



Legislation Text

File #: CPC ZC 21-00140, **Version:** 3

Ordinance No. 24-01 amending the zoning map of the City of Colorado Springs pertaining to 8 acres northeast of the Thunder Mountain Avenue and Daydreamer Drive intersection from A (Agricultural) to PK (Public Park) zone district.

(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Katelynn Wintz, Planning + Neighborhood Services.
Peter Wysocki, Director, Planning + Neighborhood Services

Summary:

Owner / Developer: High Valley Land Company Inc
Representative: Kyle Campbell, Classic Consulting
Location: Northeast of the Thunder Mountain Avenue and Daydreamer Drive

The requested zone change application proposes to rezone a 8-acre parcel from A (Agriculture) to PK (Public Park) for the purpose of establishing a park site in the North Fork neighborhood. The implemented Briargate Master Plan illustrates this area as a future park and this rezone application is the next step toward creating the park. The new park and open space will serve the existing and proposed surrounding residential developments.

As you will note below, this rezone application was heard by Planning Commission at the end of 2021. The delay to get this request before the City Council was due to the need to secure an easement from District 20 across the Elementary School property to access the park property. The easement was not finally authorized by the District until the Fall of 2023.

Background:

Please see the attached City Planning Commission Staff Report for a complete analysis of the proposed application.

Review Criteria:

The review criteria for a Zone Map Amendment as set forth in City Code Section 7.5.603.B (Chapter 7) are noted below.

B. Establishment Or Change Of Zone District Boundaries: A proposal for the establishment or change of zone district boundaries may be approved by the City Council only if the following findings are made:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved

amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.

4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this chapter. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157; Ord. 12-76)

Staff finds that the proposed application meets the review criteria.

Previous Council Action:

On September 14, 1982, the City Council approved the Briargate Addition # 5 which annexed this property into the City. The associated Briargate Master Plan was also approved by Council, as amended, that identifies this site as a Park property.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

City Planning Commission voted unanimously to approve the Zone Map Amendment at the December 16, 2021, meeting. (The application was approved on the consent calendar on a 7-0 vote. Commissioners Graham and Eubanks absent.)

Proposed Motions:

Should the City Council wish to approve the Zone Map Amendment application, the following motion is suggested:

Adopt Ordinance No. 24-01 establishing 8 acres as a PK (Public Park) zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.603.B.

Should the City Council wish to deny the Zone Map Amendment application, the following motion is suggested.

Deny Ordinance No. 24-01 establishing 8 acres as a PK (Public Park) zone district based upon the findings that the request does not comply with the criteria for establishing a zone district as set forth in City Code Section 7.5.603.B.

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 8 acres northeast of the Thunder Mountain Avenue and Daydreamer Drive intersection from A (Agricultural) to PK (Public Park) zone district.