



## Legislation Details (With Text)

**File #:** CPC PUZ 21- 00187    **Version:** 3    **Name:** The Preserve at Mesa Creek

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

**File created:** 6/24/2022    **In control:** City Council

**On agenda:** 9/13/2022    **Final action:** 9/13/2022

**Title:** Ordinance No. 22-55 amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays) (Quasi-judicial)

Related Files: CPC PUP 19-00026-A1MJ21, & AR PUD 20-00023-A1MJ21

Presenter:  
Caleb Jackson, AICP, Senior Planner, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD\_ZC\_ThePreserveAtMesaCreek, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change, 4. Signed Ordinance No. 22-55

Date	Ver.	Action By	Action	Result
9/13/2022	2	City Council	finally passed	Pass
8/23/2022	2	City Council	approved on first reading	Pass
8/9/2022	2	City Council	postpone to a date certain	Pass
7/13/2022	1	Planning Commission	recommended for approval	Pass

Ordinance No. 22-55 amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays) (Quasi-judicial)

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**Presenter:**

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Peter Wysocki, Director, Planning and Community Development

**Summary:**

Owner: Goodwin Knight  
Representative: Galloway, Grant Dennis  
Location: Southeast of Grand Vista Circle at West Fillmore Street

The proposed PUD zone change would add single-family dwellings as an allowed use and adjust the lower end of the density range from 3.5 to 2.38 dwelling units per acre. The proposed PUD concept plan illustrates the intended single-family development of the site. The PUD development plan proposes final details for a 123-unit single-family development.

**Background:**

The site has remained undeveloped since annexation in 1971 and is subject to Garden of the Gods Club Master Plan which envisions residential development of the site. In 2020, a PUD zone change, PUD concept plan, and PUD development plan were approved to allow 130 townhomes on this site. A PUD zone change is proposed to add single-family dwellings as a permitted use. An accompanying PUD concept plan amendment and PUD development plan amendment proposes a 123-unit single-family development on the site. The site is undeveloped and features typical dryland vegetation on most of the site and more riparian vegetation in spots along Mesa Creek which flows through some portions of the site. The topography slopes down to Mesa Creek with some significant slopes found both to the east and west of the creek.

To allow the proposed development, the applicant has provided a PUD zone change application. The proposed zoning is PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, max building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays). Additional development standards are provided in the associated PUD concept plan amendment and PUD development plan amendment. The proposed zoning would allow development consistent with the Garden of the Gods Club Master Plan and the comprehensive plan, and the application is not detrimental to the public interest, health, safety, convenience, or general welfare. For the reasons stated above, staff finds that the proposed PUD zone change meets the review criteria for granting 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.

As required by City Code Section 7.3.605, a PUD zone change shall be accompanied by a concept plan to show the overall conceptual intent for the development. The concept plan amendment is a schematic representation of intended development and final details are established with the PUD development plan amendment. The provided concept plan amendment provides intended bulk standards and envisions 123 single-family units that complies with the proposed PUD zone change. The concept plan also illustrates intended access points, parking areas, and open spaces. The proposal is consistent with the comprehensive plan, the relevant master plan, the surrounding area, and the Zoning Code. The proposal provides appropriate transitions, buffering, integration, bulk standards, access, circulation, parking, open space, infrastructure, and preservation of natural features. For the reasons stated above, staff finds that the proposed concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501.E and for PUD concept plans as set forth in City Code Section 7.3.605.

The applicant has provided a PUD development plan amendment consistent with City Code Section 7.3.608. The development plan amendment identifies the proposed development details. The provided development plan amendment proposes 123 single-family dwelling units, private open space, and associated improvements. The proposal is consistent with the Garden of the Gods Club Master Plan and the Zoning Code. The proposal is compatible with the surrounding area, and has adequate traffic circulation, public facilities, privacy, pedestrian circulation, landscaping, and open space. For the reasons stated above, staff finds that the proposed PUD development plan amendment meets the review criteria for development plans as set forth in City Code Section 7.5.502 (E) and for PUD development plans as set forth in City Code Section 7.3.606.

PlanCOS is a high level and visionary document. Although PlanCOS purposefully does not include site-specific map-based recommendations regarding land use there are multiple areas of alignment between the Plan and the proposal. The PlanCOS Vision Map, Areas of Capacity and Change, and Vibrant Neighborhoods Framework identifies the site as part of a Changing Neighborhood. There is a stated assumption in PlanCOS that land use change and adaptation should be recognized and reasonably supported both in existing development and with approved but not yet fully developed plans. The Majestic Landscapes Framework shows Mesa Creek as a Complete Urban Creek and the site as an area of Natural Resources and Regional Recreation, which is supported by the proposed open space preservation and Streamside Overlay.

The following goals are applicable to the subject application:

#### Vibrant Neighborhoods

Goal VN-2 Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs.

#### Unique Places

Goal UP-2 Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

#### Thriving Economy

Goal TE-4 Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.

#### Majestic Landscapes

Goal ML-4 Provide stewardship for our majestic natural landscapes through improved preservation, resource conservation, air quality, and protection of our viewsheds.

The subject application provides additional single-family housing in this neighborhood, responding to a market need with an infill project. Located on a site largely surrounded by development, the project would make efficient use of existing infrastructure. Additionally, the project would preserve land along Mesa Creek in private open space. It is the finding of the Planning and Community Development Department that the proposal substantially conforms to the PlanCOS goals and objectives.

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

In 2020, a PUD zone change, PUD concept plan, and PUD development plan were approved to allow 130 townhomes on this site.

On August 9, 2022, City Council postponed this item to the August 23, 2022 City Council meeting.

**Financial Implications:**

N/A

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

City Planning Commission recommended approval of the application by consent at their meeting on July 13, 2022, with a vote of 5:0:3:0.

**Stakeholder Process:**

Upon submittal, the site was posted, and postcards were sent to all 67 property owners within 1000 feet of the subject property. One resident provided a letter of support and zero residents responded with letters opposition (**see attached Public Comment**). The site was posted and postcards mailed to advertise the Planning Commission hearing. No further responses were received, and nobody spoke at the hearing.

The applications were sent to the standard internal and external agencies for review and comment. Review agencies for this project included Colorado Geological Survey, Colorado Springs Utilities, City Engineering, City Traffic, Police, Fire, Bicycle Planning, Floodplain Administrator, Streamside, Hillside, Parks & Recreation, Enumerations, USPS, Street Maintenance, SWENT (Stormwater), City Surveyor, Landscaping, Comcast, and Street Naming. The applicant will be required to revise the concept plan for clarity by labeling the detention pond ownership and improving the visibility of proposed grading as requested by SWENT, receive final approval and acceptance of an amended geohazard report prior to final approval of the PUD Development Plan, receive final approval and acceptance of an amended final drainage report prior to final approval of the PUD Development Plan, make the requested modifications from Land Use Review regarding parking notes and building elevations, make the requested modifications from SWENT regarding the grading plan, and make the requested modifications from Utilities regarding the utility plan.

**Alternatives:**

1. Affirm the application;
2. Modify the application;
3. Deny the application; or
4. Refer the matter back to the City Planning Commission for further consideration.

**Proposed Motion:**

Move to adopt an ordinance amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays), based upon the findings that the change of zone request complies with the zone change criteria as set forth in Section 7.5.603.B.

An ordinance amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays)