

**CITY PLANNING COMMISSION AGENDA  
AUGUST 20, 2020**

**STAFF: KATELYNN WINTZ**

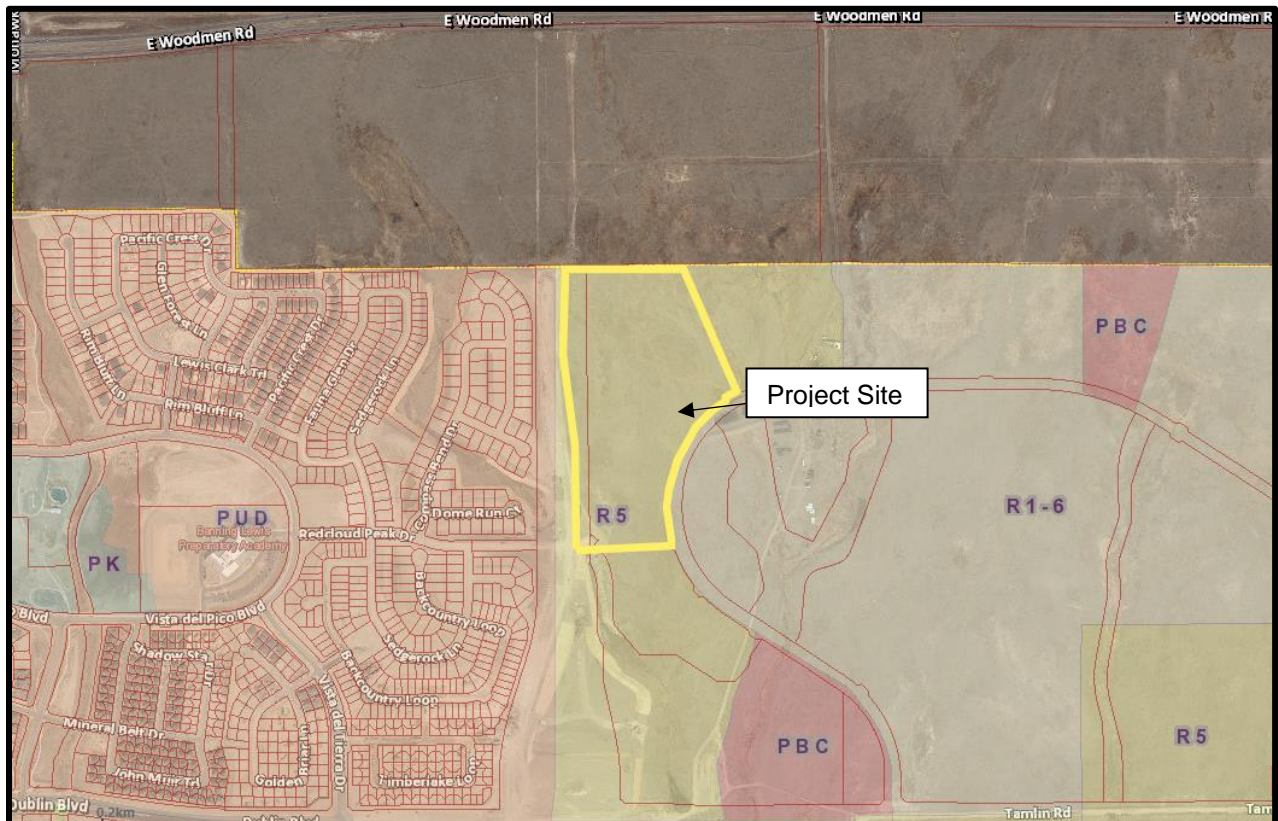
**FILE NO(S):**  
**CPC MP 87-00381-A25MJ20 – LEGISLATIVE**  
**CPC V 20-00031 – LEGISLATIVE**  
**CPC PUZ 20-00029 – QUASI-JUDICIAL**  
**CPC PUP 20-00030 – QUASI-JUDICIAL**

**PROJECT: BANNING LEWIS RANCH VILLAGE B1**

**OWNER: WALTON COLORADO LLC**

**DEVELOPER: CLAYTON PROPERTIES GROUP II dba OAKWOOD HOMES OF COLORADO SPRINGS**

**CONSULTANT: LAI DESIGN GROUP**



## **PROJECT SUMMARY:**

1. **Project Description:** The project includes concurrent applications for a major master plan amendment, PUD zone change, PUD concept plan, and right-of-way vacation for 32.4 acres of land located north of the future Dublin Boulevard extension and east of future Banning Lewis Parkway. The project (herein referenced as “Banning Lewis Ranch Village B1”) is zoned R5/SS/AO and R1-6000/SS/AO (Multi-Family Residential, and Single-Family residential with Streamside and Airport Overlays). The major master plan amendment proposes a change to the land use designation from RH (Residential – High) to RES-M (Medium density, 3.5-7.99 dwelling units per acre) to reduce the residential density in the project area (**see “Master Plan Amendment” attachment**). The project proposes a 6.4-acre right-of-way vacation along the previously platted easterly right-of-way of Banning Lewis Parkway (**see “ROW Vacation” attachment**), the proposed right-of-way vacation area is included in the proposed zone change and concept plan requests outlined below. The zone change request proposes to change the project area from R5/SS/AO and R1-6000/SS/AO (Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development with an Airport Overlay) (**see “Zone Change” attachment**). The concurrent concept plan illustrates the envisioned single-family detached residential development with its proposed access point, roadway extensions, and connections to future developments (**see “PUD Concept Plan” attachment**).
2. **Applicant’s Project Statement:** (**see “Project Statement” attachment**)
3. **Planning and Development Team’s Recommendation:** Staff recommends approval of the applications.

## **BACKGROUND:**

1. **Site Address:** The property is not addressed, as it has yet to be platted. The site is located north of the future Dublin Boulevard extension and east of future Banning Lewis Parkway.
2. **Existing Zoning/Land Use:** The property is zoned R5/SS/AO and R1-6000/SS/AO (Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays) and is vacant.
3. **Surrounding Zoning/Land Use:**
  - North: Unincorporated property zoned RR-5 (Rural Residential) and is vacant.
  - South: R5/SS/AO (Multi-Family Residential with Streamside and Airport Overlays) and is vacant.
  - East: R5/SS/AO and R1-6000/SS/AO (Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays)
  - West: PUD/AO (Planned Unit Development with Airport Overlay) and is being developed as residential.
4. **PlanCOS Vision:** According to the PlanCOS Vision Map (**see “PlanCOS Vision Map” attachment**), the project site is identified as a Newer Developing Neighborhood.
5. **Annexation:** The property was annexed into the City under Banning Lewis Ranch #2 annexation (August 9, 1988, Ordinance No. 88-115)
6. **Master Plan/Designated Master Plan Land Use:** The project site is part of the Banning Lewis Ranch Master Plan, the current designated master plan land use is RH (Residential-High).
7. **Subdivision:** A portion of the subject property, the area of the proposed vacation, was platted under Banning Lewis Ranch Filing No. 3, the remainder of the property is unplatted.
8. **Zoning Enforcement Action:** None

9. Physical Characteristics: The project site is relatively flat but slopes down to the southeast and is vacant.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 169 property owners on two occasions; during the initial review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received no comments in favor or in opposition to the project.

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 SWENT, City Fire, City Police, District 49 and City Budget. All comments received for the review agencies have been addressed.

- City Budget – A fiscal impact analysis (**see “Fiscal Impact Analysis BLR Village B1” attachment**) was completed for the proposed master plan amendment for a period of 2021-2030. City Fire and City Police identified that the proposed density reduction would decrease their costs of service for this development \$870 and \$11,771 respectively. The fiscal impact analysis finds the proposed changes will result in a positive cumulative cash flow for the City.
- Parks Department – The Parks Department determined that the development as proposed will not require parkland dedication at this time. The existing developed park area to the west will adequately service residents in this development. Future development on neighboring parcels to the south and east will require the dedication of parkland and the opportunities for trail connections between future developments.
- District 49 – District 49 expressed concern for the proposed development moving east of Banning Lewis Parkway with no consensus on school sites. On March 23, 2020, the District sent a follow up letter acknowledging that coordination is occurring to evaluate the existing master plan to ensure the sites work for the District’s needs and are comfortable with the project moving forward (**see “District 49 Letter” attachment**).

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

1. Review Criteria / Design & Development Issues:
  - a. Application Summaries
    - i. Major Master Plan Amendment

The proposed Major Master Plan Amendment (**see “Master Plan Amendment” attachment**) requests to modify the residential land use classification to reduce the density requirements from Residential-High (RH) to Residential-Medium (RES-M; Medium density, 3.5-7.99 dwelling units per acre). The proposed land use designation change maintains a residential land use classification and is compatible with existing and proposed residential land uses to the west. The land use designation RES-M (Residential Medium) will not substantially impact public facilities, transportation, or the environment. A fiscal impact analysis (**see “Fiscal Impact Analysis BLR Village B1” attachment**) confirms that the proposed changes will result in a positive cumulative cash flow during the 10-year time frame. The analysis attributes the positive outcome to the overall property assessment and demographics changes to positive impacts to sales tax revenue, property tax and taxes on building materials. The summary of expenditures and revenues page of the fiscal impact analysis does show negative annual impacts for years 2022-2030; this is attributable to the loss of population driven revenues due to the proposed density reduction.

City Planning staff finds the application to be consistent with the purpose of the *Master Plan*, as set forth in City Code Section 7.5.401.

ii. Right-of-Way Vacation

The proposed right-of-way vacation requests a vacation of a 6.4 acre portion of the previously platted Banning Lewis Parkway situated northerly of the future Dublin Boulevard alignment (**see “ROW Vacation” attachment**). The street design for Banning Lewis Parkway has changed significantly since platting, including reducing the road classification from an expressway to a principal arterial, which reduces the needs for excess right-of-way. The right-of-way vacation request is consistent with the 2018 Amended Annexation Agreement, which states that the City will act on requests to vacate excess portions of right-of-way including any previously dedicated right-of-way for Banning Lewis Parkway in excess of 142 feet. The City’s Traffic Engineering Division of Public Works (herein referred to as “Traffic Engineering”) approves of the vacation request as proposed and the new easterly right-of-way line. All necessary right-of-way is retained through this request to accommodate public facilities and no City departments have requested maintaining easements within the proposed vacation area.

City Planning staff finds the application to be consistent with the vacation plat requirements and platting procedures, as set forth in City Code Section 7.7.401.

iii. PUD Zone Change

The request will rezone the 32.44 acre project site from R5/SS/AO and R1-6000/SS/AO (Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development, Airport Overlay) (**see “Zone Change” attachment**). The proposed rezone is for a portion of a larger 440.4-acre unplatted parcel. While the existing zoning references the streamside overlay, the inner or outer buffers of the overlay do not encumber the project site; therefore, the proposed rezoning will not include that overlay. The proposed land use is single-family detached residential with a density range of 3.5-7.99 dwelling units per acre and maximum building height of 35 feet. The rezone is substantially similar to established PUD developments to the west (**see “Context Map” attachment**). The development to the west, is a PUD single-family residential community, approved in 2017, developed by the same developer of this application with the same density range and maximum building height as requested in this rezone. Per City Code Section 7.3.601 *Planned Unit Development Districts Purpose*, this zone district encourages flexibility of design that cannot be achieved through the application of the City’s standard single use zones.

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

iv. PUD Concept Plan

The proposed PUD Concept Plan (**see “PUD Concept Plan” attachment**) consists of a conceptual design for 32.44 acres of property to be developed as medium-density residential (3.5-7.99 dwelling units per acre) with approximately 161 planned units. Temporary primary access to this development will be through the established residential development to the west utilizing Redcloud Peak Drive, which will extend into the project area. Upon the completion of future Banning Lewis Parkway, primary access will shift out of the residential development onto the future extensions of Dublin Boulevard and Banning Lewis Parkway to Redcloud Peak Drive. The PUD concept plan also notes that all dimensional development standards will be established with a subsequent development plan. Detached 5-foot sidewalks are envisioned to run adjacent to all public streets throughout the development for pedestrian circulation. Per the PUD concept plan review criteria, set forth in City Code Section 7.3.605 *Review Criteria for PUD Concept Plans*, the project as shown is in substantial compliance with the stated criteria. Specifically, the proposed development is consistent with the surrounding established residential

development to the west and reinforces the land use patterns as established by the approved master plan as amended (**see “Context Map” attachment**).

City Planning staff finds the application consistent with the purpose for a PUD concept plan request, set forth in City Code Section 7.3.601 and City Code Section 7.5.501.

b. Traffic

City Planning, Fire, and Traffic Engineering staff engaged in conversations with the applicants throughout the review process to determine, in accordance with the Amended Annexation Agreement, appropriate triggers for construction of Banning Lewis Parkway. The planning and construction of an interim condition segment of Banning Lewis Parkway will extend from Redcloud Peak Drive to the northern extent of the project site will be required, with the posting of financial assurances for the unconstructed portions of the roadway at such time the subsequent development plan entitlement is submitted. Banning Lewis Parkway construction between Redcloud Peak Drive and Dublin Boulevard will be required at such time as traffic studies for future development deem it necessary. Notes on the concept plan also indicate that residential lots in the proposed development will not have direct access to Banning Lewis Parkway and sound barrier mitigation will be required for all residential lots adjacent to Banning Lewis Parkway.

2. Conformance with the City Comprehensive Plan:

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as “PlanCOS”), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as a Newer Developing Neighborhood (**see “PlanCOS Vision Map” attachment**). The project fits within the emerging neighborhood typology as defined in Chapter 2, Vibrant Neighborhoods, and this typology encourages a variety of housing types from low to medium density and ensure that careful attention is paid to the amenities the development may offer to enhance the neighborhood's livability. Banning Lewis Ranch Village B1 will be served by a Metropolitan District, which are known to finance public improvements and provide higher levels of ongoing services and amenities. Chapter 2 also identifies in Goal VN-2 to:

*“Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships and appropriate zoning and density that is adaptable to market demands and housing needs.”*

Provision of newly constructed residential units is a direct response to the market needs for housing in the City, and the allowance of a PUD zone district that allows for customizable design standards benefits this goal by allowing for a variety of housing types and density mixes.

The project aligns with PlanCOS Chapter 4 Goal TE-4, which 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.”*

Policy TE-4.A encourages prioritization of development within the existing City boundaries and built environment (not in the periphery) and is further supported by Strategy TE.4-A-3 which supports greenfield development that includes mixed-use, higher density clusters, and quality design. Banning Lewis Ranch Village B1 is a proposed medium-density single family residential greenfield development within the existing City boundaries. While the proposed development is on the periphery of the built environment, staff finds the project to still substantially conform to the intent of the Policy as stated because the project site is within the existing City boundaries and is located adjacent to existing development which further reinforces the ability to maximize investments in existing infrastructure.

3. Conformance with the Area's Master Plan:

As discussed above, this proposal will amend the Banning Lewis Ranch Master Plan by changing the envisioned land use designations for 32.4 acres of land. This request will transition the land use designation from RH (Residential-High) to RES-M (Residential-Medium) with a density range of 3.5-7.99 dwelling units per gross acre. Staff finds that the Residential-Medium density will allow for diversity of residential product desired with the initial classifications while also capping the total allowable density. Staff finds the proposal to be consistent with, and in substantial compliance with, the Banning Lewis Ranch Master Plan as amended.

**STAFF RECOMMENDATION:**

**CPC MP 87-00381-A25MJ20 – MAJOR MASTER PLAN AMENDMENT**

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 granting a master plan amendment as set forth in City Code Section 7.5.408.

**CPC V 20-00031 – STREET VACATION**

Recommend approval to City Council the street vacation for a portion of Banning Lewis Parkway, based on the findings that the request meets the review criteria granting a street vacation as set forth in City Code Section 7.7.402(C).

**CPC PUZ 20-00029 – ZONE CHANGE TO PUD/AO**

Recommend approval to City Council the PUD zone change from Multi-Family Residential and Single-Family Residential with Streamside and Airport Overlays (R5/R1-6000/SS/AO) to Planned Unit Development: Single-Family Detached Residential, 3.5-7.99 Dwelling Units Per Acre, and a Maximum Building Height of 35 feet; with an Airport Overlay (PUD/AO) based upon the findings that the request meets the review criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a zone change, as set forth in City Code Section 7.5.603.

**CPC PUP 20-00030 – PUD CONCEPT PLAN**

Recommend approval to City Council the PUD concept plan for Banning Lewis Ranch Village B1, based upon the findings that the request meets 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).