



## Legislation Text

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**File #:** CPC PUZ 18-00070, **Version:** 3

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Ordinance No. 18-106 amending the zoning map of the City of Colorado Springs pertaining to 28.58 acres of land from PUD/A (Planned Unit Development and Agricultural) to PUD (Planned Unit Development; commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses), located northwest of the New Life Drive and Federal Drive intersection.

(QUASI-JUDICIAL)

**Presenter:**

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

**Summary:**

Owner/Applicant: Ginger I, LLC c/o La Plata Communities, LLC  
Consultant: Classic Consulting Engineers & Surveyors, LLC  
Location: Northwest of New Life Drive and Federal Drive intersection

The project includes concurrent applications for a major master plan amendment to the Farm Master Plan that changes a note regarding a maximum square footage limitation for commercial and employment uses, a change of zone request from PUD/A (Planned Unit Development and Agricultural) to PUD (Planned Unit Development; commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses), and a PUD concept plan for the Campus at Foothills Farm project, which illustrates the envisioned layout and dimensional controls for developing the 28.58 acres of land with commercial and residential land uses.

**Previous Council Action:**

City Council previously took action on this property in September 2005, during the review of the Allison Ranch Addition Annexation Plat (Ord. 05-131).

On October 23, 2018, City Council held a public hearing where the applications associated with the Campus at Foothills Farm project were approved under the Consent Calendar.

**Background:**

The property was annexed into the City under the Allison Ranch Addition Annexation Plat (Ord. 05-131). The site has remained vacant since annexation but has periodically been used to stockpile aggregate for other projects.

The project site is located within the Farm Master Planned area, which identifies the envisioned uses

as being commercial and office. Per the applicant's proposed major master plan amendment, the previously established 1,100,000 gross square footage cap on commercial/employment uses would be eliminated. A fiscal impact analysis (FIA) was prepared by the City's Financial Department. According to the FIA, "...most departments indicated that there were no identifiable marginal costs of providing services to the amended development." The FIA noted the cost of servicing this development would not outweigh or exceed the project's revenue to the City during the 10-year timeframe analyzed.

The property is currently zoned PUD/A (Planned Unit Development and Agricultural) and is vacant. The majority of the subject property was originally zoned A (Agricultural) when it was annexed into the City in 2005, which has served as a holding zone until the property was ready for development. Those portions of the site currently zoned PUD were rezoned in 2006 in preparation for the commercial development of adjacent parcels. The applicant's proposed PUD (Planned Unit Development: commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses) zone district sets the specific density, dimensional, and use controls for the development of the Campus at Foothills Farm project.

The proposed PUD concept plan for the Campus at Foothills Farm project establishes the site design and layout for developing the subject property with commercial and residential uses. To ensure the development is compatible with the immediate area, the density and intensity restrictions for developed uses consist of commercial use being limited to a maximum building square footage of 85% of the parcel area and residential uses limited to 20 dwelling units per acre. The future land uses are expected to include any permitted or conditional commercial and residential uses typically found in the PBC zone district, as well as allowances for manufacturing, light industry, public facilities, and research and development uses. The proposed maximum building height standard establishes a good transition from the USAFA and commercial uses developed and expected to the south and west, and the residential uses to the north and east. This project completes the southwestern most segment of the Farm Master Plan, which was envisioned for commercial development.

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 by providing a development with a mix of uses which strengthen the transition of land uses in the immediate area. The project also promotes a mutually supportive development pattern in the neighborhood by buffering and protecting the sensitive habitats adjacent to Black Squirrel Creek. The development proposal also integrates variety into the neighborhood that generates opportunities and choices for commerce and housing, while ensuring this area develops as a well-functioning neighborhood. This project will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the area.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At the Planning Commission meeting held on September 20, 2018, these items were pulled from the consent calendar by staff and discussed under the new business calendar. The Planning Commission discussed a request by the applicant to increase the intensity threshold for commercial uses. A USAFA representative spoke on these items, with comments focused on the development

potential of the adjacent properties within the Interquest Marketplace. No other members of the public spoke in favor or against the applications. The Planning Commission ultimately voted 7-0 in favor of the items (two (2) Commissioners were recused).

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

**Stakeholder Process:**

The public process included public notice provided to 142 property owners within 1,000 feet of the site on three occasions: once during the internal review stage and prior to the Planning Commission and City Council hearings. The site was also posted on those three occasions. In response to the solicitation for comments, no comments were received from residents.

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, CONO, School District #20, Police and E-911, Real Estate Services, and USAFA. All comments received from the review agencies have been addressed.

USAFA's comments focused on compliance with heightened risk to civilian occupants, cadets, and pilots associated with the development of high-rise commercial buildings adjacent to the established high-volume take-off and landing patterns for USAFA aircraft and their compliance with the Federal Aviation Administration's (FAA) requirements. The applicant addressed USAFA's building height concern by lowering the maximum allowable building heights to 70 feet for office and commercial uses in Parcel B and to 45 feet for all other uses throughout the project. USAFA and La Plata Communities-the master developer of the Campus at Foothills Farm-are privately coordinating the preparation of an aeronautical study to comply with FAA requirements. City Planning staff intends to monitor these on-going discussions as part of the future entitlement process for the development of respective pad sites within the project. Staff also notes that USAFA is mostly concerned with the future development potential of the parcels located to the west of the project site, which are within the Interquest Marketplace development.

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 28.58 acres from PUD/A (Planned Unit Development and Agricultural) to PUD (Planned Unit Development: commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses), 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 pertaining to 28.58 acres of land located northwest of the New Life Drive and Federal Drive intersection from PUD/A (Planned

Unit Development and Agricultural) to PUD (Planned Unit Development; commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses).