



Legislation Details (With Text)

File #: CPC PUZ 19- 00053 **Version:** 3 **Name:**

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

File created: 8/29/2019 **In control:** City Council

On agenda: 11/26/2019 **Final action:** 12/5/2019

Title: Ordinance No. 19-91 amending the zoning map of the City of Colorado Springs pertaining to 19.26 acres from PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay; single-family residential, 4.67 DU/AC, 30-foot maximum building height) zone district located at the southeastern corner of Galley Road and Babcock Road.

(Quasi-Judicial)

Presenter:
Peter Wysocki, Director Planning and Community Development
Morgan Hester, Principal Planner, Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZC_ORD_RidgeatSandCreek, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change, 4. Vicinity Map, 5. Signed Ordinance 19-91.pdf

Date	Ver.	Action By	Action	Result
12/5/2019	2	City Council	finally passed	Pass
11/12/2019	2	City Council	approved on first reading	Pass
10/22/2019	2	City Council	postpone to a date certain	Pass
9/19/2019	1	Planning Commission	referred	Pass

Ordinance No. 19-91 amending the zoning map of the City of Colorado Springs pertaining to 19.26 acres from PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay; single-family residential, 4.67 DU/AC, 30-foot maximum building height) zone district located at the southeastern corner of Galley Road and Babcock Road.

(Quasi-Judicial)

Presenter:

Peter Wysocki, Director Planning and Community Development
Morgan Hester, Principal Planner, Planning and Community Development

Summary:

Owner: Love in Action
Representative: Thomas & Thomas

Location: Southeast corner of Galley Road and Babcock Road

This project includes concurrent applications for a zone change from PIP-1/AO/SS (Planned Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development; single-family detached residential, 4.67 dwelling units per acre, 30-foot maximum building height with Airport Overlay and Streamside Overlay) zone district and the associated Ridge at Sand Creek Development Plan for the 19.26-acre site. The proposed project will establish 90 new residential lots along with new public streets, landscape, drainage, approximately 5 acres of open space, and improvements to Sand Creek. The proposed PUD Development Plan illustrates the development for the proposed single-family residential project.

Previous Council Action:

The City recently approved a change of zone for the Patriot Park development, east of Sand Creek. The Patriot Park development, approved in 2004, was planned for office/commercial development; however, beyond the existing development within the park, the site has sat vacant. In 2017, City Council approved a zone change from the office/commercial PUD zoning to allow for a single-family and multi-family residential PUD with a 6-3 vote.

On November 12, 2019, this ordinance was passed on first reading with a vote of 9:0.

Background:

The subject property is located southeast of Galley Road and Babcock Road and was annexed into the City in December 1963 as part of the Smartt's Addition #9. The site has remained vacant since annexation and has not been prepared for development.

The project applications were reviewed for conformance with the City's current comprehensive plan (known as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site on the Plan's Vision map is identified as an Existing Suburban Neighborhood. The 'Thriving Economy' section of PlanCOS identifies the relationships between economic growth and housing options as migration to the region is occurring in response to lifestyle and community amenities. The provision of attainable housing options meets the demand of this population and promotes additional growth in the employment sector. This development is conveniently located near hubs of employment, as well as public transportation, near and around the Powers, Platte, and SH-24 corridors.

This proposal will rezone 19.26 acres from PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay; single-family residential, 4.67 DU/AC, 30-foot maximum building height). The PUD is a customized zone district that sets the specific use, density and height for the property. This proposed Small Lot PUD development will follow the Small Lot Planned Unit Development Review Criteria and Guidelines, and is considered an acceptable transitional development type between the Rustic Hills R-1 6000 single-family residential development to immediate north of the property to the Patriot Park multi-family development to the east. When industrial zoning was established on this property and those adjacent, the City of Colorado Springs had not yet experienced the rate of growth that has occurred in recent times. As such, the character of the area has changed and the need for additional office, commercial, and/or industrial-zoned properties is not as prevalent. This area is located near hubs of employment and the need for attainable housing for the workforce is needed.

The Ridge at Sand Creek Development Plan establishes 90 new residential lots to be developed

southeast of the corner of Galley Road and Babcock Road. The development illustrates the accommodation of detached single-family units along with landscaping, public improvements, approximately 5 acres of open space, public drainage and public utilities. Public access is provided from both Galley Road from the north and Babcock Road the west. A bus stop will be located north of the development near the intersection of Babcock Road and Galley Road. The City of Colorado Springs will provide signage and a bench amenity while the developer will construct a bus stop pad meeting ADA requirements. Pedestrian connectivity and recreational opportunities will be facilitated through the future Sand Creek Trail. No proposed trails or trail corridors are being proposed as the principal trail along Sand Creek is found along the eastern banks. The public internal roads dead-end in a manner that encourages the utilization of the approximately five acres of open space.

A full Traffic Impact Study was completed and previously reviewed. The City Traffic Division supports the findings from the traffic study and this development acceptable. Access to the development can be taken from either Galley Road or Babcock Road. All lots are street-oriented units with access to public, residential streets that will be dedicated to the City. Prior to issuance of the first building permit, the developer will remit funds to construct the curb and gutter along Galley Road as well as the second eastbound-through lane along Galley Road between Babcock Road and the existing bridge. Galley Road will remain as-is until future improvements, constructed by the City of Colorado Springs, are completed. This project is not on the PPRTA funded project list. At the September 2019 City Planning Commission, Traffic Engineering clarified that the project will begin within the next 12 to 18 months and will coordinate with the Capital Improvements Division to potentially work on the additional lane simultaneously with the new development. Plans for the improvements will be submitted prior to the building permit approval. Prior to the issuance of the first Certificate of Occupancy, the developer will construct a 6-foot detached sidewalk along Galley Road.

Streamside Overlay requirements were reviewed by Land Use Review Staff to ensure compliance, specifically regarding fence opacity and landscaping. Sand Creek has been designated as a Tier 3 stream. The Streamside Overlay Ordinance (Section 7.3.508(E)(2)(e) of City Code) precludes the utilization of opaque fencing along creek areas in order to encourage a relationship and connection with the creek. Associated Streamside Overlay landscaping requirements have been met. Pursuant to the Streamside Design Guidelines, the Streamside Overlay Ordinance (Section 7.3.508 of City Code) encourages the active utilization of natural stream areas (trails and open space), which industrial and heavy commercial uses generally cannot provide. Additionally, those heavy uses break down the functionality of relationships between different land uses and can also contribute to point and non-point source pollution and degradation of riparian ecosystem. Single-family developments can have a positive impact on the stream if the streamside character is considered to be part of the overall subdivision design. Promoting a more active relationship with the stream, specifically those relationships and development that capitalize on the stream area as an amenity, are encouraged.

This property is located within the Airport Overlay and the adjacency to the Colorado Springs Airport was not found to be an issue in the Airport Advisory Committee's (AAC) meeting on June 5, 2019. As a result of that meeting, it was recommended that the development include a note on the PUD Development Plan stating "the Ridge at Sand Creek lies within an Airport Overlay District and may be subject to noise from operation at the airport." This was also done for the adjacent Patriot Park multi-family development. That note has been included on the cover page. An Avigation Easement impacting the subject property and development has been established for The Ridge at Sand Creek and is recorded as No. 217069667. The subject property is approximately 840 feet from both the APZ1 and APZ2, as the crow flies. From the end of the runway, the proposed site is approximately 6,956 feet to the northwest, also as the crow flies. Within the APZ1 and APZ2 areas that are shown,

the majority of the property is zoned industrially as PIP-1, PIP-2, and/or M-1.

The attached City Planning Commission staff report summarizes the project in detail.

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 development of a complimentary mix of land uses. The envisioned residential use will provide rooftops that will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the corridor.

Financial Implications:

N/A

Board/Commission Recommendation:

At the Planning Commission meeting held on September 19, 2019, these items were approved under the New Business calendar, after a full presentation by staff and the applicant. The Planning Commission voted 8-0 in favor of the items.

During public comment, three citizens spoke in support of the project, one being a representative for Habitat for Humanity as they are partnering with the developer on this proposal. Comments in support focused on the provision of smaller lots for affordability and aging residents of Colorado Springs. Three citizens spoke in opposition of the project, specifically citing concerns with traffic and access on Galley Road, buffering to adjacent industrial property to the south, and the proposed density of the development being too high.

City Planning Commissioners commented in support of the infill project's partnership with Habitat for Humanity and the provision of affordable housing.

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

Stakeholder Process:

The public notification process consisted of providing notice to the neighbors in posting for the project on site and sending postcards to property owners within 1,000 feet of the project site. Staff received letters of public comment on this project. All received comments were included in the development plan review process and were forwarded to the applicant. Of the comments that were received, adjacent residents expressed their concerns with additional traffic on Galley Road. Those comments were addressed through the development plan review process and discussed in further detail in the following section of this report. Commenting residents were additionally notified of the public process as it continued to public hearing.

The applications were sent to the standard internal and external agencies for review and comment. Any review comments received have been addressed. Review agencies for this project included City Land Use Review Division, Colorado Springs Utilities, City Traffic, City Engineering, City Fire Dept, Water Resources Engineering, Colorado Geologic Survey (CGS), Colorado Springs Airport, and Metro Transit as well as Floodplain and Enumerations.

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 PUZ 19-00053

Approve an Ordinance amending the zoning map of the City of Colorado Springs rezone from PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay; single-family residential, 4.67 DU/AC, 30-foot maximum building height) zone district, 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) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 19.26 acres located at the southeastern corner Galley Road and Babcock Road PIP-1/AO/SS (Planning Industrial Park/Airport Overlay/Streamside Overlay Zone) to PUD/AO/SS (Planned Unit Development/Airport Overlay/Streamside Overlay: single-family residential, 4.67 DU/AC, 30-foot maximum building height.