



## Legislation Details (With Text)

**File #:** ZONE-22-0020      **Version:** 3      **Name:** Ames Land Exchange

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

**File created:** 1/19/2023      **In control:** City Council

**On agenda:** 3/28/2023      **Final action:** 3/28/2023

**Title:** Ordinance No. 22-15 amending the zoning map of the City of Colorado Springs relating to 1,249 square feet located south of the intersection of North 7th Street and West Espanola Street from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay).

(Quasi-Judicial)

**Presenter:**  
Austin Cooper, Planner II, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD\_ZC\_AmesLandExchange, 2. Exhibit A - Legal Desc, 3. Exhibit B - Zone Change, 4. Staff Report Ames Land Exchange, 5. Project Description, 6. Public Comments, 7. Public Comment Response, 8. Vision Map, 9. CPC\_Minutes\_2.8.23\_Ames Land Exchange DRAFT, 10. 7.5.603.B Findings - ZC, 11. Ames Land Exchange\_APC, 12. Signed Ordinance No. 23-15.pdf

Date	Ver.	Action By	Action	Result
3/28/2023	2	City Council	finally passed	Pass
3/14/2023	2	City Council	approved on first reading	Pass
2/8/2023	1	Planning Commission	referred	Pass

Ordinance No. 22-15 amending the zoning map of the City of Colorado Springs relating to 1,249 square feet located south of the intersection of North 7<sup>th</sup> Street and West Espanola Street from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay).

(Quasi-Judicial)

**Presenter:**

Austin Cooper, Planner II, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Summary:**

Owner/Developer: City of Colorado Springs  
Representative: Colorado Springs Public Works Engineering Department  
Location: South of the intersection of North 7<sup>th</sup> Street and West Espanola Street

The project proposes an application for a zone change with concept statement. The zone change proposes to rezone the project site, which consists of 1249 square feet of land, from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay). Per City Code 7.5.501(C)(1) Exceptions, the establishment or change of zone for certain zone districts, such as Two-Family Residential (R-2), do allow the submission of a concept statement as opposed to a separate concept plan application. The concept statement describes that the rezoning was submitted in conjunction with a recently approved land exchange that occurred between the City and adjacent property owner. Should the rezone be approved, the property owner intends to replat the property and eventually develop it residentially.

### **Background:**

The project site is currently part of an undeveloped section of Sondermann Park. This rezoning is being brought forward as a condition of a land exchange approved by City Council on April 26, 2022. More specifically, the land exchange consists of 1,249 square feet of park property swapped for 1,250 square feet of private property, which will be used as future right-of-way to service a newly created cul-de-sac on North 7<sup>th</sup> Street. The construction of the cul-de-sac is to be built as part of the Centennial Boulevard Extension project. The exchange of land was necessary for the property owner as the land needed by the City of Colorado Springs Public Works Engineering Department would result in the remainder of the property being under the size necessary for a legal R-2 (Two-Family Residential) lot.

The Applicant's (Colorado Springs Public Works Engineering) requested will rezone the 1,249 square feet of land site from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay). **(See "Zone Change" attachment)**. The R-2/HS (Two-Family Residential with Hillside Overlay). While the property will retain the Hillside Overlay, the Streamside Overlay will not be applied to the property as it is not affected by any streams or streamside buffers. Once the zone property exchange is ratified, the property owner intends to legally plat the property to have it meet R-2 (Two-Family Residential) zoning standards. The platted property will allow for at most, under the current zoning code, a single-family residence, and the potential for an ADU.

City Planning staff finds the application to be consistent with the purpose for a zone change request, as set forth in City Code Section 7.5.601.

The project applications have been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS, the project site is identified as a Changing Neighborhood **(see "PlanCOS Vision Map" attachment)**. The Ames Land Exchange project is consistent with the intent of Policy TE-2.D of the Thriving Economy Chapter of PlanCOS which is defined as to *"Provide high-quality infrastructure and technology citywide."* Strategy TE-2.D-2 of the Thriving Economy PlanCos Chapter would also be applicable as it encourages to *"Enhance infrastructure, transportation, and communications connectivity near major cultural, hospitality, and entertainment venues."* This goal is met due to this being part of the process to build the centennial extension and to improve roadways near Sondermann park.

For the reasons provided in this overall staff report, City Planning staff finds that this proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

The project site is part of the Mesa Springs Community Plan master plan and is identified generally

for park and residential uses. Through staff's review of the project application through the lens of the applicable review criteria the overall area impacts of the project were analyzed and found to be in general conformance with the area master plan.

**Previous Council Action:**

City Council previously took action on this property on April 26<sup>th</sup>, 2022, when they voted to approve a resolution authorizing the land exchange between the City of Colorado Springs and Charles K. Ames and Connie G. Ames. The resolution was approved as part of the consent calendar.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on February 8<sup>th</sup>, 2023, the project application was heard under the Consent Calendar portion of the hearing, so no discussion occurred. The Planning Commission voted 9-0 to approve the project application.

**Stakeholder Process:**

The public notification process consisted of providing notice to the surrounding owners within 1,000 feet of the site, which included mailing postcards to 90 property owners on three occasions; during the initial review, prior to the Planning Commission hearing, and prior to the City Council hearing. A public noticing poster was also posted during the two occasions noted above.

City Planning staff received three written comments, which expressed objection and inquiry. Those comments received in objection for the proposal raised concerns in regard to retaining park land. The Applicant drafted a response to public comment letter and has been distributed to the community members who commented on the project. No follow-up correspondence from the public were received.

- Staff sent copies of the plan set and supporting documentation to the standard internal review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, Landscaping, and Development Review Enterprises: Hillside, and Streamside Review. All comments received from the review agencies have been addressed.

**Alternatives:**

City Council can choose to approve, deny, or refer back to City Planning Commission.

**Proposed Motion:**

Approve the zone change for 1,249 square feet from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay), based upon the findings that the zone change meets the review criteria 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 1,249 square feet located south of the intersection of North 7<sup>th</sup> Street and West Espanola Street from PK/HS/SS (Public Park with Hillside and Streamside Overlays) to R-2/HS (Two-Family Residential with Hillside Overlay).