



## Legislation Details (With Text)

**File #:** CPC V 16-00137      **Version:** 3      **Name:**

**Type:** Planning Case      **Status:** Mayor's Office

**File created:** 1/23/2017      **In control:** City Council

**On agenda:** 3/28/2017      **Final action:** 3/28/2017

**Title:** Ordinance No. 17-25 vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue.

(Legislative)

**Presenter:**  
Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

### Sponsors:

**Indexes:** Sacred Heart Catholic Church

### Code sections:

**Attachments:** 1. ORD\_VacationROW - Alley, 2. Exhibit A - Legal Sacred Heart, 3. Exhibit B - Alley Vacation, 4. Ordinance 17-25

Date	Ver.	Action By	Action	Result
3/28/2017	3	City Council	finally passed	Pass
3/14/2017	1	City Council	approved on first reading	Pass
2/16/2017	1	Planning Commission	referred	Pass

Ordinance No. 17-25 vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue.

(Legislative)

### Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

### Summary:

Applicant: Taylor Architecture & Design Inc.

Owner: The Diocese of Colorado Springs

Location: Between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue

This project includes concurrent applications for a zone change from C5 (General Business), C5/P (General Business with Planned Provisional Overlay) and R2 (Two-Family Residential) to C5/CR (General Business with Conditions of Record), a concept plan illustrating a three phase expansion of the Sacred Heart Catholic Church campus, a development plan for Phase 1, and an alley vacation for

the east/west alley between 20th Street and 21st Street. The concept plan has been prepared for the area between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue and contains 2.5 acres.

An administrative nonuse variance has been also requested for the construction of a new wall over 6 feet in height at a 6 foot setback where 20 foot is required along West Colorado Avenue. The new wall will accommodate a prayer garden and allow the privacy sought for that area.

**Previous Council Action:**

On March 14, 2017, City Council approved this ordinance on Consent during first reading.

**Background:**

Sacred Heart Catholic Church has embarked on a master planning process for their current campus. The church has decided to work through the comprehensive site design with this application and also receive approval for Phase I of a three phased project. The final outcome of the project is for the existing historic structure at the corner of West Colorado and South 21st Street to remain and for a new rectory, offices, classroom and fellowship hall to be constructed on the site. The medical office building at the corner of South 20th Street and West Colorado Avenue will remain and be converted into church offices. The building at the corner of West Pikes Peak Avenue and South 21st Street will be demolished with the third phase of the project. The applicant will be submitting a final plat for the site prior to building permit to plat the property into one whole platted lot.

The property is currently subject to three separate zone districts. The north half of the property, north of the alley, is zoned R2, and the south half of the alley is partially zoned C5 and partially zoned C5/P (the P refers to City Code section 7.5.507.E and has specific provisions for the area on West Colorado Avenue). The applicant is requesting a rezoning for the entire property to C5/CR (Intermediate business with Conditions of Record).

The ultimate phased layout for the church campus provides a new rectory, office space, classrooms and a fellowship hall. This expansion provides functional areas for the churches activities and a new parking layout that allows better internal traffic flow within the site. The church has designed three phases to achieve the ultimate layout. In order to implement the new phased plan, the alley from 20th Street to 21st Street needs to be vacated with the reservation of a utility easement. The alley is only used when people access the Sacred Heart Catholic Church or the medical office building. The vacation of the alley allows the church to realign their parking lot to be more functional and will allow maximum use of the property with construction of additional facilities.

The development plan for Phase I implements the first phase adding needed accessible access, new rectory, and new restrooms for the site. The landscaping surrounding the building street frontage is upgraded and landscaping in the courtyard area is added. The new building and courtyard architecture are proposed to blend with the existing historic church.

This item supports the City's strategic goal relating to building community and fostering a land use pattern that encourages infill development while nurturing local business expansion.

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

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At their meeting on February 16, 2017 the Planning Commission, as part of their consent calendar, voted unanimously to recommend approval of all three applications to the City Council. Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

The public process involved with the review of these applications included posting the site and sending postcards on two separate occasions to 142 property owners within 500 feet. No public comments were received.

Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, Police, Enumerations, Floodplain, Real Estate Services, Comcast, School District 11 and E-911. This site is not within the Airport Overlay and was not seen by the Airport Advisory Committee and is outside of the buffer for review by USAFA.

**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 V 16-00137 - VACATION

Adopt an ordinance vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue, based upon the finding that the vacation complies with the review criteria in City Code Section 7.7.402.C.

An ordinance vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue.