass

CPC MP 04-00280-A1MJ13 - Master Plan Amendment

Design Guidelines for the North Nevada Urban Renewal Area (Planning & Development - Peter Wysocki)

Summary: The Colorado Springs Urban Renewal Authority (CSURA) requests approval of design guidelines for the North Nevada Avenue Urban Renewal Area (NNAURA). If adopted, new development and redevelopment projects within the NNAURA would be evaluated against the guidelines by the CSURA. The NNAURA includes approximately 390 acres with 26 separate property owners and extends north from the southeast and southwest corners of Nevada Avenue and Austin Bluffs Parkway/Garden of the Gods Road along Nevada Avenue to the intersection with Interstate 25 on the west side of Nevada Avenue and to the 5900 block of Nevada Avenue on the east side. While the University of Colorado, Colorado Springs (UCCS) is within the boundaries of the NNAURA the design guidelines will not apply to UCCS projects. State institutions are exempt from local zoning.

Additional background and discussion is provided in the attached Planning Commission staff report.

Previous Council Action: The NNAURA was established in 2004. Pursuant to State statutes, urban renewal plans must be approved by the governing bodies. As such, the NNAURA urban renewal plan was adopted by the City Council in 2004 as a “master plan” for the area, as there is no other process identified in City Code. Historically, the City has adopted urban renewal plans as “master plans”, although local adoption process is not specified in State statutes. Because the City adopts urban renewal plans as master plans, they are also reviewed by the Planning Commission.

Background: The CSURA now wishes to establish design guidelines and seeks the authority to enforce the design guidelines either through its own review process or vis-à-vis City's development review process. At present time, the City does not have a method of enforcing design guidelines through the standard development plan review process as there is no specific criterion in the zoning ordinance for projects to comply with design guidelines. The City has in the past approved design guidelines as part of overlay districts or the Form-Based Zone (FBZ). However, there is no special zoning or overlay for the NNAURA. Therefore, staff recommends adoption of the proposed design guidelines as an amendment to the NNAURA urban renewal plan.

The current NNAURA Plan does not include comprehensive design guidelines that would specifically apply to private properties. The plan includes a section entitled "Design Standard Objectives" which provides generally desired character and appearance of public and private improvements within the area and its corridor. Pursuant to State statutes, the Council must make a determination that the inclusion of the design guidelines is not a "substantial" modification of the original urban renewal plan. If the Council determines that the addition of these design guidelines is a substantial modification, the adoption would need to go through a more extensive hearing process. Given that there are no changes in the boundary, policies, financing strategies or objectives, the URA believes, and staff concurs, that inclusion of the design guidelines does not constitute a substantial modification. Furthermore, the URA has prepared the design guidelines through a public process, notifying the property owners within the boundary of the plan. Notices were also sent to the property owners prior to the Planning Commission and City Council meetings. In order to make the determination that the inclusion of the Design Guidelines into the NNAURA Plan is not a substantial change to the Plan, the Council must approve a resolution, attached hereto.

Financial Implications: There should be no direct financial implications to the City from this action.

Board/Commission Recommendation: The Planning Commission unanimously approved the revised document at its December 19, 2013 meeting.

The Planning Commission had initially considered the Design Guidelines at its November 21, 2013 meeting. However, the Commission did not take action. The Commission was concerned about the general applicability of the Design Guidelines to existing developments and enforcement process. The Commission requested that the applicability section of the Design Guidelines be clarified that they are not applicable unless improvement of the property requires a land use application (such as development plan) and that the enforcement responsibility falls under the URA. Section 2 of the Design Guidelines was modified accordingly.

Stakeholder process: Postcards were mailed to 26 property owners within the boundaries of the NNAURA on four occasions: 1) prior to the neighborhood meeting on February 26, 2013; 2) after the application was submitted on July 16, 2013; 3) prior to the Planning Commission meeting of November 21, 2013; and 4) prior to this meeting. Only a few people (less than 10) attended the neighborhood meeting and only one person inquired about the guidelines after the application was submitted. Questions were related to how the design guidelines would impact their ability to develop

or redevelop their property.

Councilman Knight also sent an informational email to:

- Comstock Village HOA
- Discovery/Rockrimmon HOA
- Golden Hills HOA
- Dublin Area
- Cragmor Village Neighborhood Assn
- Eagle Rock Homeowners Assn.
- Erindale Place Homeowners Assn.

These HOAs were selected to be representatives of neighborhoods which would most directly use and benefit from the current and future improvements of the North Nevada corridor. The purpose of the email was to notify the HOAs (and by doing so, notify the neighborhood residents) that the Council is considering adopting these guidelines. And, thought although they currently would only apply to the Urban Renewal area, the Council may use them as a model for possible future redevelopment efforts of the North Nevada corridor between Austin Bluffs and Fillmore.

City Planning staff participated with CSURA and its consultant in drafting the design guidelines, although to a limited degree.

Alternative City Council could choose to approve, not approve or modify the proposed Design Guidelines.

Should the Council wish to grant greater enforcement authority to City staff, an amendment to Chapter 7 of City Code would be necessary. The amendment could either establish an overlay zone specific to this area, or include additional review criteria - requiring compliance to the design guidelines - to the various land use applications.

Recommendation:

Staff and the City Planning Commission recommend approval of the Design Guidelines.

- A) Proposed Motion:** Move to approve the resolution determining that inclusion of the North Nevada Avenue Corridor Urban Redevelopment Area Design Guidelines into the North Nevada Avenue Corridor Urban Renewal Plan is not a substantial change to the Plan.

B) CPC MP 04-00280-A1MJ13 - Master Plan Amendment

Move to approve the Master Plan Amendment to the North Nevada Area Urban Renewal Master Plan by including the North Nevada Avenue Corridor Urban Redevelopment Area Design Guidelines, as recommended by the City Planning Commission.