



Legislation Details (With Text)

File #: CPC CA 17-00138-A2 **Version:** 3 **Name:**

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

File created: 10/23/2017 **In control:** City Council

On agenda: 2/27/2018 **Final action:** 2/27/2018

Title: Ordinance No. 18-11 amending Section 501 (Purpose) and creating Section 509 of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District.

(Legislative)

Related files: CPC MPA 02-00101-A8MJ17, CPC CA 17-00138-A1, CPC CA 17-00138-B

Presenter:
Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Sponsors:

Indexes: Renew North Nevada Ave

Code sections:

Attachments: 1. NorthNevadaOverlayZoneCreating-Art3ORD-2018-02-15.pdf, 2. Signed Ordinance 18-11

Date	Ver.	Action By	Action	Result
2/27/2018	2	City Council	finally passed	
2/13/2018	2	City Council	approved on first reading	Pass
1/22/2018	2	Council Work Session	referred	
12/21/2017	1	Planning Commission	referred	Pass

Ordinance No. 18-11 amending Section 501 (Purpose) and creating Section 509 of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District.

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Presenter:
Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Summary:

Applicant: City of Colorado Springs

Owner: Multiple

Location: area generally extends from the Rock Island Railroad in the south to Austin Bluffs Parkway in the north, and from Cascade Avenue to the west and North Stone Avenue to the east.

The City of Colorado Springs received a state grant in 2016 to undertake a Master Plan for the North Nevada Avenue Economic Opportunity Zone. In summer 2016, the City hired N.E.S. to conduct the master plan process titled Renew North Nevada Avenue Master Plan. With a community-driven process that included participation from approximately 900 individuals, City Council approved the adoption of the Renew North Nevada Avenue Master Plan in March of 2017.

The Master Plan identified implementation recommendations to ensure that the City continued to take steps to implement the plan and help realize the vision in the Master Plan. The number one recommendation from the Master Plan was to develop a zoning overlay, to encourage private development to develop in a way that supports the Master Plan vision. The City began working on the zoning overlay, and associated design guidelines, immediately following the approval of the Master Plan.

Both the zoning overlay and the design guidelines aim to further the Master Plan vision. The City has conducted public input and brought these items to Boards & Commissions, as described below.

Previous Council Action:

The Renew North Nevada Avenue Master Plan was adopted by City Council in March 2017.

On January 22, 2018, this item was presented to City Council work session.

On February 13, 2018, this item passed unanimously on first reading with the following comments. During the meeting Councilman Knight raised the question regarding the allowance of certain Human Service Establishment sub-uses within the South Sector of the Overlay. Councilman Knight requested an amendment to the motion to approve the ordinance to denote Human service facility, Hospice, Residential childcare facility, large family care home, Human service shelter and Drug or alcohol treatment facility from permitted ("P") to referencing the base zone to determine if the uses are permitted ("P") or conditional ("C"). Councilman Bennett accepted the suggested amendment to the motion approving the ordinance. The ordinance has been updated to reflect the recommended change to the Human Service Establishments within the South Sector.

Background:

Please see the City Planning Commission Agenda Staff Report for additional background information.

Financial Implications:

N/A

Board/Commission Recommendation:

The zoning overlay and design guidelines were unanimously recommended by the City Planning Commission at the January 21, 2017 meeting. At this meeting there were two individuals who opposed the plan due to the potential impact on their property. The City clarified that if the use they are referring to is a non-conforming use as a result of the zoning overlay, the use can continue to operate. The zoning overlay and design guidelines were also unanimously recommended by the

City's Commission on Aging at the January 3, 2017 meeting.

Staff would like to note one minor change to the North Nevada Avenue Overlay Ordinance that occurred after City Planning Commission's review and action in December. Within the land use chart under 'Human Service Establishments', it was determined to change those uses within the South Sector from 'Conditional' to 'Permitted' since 'Single-family Residential' is also permitted within the South Sector; this change occurred after conferring with the City Attorney's Office due to requirements contained in State law and the Federal Fair Housing Act.

Please reference the minutes from the hearing for a detailed record.

Stakeholder Process:

The City has conducted public outreach on these items. The City hosted a public open house in August 2017, and distributed an email newsletter in November 2017 after posting all materials to the website. The City also mailed postcards to all property owners within the proposed zoning overlay area and put up posters in the area.

All of the input received from the planning process is available on the website at <http://www.coloradosprings.gov/renewnave>.

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:

Move to approve an ordinance amending Section 501 (Purpose) and creating Section 509 of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District.

An ordinance amending Section 501 (Purpose) and creating Section 509 of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District.