



## Legislation Text

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**File #:** CPC PUZ 18-00068, **Version:** 3

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Ordinance No. 18-107 amending the Zoning Map of the City of Colorado Springs relating to 7.8 acres located south and west of the intersection at Red Cavern Road and Crisp Air Drive, establishing the PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre maximum; 30-foot maximum building height) zone district..

(Quasi-Judicial)

**Presenter:**

Matthew Bingman, DRE Permit Center Administrator, Planning & Community Development  
Peter Wysocki, Director of Planning and Community Development

**Summary:**

Consultant: Classic Consulting Engineers & Surveyors, LLC

Owners/Applicant: Elite Properties of America, LLC

Location: North Powers Blvd., south of the intersection of Red Cavern Road and Crisp Air Drive.

This project includes concurrent applications for a zone change from A (Agricultural) to PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre; 30-foot maximum building height) for a 7.8 acre site with an associated development plan for an intended townhome project (single-family attached). The project site is part of the larger Briargate Master Plan and will introduce 70 new attached single-family lots. The North Fork Townhomes PUD Development Plan illustrates the layout of the townhome site with associated landscaping, detention and access as seen in FIGURE 1 of the associated City Planning Commission Staff Report. Staff is also administratively reviewing a subdivision plat for this site.

**Previous Council Action:**

On October 23, 2018, this Ordinance was approved on first reading on the Consent Calendar.

**Background:**

This proposal includes a rezoning request of a 7.8 acre property that is currently zoned A (Agricultural) and proposes a change to PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre; 30-foot maximum building height) in preparation for the implementation of an associated development plan for construction of a townhome project (single-family attached) containing 70 new lots each containing one dwelling unit per lot.

This site borders an existing portion of the North Powers Boulevard corridor and offers buffering to the existing single-family residential uses to the north and the school site to the east of the project site. This rezone will allow for the continuation of residential use while also introducing a variety of housing opportunities.

The proposed North Fork Townhomes project will provide 70 single-family attached residential units within the development area. Single-family attached buildings will be arranged in three and four pack configurations for a total appearance of 20 buildings on site. For further clarification, ten of the buildings will be configured as three attached units (three pack) and ten of the buildings will be configured as four attached units (four pack). The applicant's proposal sets the specific dimensional requirements and illustrates the envisioned layout for the townhome site as seen in FIGURE 1 of the associated City Planning Commission Staff Report.

Access as shown on the development plan will be gained from the existing residential collector street, Red Cavern Road, which is positioned on the northern border of the project site. This access point is the sole proposed access on site and specific notes have been added to limit additional access points on Red Cavern Road and North Powers Boulevard. All required parking is provided entirely within the project area as a mix between on street parking, striped parking spaces, driveways and attached garages. Parking areas have been configured to be hidden from the public right-of-way. In parallel, the fronts of the homes have been oriented to face common open space and landscaping. As proposed, the site is exceeding the required parking count by 119 spaces all while meeting appropriate fire lanes, sight visibility areas, and drive aisle widths. All streets within the project boundary are designated as private and are to be owned and maintained by the HOA. A striped and signed street crossing is proposed on the northern side of the project area and connects to a sidewalk along Red Cavern Road providing further connectivity and ease of access to the school property.

All associated landscaping requirements including buffers to adjacent uses, plant types, and plant quantities satisfy the requirements as outlined by City Code. Due to the site location and its proximity to North Powers Boulevard, a 6-foot pre-cast concrete sound wall and additional grading are proposed along a portion of the southerly property line to offer sound mitigation per the City decibel/noise policy. This site is directly adjacent to Pine Creek High School but is located away from the parking areas on the school site. Landscaping buffers and grade on the easterly property line of the proposed project will buffer the school and townhome use from each other limiting noise and light intrusion.

In addition, the proposed applications support the City's strategic goal relating to investing in infrastructure and building community and collaborative relationships. This development proposal integrates a variety of the platform goals essential to the implementation of the strategic plan. This proposal incorporates diversity in housing type, walkability, streetscape design, connectivity, and integration of uses all while ensuring the area develops as a well-functioning neighborhood and community. The attached City Planning Commission staff report summarizes the project in more detail.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

These items were originally heard before the City Planning Commission on September 20, 2018 at which the board approved the applications with a unanimous vote of 7-0-1 (Recusal, Commissioner Raughton; one vacant City Planning Commission Seat). These items were originally presented as a

consent item and were subsequently pulled from that calendar by Planning Commissioner McMurray due to concerns of accessibility, walkability, and connections to surrounding uses. Staff and the applicant presented additional information, as seen in FIGURE 4 of the associated staff report and ultimately a recommendation of approval was given without any modifications or additional information needed. The North Fork Townhome site is directly adjacent to Pine Creek High School and there are no proposed connections to the school site. The lack of connections were identified during the public hearing and were due to the following reasons: There is a significant grade change from the town home site to the school site as it relates to accessibility requirements, the adjacent uses on the school site are the athletic fields that are fenced with a six foot tall chain link fence, and District 20 did not request any connections from the townhome site to the school site. A sidewalk is provided on the north side of the townhome site and provides connections to local trails and the school site.

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

### **Stakeholder Process:**

Public notice was provided on two separate occasions (three including notice for the City Council meeting on October 23, 2018) to 186 property owners within a 1000-foot buffer of the site identifying the submittals received by the City for consideration. The site was also posted with a 24"x36" poster containing resources to access the submitted information.

During the public notice period, staff received a limited response from the 186 property owners notified within the 1000-foot buffer. Two comments were received via phone call and email regarding traffic concerns in the general area of the development. Staff forwarded the concerns to the Traffic Engineering Department and Public Works Department where the comments were individually addressed. In addition, a couple more emails were received just prior to the City Planning Commission hearing regarding concerns about the traffic in the area and the target market for buyers of this townhome product. Again, City Traffic Engineering has reviewed the plans and has no outstanding items remaining for the project. Staff did reach out to the applicant regarding the housing type and it was noted that it will be general market rate and is expected to be in the \$300's for unit price. Written public comment has been added as (EXHIBIT 1) for reference.

Staff distributed submitted plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included but were not limited to Colorado Springs Utilities, City Engineering, City Water Resources Engineering, City Traffic, City Fire, City Parks, City Surveyor, Enumerations, School District 20, Police and E-911, Colorado Division of Transportation (CDOT), United States Air Force Academy (USAF) and Council of Neighborhood Organizations (CONO). As it relates to the review by the USAF Academy, staff determined that this project falls within the military buffer. As such, staff notified the USAF Academy but did not receive review comments from that agency on either the first or second review of the plans. While no comments were received from the USAF Academy, the standard USAF Academy note was added to the plan and reads as follows, "This property may be impacted by noise and other similar accidental sensory effects of flight caused by aircraft used in the USAF Academy's airmanship program. This shall remain in effect until the Academy shall cease to be actively used. This notice shall run with the land." As of October 1, 2018 staff has still not received any comments from the USAF Academy or CDOT.

### **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 amending the zoning map of the City of Colorado Springs relating to 7.8 acres from A (Agricultural) to PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre maximum; 30-foot maximum building height) zone district, 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) and complies with City Code Section 7.3.603 for establishment of a PUD zone.

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 7.8 acres located south and west of the intersection at Red Cavern Road and Crisp Air Drive, establishing the PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre maximum; 30-foot maximum building height) zone district.