



## Legislation Details (With Text)

**File #:** CPC ZC 19-00119    **Version:** 3    **Name:**

**Type:** Ordinance    **Status:** Mayor's Office

**File created:** 1/30/2020    **In control:** City Council

**On agenda:** 5/12/2020    **Final action:** 5/12/2020

**Title:** Ordinance No. 20-23 amending the zoning map of the City of Colorado Springs pertaining to 23.5 acres located east of Tutt Boulevard and extending north of North Carefree Circle from A/PK/AO/SS (Agricultural and Public Parks with Airport and Streamside Overlay) to PK/AO/SS (Public Parks with Airport and Streamside Overlay).

(Quasi-judicial)

Related Files: CPC PUZ 19-00118, CPC ZC 19-00119, and CPC PUP 19-00120

**Presenter:**  
Daniel Sexton, Principal Planner, Planning and Community Development  
Peter Wysocki, Director Planning and Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ZC\_ORD\_GreenwaysAtSandCreekPark, 2. Exhibit A - PK Legal Description, 3. Exhibit B - PK Exhibit, 4. Vicinity Map, 5. Signed Ordinance 20-23.pdf

Date	Ver.	Action By	Action	Result
5/12/2020	2	City Council	finally passed	Pass
4/28/2020	2	City Council	approved on first reading	Pass
2/20/2020	1	City Planning Commission	recommended for approval	Pass

Ordinance No. 20-23 amending the zoning map of the City of Colorado Springs pertaining to 23.5 acres located east of Tutt Boulevard and extending north of North Carefree Circle from A/PK/AO/SS (Agricultural and Public Parks with Airport and Streamside Overlay) to PK/AO/SS (Public Parks with Airport and Streamside Overlay).

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**Presenter:**  
Daniel Sexton, Principal Planner, Planning and Community Development  
Peter Wysocki, Director Planning and Community Development

**Summary:**  
Owner: Tom Tauche, Inc., Development Management, Inc. c/o Norwood Development, and City of

Colorado Springs

Developer: Elite Properties of America, Inc.

Representative: Classic Consulting Engineers & Surveyors

Location: located east of Tutt Boulevard and extends to the north and south of North Carefree Circle along Sand Creek

The project includes concurrent applications for two zone changes and a PUD concept plan for 194 acres of land located east of Tutt Boulevard and extends to the north and south of North Carefree Circle along Sand Creek. The first rezone request will change 170.6 acres from A/PK/AO/SS (Agricultural and Public Parks with an Airport and Streamside Overlays) to PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays). The second zone change request will change 23.5 acres from A/PK/AO/SS (Agricultural and Public Parks with an Airport and Streamside Overlays) to PK/AO/SS (Public Parks with Airport and Streamside Overlays). The PUD concept plan for Greenways at Sand Creek project illustrates the envisioned redevelopment for the Springs Ranch Golf Course with residential, commercial, and civic (parkland) uses, roadway improvements, channel improvements to Sand Creek and other improvements that will be determined as part of future development plan applications.

**Previous Council Action:**

City Council previously took action on these properties in the 1990s when acreage associated with the Sand Creek Golf Course was incorporated into the Springs Ranch Master Planned area, which were reviewed and approved.

On March 18, 2020, City Council postponed all quasi-judicial items due to the state of emergency for the City of Colorado Springs.

**Background:**

The project is located east of Tutt Boulevard and extends to the north and south of North Carefree Circle along Sand Creek and was annexed into the City under the Springs Ranch Addition #1 annexation plat (August 14, 1984; Ord. 84-187). The site is currently development with the Springs Ranch Golf Course.

The project applications were reviewed for conformance with the City's current comprehensive plan (known as "PlanCOS"), adopted in January 2019. According to PlanCOS and its Vibrant Neighborhoods Framework map, the project site is part of an area identified as an Established Suburban Neighborhood typology, which looks to support connectivity between redeveloped areas, integrate traffic calming measures to improve safe streets and neighborhood privacy, and develop connections to off-street trail systems. The Greenways at Sand Creek project is consistent of this typology, as the project will diversify the mix of uses in the master planned area through the redevelopment of the declining golf course. The applicant has proposed design and dimensional controls that accommodate a variety of lot configurations and building orientations, which will enhance the surrounding land use pattern. While for some the expected changes to traffic and connectivity are a less than desirable attribute of the project, the proposed street and intersection improvements should promote safety, convenience and ease of traffic flow and pedestrian movement both on- and off-site.

In the Unique Places Chapter 3, the "Embrace Creative Infill, Adaptation and Land Use Change" big idea embraces adaptive and responsive land use change as one of the core values of PlanCOS. On balance, staff recommends that the diversity, location and proposed design of this project meet the

overall intent of this idea. The Majestic Landscapes theme of Chapter 7 is also an important consideration. Although this overall plan will result in more areas with vertical development and less perceptual open space (as compared with currently approved relatively open and naturalistic golf course uses), staff recommends that the resulting plan supports several of the Majestic Landscapes big ideas including “Providing Parks for the People”, “Engaging with Our Landscapes”, and “Complete our Creeks”.

The first zone change will rezone 170.6 acres of the Greenways at Sand Creek project from A/PK/AO/SS (Agricultural and Public Parks with an Airport and Streamside Overlays) to PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays). The requested zone establishes a mix of residential, commercial, and civic uses. The proposed maximum building heights, density ranges, and maximum building square footages that define each of the project’s subareas, as outlined below. These density and development parameters are also discussed in the “PUD Zoning and Development Standards” document and Greenways at Sand Creek PUD Concept Plan prepared by the applicant (Please see the Planning Commission staff report for more details concerning the envisioned land uses, density/intensity, and maximum building heights for each subarea for the proposed PUD zone district).

The second zone change will rezone 23.5 acres of the project from A/PK/AO/SS (Agricultural and Public Parks with an Airport and Streamside Overlays) to PK/AO/SS (Public Parks with Airport and Streamside Overlays). The requested change of zone is consistent with lands intended to be utilized for public recreation and/or set aside as open space. According to City Code Section 7.3.402(B) PK - Public Parks, park land often include active or passive recreational opportunities, but may also be reserved for “natural or environmental reasons.” The City is concurrently reviewing a request by the applicant to exchange the above referenced 23.5 acres of land for the acreage associated with the Tutt Sports Complex. According to the City’s Parks, Recreation, & Cultural Services Department, the Tutt Sports Complex property context and ultimately the property’s viability as a developed sports complex has changed since acquisition. Parks also believes the acreage and site constraints associated with the Tutt Boulevard property make it too small and too narrow to function as a sports complex given the sizing of regulation play fields and the parking that would be required to serve that use.

The requested Greenways at Sand Creek PUD Concept Plan illustrates the envisioned redevelopment for the Springs Ranch Golf Course with residential, commercial, and civic (parkland) uses, roadway improvements, channel improvements to Sand Creek and other improvements that will be determined as part of future PUD development plan applications. The applicant has proposed to limit the allowable land uses within the project subareas as follows:

**Residential Use Types:** Expected to be developed in the Residential Medium (RM), Residential High (RH), Residential High with Streamside Overlay (RHSS), and Residential Very High (RVH) areas of the project. The residential densities vary by area, but range from 3-25 dwelling units per acre.

**Commercial Use Types:** Limited to the Community Commercial (CC) and Residential Very High (RVH) portions of the project, and may include both permitted and conditional uses commonly found in the PBC (Planned Business Center) zone district. The principal permitted and conditional uses for the PBC zone district are outlined in City Code Section 7.3.203 Permitted, Conditional and Accessory Uses. The maximum allowable building square footage will be limited to 20,000 square feet in the Community Commercial area and no more than 20% of the Residential Very High parcel.

Civic (Parkland) Use Type: A total of approximately 51 acres of land within the project area will be developed as public park/open space, which includes a 23.5 acre park site (northern end of project), 7 acre neighborhood park (Tutt Boulevard entrance), and 20.7 acre public park/open space (east of Sand Creek). These parkland areas are envisioned to be used for active and passive recreation, trails, and other amenities. The applicant also intends to develop other open spaces areas within each subarea of the project, these areas will be determined as part of future PUD development plan applications. As final residential densities are unknown at this this time, City staff will determine with the submission of future PUD development plan and final subdivision applications whether the project complies with park and school dedication requirements, as set forth in City Code Section 7.7.12 Park and School Dedications.

The applicant has incorporated pedestrian and vehicular improvements throughout the project to afford greater connectivity between the project and established and developing portions of the surrounding area, and future channel improvements and land dedication for Sand Creek. The pedestrian improvements consist of a Tier 1 public trail segments and the conversion of the existing golf cart bridges to pedestrian bridges. The proposed roadway improvements consist of new public residential and collector roads connecting to existing roadways in the area and intersection improvements along Golf Club Drive, North Carefree Circle, and Tutt Boulevard. The applicant will be responsible for the construction of channel improvements within Sand Creek to meet or exceed the streamside protection standards for development within the Streamside Overlay, as stated in City Code Section 7.3.508(E) Development Standards.

The City's Traffic Engineering Division of Public Works reviewed and accepted the analysis and recommendations set forth in the Traffic Impact Study prepared by the applicant's consultant with some exceptions. The applicant has agreed to dedicate acreage to the City for future right-of-way widening along Tutt Boulevard and construct intersection improvements at new access points along Golf Club Drive, North Carefree Circle, and Tutt Boulevard. Traffic is requiring that the north and south Tutt Boulevard intersections be constructed as full-movement roundabouts. The City's Water Resources Engineering Division of Public Works has reviewed the PUD concept plan and accompanying preliminary drainage report, and accepted the analysis and recommendations set forth in the report prepared by applicant's consultant. Stormwater from the project will be treated on-site in full spectrum stormwater facilities. The Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey, reviewed the geological hazard investigation reports submitted for project and have accepted the analysis and recommendations. The documented geological hazards and engineering geological conditions included undocumented artificial fill, loose soils, expansive soils, and a floodplain. According to the applicant's consultant, these hazards and conditions will have some constraints on the proposed development and construction, but even the most significant problem affecting development, which is the adjacent floodplain, can be avoided. Other conditions, such as the expansive soils or loose soils and artificial fill can be mitigated through proper engineering design and construction practices or avoidance. Upon approval for the Greenways at Sand Creek project applications, City staff is prepared to execute the provided reports.

The attached City Planning Commission staff report summarizes the project and applications in greater detail. Based on the proposed design parameters, development standards, and envisioned land uses, the project has adequately mitigated the impacts of this redevelopment proposal and reinforce why this project will be a good infill site for the surrounding neighborhood. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing PUD concept plan, as set forth in City Code Section 7.3.601, and a concept plan, as set forth in City

Code Section 7.5.501.

The project supports the City's Strategic plan of building community and collaborative relationships and provides a platform for the building of neighborhoods and communities, as it will allow for the redevelopment of the Springs Ranch Golf Course with complimentary residential, commercial and civic land uses. The development of additional land uses in this area will support existing and emerging communities in the surrounding area, and strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Financial Implications:**

The project site is part of the Springs Ranch Master Planned area and is currently identified as Golf Course and Community Park. While the applicant is proposing land uses type that are not typical of the master plan land use designations, the Springs Ranch Master Planned area has been deemed "Implemented". According to City Code Section 7.5.402(B)(2), a master plan can be deemed implemented when 85% or more of the planned area is built-out. Furthermore, City Code Section 7.5.603(B)(3) states, "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." As such, no major master plan amendment application or corresponding fiscal impact analysis was required for this project.

**Board/Commission Recommendation:**

At the Planning Commission meeting held on February 20, 2020, the project applications were discussed extensively under the New Business Calendar through formal presentations made by City staff, the applicant, Lou Morales (representative for the surrounding homeowners associations), and other residents. The presenters focused their remarks on the project applications, public engagement efforts, neighborhoods concerns, and steps taken to mitigate/resolve concerns raised. As stated by Mr. Morales, the multiple surrounding homeowners associations could not endorse the project. However, because of the cooperation and commitments made by Classic Homes in their design to benefit the existing residents, the multiple surrounding homeowners associations no longer oppose the project. The Planning Commission ultimately voted 7-0-2 in favor of the items (with Commissioner Rickett recused and Commissioner McDonald absent).

Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 1,436 property owners on three occasions: as part of the internal review/neighborhood meeting and prior to the Planning Commission and City Council hearings. The site was also posted in six locations during the three occasions noted above. At the neighborhood meeting, approximately 200 residents attended to listen to a presentation by the applicant and ask questions. During the neighborhood meeting and throughout the public comment period, City Planning staff received a significant amount of public comment both in favor and against the project. While the comments varied widely, most focused on traffic impacts, stormwater and flooding, decreased property values, loss of valued views, and the public's general feeling of suspicion or distrust towards the redevelopment proposal.

In addition to the City facilitated neighborhood meeting, the applicant held four additional neighborhood meetings and had numerous conversations with stakeholders prior to submitting the project applications.

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 Airport, City Engineering, City Traffic, City Fire, City Water Resource Engineering, Council of Neighborhood Organizations (CONO), School District #49, Colorado Geological Survey, Police and E-911. With respect to comments specifically received from District #49, the size of the land dedication required makes it not feasible to secure a school site, so District #49 requested fees-in-lieu of land. All comments received from the review agencies have been addressed.

Please see the Planning Commission staff report for more details.

**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 ZC 19-00119

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 23.5 acres from A/PK/AO/SS (Agricultural and Public Parks with Airport and Streamside Overlays) to PK/AO/SS (Public Parks with Airport and Streamside Overlays), based upon the findings that the request meets the review criteria for a zone change, as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 23.5 acres located east of Tutt Boulevard and extending north of North Carefree Circle from A/PK/AO/SS (Agricultural and Public Parks with Airport and Streamside Overlay) to PK/AO/SS (Public Parks with Airport and Streamside Overlay)