



## Legislation Text

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**File #:** CPC PUZ 21-00143, **Version:** 3

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Ordinance No. 22-75 amending the zoning map of the City of Colorado Springs relating to 5.814 acres located approximately 420 feet northeast of the Centennial Boulevard and Mesa Valley Road intersection from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: Multi-Family Residential, 9 maximum dwelling units per acre, and 50-foot maximum building height with Hillside Overlay) zone

(Quasi-Judicial)

Related Files: CPC MPA 00-00103-A4MN22, CPC PUD 21-00144

**Presenter:**

Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Planning Director, Planning and Community Development

**Summary:**

Owner: Centennial North Townhomes, LLC

Developer: Pete Morley

Representative: NES, INC

Location: Approximately 420 feet north of the Centennial Blvd and Mesa Valley Road intersection on the east side of Centennial Blvd

This project includes concurrent applications for a minor amendment to the Mesa Springs Community Plan to reduce the density from Medium-High Density Residential (12-16 du/ac) to Medium Density Residential (6-12 du/ac) on the east side of Centennial; a zone change from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development; Multi-Family Residential max. 9 du/ac. Max, 50 ft bldg. ht. with Hillside Overlay) zone district; and a PUD Development Plan to allow for 47 townhomes units.

**Background:**

The 5.8-acre site is located approximately 420 feet north of the Centennial Blvd and Mesa Valley Road intersection. The proposed site is within the Mesa Springs Community Plan that was initially approved in 1986, which identified this area to be Medium High Residential (12-16 du/ac). The current zoning is PUD (Planned unit Development), and during initial research of the proposal, staff determined dimensional and use standards were never established for this site; therefore, a zone change is required. As the applicant proposed a density lower than what the master plan identified, staff also determined a minor amendment to the master plan would be required for the reduction in density. Lastly, as the site is identified with the Hillside Overlay, staff determined that Hillside Overlay requirements would be applied to this proposal.

As stated above, the minor amendment to the Mesa Springs Community Plan is to reduce the density

from Medium High Residential (12-16 dwelling units per acre) to Medium Residential (6-12 dwelling units per acre). This reduction in density supports the over-all development in the area as there are higher densities to the northwest, west, and southwest to the more single-family residential to the east.

Centennial Boulevard extension from Fillmore Street to Fontanero Street has been planned since the early 1980's. The Pikes Peak Regional Transportation Authority (PPRTA) funded the extension. Phase I of the Centennial Boulevard extension has been constructed from Fillmore to Van Buren Street. Starting July 6, 2021, the contractor will be mobilized to finish public improvements from Fillmore to Van Buren Street. It is estimated that Phase 2 will be completed by October 2022, providing a connection through to Fontanero Street and Highway 25.

This property, along with the other properties along the Centennial Boulevard corridor, will be adjacent to a new principal arterial roadway. Although the master plan predicted the Centennial Boulevard expansion, the proposed amendment will reduce the density maximum for this 5.8 acres of land. Staff finds the request for a master plan amendment is in conformance with City Code Section 7.5.408

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B. of City Code. Specifically, the request must not be detrimental to public interest, health, safety, convenience, or general welfare; the proposal must be consistent with the City's Comprehensive Plan; and the request must be consistent with the approved master plan for the area. Staff finds that the first 2 criteria are met, and the above master plan amendment must be approved in order for the third criteria to be met. While a more detailed analysis of how the newly adopted PlanCOS applies to this project is provided below, it should be noted that the City has been supporting infill development and redevelopment opportunities.

The project consists of 47 townhome unit type development, with a maximum building height of 50 feet from existing grade. The area along Centennial Boulevard is developing as multi-family residential with an area approximately a quarter of a mile to the south that was recently approved to rezone to a PBC/CR (Planned Business Center with Conditions of Record) zone district to provide neighborhood level commercial uses, an area to the southwest for Olson Plumbing, and a Veterans Affairs Clinic a quarter of a mile north of the proposed site. Further north to West Fillmore Street there are more commercial uses.

If the Mesa Springs Community Plan amendment is approved, the proposed zoning would allow development consistent with the master plan and the comprehensive plan. Furthermore, the application is not detrimental to the public interest, health, safety, convenience, or general welfare. For the reasons stated above, staff finds that the proposed PUD zone change meets the review criteria for granting 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.

The applicant has provided a PUD development plan consistent with City Code Section 7.3.608. The development plan identifies the proposed development details, including 47 townhome units, private open space, and associated improvements. If the minor amendment to the Mesa Springs Community Plan is approved, the proposal would be consistent with the master plan and the Zoning Code. The proposal is compatible with the surrounding area, and has adequate traffic circulation, public facilities, privacy, pedestrian circulation, landscaping, and open space. For the reasons stated above,

staff finds that the proposed PUD development plan amendment meets the review criteria for development plans as set forth in City Code Section 7.5.502(E) and for PUD development plans as set forth in City Code Section 7.3.606.

The initial PUD development plan proposed a connection south to Tomahawk Hill Heights; however, the HOA opposed the connection and, as a private street, city staff cannot require the connection to be made. The total unit count is under the threshold for two (2) separate access points. The applicant revised the proposal to only include one (1) access point on Centennial Blvd. The access point is proposed to be a 3-quarter turn allowing for right-in/right-out access, and an auxiliary turn lane on the south bound lane of Centennial.

The neighbors also raised concerns primarily related to building height, hillside overlay, and geology of the site. While a zoning application to a R-5 (Multi-family) could also be supported instead of a PUD development plan application, the maximum building height of the R-5 zone district is 45 feet. Geology issues will be discussed further below in the Geologic Hazards Review Section.

Per the Hillside Manual Design Guidelines: Cuts are preferable to fills as they are more stable and have generally less impact on surrounding vegetation and off-site views. Due to steep terrain in certain areas, best option was to allow cuts to lower the highest part of the hill. All height within the hillside overlay is measured from the existing building grade rather than the average finished grade to limit visual impacts and disturbance. Only units 1-6 and 45-47 along Centennial Boulevard proposed fill with additional height allowance to keep grade consistent with the rest of the site and allow for road and utility placements. A 20' landscape buffer along Centennial Blvd minimizes visual impacts and open spaces are proposed to preserve steep sloped areas in the eastern portion of the property.

The proposal is compatible with the surrounding area, and has adequate traffic circulation, public facilities, privacy, pedestrian circulation, landscaping, and open space. For the reasons stated above, staff finds that the proposed PUD development plan amendment meets the review criteria for development plans as set forth in City Code Section 7.5.502(E) and for PUD development plans as set forth in City Code Section 7.3.606.

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the plan's Vision map as Changing Neighborhood. According to the Areas of Change map the project site is identified in a moderate area of change and according to the Vibrant Neighborhoods Framework map the project site is identified within a Changing Neighborhood. PlanCOS identifies policies related to the proposed use variance. Several themes support the proposal and are discussed below.

Changing Neighborhoods recommends for an increase in connectivity between commercial and neighborhoods and creating community centers. Specific policies of PlanCOS that are supported are listed below:

**Policy UP-2.A:** Support infill and land use investment throughout the mature and developed areas of the City.

**Strategy UP-2.A-1:** Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions.

**Policy UP-4.A:** Actively plan and encourage a development pattern consisting of unique centers located along new and redeveloped corridors and at other designated areas throughout the city.

**Strategy UP-4.A-3:** In conjunction with committed transit improvements, create and adopt new transit-oriented development and mixed use-supportive base zoning or overlays to support the continued development and redevelopment of key corridors and centers.

**Policy TE-4.A:** Prioritize development within the existing City boundaries and built environment (not in the periphery).

**Strategy TE-4.A-4:** Support greenfield development that includes mixed-use, higher-density clusters, and quality design

**Goal UP-4:** Strengthen our overall community identity and better serve the needs of residents and businesses within our large metropolitan area by developing active, unique, and connected centers and corridors.

**Goal UP-5:** Develop and support unique places and centers as models of resilience and sustainability.

**Strategy TE-1. C-2:** Support and leverage projects and initiatives with mixed uses, transit supported and walkable attributes to attract and retain a skilled workforce and business investment.

The proposal is an infill development along a future corridor. The over-all development will be multi-family development. The proposal encourages additional development for the future expansion of Centennial Boulevard. The proposal supports redevelopment, connectivity, attainable housing, and economic development by providing workforce housing in proximity to and connecting to multiple employment opportunities and neighborhood services. City planning staff finds the Centennial North project to be in substantial conformance with PlanCOS and its guidance.

**Previous Council Action:**

N/A

**Financial Implications:**

N/A

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

This item was heard before City Planning Commission on September 14, 2022, as part of the Consent Agenda; the item passed with a unanimous vote of 9-0-0 to approve the consent items.

**Stakeholder Process:**

The public process involved with the review of these applications included posting the site and sending postcards on the initial submittal to 260 property owners within 1,000 feet on three separate occasion: initial internal review, scheduling for Planning Commission hearing, and scheduling City Council hearing. Five (5) comments were received and were addressed above.

*The applications were sent to the standard internal and external agencies for review and comment. Review comments received have been addressed. Internal review agencies for this project included City Traffic, City Engineering, City Parks, City Fire Department and Police/E-911, Colorado Springs Utilities.*

- CGS:
  - Previous site grading took place around 2006 in conjunction with the construction of Centennial Boulevard. Some very steep slopes exist on the property that were likely manmade. Very little to no significant vegetation remains on site. Slope analysis, vegetation and any geological hazard areas, per prepared geological hazard report, are reviewed as part of the land suitability analysis to best determine buildable areas.

An initial Geologic Hazard Investigation was completed October 6, 2021 by Entech Engineering. The referral was sent to Hillside Overlay review, Engineering Development Review (EDR), and Colorado Geological Survey (CGS). Comments from these review agencies were forwarded back to the applicant, and resubmittal was made on December 9, 2021, addressing those comments. The initial approval was January 2022. An addendum was completed August 3, 2022 and was then re-routed to the same agencies. Comments again were provided to the applicant with a final submittal dated August 19, 2022, addressing agency comments. All agencies are satisfied with the submitted Geologic Hazard Investigation, and the report was approved to assist in determining best buildable areas on the site. There were notes required to be added to the PUD development plan:

- i. The property is subject to the Findings Summary and Conclusion of a Geologic Hazard Report prepared by Entech Engineering, dated August 19, 2022, which identified the following specific geologic hazards on the property (Artificial Fill, Expansive Soils & Bedrock, Unstable Slopes). A copy of said report has been placed within File CPC PUD 21-00144 or within the Subdivision File of the City of Colorado Springs Planning and Development team. Contact the Planning and Development team, 30 South Nevada Avenue, Colorado Springs, CO, if you would like to review said report.
  - ii. Perform an evaluation of for a shallow foundation system for all structures when the subsurface soils investigation reports are issued for each individual lot.
  - iii. Due to proximity of structures on the easter boundary to steep slopes, drilled pier foundation will be required for these lots.
  - iv. Specific geologic hazard reports may be required for development of lots at the time of building permit, Entech to verify at time of individual lot development.
  - v. Coordinate the design of retaining walls with building design and evaluate for global stability.
- Traffic Engineering:
    - A Traffic Impact Analysis (TIA) was prepared on June 22, 2022, by LSC Transportation Consultants (LSC). City Traffic Engineering was sent a referral and agrees with the TIA findings and recommendations. Within the report, LSC estimated a total of 336 daily trips to be generated by this development with a morning peak of in-6 trips / out-18 trips, and evening peak of in-18 trips and out-11 trips. The report also states that the

three-quarter movement at the site access and Centennial Boulevard at LOS (Level of Service) C or better through a through 2041 during both peak hours. Staff has determined the proposal will not have a negative effect on the surrounding area.

- SWENT
  - Under the current Drainage Report a full spectrum pond is proposed on the southwest side of the development. The applicant is currently under review by Stormwater Enterprise (SWENT) for approval. While the applicant has yet to secure approval, staff ask that a condition of approval be added that the applicant will receive final approval from SWENT for said report.

**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 5.814 acres located approximately 420 feet northeast of the Centennial Boulevard and Mesa Valley Road intersection from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: Multi-Family Residential, 9 maximum dwelling units per acre, and 50 foot maximum building height with Hillside Overlay) zone district based upon the findings that the PUD zone change 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 relating to 5.814 acres located approximately 420 feet northeast of the Centennial Boulevard and Mesa Valley Road intersection from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: Multi-Family Residential, 9 maximum dwelling units per acre, and 50-foot maximum building height with Hillside Overlay) zone