

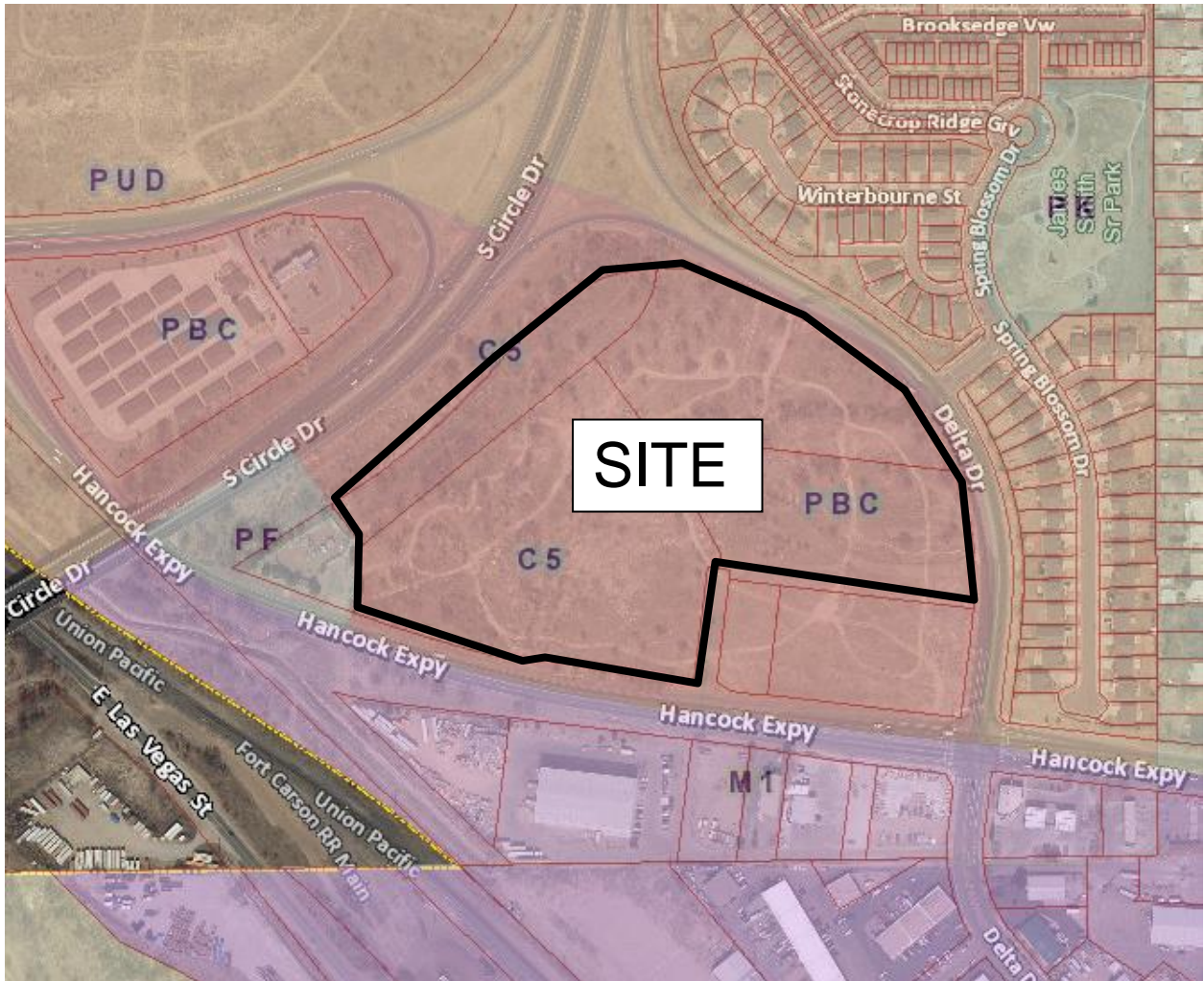
CITY PLANNING COMMISSION AGENDA
September 19, 2019

STAFF: LONNA THELEN

ASSOCIATED FILES:

CPC MPA 01-00177-A2MJ19 – LEGISLATIVE
CPC PUZ 19-00081 – QUASI-JUDICIAL
CPC PUP 19-00082 – QUASI-JUDICIAL

PROJECT: HANCOCK AND DELTA REZONE
OWNER/APPLICANT: NORCAL CAPITAL CORPORAION AND FRONT ROW PROPERTIES LLC
CONSULTANT REPRESENTATIVE: NES INC.



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for a master plan amendment (**FIGURE 1**), zone change, and concept plan (**FIGURE 2**) to amend the use of this site from a business park and commercial master planned use to 3.98 acres of commercial, 13.63 acres of residential and a 1-acre detention pond located between Circle Drive, Hancock Expressway and Delta Drive. The proposal will rezone 18.6 acres from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet).
2. Applicant's Project Statement: (**Refer to FIGURE 2**)
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: The parcel adjacent to Hancock is addressed as 2155 Hancock Expressway; the other three parcels are not addressed.
2. Existing Zoning/Land Use: C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center)
3. Surrounding Zoning/Land Use:
 - North: PUD (Planned Unit Development)/residential
 - South: El Paso County property/Fountain creek
 - East: PUD (Planned Unit Development)/residential
 - West: PBC (Planned Business Center)/mini-warehouse and car wash
4. Annexation: The property was annexed in 1981 as part of the Solar Village Addition Annexation.
5. Master Plan/Designated Master Plan Land Use: Spring Creek Master Plan/Business Park and Commercial
6. Subdivision: 7.9 acres adjacent to Hancock is platted as Front Row Subdivision Filing No. 2, the remainder of the site is unplatted.
7. Zoning Enforcement Action: None
8. Physical Characteristics: The site is currently vacant and slopes from the northern part of the site south to Hancock Expressway.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public notification process consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 349 property owners within 1000-feet. No public comments were received. The site will be posted prior to the City Planning Commission hearing and City Council hearing.

The applications were sent to the standard internal and external agencies for review and comment. Review comments were received and addressed. Review agencies for this project include Colorado Springs Utilities, City Traffic, City Engineering, City Fire Department and Police/E-911, as well as School District 2, and Floodplain and Enumerations.

ANALYSIS OF REVIEW AND CONFORMANCE WITH CITY COMPREHENSIVE PLANNING

1. Review Criteria/Design & Development

Master Plan Amendment:

The original Spring Creek Master Plan was approved in 1997 for the area generally south of Highway 24, east of Hancock Expressway and west of Circle Drive. The master plan also included this site and 37.6 acres north of this site, east of Circle Drive. The original Spring Creek Master Plan only contained 34 acres of residential out of the 465 acres. A major master plan amendment was completed in 2002 that increased the residential to 109 acres and decreased the office and commercial uses. The most recent amendment to the Master Plan was in 2014. **FIGURE 4** shows the currently approved configuration of The Spring Creek Master Plan

designating the area under review as “Business Park” and “Commercial”. The applicant is proposing an amendment for 13.63 acres of residential, 6.94 acres of commercial and a 1 acre detention pond. The proposed amendment creates a stronger transition of uses from the industrial use on the south side of Hancock to the single-family residential use on the north side of Delta Drive. The amended master plan shows a commercial use adjacent to Hancock Expressway and a residential use to the north. The surrounding area has multiple existing nodes of commercial north, east and west of the site making additional commercial development difficult on this site. In addition, the sites visibility from Delta Drive and Circle Drive is not appealing for commercial users and there is no access to the site from Circle Drive. The Fiscal Impact Analysis (**FIGURE 5**) shows a positive cumulative cash flow in a 10 year timeframe.

Staff finds that the request for the master plan amendment is in conformance with City Code Section 7.5.408 standards and review criteria for a master plan amendment.

Zone Change:

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B. of City Code and 7.3.603 for PUD zone changes. Specifically, the request must not be detrimental to public interest, health, safety, convenience or general welfare; the proposal must be consistent with the City’s Comprehensive Plan; and the request must be consistent to the approved master plan for the area. Staff finds that the criteria are met. While a more detailed analysis of how the newly adopted PlanCOS applies to this project is provided below, it should be noted that the City has been supporting infill development and redevelopment opportunities.

The requested change of zone of 18.6 acres of land, located between Circle Drive, Hancock Expressway and Delta Drive, will rezone the project site from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet). The C5/cr zone district restricts the property to office, business office support services, Business Park, custom manufacturing, religious institution and research and development services with no outdoor storage per Ordinance 04-17. The C5/P refers to a Planned Provisional Overlay; the specifics of the Planned Provisional Overlay were unable to be found. The proposed rezoning retains a commercial use along Hancock Expressway and allows a residential use that could include multi-family and single-family detached on the northern portion of the property. The commercial PUD uses are specified in the concept plan, but mirror closely to the uses permitted in the PBC zone district. A few uses that would normally be allowed in the PBC zone district have been removed to ensure compatibility with the residential use to the north. These uses that were excluded include auto repair garage, auto sales, campgrounds, construction sales and service, funeral services, hooka bars, kennels, Medical Marijuana Uses, sexually oriented businesses, schools, and private parking structures.

The PUD zone district was used in this case to allow flexibility in the location of the commercial and residential uses. Commercial adjacent to Hancock Expressway was important to be compatible with Hancock Expressway and the industrial uses to the south. The location of the division between the commercial and residential was not as crucial. The applicant has provided the best understanding of the division of the two uses at this time and if a change is needed in the future, the concept plan could be amended to slightly change the location of the line. If the properties were hard zoned to PBC and R-5 the change to the location of the zone district boundary would require a rezoning of both properties.

Staff finds that the request for the zone change is in conformance with the City Code Section 7.5.603(B) and 7.3.603 standards and criteria for a zone change establishment and a PUD zone district.

Concept Plan:

The Hancock and Delta concept plan (**FIGURE 1**) illustrates the location of the proposed commercial and residential uses. As noted above, the uses provide a transition from Hancock Boulevard to Delta Drive. Two access points are shown to the site; one is off of Delta Drive and the other is from Hancock Expressway. City Traffic Engineering has reviewed these access points and is supportive of the access point locations. The access point on Hancock Expressway is shared between the existing Maverick gas station located northwest of Hancock Expressway and Delta Drive and the commercial and residential shown on the concept plan. The uses proposed, which mirror the PBC zone district with a few restrictions, would be required to be reviewed with a development plan submittal prior to approval of a building permit for the site.

Drainage Report

Three (3) proposed private extended detention basins (EDBs) have been preliminarily sized and located for the future commercial and residential development areas associated with the PUD Concept Plan. The EDBs will provide water quality treatment and detain developed runoff to historic rates.

Staff finds that the request for the concept plan is in conformance with the City Code 7.5.501(E) and 7.3.605 standards and criteria for a concept plan and a PUD concept plan.

2. Conformance with the City Comprehensive Plan

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the plan's Vision map as a Reinvestment Area and Community Hub. Per the Unique Places Framework Map (**FIGURE 6**) this site is part of the reinvestment area and community hub east of Academy to Union and South of Fountain Boulevard to the City limits. The applicant's proposed residential and commercial project is supportive of this typologies goal, which identify, promote and support redevelopment and infill opportunities. This site will utilize the future reconstruction of Circle Drive and the existing road and utility infrastructure. By allowing the development of the residential and commercial in this area, the project encourages infill development.

The project proposes an integration of commercial development that will provide supportive uses to the proposed multi-family and single-family residential and the surrounding single-family residential. The proposed residential use adds to the mix of housing choice in the area and furthers the vision of housing for all and everyone in a neighborhood. Specific policies of PlanCOS that are supported are listed below:

Policy VN-3.C: Promote neighborhood-level shopping and service options to include a variety of healthy food markets, coffee houses, restaurants, and other supportive businesses that increase local access and walkability.

Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods.

Policy VN-3.F: Enhance mobility and connectivity between neighborhoods across Colorado Springs and with surrounding jurisdictions.

City planning staff finds the Hancock and Delta Rezone project and its associated application to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan

This area is part of the Spring Creek Master Plan and is currently designated as Business Park and commercial. This application includes a master plan amendment to amend this area to 6.9 acres of Commercial adjacent to Hancock Expressway and 13.6 acres of Residential adjacent to

Circle Drive and Delta Drive along with a 1 acre detention pond. The 6.9 total acres of commercial shown in the master plan includes the commercial proposed as part of the concept plan and the commercial use that is not part of the concept plan located in the southeast corner of the site. The master plan retains the commercial use adjacent to Hancock and across from an industrial development, while changing the northern portion of the site to residential to transition to the residential family within Spring Creek.

STAFF RECOMMENDATION

CPC MPA 01-00177-A2MJ19 – Master Plan Amendment

Recommend approval to the City Council the Spring Creek Master Plan amendment from Business Park and Commercial to Commercial and Residential, based on the findings that the master plan amendment request complies with the review criteria for master plans as set forth in City Code Section 7.5.408.

CPC PUZ 19-00081 – PUD Zone Change

Recommend approval to City Council the rezone of 18.6 acres from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) as well as the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603.

CPC PUP 19-00082 – PUD Concept Plan

Recommend approval to the City Council the concept plan for commercial and residential, based upon the findings proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) and criteria for PUD concept plans set forth in City Code Section 7.3.605.