



## Legislation Text

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**File #:** 16-00151, **Version:** 2

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Ordinance No. 16-27 amending the Zoning Map of the City of Colorado Springs relating to a .5-acre area located at 16 and 22 Spruce Street from C-6 (General Business) to PUD (Planned Unit Development) that would allow for a maximum multi-family building height of 60 feet from grade, gross density of 96 dwelling units per acre, and a parking ratio of one on-site parking stall per dwelling unit. Quasi-Judicial

**Presenter:**

Michael Turisk, Planner II, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development Department

**Summary:**

Applicant: Dave Morrison of Land Patterns, Inc.  
Owner: Brian Bahr  
Location: Southwest corner of North Spruce and West Kiowa Streets.

There are two applications as part of this project:

1. Zone Change
2. Concept Plan

The applicant is requesting a zone change for a .5-acre site from C-6 (General Business) to PUD (Planned Unit Development) and an associated concept plan. In addition, the applicant is proposing a development plan and final plat for the properties to allow for a 48,000 square-foot, 48-unit apartment complex, and to re-plat two non-contiguous parcels, respectively. One, two and studio bedroom apartments would range in size from 450 square feet to 950 square feet. The project would provide below-grade and on-grade parking, a gym, café and patio seating for the exclusive use of residents and guests.

**Previous Council Action:**

N/A

**Background:**

This is a request for a zone change from C-6 (General Business) to PUD (Planned Unit Development) and approval of an associated PUD concept plan, development plan and final plat. The applications regard a proposed 48,000 square-foot, 48-unit multi-family project to be named "22 Spruce" (the moniker reflects the project's location at 22 North Spruce Street). The site currently includes an approximately 9,000 square foot vacant commercial building and a smaller accessory structure that in the past has accommodated various commercial and office uses.

PUDs are a unique zoning classification established to provide development flexibility by modifying

and/or waiving certain development standards. The intent of PUDs is to encourage efficient use of resources and planning and building innovation for residential, mixed-use and commercial projects. A comparatively small PUD district as proposed would integrate into the surrounding neighborhood fabric, in part, in that much of the immediate area is zoned C-6 (General Business), a district that allows for a wide array of uses and has site development standards such as minimum setback requirements that vary depending on location. To the above point, the applicant has proposed a zero lot line building and landscape setback, the intent of which is to create a strong street tree and pedestrian connection. PUD zoning ordinances typically define the type, height and density of the proposed use(s); to that point, "22 Spruce" as proposed would be just under 60 feet in height (from grade) and with a gross density of 96 Du/Ac (dwelling units per acre). Additionally, however, staff has proposed memorializing minimum on-site parking requirements due in part to the challenges associated with meeting minimum "one-size-fits-all" parking standards for this and other infill projects.

Regarding on-site parking, the project would provide 49 on-site spaces; there would also be 22 on-street (public) parking spaces available. The applicant conducted an analysis of on-street parking (attached) availability/capacity; the analysis suggests that adjacent streets provide for adequate overflow capacity.

Note that the City's Comprehensive Plan includes numerous objectives, policies and strategies that support the proposed rezoning and associated applications.

Furthermore, the Comprehensive Plan designates this area of the City as a Mature Redevelopment Corridor, areas that, per the Plan, offer "significant infill and redevelopment opportunities." Given the rather exhaustive list above, it is the finding of the City's Community Development Department that the rezoning request and associated applications substantially conform to the City's Comprehensive Plan 2020 Land Use Map and the Plan's Goals and Objectives.

Although the project site lies just outside the downtown core, it is proximate enough to identify with the strategic goal of strategically planning for future growth and providing for a vibrant, livable and active downtown. The project addresses this strategic goal by providing "affordable, residential development downtown for young professionals, young families, students, off-base military members, & empty nesters." Furthermore, the project speaks to said goal by being a viable infill and redevelopment project in what is considered a mature City neighborhood.

Please see the attached Planning Commission staff report for additional detailed analysis.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At its January 21, 2016 meeting, the Planning Commission approved the zone change and associated concept plan, development plan and final plat by a unanimous vote of 9-0 subject to technical modifications to the development plan as indicated in the Record-of-Decision, including the prohibition of amplified music after 10p.m. on the proposed rooftop patio. Note that although the project was unanimously approved, the amended motion to prohibit amplified music on the rooftop patio after 10p.m. was approved by a 6-3 vote. At least one dissenting Commissioner commented on the site's proximity to I-25 (and the associated and ever-present traffic noise) as one of the factors against this technical modification.

**Stakeholder Process:**

Public notice was provided to 108 property owners within 500-feet of the property shortly after application submittal. Staff received a petition with nineteen (19) signatures opposing the project just prior to a scheduled neighborhood meeting on November 3, 2015. At the meeting, the applicant conveyed details of the project and answered numerous questions for the seven (7) attendees. The primary concerns communicated regarded the availability of adequate parking, and to a lesser degree, the market or clientele that the project intends to attract. The site will be posted once again prior to the City Council hearing.

**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:**

CPC PUZ 15-00100 - Zone Change

Approve the zone change from C-6 (General Business) to PUD (Planned Unit Development) to allow for a maximum multi-family building height of 60 feet from grade, gross density of 96 dwelling units per acre, and a parking ratio of one on-site parking stall per dwelling unit based on the finding the request complies with the review criteria in City Code Sections 7.3.601 (Purpose of PUD zone) and 7.5.603.B (Establishment or Change of Zone District Boundaries).

An ordinance amending the Zoning Map of the City of Colorado Springs relating to .5-acre area located at 16 and 22 Spruce Street from C-6 (General Business) to PUD (Planned Unit Development) that would allow for a maximum multi-family building height of 60 feet from grade, gross density of 96 dwelling units per acre, and a parking ratio of one on-site parking stall per dwelling unit.