



Legislation Details (With Text)

File #: CPC PUZ 18- 00085 **Version:** 3 **Name:**
Type: Planning Case **Status:** Mayor's Office
File created: 9/27/2018 **In control:** City Council
On agenda: 12/11/2018 **Final action:** 12/11/2018

Title: Ordinance No. 18-124 amending the zoning map for the City of Colorado Springs pertaining to 8.73 acres located southeast of the terminus of Silversmith Road and Silver Rose Lane changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection).

(QUASI-JUDICIAL)

Related File: CPC PUP 13-00033-A1MJ18

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

Sponsors:

Indexes: Flying Horse

Code sections:

Attachments: 1. ZC_ORD FlyingHorseParcel22, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change Exhibit, 4. Vicinity Map, 5. CPC Report_FlyingHorseParcel22_DJS, 6. FIGURE 1 - Zone Change Exhibit, 7. FIGURE 2 - PUD Concept Plan, 8. FIGURE 3 - Project Statement, 9. FIGURE 4 - Public Comments, 10. 7.5.603 Findings - ZC req_CA, 11. 7.3.603 Establishment & Development of a PUD Zone, 12. FlyingHorseParcel22_Staff-Presentation, 13. CPC_Minutes_FlyingHorseParcel22, 14. Signed Ordinance 18-124

Date	Ver.	Action By	Action	Result
12/11/2018	2	City Council	finally passed	Pass
11/27/2018	2	City Council	approved on first reading	Pass
10/18/2018	1	City Planning Commission		

Ordinance No. 18-124 amending the zoning map for the City of Colorado Springs pertaining to 8.73 acres located southeast of the terminus of Silversmith Road and Silver Rose Lane changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection).

(QUASI-JUDICIAL)

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Presenter:

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Daniel Sexton, Senior Planner, Planning and Community Development

Summary:

Applicant/Owner: Pulpit Rock Investment, LLC
Consultant Representative: Classic Consulting Engineers & Surveyors
Location: Southeast of the terminus of Silversmith Road and Silver Rose Lane

The project includes concurrent applications for a major PUD concept plan amendment and a PUD (Planned Unit Development) zone change. The Flying Horse Parcel 22 PUD concept plan amendment reconfigures the previously envisioned lot layout, allows for additional commercial and residential uses on Lot 4, updates the alignment of the Powers Boulevard noise influence line, and establishes timing for the extension of Silversmith Road and Silver Rose Lane. The PUD zone change will change the current zoning for the subject property from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection).

Previous Council Action:

City Council previously took action on this property in August 2013 during its review of the initial set of land use entitlements associated with the Flying Horse Parcel 22 project.

On November 27, 2018, City Council held a public hearing where the applications associated with the Flying Horse Parcel 22 project were discussed under Items Called Off Consent Calendar. Councilors Knight and Strand had questions concerning application sequencing, and the need for fiscal impact and traffic impact analyses. Councilors Geislinger and Pico contributed to the larger conversation surrounding fiscal impact analysis. City Planning staff explained that the project did not require a major master plan amendment as the proposed residential land uses with a density of 12 dwelling units per acre are allowed on properties with an Employment Center land use designation per the 2020 Land Use Map/Master Plan Matrix. Following the discussion, City Council voted 7-1-1 (Council Knight voted against the item and Council Bennett was absent) in favor of the zone change request and unanimously voted to approve the concept plan amendment.

Background:

The subject property was annexed into the City on October 28, 2003 under the Flying Horse Ranch Addition Annexation Plat (Ord. 03-181). The site has remained vacant since annexation, but has been over-lot graded in preparation for future development.

The project site is located within the Flying Horse Master Planned area. Per the current master plan, the project site is identified for Office uses. While the developed use will not be known until a PUD development plan application is submitted and approved for the site, the applicant is working with a developer that builds and operates assisted living facilities. Staff finds the Flying Horse Parcel 22 project to be consistent and in substantial compliance with the Flying Horse Master Plan.

The property is currently zoned PUD (Planned Unit Development) and is vacant. The parcel was zoned PUD (Planned Unit Development) in 2013 (Ord. 13-42) in preparation for the future commercial development of the area. The applicant's proposed PUD (Planned Unit Development:

commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection) zone district sets the specific density, dimensional, and use controls for the future development of proposed Lot 4 of the Flying Horse Parcel 22 project. Specifically within Lot 4, the applicant has proposed adding permitted uses, such as: multi-family residential, human service facility assisted living, retirement home and single family residential. To further regulate these new uses, the following density controls were put forth: maximum residential density of 12 dwelling units per acre and a maximum non-residential building limitation of 90,000 square feet. All other previously established dimensional and use controls for the development will remain as established by the Flying Horse Parcel 22 PUD Concept Plan.

The proposed Flying Horse PUD concept plan amendment reconfigures the lot layout to create proposed Lot 4, allows for additional uses on Lot 4, updates the Powers Boulevard noise influence line, and establishes timing for the future extension of Silversmith Road and Silver Rose Lane. To ensure the future development of Lot 4 is compatible with the immediate area, the applicant has retained the previously established building height maximums of 45 feet west of Silver Rose Lane and 35 feet east of Silver Rose Lane. To accommodate the proposed potential land uses, the applicant established new density controls for residential and nonresidential uses, which are discussed above. According to the applicant, the land use expected to be developed on Lot 4 is a retirement care community.

The City's Traffic Engineering Division of Public Works did not require the applicant to prepare a traffic impact study at this time, as the end use was not determined and all of the proposed allowable uses have a potential traffic impact that is less than the previously approved uses. The City's Planning and Traffic staff will monitor the need for a traffic impact analysis or noise abatement measures through the review of future applications.

The attached City Planning Commission staff report summarizes the project details.

The project supports the City's Strategic plan of building community and collaborative relationships and provides a platform for the building of a neighborhood and community, as it will complete a very visible segment of the Flying Horse Master Planned area and is an opportunity for a commercial or residential use that is compatible with the surrounding land use pattern. The envisioned future uses would also function as good transitional uses between the surrounding residential developments and the expected future extension of Powers Boulevard to the south. Whether a commercial or residential use is developed, the project 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 October 18, 2018, these items were approved under the consent calendar. The Planning Commission voted 8-0 in favor of the items.

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

Stakeholder Process:

The public process included public notice provided to 348 property owners within 1,000 feet of the site on four occasions: during the internal review stage, prior to a neighborhood meeting held on August 16, 2018, and prior to the Planning Commission and City Council hearings. The site was also posted on those four occasions. In response to the approximately 30 comments received from residents during the internal review, a neighborhood meeting was held on August 16, 2018. At the meeting, residents were able to discuss the project scope and anticipated end user, which has been identified as an assisted living facility. By the end of the meeting, most residents were comfortable with the project as presented.

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, City Fire, Council of Neighbors and Organizations (CONO), School District #20, Police and E-911, and the United States Air Force Academy (USAFA). All comments received from the review agencies have been addressed.

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:

Adopt an ordinance changing the zoning of 8.73 acres from (PUD) Planned Unit Development to (PUD) Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection, based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B) and the development of a PUD zone as set forth in City Code Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 8.73 acres located southeast of the terminus of Silversmith Road and Silver Rose Lane from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 12 dwelling units per acre, maximum 90,000 square feet for nonresidential uses, maximum building height of 45 feet and 35 feet east of the Silversmith Road and Silver Rose Lane intersection)