



Legislation Details (With Text)

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| File #: | PUDZ-22-0004 | Version: | 3 | Name: | Concrete Coyote AKA CPC PUZ 19-00171 |
| Type: | Ordinance | Status: | | Mayor's Office: | Mayor's Office |
| File created: | 10/27/2022 | In control: | | City Council: | City Council |
| On agenda: | 1/10/2023 | Final action: | | 1/10/2023: | 1/10/2023 |

Title: Ordinance No. 22-98 amending the zoning map of the City of Colorado Springs relating to 5.664 acres located at 1100 S. Royer Street from M2/PUD/SS (Heavy Industrial and Planned Unit Development with the Streamside Overlay) to PUD/SS (Planned Unit Development with a maximum of 0.36 dwelling units per acre, maximum 10,000 square feet of non-residential structures, and maximum building height of 40 feet, with the Streamside Overlay)

(Quasi-Judicial)

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning & Community Development
Peter Wysocki, Planning Director, Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD_ZC_1100SouthRoyerStreet, 2. Exhibit A - Concrete Coyote Zone Change Legal, 3. Exhibit B - Concrete Coyote Zone Change Depiction, 4. CPC Staff Report_Concrete Coyote_RBUpdated, 5. FIGURE 1 - Concrete Coyote Development Plan, 6. FIGURE 2 - Concrete Coyote Project Statement, 7. FIGURE 3 - Concrete Coyote Zoning Context Map, 8. FIGURE 4 - PlanCOS Vision Map, 9. FIGURE 5 - Concrete Coyote Letter of Support, 10. 7.3.603 Establishment & Development of a PUD Zone, 11. 7.5.603.B Findings - ZC, 12. Signed Ordinance No. 22-98.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------|---------------------------|--------|
| 1/10/2023 | 2 | City Council | finally passed | Pass |
| 12/13/2022 | 2 | City Council | approved on first reading | Pass |
| 11/9/2022 | 1 | City Planning Commission | referred | Pass |

Ordinance No. 22-98 amending the zoning map of the City of Colorado Springs relating to 5.664 acres located at 1100 S. Royer Street from M2/PUD/SS (Heavy Industrial and Planned Unit Development with the Streamside Overlay) to PUD/SS (Planned Unit Development with a maximum of 0.36 dwelling units per acre, maximum 10,000 square feet of non-residential structures, and maximum building height of 40 feet, with the Streamside Overlay)

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Ryan Tefertiller, Urban Planning Manager, Planning & Community Development
Peter Wysocki, Planning Director, Planning and Community Development

Summary:

Owner: Concrete Couch

Developer: Concrete Couch

Representative: Urban Landscapes

Location: 1100 S. Royer Street (west side of S. Royer Street, just north of E. Las Vegas Street)

These applications were submitted to allow the subject property to serve as the base of Concrete Couch, a local non-profit arts organization. The proposed PUD/SS zone will allow a mix of office, residential, education, and recreation uses at a very low density. The associated PUD development plan illustrates the construction of a roughly 1,100 square foot structure that will serve as a one-bedroom site manager's apartment, organizational office space, and restrooms for members and users on the property.

Background:

Concrete Couch is a 501C3 non-profit organization that began as a loose organization of teachers, artists, and others in 1990. The organization's mission statement is "to work with kids and community groups to create public art, to build community, and to create environments and experiences that humanize our world." Over the years, the organization has occupied a range of office spaces and other properties for administrative use and has completed a significant number of public art projects throughout the region. Prior to 2019, the organization has never owned property to serve as their home base and campus. However, in late 2019, with the help of multiple philanthropic entities, the organization was able to acquire the subject property, roughly 5.6 acres of land on the southeastern edge of Downtown Colorado Springs.

The subject property was previously owned by the Doxey estate and was largely used for the storage and disposal of concrete waste. There are significant areas of unconsolidated fill and concrete throughout much of the property. In the past, the City had been highly engaged with the Doxeyes regarding the use of the property and the need to properly maintain and secure the site. The site has seen a range of zoning and land use concerns in the past, specifically in regard to illegal dumping, homeless camping, and other general property maintenance issues. Though formal use has transitioned to Concrete Coyote, and the current owners have made great strides in securing and maintaining the property, the zoning and entitlement process must still be completed to legalize the use of the site under the proposed PUD zone.

The property owners are requesting to update the zoning of the site from PUD and M2 (Planned Unit Development and Heavy Industrial) to a new PUD that is specific to the current and proposed use of the property. Both the existing and proposed zoning designation include the SS (Streamside Overlay) designation along Shooks Run which bisects the site.

Section 7.3.604 of City requires that all PUD zone districts must include land use type and intensity (e.g. residential density, maximum non-residential square footage, and maximum building height). The proposed PUD zone includes a mix of uses including office, residential, education, and open space, and limits intensity to a total of two residential dwelling units (0.36 DUs/Acre), no more than 10,000 square feet of non-residential structures, and a maximum building height of 40 feet. While the subject area includes over five areas of land, the proposed development would all occur on the eastern 1-acre of land which is proposed to be platted into a new lot.

The purpose of the City's PUD district is to (in part) allow for a variety of use types and to encourage an appropriate mix of uses. The district is intended to encourage flexibility in design and a variety of development types that will improve the quality of physical development compared to what would otherwise be achieved through use of the City's standard zone districts. All requests for new PUD zone districts must be accompanied by either a PUD concept plan or a PUD development plan and

are evaluated using the criteria found in Part 6 of Article 3 of the Zoning Code. Additional discussion of those criteria is found below within the development plan section of this report.

The proposed PUD zone application is accompanied by a PUD development plan illustrating specific changes to the site. The primary focus of development on the site is the eastern one-acre lot with direct access to Royer St. The remainder of the site (roughly 4 and a half acres) is largely west of the Shooks Run creek and will be platted as a tract where no formal development or construction will occur.

The proposed changes to the site are relatively modest given the site's proximity to Downtown Colorado Springs. The plan illustrates improved access and a new parking area and, most notably, construction of a new 1,100 square foot, single-story, structure which will include roughly 480 square feet of office space, restrooms available to users of the site, and a 1-bedroom dwelling unit where an on-site property manager will reside. The plan illustrates other areas for screened and secure outdoor storage and creates opportunity for future structures in the future (as long as PUD Zone limitations are honored).

While the scope of the proposed development is modest the applicant has faced significant technical challenges.

- The site doesn't currently have direct access to a public water main requiring coordination and partnership with Colorado Springs Utilities to extend a water main to the site.
- Royer St. is scheduled to be closed just south of the site prohibiting future vehicle use at the existing railroad crossing. Royer St. will become a cul-de-sac at the subject property to retain access and allow vehicles to turn around.
- The site is encumbered by multiple easements to protect utility infrastructure and to provide future Legacy Loop trail connections across the site.
- The site has significant environmental issues on the western portion of the site relative to the past uses of the property. The applicant worked closely with the City to allow passive educational and recreational uses of those areas without running into environmental risks.

It was these, and other, issues that led to this project going through numerous rounds of technical review ensuring that all details were adequately addressed and resolved.

A PUD development plan must be evaluated using the criteria found in Section 7.3.606 of City Code. Those criteria address a wide range of including: conformity with adopted City Plans, design which is consistent with the surrounding area, mitigation of traffic impacts, utilization of public facilities, privacy, pedestrian access, appropriate landscaping, and provision of open space. Staff's analysis of the required criteria indicates that the proposed application is reasonable, substantially meets the criteria, and should be approved.

City Planning staff has evaluated the proposed application for conformance with the City's current comprehensive plan ("PlanCOS"), adopted in January 2019. According to PlanCOS Vision Map the project site falls within the edge of the Downtown Activity Center. PlanCOS includes a number of Goals, Policies and Strategies that support the proposed project, including:

- Goal VN-1: Increase neighborhood identity, inclusion, and participation throughout the city for residents, employees, and visitors
- Goal VN-3: Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific

vision and needs

- Policy VN-3.D: Create strong neighborhood identity through the inclusion and integration of arts and culture.
- Strategy VN-3.E-3: Though a combination of Zoning Code changes and development review decisions, encourage and support flexible site and building designs and residential densities that are adaptable to the specific site
- Goal UP-1: Enrich the texture and livability of the city as a tapestry of unique, vibrant, and walkable places
- Policy UP-1.A: Emphasize placemaking throughout the city with design and programming that supports a distinctive identity and experience.
- Strategy UP-1.A-1: Incorporate distinctive placemaking as an element of public and private development plans including privately initiated master plans, concept plans, and Planned Unit Development zoning
- Strategy UP-1.B-4: When feasible, integrate development with surrounding natural areas and maximize trail connectivity to enhance quality of life
- Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions
- Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment
- Policy UP-5.A: Actively evaluate plans for existing, new, and redeveloping urban places and corridors from the perspective of fiscal and environmental sustainability.
- Policy SC-1.D: Establish and maintain convenient multimodal connections between neighborhoods, local destinations, employment and activity centers, and Downtown
- Policy RC-2.B: Promote existing and new arts and cultural hubs, venues, and focal points as elements of activity centers throughout the city.
- Strategy RC-3.B-1: Continue to work with property owners and civic organizations to implement the Experience Downtown Master Plan to market arts and festivals and incorporate creative placemaking into new developments and redevelopments.

The project site is not a part of a formal master plan. The site is southeast of the plan boundary for the Experience Downtown Plan and just south of the Shooks Run Redevelopment Plan. While not within either Plan, Staff has determined that the proposed zone and development is consistent with both. This site is also affected by the Envision Shooks Run Facilities Master Plan; the project is highly consistent with this plan as an easement has been acquired along Shooks Run to allow future trail connection across the site.

Previous Council Action:

On December 13, 2022, this Ordinance was approved on first reading on the Consent Calendar by the City Council.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

This item was heard before City Planning Commission on November 9, 2022, as part of the Consent Agenda; the item passed with a unanimous vote of 9-0-0 to approve the consent items.

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

Stakeholder Process:

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to roughly 250 property owners on two (2) occasions; during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received only one public comment for this project which is included in the Planning Commission packet as FIGURE 5.

Staff and review agencies input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard review agencies including: City Engineering, Traffic, Parks and Recreation, CSU, Landscaping Review, SWENT, and others. All reviewing agencies support the applications with a few minor technical modifications listed at the conclusion of the Planning Commission staff report.

Alternatives:

1. Approve the application.
2. Deny the application; or
3. Refer the application back to staff for further consideration.

Proposed Motions:

Adopt an ordinance amending the zoning map of the City of Colorado Springs relating to 5.664-acres located at 1100 S. Royer Street from PUD/M2/SS (Planned Unit Development and Heavy Industrial with the Streamside Overlay) to PUD/SS (Planned Unit Development with maximum 0.36 dwelling units per acre, maximum 10,000 square feet of non-residential structures, maximum building height of 40 feet; and inclusion of the Streamside Overlay Zone), based upon the findings that the review criteria for the establishment of a PUD zone have been met, as set forth in City Code Section 7.3.603 and the review criteria for a zone change, as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 5.664-acres located at 1100 S. Royer Street from PUD/M2/SS (Planned Unit Development and Heavy Industrial with the Streamside Overlay) to PUD/SS (Planned Unit Development with maximum 0.36 dwelling units per acre, maximum 10,000 square feet of non-residential structures, maximum building height of 40 feet; and inclusion within the Streamside Overlay Zone)