



## Legislation Details (With Text)

**File #:** CPC PUZ 19- 00081    **Version:** 3    **Name:**

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

**File created:** 8/29/2019    **In control:** City Council

**On agenda:** 11/12/2019    **Final action:** 11/12/2019

**Title:** Ordinance No. 19-84 amending the zoning map of the City of Colorado Springs pertaining to 18.6 acres from C5/CR, C5/P and PBC to a PUD (Planned Unit Development: commercial, multi-family, and single-family detached, 12-24.99 dwelling units per acre, maximum building height of 45 feet) zone district located between Circle Drive, Hancock Expressway and Delta Drive.

(Quasi-Judicial)

Related Files: CPC MPA 01-00177-A2MJ19, CPC PUZ 19-00081, CPC PUP 19-00082

**Presenter:**  
 Lonna Thelen, Principal Planner, Planning & Community Development  
 Peter Wysocki, Planning & Community Development Director

**Sponsors:**

**Indexes:** Master Plan Amendment

**Code sections:**

**Attachments:** 1. ZC\_ORD\_Hancock&Delta, 2. ZC\_Exhibit A - legal description, 3. ZC\_Exhibit B - legal description depicted, 4. Vicinity Map, 5. Signed Ordinance 19-84.pdf

Date	Ver.	Action By	Action	Result
11/12/2019	2	City Council	finally passed	Pass
10/22/2019	2	City Council	approved on first reading	Pass
9/19/2019	1	Planning Commission	referred	Pass

Ordinance No. 19-84 amending the zoning map of the City of Colorado Springs pertaining to 18.6 acres from C5/CR, C5/P and PBC to a PUD (Planned Unit Development: commercial, multi-family, and single-family detached, 12-24.99 dwelling units per acre, maximum building height of 45 feet) zone district located between Circle Drive, Hancock Expressway and Delta Drive.

(Quasi-Judicial)

Related Files: CPC MPA 01-00177-A2MJ19, CPC PUZ 19-00081, CPC PUP 19-00082

**Presenter:**

Lonna Thelen, Principal Planner, Planning & Community Development  
 Peter Wysocki, Planning & Community Development Director

**Summary:**

Owner: Norcal Capital Corporation and Front Row Properties LLC  
 Consultant: NES Inc.

Location: 2155 Hancock Expressway and three parcels to the north of this location

The applications under consideration are a master plan amendment, zone change, and concept plan to amend the use of this site from a business park and commercial master planned use to 3.98 acres of commercial, 13.63 acres of residential and a 1-acre detention pond located between Circle Drive, Hancock Expressway and Delta Drive. The proposal will rezone 18.6 acres from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet).

### **Background:**

The original Spring Creek Master Plan was approved in 1997 for the area generally south of Highway 24, east of Hancock Expressway and west of Circle Drive. The master plan also included this site and 37.6 acres north of this site, east of Circle Drive. The original Spring Creek Master Plan only contained 34 acres of residential out of the 465 acres. A major master plan amendment was completed in 2002 that increased the residential to 109 acres and decreased the office and commercial uses. The most recent amendment to the Master Plan was in 2014. The applicant is proposing an amendment for 13.63 acres of residential, 6.94 acres of commercial and a 1-acre detention pond.

The requested change of zone of 18.6 acres of land, located between Circle Drive, Hancock Expressway and Delta Drive, will rezone the project site from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet). The C5/cr zone district restricts the property to office, business office support services, Business Park, custom manufacturing, religious institution and research and development services with no outdoor storage per Ordinance 04-17. The C5/P refers to a Planned Provisional Overlay; the specifics of the Planned Provisional Overlay were unable to be found. The proposed rezoning retains a commercial use along Hancock Expressway and allows a residential use that could include multi-family and single-family detached on the northern portion of the property.

The Hancock and Delta concept plan illustrates the location of the proposed commercial and residential uses. The uses provide a transition from Hancock Boulevard to Delta Drive. Two access points are shown to the site; one is off of Delta Drive and the other is from Hancock Expressway. City Traffic Engineering has reviewed these access points and is supportive of the access point locations. The access point on Hancock Expressway is shared between the existing Maverick gas station located northwest of Hancock Expressway and Delta Drive and the commercial and residential shown on the concept plan. The uses proposed, which mirror the PBC zone district with a few restrictions, would be required to be reviewed with a development plan submittal prior to approval of a building permit for the site.

As a supplement to this memo, please see the details of the proposed development, staff's analysis of the review criteria, and breakdown of the master plan and comprehensive plan in the City Planning Commission Staff Report.

**Previous Council Action:**

Council previously approved the original Spring Creek Master Plan and subsequent amendments for this site. The most recent approval from on the master plan from City Council was in 2015.

**Financial Implications:**

The Fiscal Impact Analysis shows a positive cumulative cash flow in a 10-year timeframe.

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

This item was heard by the City Planning Commission on September 17, 2019 at which time the Commission voted to recommend approval of the master plan, zone change and concept plan to City Council (8 to 0 vote; Commissioners McMurray was excused). One citizen spoke in opposition to this item due to traffic concerns, loss of mountain views, and loss of on-site vegetation.

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

**Stakeholder Process:**

The public notification process consisted of providing notice to the neighbors by placing a poster for the project on site and sending postcards to 349 property owners within 1000-feet. No public comments were received. The site will be posted prior to the City Planning Commission hearing and City Council hearing.

The applications were sent to the standard internal and external agencies for review and comment. Review comments were received and addressed. Review agencies for this project include Colorado Springs Utilities, City Traffic, City Engineering, City Fire Department and Police/E-911, as well as School District 2, and Floodplain and Enumerations.

**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:**

**CPC PUZ 19-00081 - PUD Zone Change**

Approve an Ordinance amending the zoning map of the City of Colorado Springs pertaining to 18.6 acres from C5/cr, C5/P and PBC to PUD (Planned Unit Development: commercial, multi-family, and single-family detached (specific commercial uses per CPC PUP 19-00082), 12-24.99 dwelling units per acre, maximum building height of 45 feet), 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) 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 pertaining to 18.6 acres located between Circle Drive, Hancock Expressway and Delta Drive from C5/cr (Intermediate Business with conditions of record), C5/P (Intermediate Business with Planned Provisional Overlay) and PBC (Planned Business Center) to PUD (Planned Unit Development: commercial, multi-family, and single-family detached, 12-24.99 dwelling units per acre, maximum building height of 45 feet).