



## Legislation Details (With Text)

**File #:** CPC PUZ 20-00002    **Version:** 3    **Name:** Urban Collection at Briargate  
**Type:** Ordinance    **Status:** Mayor's Office  
**File created:** 5/11/2020    **In control:** City Council  
**On agenda:** 7/14/2020    **Final action:** 7/14/2020

**Title:** Ordinance No. 20-43 amending the zoning map of the City of Colorado Springs pertaining to 7.29 acres located north and east of the Austin Bluffs Parkway and Research Parkway intersection from PUD/CR/AO (Planned Unit Development with a Condition of Record and Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 07-00061-A8MN20, CPC PUZ 20-00002, CPC PUD 20-00003

**Presenter:**  
Hannah Van Nimwegen, Senior Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Legal Description Depicted, 4. Surrounding Zoning & Land Uses, 5. Vicinity Map, 6. 7.5.603.B Findings - ZC, 7. 7.3.603 Establishment & Development of a PUD Zone, 8. Signed Ordinance 20-43.pdf

Date	Ver.	Action By	Action	Result
7/14/2020	2	City Council	finally passed	Pass
6/23/2020	2	City Council	approved on first reading	Pass
5/21/2020	1	City Planning Commission	referred	Pass

Ordinance No. 20-43 amending the zoning map of the City of Colorado Springs pertaining to 7.29 acres located north and east of the Austin Bluffs Parkway and Research Parkway intersection from PUD/CR/AO (Planned Unit Development with a Condition of Record and Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay).

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**Summary:**

Owner: Diocese of Colorado Springs  
Developer: MDC Holdings - Richmond Homes  
Representative: N.E.S., Inc  
Location: North and east of the Austin Bluffs Parkway and Research Parkway intersection along Scarborough Drive

The Urban Collection at Briargate Square project includes concurrent applications for a minor master plan amendment, zone change, and development plan for 7.29 acres. The minor amendment to the Briargate Master Plan requests to decrease the designated density from Residential Medium-High requiring 12-24.99 dwelling units per acre (du/ac) to Residential Medium allowing between 8-11.99 du/ac. The zone change requests to rezone from PUD/CR/AO (Planned Unit Development with a Condition of Record: Apartments, 17.4 du/ac, 35' maximum building height with an Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay). The development plan illustrates 70 single-family attached units in the form of 35, two-unit structures with associated parking, landscaping, and a full-spectrum detention pond.

### **Background:**

The subject property was annexed into the City of Colorado Springs in 1986 as part of the 320-acre Briargate Addition No. 13 annexation and was added to the Briargate Master Plan simultaneously. The existing PUD zone district for apartments was established in 1998 when it was rezoned from R-5 (Multi-family Residential) and A (Agriculture). This master plan was updated in 2003, and new land use designations were established. This property was assigned the R-MH (Residential, Medium-High) with a density range of 12 to 24.99 du/ac to coincide with the existing high density PUD. The Diocese of Colorado Springs purchased the subject property in 2010.

The proposed minor master plan amendment requests to alter the proposed land use designation to Residential-Medium with a density range of 8 to 11.99 du/ac. As stated in Colorado Springs Zoning Code Section 7.5.403, because this is not a change in land use category, the amendment is classified as "minor." In this same section, an amendment may be considered minor if a change will have a "minimal impact on the City's transportation system, utility infrastructure and public facilities and the provision of public safety services and facilities." It is staff's opinion that a reduction in the residential density will reduce impacts on the transportation system, utility infrastructure, and other public facilities.

Minor master plan amendments are not required to be sent to the City's budget office for a fiscal impact analysis. According to Code Section 7.4.508, "minor amendments are not subject to review criteria in subsection F of this section." Subsection F refers to the portion of the review criteria requiring fiscal impacts to be analyzed.

The subject site is proposed to be rezoned to a PUD (Planned Unit Development) for single-family attached residential with a density range mimicking the master plan designation's density range of 8 to 11.99 du/ac. The existing PUD (Planned Unit Development), established in 1998, was written specifically for an apartment development with a gross density of 17.4 du/ac and a maximum building height of 35 feet. The PUD zone district includes a Condition of Record, which reads, "It shall be the responsibility of the owner to install a traffic signal at the intersection of Research Parkway and Scarborough Drive." Since the PUD's establishment, this traffic signal exists and there is no longer a need for a similar Condition of Record to be carried forward to the proposed zone district. The Airport Overlay will be carried forward to the new zone district.

The subject development plan illustrates 70 single-family attached units spread across 35 two-unit buildings on 7.29 acres for a gross density of 9.06 du/ac. The proposed product is an “urban” duplex with each unit platted onto its own fee-simple lot. Each unit will contain a two-car garage meeting the minimum parking requirements. In addition to the garage spaces, there are 68 spaces within driveways and 29 additional guest parking spaces along Baseline View.

A 15-foot wide landscape buffer is proposed along the eastern and western property boundaries between the proposed land use and the existing religious institution to the west and potential future land uses to the east. This site also contains a full-spectrum detention pond, and the final drainage report for the site has been approved by Stormwater Engineering. The site will have two points of access. A new access point being constructed onto Scarborough Drive and the proposed development will share an existing driveway off Research Parkway.

Review criteria for master plans can be found in Code Section 7.5.408. The review criteria for zone changes can be found in Code Section 7.5.603, more specifically, review criteria for the establishment of a PUD zone can be found in Code Section 7.3.603, and the review criteria for development plans in Code Section 7.5.502, and PUD development plans are located in Code Section 7.3.606. Staff is of the opinion that the subject applications are compliant with those review criteria based on the action not being detrimental to public health, safety, or general welfare and will not overburden public facilities. Staff has also found that the proposed dimensional standards (setbacks, lot coverage, etc.) and residential product (building height, lot size, etc.) are compatible with other residential uses in the vicinity.

The subject parcel is located within the Briargate Master Plan area. This master plan was initially established in 1980, and the subject parcel was added in 1986. The Briargate Master Plan was updated in 2003 and new land use designations were established. For the subject parcel, R-MH with a density range of 12 to 24.99 du/ac was outlined. The proposal under review requests to reduce that density to R-M with a density range of 8 to 11.99 du/ac. The accompanying proposed development plan has a gross density of 9.06 du/ac.

The City’s Comprehensive Plan, PlanCOS, identifies the area subject to the applications as an “established suburban neighborhood” on the Vision Map and fits within the Emerging Neighborhoods typology of the Vibrant Neighborhoods chapter. In the Vibrant Neighborhoods chapter of PlanCOS a goal (VN-2) states, “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.” A strategy to reach this goal is also listed and reads, “Strategy VN-2.A-3: 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.” The proposed product introduces an alternative housing product to the area, which may serve as a middle ground between an apartment and a single-family home.

**Previous Council Action:**

On June 23, 2020, City Council approved this ordinance on first reading by a vote of 9:0:0:1 with Councilman Geislinger recused.

**Financial Implications:**

N/A

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

The City Planning Commission heard this item on May 21, 2020. This item was a part of the consent calendar, but was called off consent by a member of the public who requested a formal hearing on the item in order for them to make comments on the proposal. Those comments are summarized in the following section. Ultimately, the City Planning Commission voted to recommend approval of all three items 8-0 (aye: Wilson, Hente, Graham, Rickett, Almy, McMurry, Raughton, and Eubanks; absent: McDonald).

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

**Stakeholder Process:**

At the initial application stage, the public notification process consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 203 property owners within 1,000 feet of the subject site. Two letters were received—one in support of the density decrease and the other in opposition citing concerns with increased traffic. This process was repeated prior to the City Planning Commission meeting and the same 203 property owners were notified. Following the notification of the City Planning Commission meeting, an additional letter was sent to staff detailing concerns which is attached to this memo. This individual pulled the item from the consent calendar.

The applications were sent to the standard internal and external agencies for review, including Colorado Springs Utilities, City Traffic, Stormwater Engineering, Public Works, City Landscape, Parks, Recreation, and Cultural Services, City Fire Department and Police/E-911, the Colorado Springs Airport, and Academy School District 20. Comments received were minor in nature and required minor revisions to the plans. At this time, all comments have been addressed and there are no technical modifications.

- Academy School District 20: Commented that fees are due in lieu of land dedication per City Code Section 7.7.12. The school district voiced no objections because the Briargate Master Plan already designated the site for residential land uses and has no issue with the decrease in density.
- AAC (Airport): The Airport Advisory Committee heard this item at their January 22, 2020 hearing where they voiced no objections.

**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 20-00002

Approve an ordinance changing the zoning of 7.29 acres from PUD/CR/AO (Planned Unit Development with a Condition of Record and Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay), 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), as well as the criteria for establishment of a PUD zone district as set for in

City Code Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 7.29-acres located north and east of the Austin Bluffs Parkway and Research Parkway intersection from PUD/CR/AO (Planned Unit Development with a Condition of Record and Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay).