



## Legislation Details (With Text)

**File #:** CPC PUZ 18-00173 **Version:** 3 **Name:**

**Type:** Ordinance **Status:** Mayor's Office

**File created:** 1/29/2019 **In control:** City Council

**On agenda:** 4/9/2019 **Final action:** 4/9/2019

**Title:** Ordinance No. 19-23 amending the zoning map for the City of Colorado Springs pertaining to 8.57 acres located southeast of the terminus of Silversmith Road, changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet).

(QUASI-JUDICIAL)

Related File: CPC PUP 13-00033-A2MJ18

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

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ZC\_ORD\_FlyingHorseParcel22, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change Exhibit, 4. Vicinity Map, 5. Signed Ordinance 19-23

Date	Ver.	Action By	Action	Result
4/9/2019	2	City Council	finally passed	Pass
3/26/2019	2	City Council	approved on first reading	Pass
2/21/2019	1	Planning Commission	referred	Pass

Ordinance No. 19-23 amending the zoning map for the City of Colorado Springs pertaining to 8.57 acres located southeast of the terminus of Silversmith Road, changing the zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet).

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### Presenter:

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

### Summary:

Owner: Pulpit Rock Investment, LLC  
Developer: Pulpit Rock Investments, LLC  
Consultant Representative: Classic Consulting Engineers & Surveyors  
Location: Southeast of the terminus of Silversmith Road

The project includes concurrent applications for a major PUD concept plan amendment and a PUD (Planned Unit Development) zone change. The Flying Horse Parcel 22 PUD concept plan amendment reconfigures the previously envisioned lot layout and adds the Multi-Family Residential land use as a permitted use on proposed Lot 1. The PUD zone change will change the current zoning for the subject property from PUD (Planned Unit Development) to PUD (Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet).

**Previous Council Action:**

City Council previously took action on this property in August 2013 during its review of the initial set of land use entitlements associated with the Flying Horse Parcel 22 project.

On March 26, 2019, this Ordinance was approved on first reading on the Consent Calendar.

**Background:**

The subject property is located southeast of the current terminus of Silversmith Road and was annexed into the City on October 28, 2003 under the Flying Horse Ranch Addition Annexation Plat (Ord. 03-181). While a PUD zone district and PUD concept plan were approved for the site in 2013, the site has remained vacant since annexation, with some over-lot grading occurring during the intervening period.

The project applications were accepted for review when the previous Comprehensive Plan, adopted in 2001, was still in effect. As indicated on the 2001 Comprehensive Plan's 2020 Land Use Map, the project property is identified with the Employment Center land use category. Per the Flying Horse Ranch Master Plan, the master plan land use category for the site is Office. City Planning staff did not require the applicant to submit a major master plan amendment application for the project, as the proposed residential use is recognized as a secondary land use under the Employment Center land use category, which is a matched land use category with the master planned land use category of Office. As such, staff finds the Flying Horse Parcel 22 project as amended to be consistent and in substantial compliance with the Flying Horse Master Plan. A detailed analysis of this determination is outlined in the attached Planning Commission staff report.

The applicant's proposed PUD (Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet) zone district sets the specific density and use controls for the future development of proposed Lot 1 of the Flying Horse Parcel 22 project. Specific for proposed Lot 1, the applicant has proposed adding the multi-family residential land use as a permitted use. To regulate the new mix of potential land uses, the following density controls were also put forth: maximum residential density of 16 dwelling units per acre and a maximum non-residential building limitation of 120,000 square feet. All other previously established dimensional and use controls for the development will remain as established by the Flying Horse Parcel 22 PUD Concept Plan.

The proposed Flying Horse PUD concept plan amendment reconfigures the lot layout to create proposed Lot 1 and allows for the multi-family residential land use on Lot 1. To ensure the future

development of Lot 1 is compatible with the immediate area, the applicant has retained the previously established building height maximums of 45 feet west of Silver Rose Lane. To accommodate the future potential land uses, the applicant established new density controls for residential and nonresidential uses, which are discussed above. According to the applicant, proposed Lot 1 is expected to be developed with a high-end senior apartment community.

The City's Traffic Engineering Division of Public Works did not require the applicant to prepare a traffic impact study at this time, as the end use was not determined and all of the proposed allowable uses have a potential traffic impact that is less than the previously approved uses. The City's Planning and Traffic staff will monitor the need for a traffic impact analysis or noise abatement measures through the review of future applications.

The applications submitted for this project were accepted and tracking through the public hearing process as the City was in the final stages of adopting the new City Comprehensive Plan, PlanCOS. Per PlanCOS, specifically the Vibrant Neighborhood chapter, the Flying Horse Master Planned development is identified as a Newer Developing Neighborhood. In newer neighborhoods, PlanCOS recognizes the market realities that drive certain types of development, but also prioritizes and supports more housing choices through the Emerging Neighborhood typology. The project applications will further the City's efforts to create a greater diversity of housing opportunities for long-time and new residents alike. In turn, this project enhances the City's ability to encourage livable communities and neighborhoods. The associated City Planning Commission staff report describes in detail an analysis of the associated applications in conformance with the previous 2001 City Comprehensive Plan and PlanCOS.

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 and provides a platform for the building of neighborhoods and communities, as it will complete a very visible segment of the Flying Horse Master Planned area. This project represents an opportunity for developing commercial or residential use that are compatible with the surrounding land use pattern. The envisioned future uses would also function as good transitional uses between the surrounding residential developments and the expected future extension of Powers Boulevard to the south. Whether a commercial or residential use is developed, the project will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the corridor.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

The proposed zone change was unanimously recommended for approval by the Planning Commission at its October 18, 2018 meeting consent agenda.

**Stakeholder Process:**

The public process included public notice provided to 94 property owners within 1,000 feet of the site on three occasions: during the internal review stage, and prior to the Planning Commission and City Council hearings. The site was also posted on those three occasions. During the internal review notification, City Planning staff received a number of calls inquiring about the project, with no specific

concerns or objections stated.

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, Council of Neighbors and Organizations (CONO), School District #20, Police and E-911, and the United States Air Force Academy (USAFA). All comments received from the review agencies have been addressed.

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:**

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Adopt an ordinance changing the zoning for 8.57 acres from (PUD) Planned Unit Development to (PUD) Planned Unit Development: commercial and residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet, 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 relating to 8.57 acres located southeast of the terminus of Silversmith Road from PUD (Planned Unit Development) to PUD (Planned Unit Development: Commercial and Residential, 16 dwelling units per acre, maximum 120,000 square feet for nonresidential uses, maximum building height of 45 feet)