



Legislation Text

File #: 14-0319, **Version:** 1

Ordinance No. 14-45 amending the zoning map of the City of Colorado Springs relating to 8.37 acres located south of Fillmore Street and east of Mesa Road

From:

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Summary:

This project includes concurrent applications for a master plan amendment, four zone changes, a concept plan, and a development plan for the 45.5-acre site located east of Mesa Road and south of Fillmore Street.

The applicant is requesting:

- 1) a master plan amendment to change from single-family residential to public institution, single-family residential, and multi-family residential,
- 2) a zone change from PUD/SS (Planned Unit Development with a streamside overlay) to OC/cr (Office complex with conditions of record),
- 3) a zone change from PUD/SS (Planned Unit Development with a streamside overlay) to R1-6000/SS (single-family residential with streamside overlay),
- 4) a zone change from PUD/SS (Planned Unit Development with a streamside overlay) to OC/cr (Office complex with conditions of record),
- 5) a zone change from PUD/SS (Planned Unit Development with a streamside overlay) to R-5 (multi-family residential),
- 6) a concept plan for the property, and
- 7) a development plan for 7.6 acres for a human service establishment.

Previous Council Action:

In 2009, a zone change to PUD and a development plan was approved on the property for 88 single-family lots.

Background:

The current proposal would amend the previously approved plan to allow the following uses and zonings:

- 7.6 acres for a human service facility (assisted living / skilled nursing use for Mainstreet). Rezone to OC with conditions of record.
- 8.3 acres for a church. Rezone to OC with conditions of record.
- 7.7 acres of multi-family. Rezone to R-5.
- 21.8 acres of single-family. Rezone to R1-6000.

In addition to the zone changes, a master plan amendment and concept plan for the entire 45 acres is being processed. A development plan for the 7.6-acre human service facility site is being

processed with this application and a final plat is being processed administratively.

Financial Implications:

Not applicable.

Board/Commission Recommendation:

At their meeting on May 15, 2014 the Planning Commission voted 6-1 (Commissioner Markewich opposed and Commissioners Henninger and Phillips excused) to approve the master plan with technical modifications, the zone change to R-5, the zone change to R1-6, the zone change to OC for the church with conditions of record, the zone change to OC for the human service facility with conditions of record, the concept plan with technical modifications, and the development plan with technical modifications. Commissioner Markewich opposed the plan based upon the principle that the applicant revised the plan prior to the Planning Commission meeting without stakeholder input regarding the open space location. Technical Modifications that were added by the Planning Commission include the requirement to amend the location of the open space on the master plan and the concept plan. In addition, the Planning Commission changed the conditions of record for 8.3 acres of OC to allow only a church on the property. The attached CPC Record-of-Decision of the meeting provides the discussion on the applications.

Stakeholder Process:

The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions. The first mailing of postcards was sent to 134 property owners within 1,000 feet. The postcards notified the neighborhood of the internal review and a neighborhood meeting on March 31, 2014. Seventy-five (75) people attended the neighborhood meeting. The second mailing of postcards, prior to Planning Commission, was sent to the 134 property owners originally notified and an additional 21 property owners that expressed interest in the project after the initial review. Comments from nine neighborhoods were received. The concerns of the neighbors centered around the traffic along Mesa Road, limiting the uses in the OC zone district, the use for the area between the church and the human service facility, and maintaining access to public parks and open space.

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.

For CPC ZC 14-00033, a zone change for the 8.3 acres to OC for a religious institution, Council also has the option to make the motion as originally recommended by staff to prohibit thirteen allowed uses from the zone district rather than as recommended by the Planning Commission to only allow the church use:

Approve the zone change for the Sentinel Ridge Phase I Plan, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603. The ordinance shall state the following uses are prohibited in the zone:

- 1) Auto rentals
- 2) Restaurants
- 3) Business office support

- 4) Business park
- 5) Food sales
- 6) Hotel
- 7) Miniwarehouse
- 8) Mixed commercial/residential
- 9) Personal consumer services
- 10) Pharmacy
- 11) Neighborhood serving retail
- 12) Education institutions
- 13) Hospital

Proposed Motion:

CPC ZC 14-00033

Approve the 8.37-acre zone change for the Sentinel Ridge Phase I Plan to OC/CR (Office Complex with Conditions of Record), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603. The ordinance shall state the following uses are allowed in the zone: Religious Institution

Rezoning 8.37 acres from PUD/SS (Planned Unit Development with Streamside Overlay) to OC/CR (Office Complex with Conditions of Record) located south of Fillmore Street and east of Mesa Road.