



## Legislation Details (With Text)

**File #:** CPC PUZ 18-00131 **Version:** 4 **Name:** 326 East Boulder  
**Type:** Ordinance **Status:** Mayor's Office  
**File created:** 3/27/2019 **In control:** City Council  
**On agenda:** 7/9/2019 **Final action:** 7/9/2019  
**Title:** Ordinance No. 19-47 amending the zoning map of the City of Colorado Springs relating to 25,000 square feet of land located on the north side of E. Boulder St. between N. Weber St. and N. Wahsatch Ave from R4 (Multi-Family Residential) to PUD (Planned Unit Development: Multi-Family Residential, - 37 dwelling units per acre, and a 40-foot maximum building height).

(QUASI-JUDICIAL)

Related File: CPC PUD 18-00132

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning & Community Development

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**Attachments:** 1. ZC\_ORD\_326EBoulderSt, 2. Exhibit A - Legal Description, 3. Exhibit B - Rezone, 4. Vicinity Map - 326 E Boulder Apartments, 5. 326 E Boulder Council Presentation 062519, 6. 326 E Boulder CPC Report, 7. Figure 1 - Development Plan, 8. Figure 2 - Project Statement, 9. Figure 3 - Zoning Map, 10. Figure 4 - Stakeholder Comments, 11. Figure 5 - Response to Stakeholders, 12. Figure 6 - PlanCOS Vision Map, 13. Figure 7 - Parking Demand Table, 14. Figure 8 - Historic Aerials Regarding Parking Demand, 15. 7.5.603.B Findings - ZC, 16. 326 E Boulder CPC Presentation 041819, 17. Draft\_326 E Boulder Apt\_minutes, 18. Signed Ordinance 19-47

Date	Ver.	Action By	Action	Result
7/9/2019	3	City Council	finally passed	Pass
6/25/2019	3	City Council	approved on first reading	Pass
6/25/2019	3	City Council	approved on first reading	
6/25/2019	3	City Council	reconsidered	Pass
5/16/2019	2	Planning Commission	referred	Pass
4/18/2019	1	Planning Commission	postpone to a date certain	Pass

Ordinance No. 19-47 amending the zoning map of the City of Colorado Springs relating to 25,000 square feet of land located on the north side of E. Boulder St. between N. Weber St. and N. Wahsatch Ave from R4 (Multi-Family Residential) to PUD (Planned Unit Development: Multi-Family Residential, - 37 dwelling units per acre, and a 40-foot maximum building height).

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**Presenter:**

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**Summary:**

Owner: Patrick Mieritz

Developer: Patrick Mieritz

Consultant Representative: Altitude Land Consultants

Location: 203, 205 and 209 Cheyenne Ave., 318, 320 and 326 E. Boulder St.

The project includes three applications: 1) a zone change from R4 (multi-family residential) to PUD (Planned Unit Development), 2) a PUD development plan illustrating the construction of an apartment building with 16 dwelling units, and 3) a subdivision application (which is being reviewed administratively). While the rezone and development plan apply to the both existing parcels covering a total of 25,000 square feet, only the eastern portion of the site (roughly 15,000 square feet) is proposed for redevelopment; the western 10,000 square feet is proposed to remain undisturbed.

**Previous Council Action:**

On June 25, 2019, this ordinance was passed by a vote of 5-3-1-0 with Council members Pico, Knight, and Williams opposing.

**Background:**

The subject property is just over a block from the edge of the Downtown Form-Based Zone (FBZ), and immediately across N. Weber St. from the edge of the Downtown Development Authority (DDA) taxing district. The site falls within the planning context area of the Experience Downtown Master Plan, though most of the Plan's details focus on the DDA area.

The development plan illustrates a single new building with a footprint measuring in at 5,620 square feet. Because the site slopes relatively significantly from west to east, the building appears as a 2-story building when viewed from N. Weber St. looking east, and a 3+ story building when looking west from N. Wahsatch Ave. The building is designed with a the historic character of the area in mind (the site falls just outside the southern extent of the North Weber/Wahsatch Historic District), using similar materials and design elements as the higher quality historic structures that can found in the area.

The proposed structure is located on the eastern portion of the site, coming within five to eight feet of the north, east and south property lines. This is a somewhat more urban design than is typically allowed for new development in the R4 zone, but is fairly consistent with most of the building setbacks on the same block as well as on adjacent properties to the south. The area between the sidewalk and the building will include two primary elements: 1) the existing stone wall along the south and east edges of the site will be retained, and 2) the area will be landscaped with trees, shrubs and ornamental grasses. These elements will help tie the project to the site's history while also softening the aesthetics of the site.

The site will be developed with seven private, off-street parking stalls - two of which are ADA stalls. The relatively small number of private, off-street parking stalls has been a significant issue with some of the stakeholders in the area, many believing that reliance on public, on-street stalls will result in the new residents parking in front of their homes or businesses. Some stakeholders argue that at least one private stall should be incorporated into the project for each dwelling unit. Conversely, the

applicant has provided data that suggests that Cheyenne Ave., just northwest of the site has an ample supply of parking for existing residents, new residents, and Palmer High School students - many of which use Cheyenne during school hours.

Because the proposed parking provisions are being incorporated into the proposed PUD zone district, neither a non-use variance, nor use of the relatively new alternative parking options found in Section 7.4.204 of City Code are required. However, if credit were given for on-street stalls adjacent to the site as is allowed for other projects, it should be noted that as many as 19 on-street stalls could be used to off-set parking demand for this project (13 parallel stalls along E. Boulder and 6 angled stalls on Cheyenne). Those stalls, taken together with the 7 off-street stalls, could be used to justify City-wide parking requirements under City Code.

The last element of the project that warrants discussion is the possibility that between 2 and 4 of the new units will be designated as certified affordable housing units. While discussions continue between the owner and the City's Community Development Staff, and nothing has been finalized, this issue may be of interest to decision makers in that any new affordable housing units help address the challenges of work-force housing and homelessness within the City.

#### **Financial Implications:**

N/A

#### **Board/Commission Recommendation:**

Planning Commission approved the applications unanimously at their April 18, 2019 meeting.

#### **Stakeholder Process:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 208 property owners on three occasions: at the pre-application stage to announce a pre-application neighborhood meeting, during the internal review stage, and prior to the Planning Commission hearing. The site was also posted during the three occasions noted above. Approximately 30 people attended the pre-application neighborhood meeting held on July 19, 2018. The primary concerns expressed at that time were: displacement of existing tenants; parking supply and demand; historic preservation; and bulk/scale. During the pre-application stage as well as the internal review stage, Staff received numerous emails from stakeholders regarding the project. The applicant provided written responses to those stakeholder comments that had been received after the formal submittal of the applications at the conclusion of their resubmittal / response letter dated January 23, 2019.

The applications were sent to all standard review agencies including: City Engineering, Traffic Engineering, the Fire Department, Colorado Springs Utilities, Stormwater, Landscaping, Parks and Recreation, Streets, and others. The vast majority of the initial agency comments have been 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 Motions:**

**CPC-PUZ 18-00131**

Approve the proposed PUD zone (37 dwelling units per acre of multi-family residential use, 40' maximum building height) for the 326 E. Boulder Apartments project, based upon the finding that the request complies with the zone change review criteria in City Code Section 7.5.603.B.

An ordinance amending the zoning map of the City of Colorado Springs relating to 25,000 square feet of land located on the north side of E. Boulder St. between N. Weber St. and N. Wahsatch Ave from R4 (Multi-Family Residential) to PUD (Planned Unit Development: Multi-Family Residential, - 37 dwelling units per acre, and a 40-foot maximum building height).