



## Legislation Details (With Text)

**File #:** CPC ZC 18-00041 **Version:** 3 **Name:**

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

**File created:** 6/4/2018 **In control:** City Council

**On agenda:** 8/14/2018 **Final action:** 8/14/2018

**Title:** Ordinance No. 18-76 amending the zoning map of the City of Colorado Springs pertaining to 0.51-acre of land from R-5 (Multi-Family Residential) to OR (Office Residential), located at 20 Boulder Crescent Street

(Quasi-Judicial)

Related Files: CPC DP 18-00042, CPC NV 18-00043

**Presenter:**  
Peter Wysocki, Director, Planning and Community Development  
Matthew Fitzsimmons, Planner II, Urban Planning Division

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ZC\_ORD\_20 Boulder Crescent Street, 2. Exhibit A, 3. Exhibit B, 4. Signed Ordinance 18-76

Date	Ver.	Action By	Action	Result
8/14/2018	2	City Council	finally passed	Pass
7/24/2018	2	City Council	approved on first reading	Pass
7/24/2018	2	City Council	approved on first reading	Pass
6/21/2018	1	Planning Commission	referred	Pass

Ordinance No. 18-76 amending the zoning map of the City of Colorado Springs pertaining to 0.51-acre of land from R-5 (Multi-Family Residential) to OR (Office Residential), located at 20 Boulder Crescent Street

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Matthew Fitzsimmons, Planner II, Urban Planning Division

### Summary:

Applicant: Bobby Hill LLC  
Owner: James Morley

Location: 20 Boulder Crescent

This project includes concurrent applications for a zone change, development plan and a non-use variance.

- a. Zone Change: The zone change would rezone the property from R-5 (Multi-Family Residential) to OR (Office Residential).
- b. Development Plan: Proposes the construction of two additional residential floors and garages.
- c. Non-Use Variance: Allows a new building height of 49'10" where 35' is permitted.

**Previous Council Action:**

On July 24, 2018, this ordinance was approved on first reading on the consent calendar. Later in the meeting, a citizen had questions on this project and was unfamiliar with the procedures of the meeting and how the consent calendar works. Council allowed the item to be heard, all the questions the citizen had were addressed, and he had no further issues or questions on the matter.

**Background:**

The owner of 20 Boulder Crescent plans to construct two additional residential floors on top of the existing two story office building. These two additional floors would consist of two apartments on the third floor and one penthouse on the fourth floor. This plan is not possible with the current R-5 zoning, which does not allow mixed-use buildings. As a result, the owner is pursuing a zone change to OR (Office Residential) which would allow mixed-use development and is the dominant zone on the west side of the block.

The OR zone will allow mixed office and residential use, but the maximum height limits are reduced from 45' (R-5) to 35' (OR). Because of the new building design and desire to have four stories, the owner is requesting a height variance along with the zone change and development plan.

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

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At the Planning Commission meeting held on June 21st, 2018, all three items were placed on the consent calendar, which was passed unanimously without discussion.

**Stakeholder Process:**

The public process included public notice provided to 120 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. In response to the solicitation for comments, eight letters were received from residents. All eight (8) letters that were received from the neighbors welcomed this development in their neighborhood, with only minor changes requested.

Staff input is outlined in the City Planning Commission report. Staff sent plans to the standard internal and external review agencies for comment. All comments received from the review agencies are addressed.

**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 ZC 18-00041

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.51-acre of land from R-5 (Multi-Family Residential) to OR (Office Residential), located at 20 Boulder Crescent Street, based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.51-acre located at 20 Boulder Crescent Street from R-5 (Multi-Family Residential) to OR (Office Residential).