



## Legislation Text

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**File #:** CPC PUP 19-00125-A1MJ21, **Version:** 2

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A major amendment to the Percheron Concept Plan (previously known the Banning Lewis Ranch North Concept Plan) for future development of approximately 808 acres into a mix of residential, commercial and park/open space uses located along the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road

(Quasi-Judicial)

Related Files: CPC MP 19-00123-A1MJ21

**Presenter:**

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**Summary:**

Owner/Developer: Nor'Wood Development, BLH No 1, 2, & 3 LLC

Representative: NES Colorado, INC.

Location: Between Mohawk Road and Golden Sage Road on the North and South sides of Woodmen Road

The proposed project includes concurrent applications for the Percheron Master Plan and Concept Plan, previously Banning Lewis Ranch North, for amendments relating to the 887-acre master planned and concept planned area. The site is located along the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road. The plans illustrate the proposed land use configuration, access, and circulation, intended infrastructure and overall intent.

**Background:**

The Banning Lewis Ranch North master plan and concept plan were submitted concurrently for review and originally approved in January 2021. The documents, while standalone entitlements, are nearly identical to support the land development vision for this new development. The master plan, a document required to support City annexations larger than 30-acres, sets the overall land use pattern to be established across the 800+ acres. The master plan and supporting zone district will allow for urban level development within the City of Colorado Springs. The property is intended for a mix of commercial, civic, single-family, and multi-family residential uses to be developed utilizing city infrastructure. Part of this amendment includes a name change for the planned areas from Banning Lewis Ranch North to Percheron. This name change is reflected in all documents associated with the amendment applications and moving forward the project area will be known as Percheron.

As required by City Code Section 7.3.603(A) the establishment of a PUD (Planned Unit Development) zoning district shall be accompanied by a concept plan. Due to the changes outlined below, both the master plan and concept plan are required to be amended.

The proposed amendments to the master plan (see **“Percheron MP” attachment**) include the addition of a 126-acre regional sports complex in the southeast sector of the property south of Woodmen Road. As a result of this addition, several land uses adjacent to the site are proposed to be revised to fit the new vision of development. The amendments result in the addition of commercial land uses adjacent to an overall decrease in residential density and a subsequent reduction to PLDO obligations.

The proposed changes result in a reduction to the proposed density cap from 2,900 to 2,650 units. The plans were previously approved under the old Parkland Dedication Ordinance which calculated PLDO obligations differently than under the new PLDO standards implemented July 1, 2021. The previous obligation was calculated to be 59-acres, with the proposed revisions to reduce residential density and new PLDO ordinance the total obligation is estimated to be 31.6-acres. This results in 14.2-acres required for neighborhood parks and 17.1-acres for a community park. The neighborhood parks as shown on the plans are reduced from what was previously approved to allow for smaller parks throughout the master planned area. Per Parks Department policy, any neighborhood park less than 3.5-acres must be owned and maintained by the developer or metropolitan district. As proposed, three of the five neighborhood parks are less than 3.5-acres and will be owned and maintained by the developer or metropolitan district. Two of the proposed parks exceed the 3.5-acre minimum and shall be dedicated to the Parks Department; these parks shall be developed and maintained by the Parks Department. All parks will be required to be rezoned to PK and coordinate with the Parks Board for park design approvals.

The concept plan amendment (see **“Percheron CP” attachment**) is identical to the master plan changes as referenced above. A concept plan illustrates the intention of future development pattern, access, and dimensional controls for the associated land uses. The concept plan document is not required to show specific landscaping, screening and buffering, lighting, or other site design aspects. That type of detail is specific to a development plan. Any future request for building permits within the proposed development area will require the submission of a development plan, which will be reviewed administratively per City Code Section 7.3.606.

Staff has evaluated the proposed project for conformance with the City’s current comprehensive plan (herein referred to as “PlanCOS”), adopted in January 2019. The project area was not annexed into the city at the time that PlanCOS was adopted and is therefore not part of the PlanCOS Vision map (see **“PlanCOS Vision Map” attachment**). The site is adjacent to the Newer Developing Neighborhood typology with similar neighborhood characteristics as defined in the report.

The project fits within the emerging neighborhood typology as defined in Chapter 2, Vibrant Neighborhoods, and this typology encourages a variety of housing types of all densities and ensure that careful attention is paid to the amenities the development may offer to enhance the neighborhood’s livability. Percheron will be served by a Metropolitan District, which are known to finance public improvements and provide higher levels of ongoing services and amenities. Chapter 2 also identifies in Goal VN-2 to:

*“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.”*

Provision of newly constructed residential units is a direct response to the market needs for housing in the City, and the allowance of a PUD zone district that allows for customizable design standards

benefits this goal by allowing for a variety of housing types and density mixes.

The project aligns with PlanCOS Chapter 4 Goal TE-4, which states:

*“Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”*

Policy TE-4.A encourages prioritization of development within the existing City boundaries and built environment (not in the periphery) and is further supported by Strategy TE.4-A-3 which supports greenfield development that includes mixed-use, higher density clusters, and quality design. Larger portions of the Percheron are proposed residential greenfield development within the existing City boundaries. While the proposed development is on the periphery of the built environment, staff finds the project still substantially conforms to the intent of the Policy as stated because the project site is within the existing City boundaries and is located adjacent to existing development which further reinforces the ability to maximize investments in existing infrastructure.

The proposed commercial zoning and future commercial development is supportive of the Thriving Economy Typology 4: Life and Style. This typology aims to meet the daily needs of residents with varied and easily accessible options. The key importance of this typology is ensuring that it is dispersed throughout the City and encourage “connected and accessible retail”. The proposed commercial area is situated along two roadways that are envisioned as future corridors for the Percheron development. It is accessible not only for the residents to the west and future residents of this project area but will be easily accessible to all future residents adjacent to the Banning Lewis Parkway corridor and future residents east of the proposed project site. The Thriving Economy Framework reinforces the vision that commercial development in Percheron will follow the Life and Style typology.

This item supports the City’s strategic plan goal to build community and collaborative relationships through the proposed infill development of a vacant parcel within the current limits of the City. This project will increase housing opportunities and prioritizing walkability and bike-friendliness in the new community, through a connected system of sidewalks, trails and parks. The proposed amendment also builds upon the vision of attracting visitors and businesses through the City’s park system. The implementation of a 126-acre regional sports complex with surrounding commercial uses is a unique opportunity to support new economic activity generated from it’s development. This development will support existing and emerging communities in the surrounding area and strengthen the Colorado Springs economy through the orderly growth of Banning Lewis Ranch and surrounding areas.

**Previous Council Action:**

City Council unanimously approved concurrent applications for an annexation, zone change and concept plan on January 26, 2021, at which times the project was referred to as Banning Lewis Ranch North.

**Financial Implications:**

The Budget Office of the Finance Department conducted a Fiscal Impact Analysis (FIA) with a ten-year time horizon to understand the estimated expenditures and revenues attributed to the proposed master plan amendment application. The result of the FIA was a positive cumulative cash flow for the City.

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

At the City Planning Commission meeting held on December 16, 2021, the project applications were heard as a New Business item. Both staff and the applicant made presentations to the Planning Commissioners. In addition to the two verbal comments received in advance of the meeting, two residents spoke on the project. They raised concerns about the density of transitional residential uses to the large lot residential development in the county and the location of the proposed school sites. It was confirmed at the meeting that the school sites and residential density on the periphery of the planned area remain unchanged from the initial approval. The Planning Commission voted 7-0-2 (Commissioners Graham and Eubanks absent) to approve the project applications.

### **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 372 property owners on three occasions; during the initial review and prior to the public hearings. The site was also posted during the three occasions noted above. City Planning staff received 2 public comments expressing concerns about traffic and general concerns about addition of new residential units in the project area. Public comments were also made at the Planning Commission meeting on December 16, 2021. These comments were reflective of the general comments regarding concerns about density and traffic.

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. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, City Fire, City Police, and City Budget. All comments received from the review agencies have been addressed.

- Parks Department - The Parks Department determined that the development, as proposed, creates a significant land obligation for both neighborhood and community parks. Parks and the applicant agree that land dedication is required to satisfy the PLDO obligation. In addition, these items will need final approval from the Parks Board prior to final consideration with City Council.

### **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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Approve the Percheron PUD Concept Plan, based upon the findings that the PUD concept plan meets the review criteria for establishing a PUD concept plan, as set forth in City Code 7.3.605, and meets the review criteria for establishing a concept plan, as set forth in City Code 7.5.501(E).

n/a