



## Legislation Details (With Text)

**File #:** CPC ZC 18-00074    **Version:** 3    **Name:** Banning Lewis Ranch Village 3

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

**File created:** 7/26/2018    **In control:** City Council

**On agenda:** 10/9/2018    **Final action:** 10/9/2018

**Title:** Ordinance No.18-97 changing the zoning of 5.54 acres from PUD/AO (Planned Unit Development: Single-Family Residential, 40 foot maximum building height, and a cumulative density of 7.99 dwelling unit per acre with an Airport Overlay) to PK/AO (Park with an Airport Overlay) located south of Dublin Boulevard and west of Banning Lewis Ranch Parkway within the Village 3 development.

(QUASI-JUDICIAL)

**Presenter:**  
Hannah Van Nimwegen, Senior Planner, Planning and Community Development  
Peter Wysocki, Director of Planning and Community Development

**Sponsors:**

**Indexes:** BLR

**Code sections:**

**Attachments:** 1. ZC\_ORD - BLR Village 3 Park, 2. Exhibit A, 3. Exhibit B, 4. Signed Ordinance 18-97

Date	Ver.	Action By	Action	Result
10/9/2018	2	City Council	finally passed	Pass
9/25/2018	2	City Council	approved on first reading	Pass
8/16/2018	1	Planning Commission	referred	Pass

Ordinance No.18-97 changing the zoning of 5.54 acres from PUD/AO (Planned Unit Development: Single-Family Residential, 40 foot maximum building height, and a cumulative density of 7.99 dwelling unit per acre with an Airport Overlay) to PK/AO (Park with an Airport Overlay) located south of Dublin Boulevard and west of Banning Lewis Ranch Parkway within the Village 3 development.

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Peter Wysocki, Director of Planning and Community Development

**Summary:**

Applicant: LAI Design Group  
Owner: Clayton Properties Group II  
Location: South of Dublin Boulevard and west of Banning Lewis Ranch Parkway within the Village 3 development

**Previous Council Action:**

The City Council voted to approve land use entitlements for the Village 3 development on September 26, 2017 with final reading on October 10, 2017. At that time, the City Council was reviewing the zone change to PUD, the Village 3 concept plan, a major amendment to the Banning Lewis Ranch Master Plan, and a right-of-way vacation. The concept plan and master plan illustrated the proposed general location and size of the park currently before the City Council.

On September 25, 2018, this ordinance was passed on first reading on the Consent Calendar.

**Background:**

The subject application is a request to rezone a portion of the Village 3 development from PUD/AO, allowing single-family homes, to PK for a neighborhood park. This 5.54 acre park is illustrated on the Village 3 concept plan and on the amended Banning Lewis Ranch Master Plan. The park's design was approved by the Parks and Recreation Advisory Board on February 8, 2018.

Required parkland is dictated by the Park Land Dedication Ordinance (PLDO) and is based on proposed residential densities. The distribution of parkland within the Villages was approved by the Parks and Recreation Advisory Board in March of 2017. As part of that approval, the Village 3 development is required to zone, build, and dedicate a park of at least 3.5 acres.

It is not typical to have a final and exact location of a park early in the land entitlement process, such as the zoning and conceptual planning stage. But, as the site planning of Village 3 has progressed through late 2017 and early 2018, the proposed 5.54 acre park has been formally sited within the development. The City Planning Department requires a metes and bounds legal description of the proposed zone district's boundary in order to move forward with a zone change. Following this action by the City Council, the construction of the park must be completed prior to 75% build-out of the surrounding residential filing. The Village 3 concept plan outlines these triggers which were reviewed and approved by Parks and Recreation representatives.

As permitted in City Code section 7.5.501(C), a rezoning to PK does not require a concept plan to accompany the request and deems a concept statement acceptable. The zone change request from PUD/AO to PK is the only before the City Council at this time.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

The application was approved by the City Planning Commission consent agenda on August 16, 2018. Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

Upon submittal of the requests, public notice was mailed to 153 property owners within a 1,000-foot radius of the subject site and the property was posted with the application and contact information. One public comment was received stating their support for additional parks throughout the Villages' development. Prior to the City Planning Commission hearing and this City Council meeting, the site was posted with hearing date information and a postcard was mailed to the same 153 property owners within 1,000 feet of the site.

City Planning staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included City Engineering, City Traffic, Water Resources Engineering, and Parks and Recreation.

**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 zone change from PUD/AO (Planned Unit Development: Single-Family Residential, 40 foot maximum building height, and a cumulative density of 7.99 dwelling unit per acre with an Airport Overlay) to PK/AO (Park with an Airport Overlay), based upon the findings that the change of zone request complies with the review criteria as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 5.54 acres located south and west of the Dublin Boulevard and Banning Lewis Ranch Parkway intersection from PUD/AO (Planned Unit Development: single-family residential, 40 foot maximum building height, and a cumulative density of 7.99 dwelling unit per acre with an Airport Overlay) to PK/AO (Park with an Airport Overlay)