



Legislation Details (With Text)

File #: CPC ZC 19-00036 **Version:** 3 **Name:**

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

File created: 3/28/2019 **In control:** City Council

On agenda: 6/11/2019 **Final action:** 6/11/2019

Title: Ordinance No. 19-38 amending the zoning map for the City of Colorado Springs from PBC (Planned Business Center) to TND (Traditional Neighborhood Development) for the property located north of Gold Hill Mesa Drive and east of 21st Street consisting of 4,174 square feet.

(Quasi-Judicial)

Related file: CPC CP 04-00127-A6MN17-MM01

Presenter:
Hannah Van Nimwegen, Senior Planner, Planning & Community Development Department
Peter Wysocki, Planning & Community Development Director

Sponsors:

Indexes:

Code sections:

Attachments: 1. Zoning Ord - Gold Hill Mesa Zone District Boundary, 2. Exhibit A - Legal Description, 3. Exhibit B - Boundary Depiction, 4. Vicinity Map - Gold Hill Mesa Zone District Boundary, 5. Signed Ordinance 19-38

Date	Ver.	Action By	Action	Result
6/11/2019	2	City Council	finally passed	Pass
5/28/2019	2	City Council	approved on first reading	Pass
4/18/2019	1	Planning Commission	referred	Pass

Ordinance No. 19-38 amending the zoning map for the City of Colorado Springs from PBC (Planned Business Center) to TND (Traditional Neighborhood Development) for the property located north of Gold Hill Mesa Drive and east of 21st Street consisting of 4,174 square feet.

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Peter Wysocki, Planning & Community Development Director

Summary:

Owner: AIPA Colorado Investments, LLC
Consultant: N.E.S. Inc

This project includes concurrent applications for a zone change of 4,174 square feet from PBC (Planned Business Center) to TND (Traditional Neighborhood Development) and associated minor modification to the Gold Hill Mesa Concept Plan. The subject zone change adjusts the TND (Traditional Neighborhood Development) zone district boundary seven (7) feet to the north to account for an error in the initial survey of the property.

Previous Council Action:

Previous council action on this property was the initial establishment of the TND zone in 2002 for Gold Hill Mesa which was then expanded to include the subject area in 2011.

On May 28, 2019, this Ordinance was approved on first reading on the Consent Calendar.

Background:

This zone change and concept plan amendment proposes to adjust the zone district boundary between the TND (Traditional Neighborhood Development) and PBC (Planned Business Center) zones in the Gold Hill Mesa neighborhood just north of Gold Hill Mesa Drive and east of 21st Street. The TND zone district boundary is proposed to move seven (7) feet to the north increasing the TND zone district by 4,174 square feet.

The Gold Hill Mesa neighborhood is the only development in Colorado Springs which utilizes the TND zone district. The TND zone was initially established in 2002 and was expanded to include the subject area in 2011. The developers of Gold Hill Mesa and the Villa De Mesa Homeowners Association (the existing single-family attached neighborhood to the east of the subject site) worked together to define the boundary between the TND and PBC zones. It was decided this boundary would align with the centerline of the primary road in the Villa de Mesa neighborhood, Calle de Seville. However, when the legal description for the zone district boundary was created, the dimensions were seven (7) feet short of this centerline. The proposed zone change is to rectify the boundary established by the incorrect legal description.

The minor modification the Gold Hill Mesa Concept Plan records the zone change request and adjusts the total area zoned TND to include the additional 4,174 square feet.

City planning staff is of the opinion the subject request is a minor corrective action which is compliant with the city's comprehensive plan-PlanCOS. The subject request will help support the development of an emerging neighborhood, Gold Hill Mesa, which provides a variety of housing types and sizes.

Financial Implications:

None.

Board/Commission Recommendation:

These items were before the City Planning Commission on the consent agenda on April 18, 2019 at which time the Commission voted unanimously (6-0-3 Absent: Commissioner McMurray, Eubanks, and Smith) to recommend approval to City Council.

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 283 property owners on two occasions: during the internal review stage and prior to the Planning Commission hearing. The site was also posted for both occasions.

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:

Approve the ordinance changing the zoning of 4,174 square feet from PBC (Planned Business Center) to TND (Traditional Neighborhood Development), based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B).

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 4,174 square feet located north of Gold Hill Mesa Drive and east of 21st Street from (Planned Business Center) to TND (Traditional Neighborhood Development)