



## Legislation Details (With Text)

**File #:** CPC ZC 16-00087    **Version:** 3    **Name:**

**Type:** Planning Case    **Status:** Mayor's Office

**File created:** 6/27/2016    **In control:** City Council

**On agenda:** 9/27/2016    **Final action:** 9/27/2016

**Title:** Ordinance No. 16-95 amending the zoning map of the City of Colorado Springs pertaining to 0.344 of an acre located at the northeast corner of East Boulder Street and North El Paso Street from OR/CR (Office Residential with Conditions of Record) to OR/CR (Office Residential with Conditions of Record).

(Quasi-Judicial)

**Presenter:**  
Hannah Van Nimwegen, Planner II, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ZC Ordinance, 2. Ordinance Exhibit A - Legal Description, 3. Vicinity Map, 4. Signed Ordinance 16-95.pdf

Date	Ver.	Action By	Action	Result
9/27/2016	2	City Council	finally passed	Pass
9/13/2016	2	City Council	approved on first reading	Pass
7/21/2016	1	Planning Commission	referred	Pass

Ordinance No. 16-95 amending the zoning map of the City of Colorado Springs pertaining to 0.344 of an acre located at the northeast corner of East Boulder Street and North El Paso Street from OR/CR (Office Residential with Conditions of Record) to OR/CR (Office Residential with Conditions of Record).

(Quasi-Judicial)

**Presenter:**

Hannah Van Nimwegen, Planner II, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Applicant: The Office of Sustainability  
Owner: The City of Colorado Springs  
Location: Northeast corner of East Boulder Street and North El Paso Street

This project includes an application for a zone change for a 0.344-acre site at 702 and 704 East

Boulder Street. The applicant is the City of Colorado Springs requesting a zone change from OR/CR (Office Residential with Conditions of Record) to OR/CR (Office Residential with Conditions of Record) in order to alter an existing Condition of Record. The proposal is to alter a condition approved in 1987 stating the properties may only be used for City administrative offices. The proposed zone change would allow the buildings to be used for office purposes by an entity other than the City's administration. The site is developed, and the zone change application does not include any proposal for modifications to the site (Figure 1).

**Previous Council Action:**

On June 26, 1984 City Council approved a zone change from R-4 (Multi-family) to OR (Office Residential). In 1987 the City Council approved another zone change to add a Condition of Record stating, “[s]aid OR zone shall be restricted to use for administrative office for the City of Colorado Springs.”

On September 13, 2016, this item was read and approved on the consent calendar during first reading.

**Background:**

The City of Colorado Springs' Office of Sustainability is intending to relocate to 704 East Boulder Street. The Office of Sustainability would be permitted to locate in the structure due to it being an administrative office of the City; however, their proposal also includes a desire to lease the structure next door at 702 East Boulder Street to a “sustainability-focused” nonprofit. An outside entity would not be permitted to utilize one of the structures given the current Condition of Record. Therefore, the proposal alters this condition to read, “[s]aid OR zone shall be strictly limited to ‘General Office’ land uses.” “General Offices” are defined by the Zoning Code in Section 7.2.301 as: [u]se of a site for business, professional, or administrative offices excluding medical offices. General offices are characterized by a low proportion of vehicle trips attributable to visitors or clients in relation to employees. Typical uses include real estate, insurance, management, travel, or other similar business offices; organization and association offices; law, architectural, engineering, accounting, telemarketing or other professional offices.

During the public notification process at the pre-application stage, the applicant and staff were not considering the proposed Condition of Record, and initially was proposing a zone change to purely OR. A representative of the Mid-Shooks Run Neighborhood Association and a neighbor of the properties expressed concern over the potentially permitted land uses. The Mid-Shooks Run Neighborhood Association provided staff a letter stating they could not support a zone change without limitations, but could support the zone change if the properties remained under a similar restriction. After discussions with the applicant, the condition to only permit general office uses was formally proposed with the application submittal. The proposed alteration was discussed with those who contacted staff, and no opposition was received. Currently, the Office of Sustainability is not proposing any changes to the existing building or site.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At their meeting on July 21, 2016 the Planning Commission voted unanimously to approve the applications as part of the consent calendar.

**Stakeholder Process:**

The public process for this application included the posting of the site and sending of postcards to 99 property owners within 500 feet on four occasions: 1) pre-application stage; 2) when staff received the formal application for rezoning; 3) prior to the July 21, 2016 City Planning Commission; and 4) prior to the September 13, 2016 City Council Meeting. Staff was contacted by two individuals, one being a neighbor of the properties and the other a representative of the Mid-Shooks Run Neighborhood Association. Staff explained the zone change was just to alter the existing Condition of Record, and the two individuals did not express opposition as formally proposed.

**Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

**Proposed Motion:**

Adopt an ordinance changing the zoning of 0.344 of an acre from OR/CR (Office Residential with Conditions of Record) to OR/CR (Office Residential with Conditions of Record), based upon the finding that the zone change complies with the review criteria as set forth in City Code Section 7.5.603(B) subject to the following Condition of Record:

The OR zone shall be strictly limited to “General Office” land uses.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.344 of an acre located at the northeast corner of East Boulder Street and North El Paso Street from OR/CR (Office Residential with Conditions of Record) to OR/CR (Office Residential with Conditions of Record).