
PROJECT STATEMENT

ZONE CHANGE

In April 1980, this property was rezoned from A-1 (agriculture) to PUD/HS/SS (Planned Unit Development with Hillside and Streamside Overlay). The PUD zoning referred specifically to a "condominium apartment type development" with a maximum density of 20 dwelling units per net acre and a maximum height of 35 feet. The 22-acre zone district incorporated the subject site and property to the north; the latter having since been developed for multi-family residential (Ordinance attached).

This proposal is to rezone the Wildgrass at Rockrimmon property to a Planned Unit Development of single-family attached (duplex) dwelling units, with a maximum density of 12 dwellings per net acre and a maximum height of 35 feet.

The request also seeks to remove the Hillside Overlay zoning from the property.

Zone Change Review Criteria:

- 1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.** The proposed rezoning will significantly reduce the intensity of development on the property from that approved under the 1980 Ordinance. The site is located in a transitional area and the proposed duplex development will be compatible with the existing multi-family to the north and east, the office uses to the east, and the proposed student town homes to the south. As demonstrated in the Land Suitability Analysis below, the removal of the Hillside Overlay Zone 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 lies within the "General Residential" designation on the 2020 Land Use Map, which forms part of the Comprehensive Plan. The proposed duplex development is consistent with this designation and Objective LU6 of the Comprehensive Plan, which encourages the provision of housing choice and a mixture of housing densities to meet the needs of all segments of the community. The project also represents infill development, which is specifically encouraged in the Comprehensive Plan.
- 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 1978 "Revised Master Plan of Rockrimmon" identifies this property as part of a larger 25 acre parcel designated for Multi-Family Residential. The Master Plan is considered implemented and does not have to be amended to reflect the less intense single-family attached development now proposed.
- 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. N/A.**

PUD DEVELOPMENT PLAN

The proposed development will include 76 lots for attached single-family units. Two access points are proposed off Delmonico Drive, which will serve the development via an internal looped public road system. The proposed access points meet the City's standards for intersection separation and sight visibility. The names of the public streets have been approved and reserved for this project (see attached email).

A 24,392 square feet (0.56 acre) open space area will be centrally located within the site to serve Wildgrass residents. This will also provide the location for the centralized mail box facility, the size and location of which is based on USPS requirements (see attached email). An additional open space between lots 32 and 33 will provide access from the development to the future trail alongside the creek. A total of 5.1 acres of open space is provided throughout the development.

There is an existing 20 foot wide sanitary sewer easement and associated maintenance track within the site boundary, generally paralleling the southern boundary of the property. This is identified as the proposed route of a future urban trail in the Parks Master Plan and the tract in which the easement is located is proposed to be deeded to the City for utility, drainage and trail purposes.

The duplex units will all be a mixture of single story ranch style homes and two-story dwellings. All the units will have a two car garage and driveway parking for two cars. All driveways will meet the minimum requirements of 18 feet in length. In addition, 18 off-street parking spaces are provided for guests, which are also situated to ensure safe and convenient access to the mailboxes.

The site slopes from north to south toward the existing creek, falling in grade by approximately 65 feet. In order to facilitate development, the site grading will be stepped down toward the creek. The grading and associated retaining walls allow the proposed lots to sit substantially below the finished grade of the adjacent multi-family building to the north. The proposed grading will also provide walkout arrangements for lots 15 to 40 and 53 to 60 and garden lots for lots 73 to 76. The retaining wall adjacent to Delmonico Drive in the south-east corner of the site is required to accommodate the proposed detention pond at the lowest point of the site.

PUD Development Plan Review 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 proposed development is consistent with the 2020 Land Use Plan, which identifies the property as "General Residential".

B. Consistency with Zoning Code: Is the proposed development consistent with the intent and purposes of this Zoning Code? The proposed development is consistent with the intent and purposes of this Zoning Code, as it is compatible with adjacent uses, will not create any nuisances, and will not result in excessive traffic.

C. Compatibility of the Site Design With The Surrounding Area:

1. Does the circulation plan minimize traffic impact on the adjacent neighborhood? Traffic from the development will enter and exit via Delmonico Drive and will not impact any nearby residential neighborhood. Delmonico Drive is a minor arterial designed to accommodate residential and commercial traffic from the surrounding area.

2. Do the design elements reduce the impact of the project's density/intensity? The project is less intense in terms of density than the currently approved zoning of the property. Some of the units will be single-story ranch homes which will limit the impact on adjacent properties.

3. Is placement of buildings compatible with the surrounding area? The proposed duplex units adjacent to the northern boundary will sit below the finished grade of the multi-family complex to the north. The site slopes from north to south toward the existing creek, and the buildings will step down across the site.

4. Are landscaping and fences/walls provided to buffer adjoining properties from undesirable negative influences that may be created by the proposed development? The proposed development will not create any undesirable negative influences. However, a buffer is proposed to the adjacent multi-family to the north.

5. Are residential units buffered from arterial traffic by the provision of adequate setbacks, grade separation, walls, landscaping and building orientation? Adequate setbacks and landscaping are provided along Delmonico Drive to buffer arterial traffic.

D. Traffic Circulation:

1. Is the circulation system designed to be safe and functional and encourage both on and off site connectivity? A looped public street will serve the residential development providing two safe and functional access and egress points on Delmonico Drive.

2. Will the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? All units will have direct driveway access to the proposed public streets.

3. Will adequately sized parking areas be located to provide safe and convenient access, avoid excessive parking ratios and avoid expanses of pavement? Each dwelling unit will have a two car garage and two driveway parking spaces. In addition 18 guest parking spaces are proposed.

4. Are access and movement of handicapped persons and parking of vehicles for the handicapped appropriately accommodated in the project design? Ramps are provided at street intersections.

5. As appropriate, are provisions for transit incorporated? Not applicable.

E. Overburdening of Public Facilities: Will the proposed development overburden the capacities of existing and planned streets, utilities, parks, and other public facilities? The PUD zoning of this property was approved in 1980 and its development has been factored in to the capacities of public facilities in the area. The current project is less intense than the approved zoning for the property.

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? The subdivision design provides adequate privacy with private yards, integrated decks, building orientation, grade separation, and the location of open space and landscaping.

G. Pedestrian Circulation:

1. Are pedestrian facilities provided, particularly those giving access to open space and recreation facilities? A sidewalk is provided along all streets in the subdivision. The sidewalk along Delmonico Drive will be extended to the intersection of South Rockrimmon Boulevard. An internal trail is also proposed through the internal open space and will connect to the future City urban trail between lots 32 and 33.

2. Will pedestrian walkways be functionally separated from vehicularways and located in areas that are not used by motor vehicles? All proposed sidewalks in the subdivision are detached and the internal trial is through open space.

H. Landscaping:

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

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 and drought resistant vegetation has been incorporated in the landscape design.

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. All dwelling units will have adequate and private outdoor living space. Common open space is also provided in the center of the development.

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. There are no significant or unique natural features on the developed part of the site. The development will not impact the character of the adjacent drainage channel, as it will not extend any closer to it then the exiting utility line and maintenance track.

2. 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. Not applicable.

STREAMSIDE OVERLAY

The property includes the north bank of the North Rockrimmon Creek, which is a Type 2 stream.

Streamside Review Criteria:

1. Has the natural landform been maintained within the overlay area and does grading conform to the specific grading limitations of this section as well as all other City grading and filling regulations? The natural landform on the site has already been disturbed by former mining activities that denuded the property and the resulting artificial fill has produced unstable soil conditions that have not revegetated. The construction of the sanitary sewer utility line running along the northern side of the creek has also impacted the natural land form and limited the revegetation of the property. The site will be graded up

to the utility line, which is within the outer streamside buffer. There will be no grading south of the utility line.

2. Does the development incorporate the stream ecosystem into the project design and complement the natural streamside setting? Has the project been designed to link and integrate adjacent properties with the stream corridor using accessways, creek front plazas, employee recreational areas or other site planning and landscaping techniques which include the stream corridor as an amenity? The residential properties will back onto the creek, allowing residents to enjoy the streamside setting. The existing utility easement and associated maintenance track will be reserved for a future streamside trail.

3. Has the project been designed to minimize impact upon wildlife habitat and the riparian ecosystem which exists on or adjacent to the site? Does the project design protect established habitat or any known populations of any threatened or endangered species or species of special concern? The proposed development will not impact existing streamside habitats or vegetation as development will not extend beyond the already disturbed areas.

4. Have existing or potential community trail networks and other recreational opportunities been identified and incorporated into the project design? The existing utility easement and associated maintenance track will be reserved for the future urban trail proposed in the Parks Master Plan, which will link to Rockrimmon Open Space to the north.

5. Has the project been designed to protect the subject property from potential flood damage and to accommodate flood storage and conveyance needs? The proposed channel improvements approved with the Creekside at Rockrimmon Concept Plan to the south of the creek will address potential flooding issues.

6. Have all significant natural features within the project streamside area been identified, and has the project been designed to minimize the impact on these features? There are no significant natural features within the streamside area.

7. Does the project identify and implement the recommendations of any approved subarea plans (such as the City greenway master plan, City open space plan or a specific drainage basin planning study) and of any approved public works projects and habitat conservation plans? The existing utility easement and associated maintenance track will be reserved for the future urban trail proposed in the Parks Master Plan.

8. Does the project design:

a. Implement a riparian buffer of specified width between the developed portions of the site and the adjacent waterway to assist in preventing point and nonpoint source pollutants and sediment from entering the waterway? The developed portion of the site does not extend beyond the existing utility line/maintenance track.

b. Exclude impervious surfaces from the inner buffer zone and meet imperviousness restrictions across the entire overlay? There are no impervious surfaces within the inner buffer and the impervious surface in the outer buffer is less than 10%, in accordance with the Streamside Overlay restrictions.

c. Incorporate all stormwater BMPs required by City Engineering throughout the developed site and adjacent to the buffer to encourage on site filtration of stormwater and protect water quality? On site detention and water quality is proposed.

d. Incorporate visual buffer opportunities of the stream between identified existing and/or proposed projects on opposing sides of the stream? Existing vegetation provides a buffer between proposed projects on opposing sides of the stream and the additional planting proposed will enhance this.

9. Are inner and outer buffer zone landscaping standards met? Have disturbed areas been revegetated to minimize erosion and stabilize landscape areas and does the project landscaping design specify plants selected from the riparian plant communities as set forth in appendix A of the landscape policy manual? Does the proposal meet all other requirements of the City's landscape code? The project meets the landscape code planting requirements. Due to the constraints imposed by the existing utility line and the steep slope down to the creek, there is insufficient space to meet the streamside buffer tree requirement. Supplemental planting is proposed to help stabilize the slope and minimize erosion around the detention pond, and within the open space tract between lots 32 and 33 that provides access to the streamside trail.

10. Have stream bank and slope areas been identified (particularly those over 15 percent slope)? Has the disturbance to these areas and any protective or stabilizing vegetative cover been minimized? Does the plan provide for the suitable revegetation and stabilization of any disturbed areas? The streamside overlay plan identifies the stream bank and slope areas. The slopes within the inner streamside buffer will not be disturbed by the development. Appropriate revegetation is proposed to stabilize the disturbed slopes in the outer buffer.

11. Have opportunities to reclaim the drainageway been identified and implemented where practical? For this criterion, reclamation constitutes any action that improves the quality of that drainageway visually, functionally or recreationally, and brings that drainageway into a more natural condition. The proposed channel improvements approved with the Creekside at Rockrimmon project to the south of the creek will address drainageway reclamation.

LAND SUITABILITY ANALYSIS

The property lies within the Streamside and Hillside Overlay Zone Districts. It is the purpose of the Streamside Overlay Zone District to guide the development and maintenance of the property adjacent to these stream corridors in a manner that is compatible with the environmental conditions, constraints and character of these areas. The purpose of the Hillside Overlay is to ensure that development is compatible with, and complementary to, the natural environment and minimizes physical damage to public and private property.

This Land Suitability Analysis (LSA) provides information about the site's physical characteristics and features, and assesses the compatibility of the proposed development with the streamside and hillside overlay objectives. In addition, the LSA seeks to demonstrate that the site lacks the necessary characteristics that merit its inclusion within the Hillside Overlay, and thus justify the request to remove the Hillside Overlay from the site.

SLOPE ANALYSIS

The majority of the site is gently to moderately sloping, with no past or potentially unstable slopes. Steeper slopes occur to the south of the site, along the stream corridor. The Geologic Hazard Study prepared for this property by Entech Engineering Inc. in June 2006 identifies the potential for downslope creep and unstable slopes in this area, caused primarily by artificial fill associated with past mining activity on the site.

Although the slope poses some constraints on development in the southern portion of the site, the steeper slopes will be stabilized as part of the redevelopment of the site through removal, regrading or retaining walls. Erosion of the slopes will be controlled through revegetation. In addition, the proposed buildings in the southern portion of the site will be setback approximately 30 feet from the crest of the slope, as recommended in the Geological Hazard Study.

There is a small knoll and cut in the center of the site which will be removed when the site is graded.

GEOLOGY & SOILS ANALYSIS

The property forms part of the old Pineview Mine, which ceased operation in 1957. There is some undermining on the site, but the subsidence hazard is low in the northern portion of the site and moderate in the southern portion of the site. An abandoned and filled fan shaft in the southeast corner of the property poses the greatest risk of subsidence and the Geologic Hazard Study recommends no building within 25 feet of the shaft, which is reflected on the PUD Development Plan.

The native soils on the site are sandy, clayey soils, which are not collapsible soils. There are some areas of expansive soils, resulting from the artificial fill on the site. These can be mitigated by over-excavation and recompaction, together with the use of drilled pier foundations where fill is deeper in the southern portion of the site.

VEGETATION ANALYSIS

There is little vegetation on the site as the area has been disturbed by past mining activities and the construction of a sanitary sewer utility main running roughly parallel to the southern property line. The vegetation is primarily low field grasses and weeds with some Gambel Oak and Ponderosa Pine in the

southern section of the site, concentrated along the creek bed. Some of the existing trees in the center of the site will be removed through over lot grading, but those within the streamside buffer will be retained in compliance with streamside standards.

CULTURAL ANALYSIS

The Cultural Analysis studies man-made impact upon the land. For the project site this includes previous mining activities, utility line construction and maintenance, and informal recreational use. The former mining activities have largely denuded the property and the artificial fill has produced unstable soil conditions that have not revegetated. The location of the utility line is defined by a maintenance road/track, which has also limited the revegetation of the property.

Since the closure of the Pineview Mine in 1957, the site has been used as informal open space. The aerial photograph on Page 1 shows the creation of social trails across the site connecting to the Rockrimmon Open Space to the northwest.

In addition, much of the surrounding area has been developed or is proposed for development, and many hillside characteristics have already been lost.

COMPOSITE ANALYSIS

The Composite Analysis represents the positive physical and environmental aspects of the site, as well as any physical or environmental constraints to development. Using an overlay of the Slope, Geology & Soils, and Vegetation Analysis, the Composite Analysis identifies the areas suitable for development and those areas that warrant protection. Based on the Composite Analysis, the majority of the site is suitable for development with little or no mitigation. While there are some slope and soil challenges in the southern portion of the site, with appropriate regrading, slope and soil stability measures, and foundation design solutions, this part of the site is also suitable for development without creating an adverse impact on the natural environment or risking damage to public and private property.

Buildings will be set back at least 30 feet from the crest of the slope that drops off toward the creek and no building will be constructed in the southeast corner of the property within 25 feet of the abandoned fan shaft. The existing trees in the stream corridor will be retained and additional planting provided to address the streamside buffer standards.

CONCLUSION

Based on the findings of this LSA, it is considered that the proposed development is compatible with the intent and purpose of the Streamside and Hillside Overlay Districts. The removal of the Hillside Overlay is appropriate as the site has already been denuded and subject to artificial fill as a result of past mining operations, and has none of the characteristic that contribute to hillside character.

AN ORDINANCE AMENDING THE ZONING
MAP OF THE CITY OF COLORADO SPRINGS,
RELATING TO 26.554 ACRES, SITUATED
NORTH OF ROCKRIMMON BOULEVARD AND
WEST OF DELMONICO BOULEVARD


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO
SPRINGS:

Section 1. The zoning map of the City of Colorado Springs is hereby amended by rezoning the real property described in Exhibit A, attached hereto and made a part hereof by reference, from A-1 to PUD, pursuant to the Zoning Ordinance of the City of Colorado Springs, subject to the following conditions and restrictions:

1. Maximum density twenty dwelling units per net acre for condominium apartment type development with a maximum height of 35 feet.
2. Acreage to be calculated in accordance with the Master Plan (approximately 22 net acres).
3. Subject to access to the property to the west being resolved by private negotiations between the owners.


Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Introduced, read, passed on first reading and ordered published this 22nd day of April, 1980.



Mayor

ATTEST:



City Clerk

ITEM NO. 5-B-21