

CITY PLANNING COMMISSION AGENDA
December 16, 2021

STAFF: DANIEL SEXTON

FILE NOs:
CPC MP 87-00381-A29MJ21 – QUASI-JUDICIAL
CPC PUZ 21-00128 – QUASI-JUDICIAL
CPC PUP 21-00129 – QUASI-JUDICIAL

PROJECT: FALCON TRUCKING AT BANNING LEWIS RANCH
OWNER/DEVELOPER: FALCON TRUCKING COMPANY
CONSULTANT: NES COLORADO INC.



PROJECT SUMMARY:

1. Project Description: The project includes applications for a major master plan amendment, PUD zone change and PUD concept plan for 35.727 acres of land located at the southeast corner of Marksheffel Road and Barnes Road intersection. The project is herein referred to as “Falcon Trucking at Banning Lewis Ranch”. The major amendment to the Banning Lewis Master Plan changes the land use designation from Industrial (IDP) to Commercial, Residential High (12-24.99 du/ac), and Residential Medium High (3.5-7.99 du/ac). **(see “Master Plan Amendment” attachment)** The PUD zone change request would change the current zoning of PIP2/cr/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) to PUD (Planned Unit Development: Single-Family Residential, 3.5-7.99 du/ac, Maximum Building Height 35 feet; Multi-Family Residential, 12-24.99 du/ac, Maximum Building Height 45 feet; and Commercial, 40,000 square footage, Maximum Building Height 45 feet; with Airport Overlay). **(see “PUD Zone Change” attachment)** The proposed PUD concept plan illustrates the layout for the envisioned commercial and residential uses as well as site access points. **(see “PUD Concept Plan” attachment)**
2. Applicant’s Project Statement: **(see “Project Statement” attachment)**
3. Planning and Development Team’s Recommendation: City Planning staff recommends approval of the applications as proposed.

BACKGROUND:

1. Site Address: The property associated with this project is not platted so no addressing has been assigned.
2. Existing Zoning/Land Use: The property is zoned PIP2/cr/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) and is vacant.
3. Surrounding Zoning/Land Use: North: PIP2/cr/AO Planned Industrial Park with Conditions of Record and Airport Overlay) and is undeveloped.
East: PUD/AO (Planned Unit Development with Airport Overlay) and is residentially developed.
South: PBC/PUD/AO (Planned Business Center and Planned Unit Development with Airport Overlay) and is partially vacant and commercially developed.
West: RR-5/PUD (El Paso County Zoning) (Residential Rural (5 acres) and Planned Unit Development) and is residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map **(see “PlanCOS Vision Map” attachment)**, the project site is identified as a Future Neighborhood.
5. Annexation: The property was annexed into the City under the Banning Lewis Ranch #4 Annexation plat (September 1, 1988; Ordinance 88-117).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Banning Lewis Ranch master planned area and is identified for industrial land uses.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The project site is vacant and has a natural ridge in the center of the parcel, which then slopes down significantly to the west and east.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 285 property owners on two occasions: during the internal review and prior to the Planning Commission hearing.

The site was also posted during the two occasions noted above. City Planning staff received numerous correspondences from interested residents inquiring about the development and others objecting to the proposal. (see **“Public Comment” attachment**)

Staff input is outlined in the following sections of this report. 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 Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 49, El Paso County, Police, and E-911. All comments received from the review agencies have been addressed. City Planning staff notes that the following review agency provided project specific comments:

- City Finance – The Budget Office of the Finance Department conducted a Fiscal Impact Analysis (FIA) with a ten-year time horizon to understand the estimated expenditures and revenues attributed to the Banning Lewis Ranch Master Plan amendment application. The result of the FIA was a positive cumulative cashflow for the City, which can be attributed to the proposed mix of commercial and residentially developable parcels. In turn, the envisioned land uses creates and adequate revenue base to defray the cost of increased level of service to this development. (see **“Fiscal Impact Analysis” attachment**)
- City Traffic – The City’s Traffic Engineering Division reviewed and accepted the proposed site design and layout for the project. The applicant is required to submit a Traffic Impact Analysis (TIA) to analyze access locations and future roadway improvements with the submittal of a development plan.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

a. Application Summary:

i. Major Master Plan Amendment

The Applicant has requested a major amendment to the Banning Lewis Ranch Master Plan (see **“Master Plan Amendment” attachment**) to change the land use designation from Industrial (IDP) to Commercial, Residential High (12-24.99 du/ac), and Residential Medium High (3.5-7.99 du/ac) for the 35.727 acres of land associated with the Falcon Trucking at Banning Lewis Ranch project. This change in master planned land use designations will establish a less intensive uses for the project area, which is consistent with other recent request in the immediate area. While this change alters the envisioned land use trajectory for this portion of the master planned area, which previously focused on intensive industrial uses, the incorporation of commercial and transition residential uses creates a more dynamic land use pattern along Barnes Road and Marksheffel Road. The Residential High (12-24.99 du/ac) and Residential Medium High (3.5-7.99 du/ac) uses will provide additional rooftops that will support the current and future commercial uses in the area.

ii. PUD Zone Change

The submitted zone change request proposes to rezone the project site from PIP2/cr/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) to PUD (Planned Unit Development: Single-Family Residential, 3.5-7.99 du/ac, Maximum Building Height 35 feet; Multi-Family Residential, 12-24.99 du/ac, Maximum Building Height 45 feet; and Commercial, 40,000 square footage, Maximum Building Height 45 feet; with Airport Overlay). (see **“PUD Zone Change” attachment**) The Applicant has proposed maximum building heights and density ranges comparable to other properties throughout the City that are similarly zoned. These development standards will govern the future build-out of the project area. The requested zone also establishes an envisioned mix of commercial and residential uses, which creates a good transition mix of uses.

While the proposed mix of uses alters the land use direction for this portion of Banning Lewis master planned area, it is not dissimilar to those land uses already found within the immediate area. More specifically, there are established commercial and residential uses located at the other corners of the Marksheffel Road/Barnes Road intersection. Together, the proposed development standards and land use controls outlined above mitigate the project's impacts and meets the applicable City Code standards for a zone change request.

City Planning staff finds the application to be consistent with the purpose for a PUD zone change request, as set forth in City Code Section 7.3.601 and purpose for a zone change request, as set forth in City Code Section 7.5.601.

iii. PUD Concept Plan

The Applicant's proposed PUD Concept Plan for the Falcon Trucking at Banning Lewis Ranch project (see "PUD Concept Plan" attachment) illustrates the layout for the envisioned commercial and residential uses as well as development standards and site access points. The proposed layout of uses creates a complimentary and supportive land use pattern for the area, which transitions from west to east with the more intensive commercial and residential high (12-24.99 du/ac) uses adjacent to Marksheffel Road to the residential medium high (3.5-7.99 du/ac) use. In terms of the developability more specifically, the site is constrained by high-pressure inter-state gas lines and a natural ridge that bisect the property, the site's topography slopes down significantly to the west and east of the ridge. To further refine the compatibility of uses, the Applicant has proposed development standards by use:

Land Use	Density/Intensity	Max. Bldg. Height
Residential Medium High	3.5-7.99 du/ac	35 feet
Residential High	12-24.99 du/ac	45 feet
Commercial	40,000sf max.	45 feet

The proposed building height transition from 35 feet on the eastern portion of the project site to 45 feet along Marksheffel Road is a reasonable transition and consistent with development standards found in the immediate area. The manner for calculating the above referenced maximum building height will follow the methodology set forth in City Code Section 7.2.201 *Definitions Enumerated – Building Height (Non-hillside Zone)*.

In terms of circulation, the Applicant's plan is very conceptual so only vehicular turning movements on the periphery of the project area were identified. More specifically, while no direct access onto Marksheffel Road will be allowed from the project, turning movements from the access points off Barnes Road and Graphite Drive will have full movement intersections. The traffic control measure at each of the envisioned intersections will be determined with a future traffic impact study and development plan submittals. Further discussions of proposed roadway improvements and potential traffic impacts can be found later in this report under the Traffic subsection.

As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff find this to be true because the proposed mix of commercial and residential uses function as a transitional land use between the existing residential uses to the east and Marksheffel Road to the west, which will be reconstructed to a higher capacity roadway in the future. (see "Context Map" attachment).

The above discussed development parameters and envisioned supportive land uses mitigate the impacts of this development and reinforce why this project will be a compatible with the surrounding neighborhood. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing PUD concept plan, as set forth in City Code Section 7.3.601, and a concept plan, as set forth in City Code Section 7.5.501.

b. Traffic

The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the proposed PUD concept plan. Since the project applications do not establish the final mix of commercial and residential uses and this segment of the Marksheffel Road corridor has recently been studied, Traffic did not require a traffic study or trip generation analysis. Traffic did, however, apply a note to the proposed PUD concept plan stipulating that "A full traffic impact study at the time of development plan will be required addressing all needed roadway improvements for Marksheffel Road and Barnes Road." Furthermore, Traffic set the allowable turning movements off Barnes Road and Graphite Drive as full movement intersections, the traffic control measure at each intersection will be determined with the future traffic impact study. City Planning and Traffic will evaluate future development plan designs and layouts to determine if additional roadway or intersection improvements are necessary.

c. Drainage

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the PUD concept plan and accompanying master development drainage report, prepared by M&S Civil Consultants, Inc. SWENT has accepted the analysis and recommendations set forth in the report. Stormwater from future development within the project area will require full spectrum water quality and detention facilities. This design approach was found to comply with the City's Drainage Control Manual. The Applicant will be required to submit a final master development drainage report with future development plan and final subdivision plat applications.

City Planning staff finds that the proposed project addresses all the applicable review criteria set forth in City Code.

2. Conformance with the City Comprehensive Plan:

The project applications have been evaluated 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 a Future Neighborhood. **(see "PlanCOS Vision Map" attachment)** The Falcon Trucking at Banning Lewis Ranch project is consistent with one of the core values of PlanCOS, which reinforces the importance of encouraging the infill development proposals. One of the "Big Ideas" in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled "Reclaim Neighborhood Space", 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 uses, location and site development standards meet the overall intent of this idea.

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

3. Conformance with the Area's Master Plan:

The project site is part of the Banning Lewis Ranch master planned area and proposes to change the envisioned land use designation for 35.727 acres of land. As proposed, the present master planned land use designation of Industrial (IDP) would be changed to allow for the expansion of commercial and residential land uses. City Planning staff finds that Applicant's amendment request and associated project applications create a more complimentary and supportive land use pattern for the area and is in general conformance with the long-range vision for the Banning Lewis Ranch Master Plan, which consists of a mix of land uses. Through staff's review of the PUD concept plan and consideration of the review criteria for establishing a PUD concept plan, as set forth in City Code Section 7.3.605, and the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E), the overall area impacts of the project were analyzed. (see "Context Map" attachment)

STAFF RECOMMENDATION:

CPC MP 87-00381-A29MJ21

Recommend approval to City Council the major master plan amendment to the Banning Lewis Ranch Master Plan, based upon the findings that the request meets the review criteria for amending a plan, as set forth in City Code Section 7.5.408.

CPC PUZ 21-00128

Recommend approval to City Council the zone change for 35.727 acres of land from Planned Industrial Park with Conditions of Record and Airport Overlay (PIP2/cr/AO) to Planned Unit Development: Single-Family Residential, 3.5-7.99du/ac, Maximum Building Height 35 feet; Multi-Family Residential, 12-24.99du/ac, Maximum Building Height 45 feet; and Commercial, 40,000 square footage, Maximum Building Height 45 feet; with Airport Overlay (PUD/AO), based upon the findings that the PUD zone change meets the criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a change of zone, as set forth in City Code Section 7.5.603.

CPC PUP 21-00129

Recommend approval to City Council a PUD concept plan for the Falcon Trucking at Banning Lewis Ranch project, based upon the findings that the PUD concept plan meets the review criteria for establishing a PUD concept plan, as set forth in City Code 7.3.605, and meets the review criteria for establishing a concept plan, as set forth in City Code 7.5.501(E).