



## Legislation Text

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**File #:** CPC ZC 22-00087, **Version:** 3

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Ordinance No. 22-74 amending the zoning map of the City of Colorado Springs relating to 0.734 acres located on the southeast corner of North Parkside Drive and East Bijou Street from OC/R-1 6000 (Office Complex/Single-Family Residential) to OC (Office Complex)

(Quasi-Judicial)

Related File: CPC DP 22-00088

### **Presenter:**

Matthew Alcuran, Planner II, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

### **Summary:**

Owner: Websters Land Stand, LLC.  
Developer: Websters Land Stand, LLC.  
Representative: YOW Architects, Brad Nichols  
Location: 125 North Parkside Drive

This project includes concurrent applications for a zone change from OC/R-1 6000 (Office Complex/Single-Family Residential) to OC (Office Complex). This project is at the southeast corner of North Parkside Drive and East Bijou Street. The development plan of this future development illustrates the conversion of the existing commercial building into multi-family residential development consisting of 32 one-bedroom apartments.

### **Background:**

The 0.734-acre site is located at the southeast corner of E. Bijou Street and N. Parkside Drive. The original approval of the project site as a commercial building occurred in 1959 per the El Paso County Assessor's Office. The applicant submitted a pre-application meeting with City Planning staff to discuss the conversion of commercial to multi-family use. Staff discovered a dual-zoning (OC/R-1 6000) which is not allowed. Staff recommended a zone change to remove the R-1 6000 zone designation keeping the OC zone designation, which allows for multi-family residential as a permitted use.

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B. of City Code. Specifically, the request must not be detrimental to public interest, health, safety, convenience, or general welfare; the proposal must be consistent with the City's Comprehensive Plan; and the request must be consistent to the approved master plan for the area. Staff finds that the first 2 criteria are met, and the third criteria is not applicable as the project site is not located with a master plan area. While a more detailed analysis of how the newly adopted PlanCOS applies to this project is provided below, it should be noted that the City has been supporting infill development

and redevelopment opportunities. Staff finds that the request for the zone change is in conformance with the City Code Section 7.5.603(B).

The concurrent Development Plan application for the Parkside 32 Multi-Family project proposes a multi-family residential development consisting of thirty-two (32) one-bedroom apartments. The project site is currently zoned OC/R-1 6000 (Office Complex/Single-Family Residential) and the associated zone change application will remove the residential designation to OC (Office Complex) only. The project site is 0.734 acres in size. A multi-family residential use is a permitted use in the OC (Office Complex) zone district, pursuant to City Code Section 7.3.203.

The project involves converting an existing 3-story commercial building into a multi-family residential development. The current configuration consists of commercial offices occupying the 1st and 2nd floors, with underground parking at ground level. The existing commercial building will be remodeled as residential apartments consisting of 32 one-bedroom apartments. In addition, the new residential interior will feature a guest restroom, lounge room, and remote workroom located on the 1st floor, a lounge and remote work room on the 2nd floor, and a pet washroom and trash room facility to be located within the ground level interior parking garage. Furthermore, the 32 interior parking spaces will include one ADA accessible parking space, and interior storage for all 32 residential units. As designed, the building is well-suited for the change of use from commercial office space to apartments.

Existing site improvements include restriping for 24 exterior parking spaces as well as enhanced landscaping along the western boundary and new landscaping to include trees and shrubs along the northern boundary. The new northern landscaping will enhance the corner project frontage which currently exists with solid pavement. The parking for the project will be brought into current compliance with accessible parking space requirements for the disabled. All existing curb, gutter, ADA ramps, and driveway access points will remain as directed by City review agencies.

Access to the site is from E. Bijou Street consisting of one drive access leading into the ground level interior parking garage and a second leading to the 24 exterior parking spaces. A one-way 12-foot private drive access located along the southern boundary exits onto Parkside Drive. It has been determined that all existing access points to be adequate for the proposed use. The project will also contain a bike rack for residents located near the southwest corner of the building. It is a project that has good connectivity with both the road and bike transportation networks of the City.

As previously mentioned, the site contains an existing parking lot that will be resurfaced and restriped for has a total of 24 exterior parking spaces for residents and guests. There are 32 interior parking spaces located within the ground level indoor garage for residents, which includes one ADA accessible parking space. The total number of spaces being provided is 56 and the required number of spaces based on the unit count is 48 parking spaces.

In the review of the proposed project the sites existing location, building, landscaping, trash enclosures, parking and handicap accessibility were all considered and each of these site features were determined to either meet or will be required to be improved to the intent of the zoning code. Together, the proposed use and how it integrates into the existing building and the design and layout of existing site improvements as outlined above demonstrate and reinforce why this project is compatible with the surrounding neighborhood.

Staff has evaluated the proposed application for conformance with the City's current comprehensive

plan (herein referred to as “PlanCOS”), adopted in January 2019. According to PlanCOS, the project site is identified as an Established Traditional Neighborhood. The Parkside 32 Multi-Family project is consistent with one of the core values of PlanCOS, which reinforces the importance of encouraging infill development proposals. One of the “Big Ideas” in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled “Embrace Creative Infill, Adaptation and Land Use Change”, which has goal VN-3 that states:

“Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs.”

To do this, PlanCOS suggests, “New development should focus on safe connections into and within these neighborhoods.”

A “Big Idea” from Chapter 4, entitled “Embrace Sustainability”, has Goal TE-4 that states: “Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”

A policy for this goal further reinforces that development should “Prioritize development within the existing City boundaries and built environment (not in the periphery).”

Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project’s land use, location and site design meet the overall intent of this idea.

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

The project site is not located within an adopted area master plan. The neighborhoods surrounding the project are developed with a mix of commercial and residential land uses. The applicant’s residential proposal is complimentary and supportive of the current land use patterns. Through staff’s review of the development plan application and consideration of the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(B), the overall area impacts of the project were analyzed.

**Previous Council Action:**

City Council previously took action on this property on March 1, 1959, when the property was annexed into the City as part of the Rolling Hills Addition Annexation.

**Financial Implications:**

N/A

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

This item was heard before City Planning Commission on September 14, 2022, as part of the Consent Agenda; the item passed with a unanimous vote of 8-0-0 to approve the consent items.

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

### **Stakeholder Process:**

The public process included public notice provided to 157 property owners within 1,000 feet of the site on three occasions: during the internal review stage, and prior to the Planning Commission and City Council hearings. The site was also posted on those three occasions. One public comment was received with three (3) questions regarding the size of the apartments, income level to rent, and if the project was low-income housing. The applicant did address the concern as part of the re-review, and no further public comment was received on this project.

Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Stormwater Engineering, City Traffic, City Fire, School District 20, Police and E-911. This site is not within the Airport Overlay and was not seen by the Airport Advisory Committee. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review. Staff has determined that this application is outside the two-mile buffer for USAFA notification. All comments received from the review agencies have been addressed.

- City Traffic - The City's Traffic Engineering Division stated they have no comments on the development plan or zone change applications.
- City Fire - The City's Fire Department (CSFD) stated they did not have any exceptions with the development plan or zone change as submitted.
- City Engineering - The City's Engineering Development Review (EDRD) required the following note "Accessible routes, including ramps and sidewalks, within the public right-of-way shall be per the City's Standard drawings and Specifications. City's Engineering Development Review Inspector will have the final authority on accepting the public improvements." In addition, EDRD accepted the proposed rock cobble placed in between the sidewalk and curb.
- SWENT - Stormwater Enterprise (SWENT) had no major review comments for this project. SWENT confirmed that the proposed change of use did not require a Drainage letter.
- CSU - Colorado Springs Utilities (CSU) required a preliminary utility and public facility plan which was reviewed and accepted. The review comments issued by CSU have been addressed
- City Landscape Architect - The City's Landscape Architect accepted the proposed new northern boundary trees and shrubs, the enhanced western boundary landscape area, as well as the Alternative Compliance Request to negate the eastern boundary landscape buffer due to the existing required parking spaces.
- City Police - Colorado Springs Police Department (CSPD) reviewed and accepted the photometric plan.

Please see the Planning Commission staff report for further details.

### **Alternatives:**

1. Adopt the ordinance as written;
2. Modify the ordinance;
3. Deny the ordinance; or
4. Refer the matter back to the City Planning Commission for further consideration

### **Proposed Motion:**

Adopt an ordinance amending the zoning map of the City of Colorado Springs relating to 0.734 acres located on the southeast corner of the North Parkside Drive and East Bijou Street intersection from OC/R-1 6000 (Office Complex/Single-Family Residential) to OC (Office Complex), based upon the findings that the change of the zoning request complies with the 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 0.734 acres located on the southeast corner of the North Parkside Drive and East Bijou Street intersection from OC/R-1 6000 (Office Complex/Single-Family Residential) to OC (Office Complex)