



## Legislation Details (With Text)

**File #:** CPC PUZ 19-00011    **Version:** 3    **Name:**

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

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

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

**Title:** Ordinance No. 19-77 amending the zoning map of the City of Colorado Springs pertaining to 20.93 acres of land from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlays), located northwest of the Marksheffel Road and Woodmen Road intersection.

(QUASI-JUDICIAL)

Related Files: CPC MPA 06-00206-A12MJ19, CPC PUP 07-00100-A2MJ19, CPC PUZ 19-00011, and CPC PUD 19-00013

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

**Sponsors:**

**Indexes:** Master Plan Amendment

**Code sections:**

**Attachments:** 1. ZC\_ORD\_NookatShilohMesa, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change, 4. Vicinity Map, 5. Signed Ordinance 19-77.pdf

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

Ordinance No. 19-77 amending the zoning map of the City of Colorado Springs pertaining to 20.93 acres of land from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlays), located northwest of the Marksheffel Road and Woodmen Road intersection.

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

**Summary:**

Owner: COLA, LLC

Developer: COLA, LLC

Representative: Thomas & Thomas

Location: Northwest of the Marksheffel Road and Woodmen Road intersection

The project includes concurrent applications for a major master plan amendment, major PUD concept plan amendment, PUD zone change, and PUD development plan. The amended master plan will change the master plan land use designation for 20.93-acres from Multi-Family/Regional Commercial/Office to Single-Family Detached Residential. The amendment PUD concept plan updates the site design, layout and land uses proposed under this project. The change of zone request will rezone the subject properties from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlay). The PUD development plan establishes the parameters for developing a 91-lot small lot single-family detached residential development with a density of 4.35 dwelling units per acre and includes public and private improvements.

**Previous Council Action:**

City Council previously took action on these properties in 2007 when the current PUD zoning and initial land use entitlements associated with the Woodmen Heights Commercial Center development project were reviewed.

On October 22, 2019, this Ordinance was approved on first reading on the Consent Calendar.

**Background:**

The subject property is located northwest of Marksheffel Road and Woodmen Road intersection, and was annexed into the City on July 17, 2005 under the Woodmen Heights No. 3 Annexation Plat (Ord. 04-125). 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 a Newer Developing Neighborhood and is adjacent to a segment of Woodmen Road, which is a New/Developing corridor. Per the Plan's Vibrant Neighborhoods Framework map the project site is part of an area identified as a Newer Developing Neighborhood within the Woodmen Heights/Dublin North area. The project is supportive of the Emerging Neighborhoods typology in the Vibrant Neighborhoods chapter, which encourages a mixture of housing types proximate to commercial centers/corridors and new attractions and amenities for residents such as parks and expanded off-street trail options. By allowing the development of a less dense residential land use than the currently approved commercial and multi-family residential uses, the project softens the transition of land uses in the area while still reinforcing the City's ability to encourage a greater mix of land use types and livable communities.

The requested major master plan amendment of the Woodmen Heights Master Plan changes the master plan land use designation for 20.93-acres of land from Multi-Family/Regional Commercial/Office to Single-Family Detached Residential. For the proposed change of land use designation, the applicant has proposed a residential density of 4.35 dwelling units per acre, which is

consistent with other medium to higher residential development densities occurring within the Woodmen Road corridor. A Fiscal Impact Analysis (FIA) was prepared by the City's Finance Department, which determined that the proposed land use change would result in a negative cumulative cashflow for the City during the 10-year timeframe. The Finance Department noted that a combination of factors contributed to this outcome, but the change in density significantly lowered population projections. As a result, there is an expected decrease in sales tax for the residential use and a sharp decrease in population driven metrics in miscellaneous revenue. Additionally, most City departments did not identify increases in the marginal costs of providing services to this amended development. The fiscal impact analysis is Figure 7 of the attached City Planning Commission staff report.

The proposed major amendment of the Woodmen heights Commercial Center PUD concept plan updates the current plan's site design, layout and land use. The applicant has proposed a single-family detached residential land use with a residential density that is consistent with the concurrent master plan amendment request. The amended plan also envisions changes to the layout and roadway configuration for the northern portion of the planned area. Access to the project site will be afforded by a roadway extension off the fourth leg of the Kenosha Drive and Marksheffel Road intersection and a secondary access at the southern end of the project, which will connect to the future extension of Shiloh Mesa Drive. Additionally, a future extension of the Sand Creek Tier I trail corridor is proposed to enhanced pedestrian circulation within the immediate neighborhood.

The proposed zone change application will rezone the 20.93-acre project site from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlays). In 2007, the current zoning was approved. The requested change of zone sets the specific density, dimensional, and use controls for the development project. This rezone is in conformance with the Woodmen Heights Master Plan, as amended, and meets the applicable City Code standards for a PUD zone change request.

The proposed PUD development plan establishes the site design and layout for a small lot single-family detached residential development consisting of 91 lots and public and private improvements, such as landscaping, streets, utilities, and open space. In accordance with the City's Small Lot Planned Unit Development Review Criteria and Guidelines, dated April 2005, the project utilizes both green-way and parkway orientations for the layout of lots and architecturally distinct unit designs. Pedestrian connections have been incorporated throughout the project to afford greater connectivity to the future extension of the Sand Creek Tier I trail corridor, guest parking areas, open space, and streets. Per the Woodmen Heights Number 3 Annexation Agreement, the project also includes the construction of channel improvements within the adjacent segment of Sand Creek, which includes in channel drop structures, bank stabilization improvements, and revegetation. All the proposed channel improvements are designed to meet or exceed the streamside protection standards, as the development is within a Streamside Overlay. The development parameters discussed above and illustrated on the proposed PUD development plan mitigate the higher density and intensity of the development.

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 8-0-1 in favor of the items (with Commissioner Wilson absent).

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

**Stakeholder Process:**

The public process included public notice provided to 90 property owners within 1,000 feet of the site on three occasions: during the internal review stage, and prior to the Planning Commission and City Council hearings. The site was also posted on those three occasions. During the internal review notification, City Planning staff received one correspondence from a resident within the adjacent Shiloh Mesa residential development, which raised concerns regarding lack of buffering and loss of natural features (i.e. trees). City Planning staff explained to the resident that the project exceeds the landscape/buffering requirements of City Code and previous land use entitlements examined the presence of significant natural features, which only noted Sand Creek. The adjacent segment of Sand Creek will be reconstructed with this project.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, City Parks & Recreation, CONO, School District #49, Police and E-911, Real Estate Services, Woodmen Heights Metropolitan District #3, Woodmen Road Metropolitan District, and Colorado Springs Airport. With respect to the Colorado Springs Airport, the Airport Advisory Commission review the project on February 27, 2019 and recommended approval with no objections. Additionally, the project site lies outside of the two-mile notice buffer, so no military installations were notified.

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 17-00071 - CHANGE OF ZONING TO PUD

Adopt an Ordinance amending the zoning map of the City of Colorado Springs pertaining to 20.93 acres from (PUD/AO/SS) Planned Unit Development with Airport and Streamside Overlay Zones to (PUD/SS/AO) Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlay Zones, based upon the findings that the request meets the review criteria for the establishment and

development of a PUD zone, as set forth in City Code Section 7.3.603, and 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 20.93 acres located northwest of the Marksheffel Road and Woodmen Road intersection from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlay) to PUD/AO/SS (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Airport and Streamside Overlays) in accordance with the concept plan (CPC PUP 07-00100-A2MJ19).