

CITY PLANNING COMMISSION AGENDA  
MAY 20, 2021

STAFF: KATELYNN WINTZ

FILE NO(S):

- A. - CPC MP 87-00381-A28MJ21 – LEGISLATIVE
- B. - CPC PUP 16-00013-A3MJ21 – QUASI-JUDICIAL

PROJECT: ENCLAVES AT MOUNTAIN VISTA  
OWNER: CHALLENGER COMMUNITIES  
DEVELOPER: CHALLENGER COMMUNITIES  
CONSULTANT: NES, INC.



## **PROJECT SUMMARY:**

1. **Project Description:** The project includes concurrent applications for a major master plan amendment and major PUD concept plan amendment for 24 acres of land southeast of the future extension of Barnes Road and Shale Drive. The project, Enclaves at Mountain Vista, is zoned PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays). The major master plan amendment proposes a change in land use designation from ES (Educational) to RM (Residential-Medium, 3.5-7.99 dwelling units per acre) (**see “Master Plan Amendment” attachment**). The concurrent PUD concept plan amendment illustrates the proposed residential development expansion (**see “PUD Concept Plan Amendment” 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. This site is located south of the future extension of Barnes Road and east of Shale Drive.
2. **Existing Zoning/Land Use:** The property is zoned PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) and is vacant.
3. **Surrounding Zoning/Land Use:**  
North: R1-6000 and PBC/cr/SS/AO (Single-Family Residential and Planned Business Center, conditions of record with Streamside and Airport Overlays) and is vacant.  
South: PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) and is vacant.  
East: PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) and is residentially developed.  
West: PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) and is vacant.
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). This property is subject to the Amended and Reinstated Banning Lewis Ranch Annexation Agreement (Resolution No. 36-18, September 28, 2018)
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 ES (Educational).
7. **Subdivision:** The property is unplatted.
8. **Zoning Enforcement Action:** None
9. **Physical Characteristics:** The project site slopes up in a northeast direction toward the channel. This channel is currently part of a Letter of Map Revision (LOMR) process to have the boundaries modified. A description of a LOMR is provided below.

**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 163 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 5 public comments expressing concerns about traffic and the relocation of a school site.

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 from the review agencies have been addressed.

- City Budget – 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 cash flow for the City.
- Parks Department – The Parks Department determined that the development, as proposed, will create a 2.12 acre Parkland Obligation. Based on the recent park site being built, Parks is requesting fees in lieu of parkland dedication for this new Filing 7 for an estimated 91 units.
- District 49 – School District 49 has worked with Challenger Homes to provide a school site that works best for the development and school district. District 49 has come to an agreement that the original school site depicted on the Master Plan and Concept Plan was not a suitable location for elementary students. The District and the developer have agreed that a future school site will be required but the location of that site is not known at this time. area.

### **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 change the land use classification from ES (Educational) to RM (Residential-Medium, 3.5-7.99 dwelling units per acre). Master Plans are generalized guides for development and, as noted in City Code Section 7.5.403.C, at times it may become necessary to amend the plans as conditions change. The original Banning Lewis Ranch Master Plan attempted to balance and account for the needs of residential development and the school district by planning future school sites. The currently approved master plan shows a school site along the future extension of Barnes Road, which is envisioned as a major East-West roadway in the Banning Lewis Ranch master planned area. As described above, the school district supports the request to change the land use designation in this location because the District agrees that the original school site is not an optimal location for a school.

This master plan has been amended frequently to accommodate the modern residential development pattern. Market conditions evolved over the last three decades and the proposed changes are a proactive response to ensure greenfield development is responsive to the current market conditions. The proposed land use designation change maintains a primarily residential land use classification and is compatible with existing and proposed residential land uses to the west. Staff finds that the proposed plan revisions are consistent with the needs of the School District and supportive of the high-demand for residential development within the City.

A fiscal impact analysis confirms that the proposed changes will result in a positive cumulative cash flow during the 10-year time frame.

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. Major PUD Concept Plan Amendment

The proposed PUD Concept Plan (**see “PUD Concept Plan Amendment” attachment**) consists of an amended conceptual design for the Enclaves at

Mountain Vista PUD Concept Plan. The proposed change includes a 24-acre portion of the site, previously proposed as a future school site, to be developed as a medium-density single-family detached residential (3.5-7.99 dwelling units per acre) development with approximately 91 additional units. Building and landscaping setbacks are noted on this PUD concept plan. The noted setbacks have not changed from the initial approval of this PUD concept plan from September 2016. The proposed development extends the residential land use pattern from the established residential development west of the project site and is consistent with the established zoning. As discussed above, due to the acknowledgement that this location is not conducive for a school site, the school district supports the request to change the land use designation in favor of expanding the residential uses to the project location. Both the developer and the school district have agreed there is a need for a future school site in this area but the District has not determined the exact location. The next phase of development, and development of the surrounding areas, will require land use entitlements. The School District is a standard reviewing agency for all residential developments; staff will continue to coordinate with the District and the developer to ensure school obligations are met.

Per the PUD concept plan review criteria, set forth in City Code Section 7.3.605 *Review Criteria for PUD Concept Plans*, the project 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. Drainage

The City's Water Resources Engineering Division of Public Works (herein referred to as "SWENT") has reviewed the major master plan amendment and major concept plan amendment and accompanying drainage letter, prepared by M&S Civil. SWENT accepted the analysis of the drainage letter to support the master plan amendment changes. The developer coordinated with SWENT to determine final design of the Sand Creek East Fork channel improvements along the eastern side of the project site. This project area is also currently under review for the CLOMR/LOMR process with FEMA. A LOMR is a letter of map revision issued by FEMA that revises the effective data on a community's Flood Insurance Rate Map (FIRM map). FEMA notes that LOMRs "*are generally based on the implementation of physical measures (like channel improvements) that affect the hydrologic or hydraulic characteristics of a flooding source thus resulting in the modification of an existing regulatory floodway.*" The developer worked with the City to create acceptable improvements to submit to FEMA for consideration with the LOMR process. A Conditional LOMR (CLOMR) was issued, indicating that the designed improvements are acceptable and enables the developer to make the requested changes to the regulatory floodway. Once all the improvements are completed and inspected, FEMA will issue the LOMR to officially revise the FIRM maps. SWENT has accepted the engineering and design of the proposed channel improvements in this area. The following note has been added to the PUD Concept Plan "*The Sand Creek East Fork channel improvements shall be fully constructed and accepted for the probationary period by the City's Public Works Department or assurances posted for 100% of the public improvement cost prior to the issuance of the first building permit within the Enclaves at Mountain Vista Ranch development project*".

c. Traffic

The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the major master plan amendment and major concept plan amendment and the accompanying trip generation technical memorandum, a supplement to the February 2016 traffic study for this development, prepared by LSC Transportation Consultants. The trip generation document submitted for review assesses the assumptions from the February 2016 traffic study and accounts for the proposed land use changes to expand the residential uses within the project area. Traffic Engineering agrees with the trip generation letter findings and recommendations.

Staff received several public comments about traffic concerns around this community, specifically the condition of Marksheffel Road and additional access points for the proposed development. Marksheffel Road is a County Road in the area of this development. City Traffic is engaged in high-level discussions with the County about the future of Marksheffel Road. Traffic Engineering is engaged in conversations with the developer and surrounding property owners to discuss the details of the alignment and triggers for construction of the extension of Barnes Road to the east of Marksheffel Road. The proposed amendment will create some change to the trip generation model; however, it is the opinion of the trip generation letter and Traffic Engineering that the change will not generate vital traffic to trigger major improvements to Marksheffel Road at this time.

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:

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**). 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 A 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.

The proposed commercial zoning and future commercial development is supportive of the Thriving Economy Typology 4: Life and Style. This typology aims to meet the daily needs of residents with varied and easily accessible options. The key importance of this typology is ensuring that it is dispersed throughout the City and encourage "connected and accessible retail". The proposed commercial area is situated along two roadways that are envisioned as future corridors for the Banning Lewis Ranch development. It is accessible not only for the residents to the west and future residents of this project area, but will be easily accessible to all future residents adjacent to the Banning Lewis Parkway corridor and future residents east of the proposed project site. The Thriving

Economy Framework reinforces the vision that commercial development in Banning Lewis Ranch will follow the Life and Style typology.

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 designation for 24-acres of land. This request will remove a proposed school site to allow for the expansion of a residential land use. The school district agrees that the location per the master plan is not a desirable school site and is prepared to work with the developer to find a better suited school site for future land dedication to the east of the project site. Staff finds that the proposed residential development is consistent with the surrounding land uses and the proposed amendment is consistent with, and in substantial compliance with, the Banning Lewis Ranch Master Plan as amended.

**STAFF RECOMMENDATION:**

**CPC MP 87-00381-A28MJ20 – 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 PUP 16-00013-A3MJ21 – MAJOR PUD CONCEPT PLAN AMENDMENT**

Recommend approval to City Council the PUD concept plan for Enclaves at Mountain Vista, 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).