



Legislation Details (With Text)

File #: CPC PUZ 20- 00077 **Version:** 3 **Name:** Flying Horse Turin II
Type: Ordinance **Status:** Mayor's Office
File created: 7/28/2020 **In control:** City Council
On agenda: 10/13/2020 **Final action:** 10/13/2020

Title: Ordinance No. 20-67 amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:
Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZC_ORD_FlyingHorseTurinII, 2. Exhibit A - Legal Description, 3. Exhibit B - Legal Description Depicted, 4. Signed Ordinance 20-67.pdf

Date	Ver.	Action By	Action	Result
10/13/2020	2	City Council	finally passed	Pass
9/22/2020	2	City Council	approved on first reading	Pass
8/20/2020	1	Planning Commission	recommended for approval	Pass

Ordinance No. 20-67 amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

Summary:

Owner: Pulpit Rock Investments, LLC
Developer: Pulpit Rock Investments, LLC

Representative: N.E.S. Inc

Location: North and west of the Highway 83 and Shoup Road intersection sharing a boundary with Black Squirrel Creek to the south

The zone change requests to rezone the 58.69 acres from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, 2-3.5 dwelling units per acre). The development plan (**see “development plan” attachment**) illustrates 95 single-family residential detached lots spread across two filings; Filing 3 (phase 1) with 52 lots and Filing 4 (phase 2) with 43 lots. The subject site is within the Flying Horse Master Plan area and is designated for residential land uses with a density range between 2 and 3.5 dwelling units per acre (du/ac).

Background:

In 2003, the 1,566-acre Flying Horse Ranch Annexation was approved which included the subject parcel. At the time of annexation, the Flying Horse Master Plan was established. The subject parcel (Parcel 23) has not been amended since establishment which also outlined a residential density range of 2-3.5 du/ac. Though density ranges had been established, the property was never zoned and remained in the holding zone (A - Agriculture) established following annexation. City GIS mapping services incorrectly identifies a portion of the site as zoned PUD (Planned Unit Development). The adjacent Flying Horse subdivision to the north was zoned for residential use in 2008. The initial site design illustrates Veneto Way in its current configuration leading into the property currently under consideration.

The development plan illustrates 95 total single-family detached lots spread across two filings for a gross density of 1.62 du/ac (net density of 3.78 du/ac). The primary points of access are shown as the continuation of Veneto Way to the north and the continuation of Ridgeline Drive over future Powers Boulevard to the south. No direct access to Highway 83 or Powers Boulevard is proposed. This development also includes a connection to the La Foret Trail which will run adjacent to Black Squirrel Creek. This trail will also connect to the county trail which currently dead ends at the intersection of Highway 83 and Shoup Road.

The minimum lot size across the two filings is 8,000 square feet with a minimum lot width of 70 feet. Setbacks, lot coverage, and other dimensional standards are outlined in the development plan (**see “development plan” attachment**). A 75-foot wide building setback is proposed along the eastern property line to buffer the residential land uses from Highway 83. Additionally, a slope easement exists adjacent to Highway 83 which varies in width along the eastern property line. At its widest, the slope easement is approximately 120 feet wide.

Black Squirrel Creek, south of the subject site, was identified as critical habitat for the Preble's Meadow Jumping Mouse (PMJM), an endangered mouse known to inhabit in washes near creeks on the northern side of town. The subject proposal is located entirely out of the PMJM critical habitat line, and was not required to be reviewed by U.S. Fish & Wildlife.

All streets within the subject development are classified as local residential roadways allowing a total daily traffic count of 1,500 vehicles per street according to the Traffic Criteria Manual. City Traffic Engineering reviewed the subject proposal and determined that a traffic impact analysis was not necessary for the number of proposed units, and was of the opinion that the proposed roadway system would not be overburdened by the additional traffic generated by the proposed development.

The Flying Horse Turin II development does not contain a detention pond, but instead utilizes a storm sewer system aligned with Veneto Way. This storm sewer system will pipe water south underneath

Veneto Way, through Tract B in Filing 3, then head west underneath the future Powers Boulevard extension, and will land within one of the full spectrum detention basins within the Flying Horse Palermo Filings 3, 4, and 5 subdivision. The water will then be released into Black Squirrel Creek at or below the historic rate. The design of the Palermo detention pond accounted for the additional drainage from the subject proposal. City Stormwater Engineering has reviewed and approved the site's Final Drainage Report illustrating this system.

The review criteria for zone changes can be found in code section 7.5.603, more specifically, review criteria for the establishment of a PUD zone can be found in code section 7.3.603, and the review criteria for development plans may be found in code section 7.5.502, and PUD development plans are located in code section 7.3.606. Staff is of the opinion that the subject applications are compliant with those review criteria based on the action not being detrimental to public health, safety, or general welfare and will not overburden public facilities. Staff has also found that the proposed dimensional standards (setbacks, lot coverage, etc.) and residential product (building height, lot size, etc.) are consistent with other residential uses in the vicinity.

The site design does include two roadway connections into existing neighborhoods, which will increase traffic on those roads serving existing homes. However, because these roads were intended to be connected to future development of a certain density, staff believes the proposed traffic circulation is reasonable. City Traffic Engineering was also a review agency for the requests and found that the additional traffic is still in conformance with the guidelines established in the Traffic Criteria manual.

The site's adjacency to Black Squirrel Creek indicates likeliness of natural features to preserve, but after walking the property, staff confirmed that all significant natural features are located in areas that are to be dedicated to the City of Colorado Springs for the purposes of open space, landscaping, and recreation (future trail), or are located within the slope easement along the eastern property line. Areas proposed for residential land uses do not contain any significant natural features.

The subject parcel is located within the Flying Horse Master Plan area. This master plan was initially established in 2003 and the subject parcel has not been amended from the density range of 2 to 3.5 du/ac. Staff finds that the subject applications are compliant with the master plan even though the gross density of the two filings is 1.62 dwelling units per acre-below the two du/ac minimum. Staff is of the opinion that the proposed open space and park amenities provided within Parcel 23, which are larger than the required minimums, are more important to the quality of life of the neighborhood than maintaining the density minimum.

The City's Comprehensive Plan, PlanCOS, identifies the area subject to the applications as a "newer developing neighborhood" on the Vision Map and fits within the Emerging Neighborhoods typology of the Vibrant Neighborhoods chapter. Recommendations for this typology include enhancing off-street trail systems; providing pedestrian connections to trail systems; and utilizing drainage ways for neighborhood amenities. This typology also states, "The goal of this neighborhood typology is to ensure the further application of amenities and best practices ... to enhance their livability and adaptability as they mature." Staff believes the subject applications apply those recommendations through the extension to the La Foret Trail. The Strong Connections chapter also discusses the importance of trail connections to ensure continued livability of the area. One of the primary goals of this chapter is to "multimodally connect people and land uses throughout the city and region." This is supported by Policy SC-1.D, "Establish and maintain convenient multimodal connections between

neighborhoods, local destinations, employment and activity centers, and Downtown” to enacted through Strategy SC-1.D-1, D-6, and D-8 which are related to the extension of trails and the trail system. This sentiment is again mimicked in Policy SC-1.H, “Improve neighborhood livability by providing connections between neighborhoods and Neighborhood Centers and by reducing vehicular speeds” whose policies also discuss the importance of trail systems. This policy also recommends, “Modify local streets to be consistent with their purpose by implementing speed control measures using enforcement, intersection control, and design.” The design of these particular filings are conducive to speed reduction through their curvilinear design.

Previous Council Action:

In 2003, the 1,566-acre Flying Horse Ranch Annexation was approved by the City Council which included the subject parcel. At the time of annexation, the Flying Horse Master Plan was established.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

At the City Planning Commission meeting held on August 20, 2020, the project applications were considered under the Consent Calendar. Without discussion, Planning Commission voted unanimously 8-0-1 (with Commissioner McMurray absent) to approve the project applications.

Stakeholder Process:

The public notification process consisted of providing initial notice to the neighbors by placing a poster for the project on site and sending postcards to 256 property owners within 1,000 feet of the subject site. The site was posted and public notification sent prior to the City Planning Commission hearing and prior to the City Council hearing as well. One public comment was received between the City Planning Commission hearing and the City Council meeting and is attached to this memo (**please see the “public comment” attachment**).

The applications were sent to the standard internal and external agencies for review. At this time, minor technical modifications to the development plan remain and are listed at the end of this report. Review agencies for this project include Colorado Springs Utilities, City Traffic, City Engineering, City Landscape, City Fire Department and Police/E-911, as well as School District 20, and the United States Air Force Academy. The following review comments were issued by key agencies, and are worth noting as background information:

- Academy School District 20 is requiring land dedication in lieu of fees. The school land dedication requirements for the subject parcel were considered within the Flying Horse Master Plan, and the school sites illustrated on the master plan sufficiently provide enough facilities.
- Parks, Recreation, and Cultural Services also is requiring land dedication in lieu of fees. The parkland dedication requirements are also satisfied by the Flying Horse Master Plan allotment, which requires two 1-acre parks within Parcel 23. Two parks are being provided (Tract C within Filing 3 and Tract B within Filing 4), both of which are larger than the one acre minimum size. In order to receive credit for dedicating these two public parks, the two parks must be rezoned PK (Park) at a time when a final metes and bounds legal description can be put together for the boundary of the park. Independent from the zone change and development plan review process, the applicant must submit a park master plan to the Parks, Recreation, and Cultural Services Board for approval of the park design per standard process.
- City Traffic Engineering confirmed with the Colorado Department of Transportation (CDOT) that the Ridgeline Drive overpass over the future Powers Boulevard extension will be

constructed by CDOT and not the developer per the annexation agreement.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration.

Proposed Motion:

CPC PUZ 20-00077

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, 2-3.5 dwelling units per acre), 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.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, 2-3.5 dwelling units per acre) located at north and west of the Highway 83 and Shoup Road intersection