



## Legislation Details (With Text)

**File #:** CPC PUZ 19- 00032    **Version:** 3    **Name:**

**Type:** Ordinance    **Status:** Mayor's Office

**File created:** 6/27/2019    **In control:** City Council

**On agenda:** 9/24/2019    **Final action:** 9/24/2019

**Title:** Ordinance No. 19-63 amending the zoning map of the City of Colorado Spring pertaining to 0.63 of an acre located at the northeast corner of South Sierra Madre Street and West Fountain Boulevard from M-1 (Light Industrial) to PUD (Planned Unit Development: Multi-Family Residential, 28 dwelling units per acre, maximum building height of 14-feet).

(Quasi-Judicial)

Related file: CPC PUD 19-00033

**Presenter:**  
Peter Wysocki, Director, Planning and Community Development  
Matthew Fitzsimmons, Planner II, Urban Planning Division

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ZC\_ORD\_WorkingFusion, 2. Exhibit A, 3. Exhibit B, 4. Signed Ordinance 19-63.pdf

Date	Ver.	Action By	Action	Result
9/24/2019	2	City Council	finally passed	Pass
9/10/2019	2	City Council	approved on first reading	Pass
7/18/2019	1	City Planning Commission	referred	Pass

Ordinance No. 19-63 amending the zoning map of the City of Colorado Spring pertaining to 0.63 of an acre located at the northeast corner of South Sierra Madre Street and West Fountain Boulevard from M-1 (Light Industrial) to PUD (Planned Unit Development: Multi-Family Residential, 28 dwelling units per acre, maximum building height of 14-feet).

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**Summary:**

Applicant: Altitude Land Consultants / Kairos Project 17  
Owner: Flaks Family Trust

Location: 120, 122, 124, 128, and 132 West Fountain Boulevard

This project includes concurrent applications for a zone change and a PUD development plan.

- a. Zone Change: A proposed change from M1 (Light Industrial) to PUD (Planned Unit Development).
- B. PUD Development Plan: The proposed application request approval to allow 18 tiny homes on a 0.63 acre site.

Staff is also administratively reviewing a waiver of replat that will combine five individual parcels to create a single lot for the project.

### **Previous Council Action:**

On September 10, 2019, this ordinance was approved on first reading by a vote of 8:0:1:0.

### **Background:**

Working Fusion at Mill Street (Working Fusion) is a proposed 18-unit “tiny home” community, located on the northeast corner of West Fountain Boulevard and Sierra Madre. It is designed to house and provide resources for young people between the ages of 18-29 years of age. Kairos Project 17 (KP17) and the Flaks Family Trust are collaborating to bring this new project to fruition. KP17 is the Applicant and is providing the planning, resources, and management for the project. The Flaks Family Trust is the land owner who has agreed to lease the land to KP17 for at least ten years.

The goal of Working Fusion is to provide roofs, resources, and relationships to men and women between the ages of 18-29 years old, which will hopefully allow them to become contributing members of our City. The Applicant sees Working Fusion as a “housing incubator for individuals as they become self-sufficient members of our community.” It is designed to prevent homelessness in this vulnerable population before it starts by offering them affordable housing (about \$600/month) and social services to teach them strategies and skills to survive on their own. Each resident will be able to live at Working Fusion for the maximum of 2 years.

The property is located in the Mill Street Neighborhood near Downtown Colorado Springs. It currently includes five single family lots with homes built in the 1890s ranging from 724 to 906 square feet.

### **Project Proposal:**

Kairos Project 17 proposes to remove all structures and pavement from the five lots and place 18 tiny homes with two service sheds on the land to create a secure community. The development plan illustrates that the houses will be facing both West Fountain Boulevard and Sierra Madre Street to mimic, and even improve upon, the current residential configuration of the neighborhood. For this project to gain approval from the Planning Department, three applications were required: a Zone Change, a PUD Development Plan and a Waiver of Replat.

- Zone Change: required to change the M1 (Light-Industrial) zone to a PUD (Plan Unit Development) zone.

- Use: Multi-family Residential

- Maximum Density: 28 DU/AC

- Maximum Height: 14 Feet (Does not include the chassis)

- PUD Development Plan: Outlines the configuration, landscaping, security, and other details of the site.

- Waiver of Replat: combines the historically platted lots into one lot for zoning purposes.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At the July 18, 2019 Planning Commission hearing, this item was placed on the New Business Agenda. After a presentation from Staff and the Applicant, a few citizens opposing the project spoke to the Planning Commission. The Planning Commission voted 5-1 to approve the applications - Commissioners McMurray, Almy and Rickett were absent.

**Stakeholder Process:**

Posters were posted on the site and postcards were sent to 208 homeowners within a 1,000-foot radius before the following four events:

1. The original project submittal on February 21, 2019.
2. The neighborhood meeting on May 8, 2019.
3. The Planning Commission Public Hearing on July 18, 2019.
4. The City Council Hearing on September 10, 2019

Stakeholder involvement was robust for this project because of the neighborhood's history and the fact that the Mill Street neighborhood recently adopted a meaningful and substantive neighborhood plan (Mill Street Neighborhood Plan). As a result of that process, the neighborhood has cultivated a richer sense of identity and unifying history. They feel unfairly burdened with the bulk of the City's homeless issues. Many in the neighborhood originally perceived that Working Fusion on Mill Street was simply an extension of the other homeless outreach service providers like the Salvation Army or the Springs Rescue Mission. As a result, the Applicant engaged with the neighborhood with letters addressing their individual and collective concerns. In addition, on May 8th 2019 the Applicant hosted a neighborhood meeting at City Hall where 30 residents attended.

This meeting described the planning process and timeline and went into detail about who the Applicant, Kairos Project 17, is and what they are planning for this site. Kairos Project's 17's founder, Shelley Jensen, and the consultant from Altitude Land Management, John Olson, described the physical design of the Working Fusion at Mill Street site and went into detail regarding the facilities. This explanation appeared to help many in the audience to stop objecting to the project and start seeing it as a possible improvement to the neighborhood. Some attendees expressed that they could not trust the word of any developer in their neighborhood due to past promises that were never kept.

Most of the letters that were received by Staff are from before the neighborhood meeting when incorrect rumors were still being circulated. The few letters that were received after the neighborhood meeting on May 8th, 2019 express the neighbors' views of the project once the rumors were laid to rest.

The main questions and concerns of the neighborhood include:

- Why destroy the existing historic homes? Why don't they use the homes in the project? Does the neighborhood plan protect these homes?
- Isn't there a better place to locate this project than the Mill Street neighborhood?
- Why is the Mill Street neighborhood the repository of all of the homeless services of the City? Other neighborhoods need to share the burden.
- Where are the people who are being evicted going to go? Is the Applicant creating a problem to solve a problem?

- Who are the people who will live in the tiny homes? Will they increase the crime and be a magnet for more crime in the neighborhood? We don't want more housing for the homeless in our neighborhood.
- Why does the project only last 10 years? What will then happen to this land after ten years?
- Will there be enough parking?
- Will this project disrupt my business along Sierra Madre?

**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:**

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Approval of the zone change of 0.63 acres from M-1 (Light Industrial) to PUD (Planned Unit Development), based upon the finding that the application complies with the review criteria for granting a zone change as set forth in City Code Section 7.5.603(B) and the criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Spring pertaining to 0.63 of an acre located at the northeast corner of South Sierra Madre Street and West Fountain Boulevard from M-1 (Light Industrial) to PUD (Planned Unit Development: Multi-Family Residential, 28 dwelling units per acre, maximum building height of 14-feet).