



## Legislation Details (With Text)

**File #:** CPC PUZ 21- 00175    **Version:** 3    **Name:** Cottages at Woodmen Heights  
**Type:** Ordinance    **Status:** Mayor's Office  
**File created:** 2/28/2022    **In control:** City Council  
**On agenda:** 5/10/2022    **Final action:** 5/10/2022

**Title:** Ordinance No. 22-22 amending the zoning map of the City of Colorado Springs relating to 38.5 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays).

(Quasi-Judicial)

**Presenter:**

Katelynn Wintz, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD\_ZC\_CottagesAtWoodmenHeights, 2. Exhibit A - Legal Desc, 3. Exhibit B - PUD Zone Change, 4. Signed Ordinance No. 22-22

Date	Ver.	Action By	Action	Result
5/10/2022	2	City Council	finally passed	Pass
4/26/2022	2	City Council	approved on first reading	Pass
3/17/2022	1	Planning Commission	recommended for approval	Pass

Ordinance No. 22-22 amending the zoning map of the City of Colorado Springs relating to 38.5 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays).

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Peter Wysocki, Planning & Community Development Director

**Summary:**

Owner: Better Land, LLC  
Developer: Gk Development

Representative: N.E.S., Inc

Location: Generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection

The project includes concurrent applications for a major amendment to a PUD Development Plan and a PUD zone change for 38.5 acres of land southwest of the intersection of E. Woodmen Rd. and N. Marksheffel Rd. The project is herein referred to as "The Cottages at Woodmen Heights".

The zone change request would change the current zoning from PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) (Ordinance 20-58) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays). The proposed changes would result in a reduced density of 8.8 dwelling units per acre, previously 9.14 dwelling units per acre, which remains within the range specified by the approved Woodmen Heights Master Plan.

The major development plan amendment proposes a change to the residential use designation which would allow for single-family detached residential development on the eastern portion of the parcel which is currently designated for single-family attached residential development. The concurrent zone change request reflects the modifications outlined above and is necessary when changes are proposed to PUD land uses.

#### **Background:**

The existing zoning/land use is PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays) and is vacant. The surrounding zoning/land use to the north is A/AO/SS and PUD/AO (Agricultural with Airport and Streamside Overlay and Planned Unit Development with Airport Overlay) and is vacant; to the south is PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) and County Zoning RR-5 (Low-Density Single Family Residential) and is developed with single family residences; to the east is A/AO/SS (Agricultural with Airport and Streamside Overlay) and is vacant; and to the west is County Zoning RR-5 (Low-Density Single Family Residential) and is developed with single family residences.

This site was not annexed into the City at the time of the PlanCOS Vision Map, however, areas adjacent to the project site are identified as Newer Developing Neighborhoods. The subject property was annexed as part of the Woodmen Heights No. 2 annexation in 2004 and the project site is part of the Woodmen Heights Master Plan; the current designated master plan land use is OC (Neighborhood Commercial/Office/Multifamily). The eastern boundary of the subject property is adjacent to Sand Creek which presents topographic variances, the remainder of the site is relatively flat and is vacant.

The request will rezone 38.5 acres from PUD/SS/AO (Planned Unit Development, Airport Overlay) to PUD/AO/SS (Planned Unit Development, Airport Overlay) (see PUD Zone Change attachment). The proposed land use includes single-family detached residential with a density of 8.8 dwelling units per acre with a maximum building height of 38 feet. The Applicant has proposed maximum building heights and density ranges comparable to other properties throughout the City that are similarly zoned. These development standards will govern the future build-out of the project area. The requested zone also establishes an envisioned mix of commercial and residential uses, which creates a good transition mix of uses. Per City Code Section 7.3.601 Planned Unit Development Districts Purpose, this zone district encourages flexibility of design that cannot be achieved through

the application of the City's standard single use zones.

City Planning staff finds the application to be consistent with the purpose for a zone change request, as set forth in City Code Section 7.3.601 and City Code Section 7.5.601.

#### PUD Development Plan

The proposed PUD Development Plan (see Development Plan attachment) consists of a design for 38.5 acres of property to be developed as medium high-density residential with approximately 202 cottages, two commercial/office lots, a community space, and 70 single family residences. The commercial and office uses are situated closer to the entrance to the subject property via vehicular circulation and therefore will prevent non-residential traffic from entering the residential portions of the development. Minor changes are proposed to the layout of the community clubhouse area and surrounding landscaping. The property has two large easement encumbrances along the south property line: a 115-foot wide right-of-way easement and a 185-foot wide utility easement. These back-to-back easements create a 300-foot unbuildable buffer between the proposed development and the single-family residential lots to the south that are located within the county. While these two easements do restrict vertical structures, it does allow for some improvements. As illustrated on the development plan, a private full-spectrum detention pond is proposed within the 185-foot wide utility easement, and a row of surface parking is proposed adjacent to that pond.

City Planning staff finds the application consistent with the purpose for a PUD development plan request, set forth in City Code Section 7.3.601 and City Code Section 7.5.502.

There will be two primary points of access; a right-in/right-out intersection on Woodmen Road, and through Adventure way which leads to the full-movement intersection of Black Forest and Woodmen Roads as well as to Templeton Gap Road. Adventure Way is proposed to be realigned beginning at the western property line but will remain a public road. All other drives in the development are to be owned and maintained privately.

A traffic impact study was prepared in April 2020 and was reviewed by City Traffic Engineering. This report concludes, "By Year 2040 and with the proposed development, Analysis of future traffic conditions indicates that the addition of site-generated traffic is expected to create minimal negative impact to traffic operations for the existing and surrounding roadway system." Upon review of this report, City Traffic Engineering will require the developer to establish an eastbound deceleration lane on Woodmen Road for the right-in/right-out intersection with the development. City Traffic Engineering stated this can be accomplished by restriping the existing shoulder on Woodmen Road which will be the developer's responsibility.

Traffic analysis and requirements were not modified from the initial PUD Development Plan approval in 2020.

Because of the Streamside Overlay's presence on the property, a geologic hazard report was required. A report was submitted, and per standard process, that report was forwarded to Colorado Geologic Survey (CGS) and City Engineering for review. The role of CGS is to provide comments and recommendations for City Engineering's consideration. City Engineering then can review those comments and the report and require what is necessary to mitigate any hazards or agree with any recommendations.

Geologic Hazard conditions were not modified from the initial PUD Development Plan approval in 2020; the Geologic Hazard report remains accepted by engineering.

City Planning staff finds that the proposed project addresses all the applicable review criteria set forth in City Code.

The property is zoned with a Streamside Overlay indicating the need to be sensitive to the land use adjacent to the stream and the amount of impervious surfaces. Currently, the driving school is located on the eastern portion of the site adjacent to the stream. The Streamside Overlay Design Manual establishes a land use hierarchy for desired uses adjacent to streams. Uses which are high in impervious surfaces, such as a driving school with a large asphalt track, ranks low on this hierarchy. Multi-family residential, however, ranks high on this hierarchy. Staff is supportive of its relocation to the western portion of the site for this reason. An analysis of the impervious surface area within the inner and outer buffer areas of the Streamside Overlay was required as part of the development plan package. This analysis indicates there will be no impervious surfaces within the inner buffer, and 9.7% of the area in the outer buffer will be impervious surfaces-far below the maximum allowed 25%. A portion of the toe of Sand Creek does exist on the subject site which will be dedicated to the City of Colorado Springs when the final subdivision plat is recorded as well.

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 providing pedestrian connections to park and trail systems. 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 by extending the pedestrian connection from the existing subdivision to the east and providing an open space tract for the use of both neighborhoods. The Vibrant Neighborhoods chapter of PlanCOS emphasizes the need to provide a diversity of housing types, styles, and price points. The Woodmen Heights development illustrates a range of housing product types which will both be for-lease and for-purchase.

The subject parcel is located within the Woodmen Heights Master Plan. The subject site is designated for neighborhood commercial, office, and residential land uses with a density range of 8 to 11.99 dwelling units per acre. The subject proposal aligns with the master plan designation by providing commercial and residential land uses at a density of 8.8 dwelling units per acre.

The project supports the City's Strategic plan goals of building community and collaborative relationships and provides a platform for the building neighborhoods and communities through the infill development of vacant parcels with a mix of commercial, single-family detached and multi-family residential use. The development of new residential units will further development and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor.

#### **Previous Council Action:**

City Council acted on the subject property in 2004 when the site was annexed into the City under the Woodmen Heights No. 2 annexation. City Council also unanimously approved concurrent applications for a zone change and a PUD development plan on September 8, 2020.

On April 26, 2022, City Council approved this ordinance on the consent calendar.

#### **Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on March 17, 2022, the project applications were passed on the Consent Agenda.

**Stakeholder Process and Involvement:**

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 105 property owners on two occasions; during the initial review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received no comments in favor or opposition to the project.

All comments received from the review agencies have been addressed.

**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:**

Approve the rezone of 38.5 acres from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays), 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 relating to 38.5 acres generally located south of Woodmen Road and east of the Adventure Way from PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and residential; 9.14 dwelling units per acre with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 38-foot maximum height; PBC land uses and residential; 8.8 dwelling units per acre with Streamside and Airport Overlays).