
PIKES PEAK HEIGHTS

ZONE CHANGE, PUD DEVELOPMENT PLAN, AND MASTER PLAN AMENDMENT

PROJECT STATEMENT

JULY 2018 (UPDATED DECEMBER 2019)

REQUEST

N.E.S. Inc. on behalf of Schuck Communities requests approval of the following applications:

1. A Rezone of property from M1/CR, PIP-2 CU and R1-6 DF to PUD (approx. 43.3 ac),
2. PUD Development Plan for single family residential units (approx. 32.55 ac); and
3. Master Plan Amendment of the Towne East Master Plan

LOCATION

The site is located east of the extension of Wooten Road and north of Canyon Wren Lane. Segments of the west fork of Sand Creek and Sand Creek are present to the north and east, respectively. The portion of the property to be developed is south and west of the various benches of sand creek.

The property proposed for residential development is approximately 32.55 acres and is currently undeveloped. Vegetation at site consists of a moderate to heavy stand of grasses, weeds, yucca plants, cactus, wild flowers, and small to moderate sized trees. The southern portion of the site was more densely covered with trees.

The property is zoned: M1/CR (Light Industrial), PIP2 CU (Planned Industrial Park), R1-6 DF, and R1-6 (Single Family) and lies within the Streamside and Airport Overlay zones.

A rezoning of the property to PUD is proposed as part of this application. An Amendment to the Towne East Master Plan (CPC MP 85-217-A5MN09) is also being requested to allow for single family residential.



PROJECT DESCRIPTION

This project advances numerous development and City objectives.

1. **Attainable housing:** The proposed development includes 194 market-priced attainable housing units.
2. **Trails and open space:** The project includes open space to provide opportunities for extension of the Sand Creek and Homestead Trails in accordance with the Park System Master Plan.
3. **Environmental clean-up:** This project includes mitigation of the existing landfill, management of debris and closure in accordance with Colorado Department of Public Health and Environment requirements. Long term responsibility for inspections and management of the mitigated landfill will be the responsibility of the metro district.
4. **Creek stabilization:** CSU and the City have identified creek stabilization projects for the main stem of Sand Creek and the West Fork of Sand Creek. This project will provide CSU and the City with the property necessary for these improvements.

The Development Plan proposes 194 units: 120 single family lots and 74 single family attached (duplex units). The maximum density proposed is 5.96 du/ac and the maximum height is 35 feet.

The site includes a 30 foot utility easement which traverses the property from Pikes Peak Avenue to the east. A 5 foot concrete walking trail is proposed within this easement which will connect to a Park Area and will have connections to the Regional Trail system within the proposed open space. Additional trail connections to the open space are provided along the easterly boundary of the development.

Access to the site is from the east by means of East Pikes Peak Avenue at the west of the site, Wooten Road from the north of the site and Canyon Wren Lane at the southern portion of the site. The proposed ingress and egress points will provide safe and convenient access to the site. Street names have been proposed for this project and are provided on the Development Plan.

The 32.55 acre development is affected by the Streamside Overlay zone designation. No impervious development is proposed within the Streamside Overlay and all residential properties will remain outside of the Streamside Buffers. A portion of the southern detention pond is located within the Outer Buffer and mitigation is proposed.

The property is identified within the ANAV (Aircraft Navigation Subzone) on the City of Colorado Springs Airport Overlay Zone map. The ANAV encompasses all land within the overlay. A portion of the north property lies within the Accident Potential Subzone 1 (APZ-1), however, none of the proposed residential development is located within this subzone. In accordance with Section 7.3.506(E)(2)(b&c) for new development, rezoning or subdivision, within the ANAV zone, "the applicant shall grant and record an aviation easement for the benefit of the Colorado Springs Airport."

Adjacent Zoning and Land Uses include the following:

- West: PUD AO / Mobile Home Park and Small Business
- South: R5 AO SS / Small Business
- East: R1-5 AO SS & PIP1 SS AO APZ1 / Vacant and Small Business
- North: PIP2 M1/CR APZ2 SS AO APZ1 / Vacant

PROJECT JUSTIFICATION

I. Zone Change

The proposal is to rezone the property to Planned Unit Development (PUD). The proposed rezoning of this property as described above meets the criteria for establishing a Zone Change as set out in Section 7.5.603 of the Zoning Code as follows:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.

The proposed residential use will be a more compatible use and will provide additional housing choice in the area. The rezoning of the property will not be detrimental to the public interest, health, safety, convenience or general welfare.

2. The proposal is consistent with the goals and policies of the Comprehensive Plan.

The site is within an area designated as "General Residential" on the City's 2020 Land Use Map. In accordance with the 2001 Comprehensive Plan the proposed project is in accordance with the 'General Residential'.

- **Objective LU 4** Encourages Infill and Redevelopment projects that are in character and context with existing, surrounding development. The proposed development is in character with the single-family residential units to the west. Single family residential units on the site provides for less impact than the land use type anticipated in the Towne East Master Plan.
- **Policy LU 601** Assure Provision of Housing Choices: *Assure Provision of Housing Choices Distribute housing throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area.*
The proposed development will provide additional choice in terms of density, type of residential, and levels of affordability.

3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.

The proposed zoning is accompanied by a Master Plan amendment, the justification for which is provided within this project statement.

4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this chapter. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157; Ord. 12-76)

The proposal is not in the MU Zone District.

II. Master Plan Amendment

Section 7.5.048 of the Zoning Code sets out the review criteria for Master Plans. The majority of these criteria relate to new Master Plans but those that are relevant to the proposed amendments of the Towne East Master Plan from ‘Neighborhood Commercial, Research and Development, and Business Park, and Single-Family Residential’ to all ‘Single Family Residential’ area as follows:

- A. Comprehensive Plan: The Comprehensive Plan and the 2020 Land Use Map are the context and the benchmark for the assessment of individual land use master plans. The proposed land use master plan or the amendment conforms to the policies and strategies of the Comprehensive Plan. The proposed land use pattern is consistent with the Citywide perspective presented by the 2020 Land Use Map.**

The site is within an area designated as “General Residential” on the City’s 2020 Land Use Map. In accordance with the 2001 Comprehensive Plan the proposed project is in accordance with the ‘General Residential’:

- **Policy LUM 202: General Residential**
Utilize the General Residential designation for the vast majority of existing and future residential areas. This designation includes a wide variety of residential uses, as well as uses that serve and support individual neighborhoods.
The project provides additional entry level housing choices in the area and is similar in density to the residential developments in the area.
- **Strategy LUM 202a: General Residential Characteristics**
Designate existing development at average gross densities greater than three dwelling units per acre and new development as appropriate.
The overall density of the project is 5.96 dwelling units per acre (194 units on 32.55 acres within the project boundary) which falls within the density range identified on the Towne East Master Plan under the ‘Single Family’ Land Use type.
- **Strategy LUM 202b: General Residential Primary Uses**
Identify primary uses as all types of residential development at average gross densities greater than three dwelling units per acre. Cluster higher density developments along collector and major roads and as a transition to nonresidential uses.
The project’s average density is greater than three dwelling units per acre. The project boundary is defined by the Sand Creek Tributary.

The following Policies and Strategies of the Comprehensive Plan support this application.

- **Policy LU 201: Promote a Focused, Consolidated Land Use Pattern**
Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.
The proposed project is an infill development which provides entry level housing options in the area.

B. Land Use Relationships:

- 1. The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.**

The proposed residential use is compatible with the single-family homes to the west. When developed, the project will incorporate trails with connections to adjacent sites where appropriate. Open Space along the Sand Creek Tributary will be maintained by the metro district and a portion of the property gifted to the City of Colorado Springs for open space and creek improvements. A 10' Regional Tier 2 trail system has been identified within this open space area.

- 2. The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.**

The proposed single-family and attached single-family residential use will be compatible with the single-family homes along the western boundary. The property is defined by the Sand Creek Tributary to the north, east and south.

- 3. Housing types are distributed so as to provide a choice of densities, types and affordability.**

Existing residential development in the area includes primarily single-family homes and a mobile home park near the northwest corner of the property. The proposed attached single-family and single-family residents will provide additional housing choice in terms of density, type of residential, and levels of affordability.

- 4. Land use types and location reflect the findings of the environmental analysis pertaining to physical characteristics which may preclude or limit development opportunities.**

The property is located within the Streamside Overlay zone. The only disturbance proposed with the 32.55- acre development within the Streamside Outer Buffer is the Detention pond on the south end of the property for approximately 390'. No impervious development is proposed within the buffer. As delineated on the Preliminary Landscape Plan, 13 trees are proposed within this buffer area to meet the 1/30' disturbance requirement. Portions of the metro district parcel are located within the Streamside Outer Buffer and include landfill mitigation areas. All disturbed areas associated with the landfill mitigation will be revegetated with a restoration seed mix.

- 5. Land uses are buffered, where needed, by open space and/or transitions in land use intensity.**

The existing access/utility easement on the northwestern section of the property, north of Pikes Peak Avenue, which will be retained. The Sand Creek Tributary provides a natural buffer of the proposed along the north, east and south boundaries of the project.

C. Public Facilities:

- 1. The land use master plan conforms to the most recently adopted Colorado Springs parks, recreation and trails master plan.**
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The proposed development provides a trail system that connects the proposed development and existing neighborhood to the a proposed City Multi-use Trail through the adjacent metro district parcel. A trail connection is proposed on the existing gas line easement that traverses the property east from Pikes Peak Avenue. The internal trail system connects to the master planned Homestead Trail and Sand Creek Trail as identified within the Park System Master Plan as prepared by the City of Colorado Springs Park, Recreation and Cultural Services. This development will construct approximately 2,367 linear feet of multi-use trail on the adjacent Metro District parcel. Other recreation amenities within the proposed development include a play area and trail connections to the proposed regional trail system along the Sand Creek Tributary.

2. Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community.

The plan provides for a continued regional trail connection in the area along the Sand Creek Tributary. The developer will construct approximately 2,367 linear feet of 10' wide multi-use trail in lieu of parkland dedication. In addition, future pedestrian bridges and future trail connections have been delineated on the Development Plan and will be constructed by the City.

3. The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual.

A Master Development Drainage Plan for the project has been prepared by Drexell, Barrell & Company. The Plan conforms to applicable drainage basin planning study and the drainage criteria manual.

D. Transportation:

1. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors.

A Traffic Impact Study was prepared for this proposed development. Access to the site is from the east by means of East Pikes Peak Avenue, Wooten Road at the north of the site and Canyon Wren Lane at the southern portion of the site.

E. Environment:

1. The land use master plan preserves significant natural site features and view corridors. The Colorado Springs open space plan shall be consulted in identifying these features.

The property lies within the Streamside Overlay Zone. The Development Plan identifies the 100-year floodplain and the Streamside Outer and Inner Buffers. The only area of disturbance with the Streamside Outer Buffer is the southern detention pond for approximately 390'. This area will also be revegetated with native vegetation. As delineated on the Preliminary Landscape Plan, 13 trees within the buffer area are proposed to meet the 1/30' disturbance requirement. There is substantial open space buffer, associated with the adjacent Metro District parcel, proposed between the development and the creek. No impervious surfaces are within the inner or outer buffer. A portion of the metro

district parcel will be used for mitigation of the landfill. All disturbed areas will be revegetated with a restoration seed mix.

There are no significant natural features within the streamside area other than the stream itself and there is no impact on the stream with this proposed development. Colorado Spring Utilities and the City of Colorado Springs have been working on improvements in the Sand Creek Tributary in the immediately area and have planned continued channel improvements – including further revegetation following channel improvements.

2. The land use master plan utilizes floodplains and drainageways as greenways for multiple uses including conveyance of runoff, wetlands, habitat, trails, recreational uses, utilities and access roads when feasible.

The proposed development is outside of the floodplain, which is contained within the adjacent Metro District parcel and the property that will be transferred to the City.

3. The land use master plan reflects the findings of a preliminary geologic hazard study and provides a range of mitigation techniques for the identified geologic, soil and other constrained natural hazard areas.

A Subsurface Investigation dated January 25, 2018, was prepared by CTL Thompson for approximately 22 acres northeast of East Pikes Peak Avenue and the southern extension of Wooten Road. In addition, a Preliminary Subsurface Soil Investigation dated September 22, 2002 was prepared by RMG Engineering for 40 acres. The property generally slopes to the northeast and southeast at grades of about 5 percent towards the tributary. Near the channel, grades steepen to about 3:1 (horizontal to vertical) for heights of 20 to 30 feet. At the channel, grades are nearly vertical in the lower 5 to 10 feet.

The soils encountered on the site included man-placed fill consisting of silty to clayey sand and gravel with frequent debris and native soils. The density of the fill material is erratic and often difficult to determine because of the frequency of the concrete and asphalt debris.

A Geologic Hazard Evaluation dated July 3, 2018, was prepared by CTL Thompson Inc. Geotechnical design and construction criteria for the proposed project have been provided. The information, conclusions, and recommendations presented in the evaluation are based upon consideration of many factors including, but not limited to, the type of structures proposed, the geologic setting, and the subsurface conditions encountered.

III. PUD Development Plan

In accordance with Section 7.3.606 of the City Zoning Code, a PUD Development Plan for land within a PUD Zone shall be approved if it substantially conforms to the approved PUD development plan criteria.

A. Consistency With City Plans: Is the proposed development consistent with the Comprehensive Plan or any City approved master plan that applies to the site?

The following Policies and Strategies of the Comprehensive Plan support this application.

- Strategy LU 502e: Locate Higher Density Housing as a Transition and Buffer to Residential Areas

Locate higher density housing in relation to activity centers and gradually decrease the density of that housing as a transition and buffer to the surrounding residential areas.

Comprehensive Plan Housing Strategy LU 502e encourages the higher density housing as a transition and buffer to residential areas.

- *Policy LU 601* encourages housing distribution throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area. The proposed use will provide additional choice in terms of density, type of residential, and levels of affordability in an area dominated by single-family homes.
- *Strategy LU 601b* supports a range of housing densities in all developing and new neighborhoods and seeks to target higher densities in proximity to open space, major thoroughfares, activity centers, and transit services. The location of this proposed residential use adjacent to Highway 24 and the inclusion of a large area of open space furthers this objective of the Comprehensive Plan.

B. Consistency With Zoning Code: Is the proposed development consistent with the intent and purposes of this Zoning Code?

The project will not be detrimental to the public interest, health, safety, convenience or general welfare. The proposed development will be a compatibility neighboring use and will provide additional housing choices in the area. It will also provide a public trail through the development that can connect to the Sand Creek and Homestead Trails.

C. Compatibility Of The Site Design With The Surrounding Area:

1. Does the circulation plan minimize traffic impact on the adjacent neighborhood?

Access to the property will be via East Pikes Peak Avenue, Wooten Road, and Canyon Wren Lane through the Eastborough and Miller's Crossing Subdivisions. Due to the Sand Creek Tributary, there will be not be access to the site from the east. The circulation system within the site is safe and functional and allows for off-site connectivity.

2. Do the design elements reduce the impact of the project's density/intensity?

The proposed development consists of 120 single family lots and 74 units (37 duplexes). The residential dwelling units are similar in height and scale to the adjacent single family residential development.

3. Is placement of buildings compatible with the surrounding area?

The proposed residential units are similar in use, height, and scale to the adjacent single family residential development.

4. Are landscaping and fences/walls provided to buffer adjoining properties from undesirable negative influences that may be created by the proposed development?

Along the western boundary, the existing single family residential houses have 6' fencing.

5. Are residential units buffered from arterial traffic by the provision of adequate setbacks, grade separation, walls, landscaping and building orientation?

The proposed development is not adjacent to arterial traffic.

D. Traffic Circulation:

1. Is the circulation system designed to be safe and functional and encourage both on and off site connectivity?

The circulation system within the site is safe and functional and allows for off-site connectivity.

2. Will the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?

The streets provide logical, safe and convenient vehicular access of the development.

3. Will adequately sized parking areas be located to provide safe and convenient access, avoid excessive parking ratios and avoid expanses of pavement?

The residential units will have garages and on street parking will be available. Parking will be provided adjacent to the Open Space as identified on the Development Plan.

4. Are access and movement of handicapped persons and parking of vehicles for the handicapped appropriately accommodated in the project design?

Access and movement of handicapped persons are accommodated. The sidewalks and crossing ramps through the development have been designed to ADA standards and to allow movement of handicapped persons through the site. As all units have garage/driveways, no separate handicapped parking spaces are provided.

5. As appropriate, are provisions for transit incorporated?

Approximately 0.40 miles west of the site at East Pikes Peak Avenue and Murray Avenue, PPRTA Route 22 has a bus stop.

E. Overburdening Of Public Facilities: Will the proposed development overburden the capacities of existing and planned streets, utilities, parks, and other public facilities?

The proposed project is for a residential use that is compatible with the existing residential uses to the west. The proposed development is within the capacities of the existing public facilities. It will have a lower trip generation than originally planned in accordance with the Town East Master Plan which included Business Park, Business Services and Research and Development land use types in the 2009 amendment (CPC MP 85-217-A5MN09).

F. Privacy: Is privacy provided, where appropriate, for residential units by means of staggered setbacks, courtyards, private patios, grade separation, landscaping, building orientation or other means?

All the units are afforded privacy by adequate separation across greenways and via setbacks and landscape from streets.

G. Pedestrian Circulation:

1. Are pedestrian facilities provided, particularly those giving access to open space and recreation facilities?

A 10' Regional Tier 2 public trail is proposed along the Sand Creek Tributary within the Metro District property. Pedestrian trails have been provided within the proposed development which will connect to the Regional Trail system.

2. Will pedestrian walkways be functionally separated from vehicular ways and located in areas that are not used by motor vehicles?

The network of pedestrian walkways through the greenways is functionally separated from vehicular traffic.

H. Landscaping:

1. Does the landscape design comply with the City's landscape code and the City's landscape policy manual?

The Landscape Design complies with the City's landscape code and landscape policy manual.

2. The use of native vegetation or drought resistant species including grasses is encouraged. The City's landscape policy manual or the Community Development Department's landscape architect can be consulted for assistance.

Native vegetation has been used.

I. Open Space:

1. Residential Area:

- a. Open Space: The provision of adequate open space shall be required to provide light, air and privacy; to buffer adjacent properties; and to provide active and passive recreation opportunities. All residential units shall include well designed private outdoor living space featuring adequate light, air and privacy where appropriate. Common open space may be used to reduce the park dedication requirements if the open space provides enough area and recreational facilities to reduce the residents' need for neighborhood parks. Recreational facilities shall reflect the needs of the type of residents and proximity to public facilities.**

The metro district will own and maintain the Open Space immediately to the east of the proposed development. Portions of this area will be used for mitigation of the existing landfill and revegetated with native vegetation. This Open Space is part of the regional trail system identified in the City of Colorado Springs Park System Master Plan. In accordance with the City's Park System Master Plan, both the Homestead Trail and the Sand Creek Trail provide regional connections. The Homestead Trail along the west Sand Creek Tributary is part of the 'Park to Peak Connector' trail system, and the Sand Creek Trail is part of the 'Ring the Springs' trail system.

As part of the recommendations of the City's Park System Master Plan recommendations, seven core themes emerged as the basis for the Park System Master Plan. One of the seven themes included 'Continue Open Space Conservation In Advance of Development'. The Sand Creek stream corridor has been identified under 'Urban Greenway Opportunities for Public Open Space and Trails' which is described as follows:

Enhancing existing stream corridors provides the best opportunity to conserve additional open space within urban areas. Expanding open space along the identified corridors and linking these areas together creates "complete creeks" or greenway corridors that serve stormwater needs, enhance recreational trail experiences, and facilitate wildlife movement, the factors that should be considered when creating greenways. This will help maximize the investments in connected open spaces within the interior of the community, rather than conserving individual parcels on an ad hoc basis. Though much of the land adjacent to these corridors is preserved through other mechanisms that have been implemented as a result of previous open space plans (such as the Creek Protection Overlay Zone), expanding these areas through additional open space dedications will have increased benefits for restoring viable habitats and enhancing recreational experiences.

The metro district parcel will comply with the recommendations of the City's Park System Master Plan to provided regional trail connections, expand open space opportunities along the Sand Creek Tributary, as well as serve stormwater needs.

- b. Natural Features: Significant and unique natural features, such as trees, drainage channels, slopes, and rock outcroppings, should be preserved and incorporated into the design of the open space. The Parks and Recreation Advisory Board shall have the discretion to grant park land credit for open space within a PUD development that preserves significant natural features and meets all other criteria for granting park land credit.**

The creek corridors are the significant natural features which bound the project to the north, east and south. The proposed project does not encroach within the Sand Creek Tributary and provides land for CSU and the City to make improvements to the stream channels.

- 3. Nonresidential And Mixed Use; Natural Features: The significant natural features of the site, such as trees, drainage channels, slopes, rock outcroppings, etc., should be preserved and are to be incorporated into the design of the open space.**

The proposed project will result in enhancement of the site by mitigating the existing landfill, cleaning up extensive piles of trash, concrete and asphalt, and removal of non-native Siberian elm trees.

J. Mobile Home Parks: Does a proposed mobile home park meet the minimum standards set forth in the mobile home park development standards table in subsection 7.3.104B of this article? (Ord. 03-110; Ord. 03-190; Ord. 09-70; Ord. 09-80; Ord. 12-68)

No mobile homes park is being proposed.

CONCLUSION:

Based on the above assessment, the proposed Zone Change, Master Plan Amendment, and Rezone to PUD is consistent with the review criteria. The project is also consistent with the goals and objectives of the Comprehensive Plan.