



Legislation Details (With Text)

File #: CPC PUZ 21- 00081 **Version:** 3 **Name:** Overlook at Spring Creek
Type: Ordinance **Status:** Mayor's Office
File created: 3/1/2022 **In control:** City Council
On agenda: 5/10/2022 **Final action:** 5/10/2022

Title: Ordinance No. 22-25 amending the zoning map of the City of Colorado Springs relating to 2.97 acres located at the northwest corner of South Union Boulevard and Hancock Expressway from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential, 11.79 dwelling units per acre with a maximum building height of 36 feet).

(QUASI-JUDICIAL)

Related Files: CPC PUP 05-00176-A1MJ21, CPC PUD 21-00080, CPC V 21-00213

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director of Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD_ZC_OverlookAtSpringCreek, 2. Exhibit A - Legal Rezone, 3. Exhibit B_Rezone, 4. Signed Ordinance No. 22-25

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	City Planning Commission	recommended for approval	Pass

Ordinance No. 22-25 amending the zoning map of the City of Colorado Springs relating to 2.97 acres located at the northwest corner of South Union Boulevard and Hancock Expressway from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential, 11.79 dwelling units per acre with a maximum building height of 36 feet).

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Peter Wysocki, Director of Planning and Community Development

Summary:

Owner: Challenger Communities, LLC
Developer: Challenger Communities, LLC

Representative: HR Green

Location: northwest corner of South Union Boulevard and Hancock Expressway.

The project includes concurrent applications for a PUD zone change, major PUD concept plan amendment, PUD Development Plan, and Vacation Plat to allow for a 35-unit single-family detached small-lot residential development, located at the northwest corner of South Union Boulevard and Hancock Expressway. The zone change request changes the zoning from PUD (Planned Unit Development - Commercial) to PUD (Planned Unit Development - Residential, 11.79 units/acre, maximum height of 36 feet).

Background:

The proposal will rezone 2.97 acres, specifically to lay the framework for a residential development at this location.

The zoning on the subject property was established in 2006 as PUD-Commercial under ordinance 06-133, a zone change impacting approximately 70 acres in the Spring Creek neighborhood. The zoning established for the property at that time was illustrated by a concept plan, which illustrated commercial land uses for this parcel. The majority of the area within Spring Creek is developed, and all existing land uses surrounding the property are zoned for PUD residential. The property is within the boundaries of the Spring Creek Master Plan, which is considered implemented. Hence, no master plan amendment is required in association with this project.

The applicant's project statement explains the reason for the zone change is to provide for residential development on an infill site, which meets a current need of the city. Also, given that the property has limited access and tight turning movements, the difficulty for use by large delivery trucks deems the site unsuitable for a typical commercial development. Given that the entire parcel is surrounded by residential land uses, the proposed zone change to a residential development would be compatible with the surrounding zones and uses.

The accompanying PUD Concept Plan Amendment application requests to change the proposed use type identified on the Overlook PUD Concept Plan from PUD Commercial to PUD Residential for consistency with the proposed zoning. The dimensional standards for the PUD Residential zone will be established with the concurrent PUD development plan proposed for this site. All commercial land use designations will be removed for this site if the amended concept plan is approved. For the reasons stated above and in the applicant's project statement, staff finds that concept plan meets the review criteria as set forth in city code Section 7.5.501.E.

The proposed residential development is illustrated on the proposed PUD development plan, which shows the layout of the residential lots. The development involves two- and three-story homes, with a height limit of 36-feet and a density of 11.79 dwelling units per acre. Setbacks from exterior property lines are established with this development plan and are consistent with setbacks established for a similar single-family small lot project immediately to the north. Access to homes will be provided by private streets. The street and lot design follows some of the recommendations of the small-lot PUD guide for residential development and proposes street-oriented units with front yard landscaping and landscaped buffers around the project perimeter as well as common open space. The landscape plan included with this plan set will be enhanced to provide for a final landscape plan approval prior to construction.

Each unit will be provided with a two-car garage and each lot will have its own private rear yard. Most units have full 20-foot long driveways; lots without full driveways have access to four off-street and nine on-street guest parking spaces, similar to adjacent residential properties. A total of 139 parking spaces are provided for the development, a ratio of 3.7 parking spaces per home. Standard single-family homes are required to have one off-street parking space per residence under City Code, although the PUD guidelines recommend additional spaces be provided for guest parking. The guest parking spaces to be provided will result in this project functioning similarly to the small-lot single-family home development immediately to the north of this project. Pedestrian walks are provided on at least one side of each of the proposed private streets.

The site can be accessed via two existing public streets: Monterey Road, a full-movement intersection accessed from South Union Boulevard; and Springs Vista Street, a right-in, right-out intersection accessed from Hancock Expressway. Intersection improvements are planned for the Monterey Road/South Union Boulevard intersection, to include signalization. The City's Traffic Engineering Division of Public Works reviewed the proposal and required that a note be added to the development plan, requiring the developer to remit the amount of \$75,000 for the future anticipated traffic signal at the intersection of South Union Boulevard with Monterey Road.

The final drainage report (FDR) submitted with the proposed development has received two rounds of review by the city stormwater engineering enterprise (SWENT). While the drainage report is not yet approved, as of the most recent review the SWENT reviewers have stated that "No additional comments remain on the FDR that could affect the DP". A condition of approval is recommended to be attached to the PUD development plan requiring final drainage report approval prior to development plan approval, as follows:

"Approval of The Overlook at Spring Creek development plan (CPC PUD 21-00080) requires the Final Drainage Report approved by SWENT. "

The project is an infill redevelopment and will utilize existing streets, utilities, parks, and infrastructure within the vicinity of the property, while enhancing the property with new infrastructure (streets, sidewalks, stormwater detention), and a finished product rather than a vacant dirt lot. The medium-density development will include product types that will further diversify the type of homes available in the neighborhood as desired by the community's plan for physical development, known as PlanCOS and discussed further below. The layout, access, and landscaped common areas are designed to provide a vibrant housing community with a variety of different home models and passive recreational opportunities to serve the residents. The residential units, even with maximum heights of 36 feet, will have less of an impact in terms of traffic and structural bulk than commercial development, which would be allowed a height of up to 45 feet in the PBC zone. If the planning commission and city council are satisfied that the proposed condition satisfied the code requirement to address the project's stormwater drainage, then for the reasons stated above, as well as the discussion within the applicant's project statement, staff finds that the proposed plan can meet the review criteria for development plans as set forth in City Code Section 7.5.502E, and the review criteria for PUD development plans as set forth in City Code Section 7.3.606.

The project includes a proposal to convert a portion of the existing public right-of-way for Springs Vista Street. The section of public right of way proposed to be vacated is located immediately south

of Monterey Road, along the east side of Springs Vista Street. This public road currently provides access to an existing townhome development to the west of the subject property and also provides a connection between Monterey Road and Hancock Expressway as well as connecting to other streets in the neighborhood to the north and west. The vacation of a portion of this road will allow the residential project to provide a landscaped treelawn and utilize some of this property for their residential development.

The only adjacent property owner along this strip of land is Challenger communities, LLC. owner of the property that is the subject of this application. Vacating this strip of land will create a more uniform width of the remaining portions of the public right of way along the block frontage. The subject portion of ROW does contain public infrastructure, to include, gas, water, and underground electric. There is an existing 15-foot x 30-foot easement on the property to reserve the right to access these lines. The existing easement will be reserved (retained) to cover existing infrastructure.

The proposed vacation is an appropriate use of the City subdivision code provisions. This specific section of public right-of-way is not needed to provide access to any nearby properties. The proposed conversion of this roadway from public to private will not have a significant impact on land use patterns for this area, and staff finds the proposal is consistent with the review criteria and procedures of city code section 7.7.402.

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as an Established Traditional Neighborhood. The proposed residential development is complementary to the envisioned comprehensive land use pattern for the surrounding neighborhood based on several themes in PlanCOS.

The Vibrant Neighborhoods chapter of PlanCOS identifies the area surrounding the proposed development as an Established Traditional Neighborhood under PlanCOS. The Plan identifies goals to enhance the existing character of such neighborhoods, while supporting their ongoing investment and improved adaptation. PlanCOS notes that most Established Neighborhoods should expect some degree of infill. This statement underscores the fact that infill development is one of the key indicators of PlanCOS and extends across many of the plan's themes. The proposed development will further the PlanCOS policies regarding infill and investment in mature and developed areas by providing an additional housing choice in proximity to public parks, major thoroughfares, and activity centers.

A primary goal of the Vibrant Neighborhoods chapter of PlanCOS is the provision of "Housing for All" (Goal VN-2). Strategy VN-2.A-3 suggests support for land use decisions and projects that provide a variety of housing types and sizes that serve a range of demographic sectors and meet the needs of residents through various life stages and income levels. The following goal and strategy of the Vibrant Neighborhoods chapter is also supported:

- "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"
- Strategy VN-2.A-4, "Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels."

Another way this project supports PlanCOS is by locating additional attainable housing in support of Goal TE-1 and Strategy TE-1.C-3 of the Thriving Economy chapter, which recommends:

- “Ensure an adequate supply of attainable housing for the workforce across all industries, and that it is conveniently located near hubs of employment and/or public transportation.”

The Thriving Economy Chapter of PlanCOS includes a goal to “Embrace Sustainability”, along with Policy TE-4.A which reads:

- “Prioritize development within the existing City boundaries and built environment (not in the periphery).” The proposed project is an example of infill development, hence advancing this objective.

Another way the proposed development exemplifies the objectives of PlanCOS is by furthering Policy SC-1.D of the Strong Connections chapter, which recommends multimodal connections between neighborhoods, local destinations, employment and activity centers, and Downtown. The provision of medium-density housing in this location will provide opportunities for convenient multimodal connections between this neighborhood and various employment centers including the downtown area.

For the reasons provided in this overall staff report, City Planning staff finds that this development proposal and its associated applications to be in substantial conformance with PlanCOS and its guidance.

Previous Council Action:

On April 26, 2022, this ordinance was approved on first reading on the Consent Calendar.

Financial Implications:

NA

City Council Appointed Board/Commission/Committee Recommendation:

At the City Planning Commission meeting held on March 17, 2022, the project applications were considered under the New Business Calendar. Following discussion, the City Planning Commission recommended approval of the project applications to the City Council by a vote of 7:0:2:0 (Commissioners Graham and Raughton were excused).

Stakeholder Process:

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 approximately 450 property owners on three occasions: upon initial submittal of the zone change and development plan applications (456); upon submittal of the concept plan and vacation applications (461); and prior to the planning commission and City Council hearings (461 notices). The site was also posted during the occasions noted above. City Planning staff received seven written comments in opposition expressing concerns with the proposed development related to traffic congestion and parking issues in the neighborhood; burdens upon public facilities; loss of a potential neighborhood commercial use; and views. The applicant provided a written response to the received public comment and also provided a parking exhibit to demonstrate adequate parking for the development. No follow-up correspondence from the

public were received.

Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, Colorado Springs Airport, and City SWENT. All comments received from the review agencies have been addressed either within the plan drawings, or via condition of approval.

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:

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Adopt an ordinance amending the zoning map of the City of Colorado Springs relating to 2.97 acres from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential, 11.79 dwelling units per acre with a maximum building height of 36 feet), based upon the findings that the change of zone request complies with the zone change criteria as set forth in City Code Section 7.5.603.B. and the review criteria for establishment of a PUD zone district as set for in Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 2.97 acres located at the northwest corner of South Union Boulevard and Hancock Expressway from PUD (Planned Unit Development: Commercial) to PUD (Planned Unit Development: Residential) 11.79 dwelling units per acre with a maximum building height of 36 feet).