



## Legislation Details (With Text)

**File #:** 14-0324      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Mayor's Office  
**File created:** 6/6/2014      **In control:** City Council  
**On agenda:** 7/8/2014      **Final action:** 7/8/2014

**Title:** Ordinance No. 14-47 amending the zoning map of the City of Colorado Springs relating to 73.54 acres located north of Old Ranch Road, east of Pine Creek High School, and west of Howells Road

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. North Fork - Ordinance, 2. North Fork - Ordinance Exhibit A, 3. North Fork - Review Criteria-7.3. 603-PUD Zone Change, 4. North Fork - Review Criteria-7.5.603-Zone Change, 5. North Fork - CPC Record of Decision, 6. North Fork - CPC Agenda Report

Date	Ver.	Action By	Action	Result
7/8/2014	1	City Council	finally passed	Pass
6/24/2014	1	City Council	approved on first reading	Pass

Ordinance No. 14-47 amending the zoning map of the City of Colorado Springs relating to 73.54 acres located north of Old Ranch Road, east of Pine Creek High School, and west of Howells Road

**From:**

Peter Wysocki, Planning and Development Director, Planning and Development Department

**Summary:**

The applications propose a minor amendment to the Briargate Master Plan to move the designated 11-acre elementary school site from a location directly north of and adjacent to Pine Creek High School to a location east of Thunder Mountain Avenue, west of Howells Road and south of the future park. The PUD rezone will change 73.54 acres from A (Agricultural) to PUD (Planned Unit Development - Single Family Residential, 1.99 dwelling units per acre, 30-foot height maximum for all lots shown as estate lots on the development plan and a 36-foot height maximum for all other lots). The PUD development plan illustrates the layout of 141 single family residential lots.

**Previous Council Action:**

City Council approved of the initial annexation and master plan in 1982.

**Background:**

The Briargate Master Plan was originally adopted in late 1970 and was updated as properties within the Briargate area were annexed. The property now known as North Fork was annexed in 1985 and the Briargate Master Plan was updated to show a variety of residential densities, along with a high school and an elementary school.

This minor master plan amendment would move the 11-acre elementary school from a location

directly north of the existing Pine Creek High School to a location north of the first phase of residential development and northeast of the high school.

The PUD zone change will rezone 73.54 acres from A (Agricultural) to PUD (Planned Unit Development). The PUD is a customized zone district that sets the specific use, density and height for the property. Per the allowed density of the master plan, The North Fork at Briargate PUD will allow single-family residential development at a gross density of 1.99 dwelling units per acre and a maximum building height of 30 feet for estate lots and 36 feet for all other lots as shown on the development plan.

The development plan is phase one of a large development as depicted on the master plan. This development plan illustrates the layout of 141 single family residential lots of varying size, along with open landscape tracts and storm water detention tracts.

**Financial Implications:**

Not applicable.

**Board/Commission Recommendation:**

The Planning Commission, at their May 15, 2014 meeting, approved the minor master plan application 8-1 with Commissioner Donley in opposition. Commissioner Donley was concerned with the estate lot transition creating large expenses for utilities and infrastructure expansion, preferred the estate lots have access onto Howells Road, and opposed the roundabout design. He agreed that the school site should be relocated away from the adjacent high school, but opposed the relocation to the far end of the project. The zone change and development plan applications were approved on a 7 -2 vote with Commissioners Ham and Henninger in opposition. Commissioners Ham and Henninger found that the proposal would exacerbate the existing traffic congestion in the neighborhood, and there are already too many traffic stops along Old Ranch Road. The Planning Commission did add one additional technical modification requesting that the developer provide a safety measure between the trail and the detention pond (Howells pond) with either fencing or re-grading.

**Stakeholder Process:**

The public process included posting the site on three occasions and sending postcards to 147 property owners within 1,000 feet.

Three neighborhood meetings were held to discuss the proposal. The first was held on March 6, 2014. There were approximately 50 neighbors in attendance. This initial meeting introduced the process and the overall plan for development. Significant neighborhood concern was voiced at the meeting regarding moving the school site to the location adjacent to Howells Road. Concerns also included residential density, traffic impacts, screening and buffering to the rural residents and disruption of views.

The second meeting was held on April 2nd. Neighbors were updated on changes made to the plans in response to their concerns. Neighbors expressed continued opposition to moving the school site as well as traffic.

On May 1st the developer held their own neighborhood meeting to inform residents that the school site had been moved from the originally proposed location. The developer moved the school site to the west by 200 feet and created a lot between Howells Road and the future school site; thus creating a private property buffer that will deter future school traffic from accessing Howells Road.

Neighbors continue to be upset with the plan for additional residential densities stating that traffic is an issue. The adjacent residents would also prefer a six-foot masonry wall as a buffer between them and the new community. Staff does not support the wall, instead recommending a split rail fence along the back of the lots along Howells Road. Larger lots and increased setbacks will serve as an adequate buffer.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed or are included as technical modifications to the plans. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 20, Police and E-911, El Paso County Development Services and the US Air Force Academy.

**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 14-00024

Approve the North Fork at Briargate PUD rezoning (Planned Unit Development: Detached Single-Family Residential, 1.99 dwelling units per acre and 30-foot maximum building height on Estate lots and a 36-foot maximum building height on all other lots as shown on the PUD development plan), 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.

Rezoning 73.54 acres from A (Agricultural) to PUD (Planned Unit Development: Single-family detached residential, 1.99 dwelling units per acre, 30-foot maximum building height on Estate lots and 36-foot maximum building height for all other lots as shown on the PUD development plan) located north of Old Ranch Road, east of Pine Creek High School, and west of Howells Road.