



## Legislation Text

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**File #:** 16-00017, **Version:** 2

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Ordinance No. 16-1 amending and correcting Ordinance No. 15-89 for the Another Attic, Ltd., Zone Change

Quasi-Judicial

**Presenter:**

Peter Wysocki, Planning and Development Director, Planning and Development Department

**Summary:**

Applicant: Thomas & Thomas; Jason Alwine

Owner: Another Attic, Ltd.; Paul Fields

Location: 4216 Date Street

An ordinance to correct the attached legal description for Ordinance No. 15-89 which amended the zoning map of the City of Colorado Springs pertaining to 0.84 acres, located at 4216 Date Street. Ordinance 15-89 approved a change of zone district from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center).

**Previous Council Action:**

On November 24, 2015 the City Council approved the Concept Plan which accompanied the first reading of the zone change ordinance. On December 8, 2015 the City Council approved on second reading the zone change from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center) through Ordinance No. 15-89.

**Background:**

An incorrect legal description was inadvertently attached to Ordinance No. 15-89. This item amends Ordinance 15-89 by attaching the correct legal description for the subject property. All other provisions contained in Ordinance No. 15-89 remain unchanged. Please see the previous City Council Memo (**Attachment 3**) and the City Planning Commission staff report (**Attachment 4**) for more information regarding the Zone Change and Concept Plan applications.

**Financial Implications:**

Not applicable

**Board/Commission Recommendation:**

On October 15, 2015, the City Planning Commission unanimously approved the zone change and Concept Plan applications on its consent calendar. This ordinance amendment does not require further action by the City Planning Commission.

**Stakeholder Process:**

The public process involved with the zone change and Concept Plan applications included both

posting the site with a poster and mailing postcards to 66 property owners within 500 feet of the subject property at the time of submittal as well as prior to the Planning Commission hearing. The subject site was posted prior to the November 24, 2015 City Council hearing and prior to the December 8, 2015 hearing. City Code mandated posting and notice requirements will be utilized prior to the City Council hearings correcting the legal description.

**Alternatives:**

There are no applicable alternatives to this item given that the recommended action corrects a technical error and does not modify previous Council action approving the zone change.

**Proposed Motion:**

Approve the ordinance amending Ordinance No. 15-89 correcting the attached legal description for the zone change from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center) pertaining to 0.84 acres, located at 4216 Date Street.

An Ordinance amending Ordinance No. 15-89 amending the zoning map of the City of Colorado Springs pertaining to 0.84 acres, located at 4216 Date Street.