



Legislation Details (With Text)

File #: CPC PUZ 19-00078 **Version:** 3 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 10/31/2019 **In control:** City Council
On agenda: 1/28/2020 **Final action:** 1/28/2020
Title: Ordinance No. 20-9 amending the zoning map of the City of Colorado Springs pertaining to 42.04 acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development with Airport Overlay) zone district located at 1111 Academy Park Loop.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00078, and CPC PUP 19-00079

Presenter:
Rachel Teixeira, Planner II, Planning & Community Development
Peter Wysocki, Director, Planning and Development Department

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZC_ORD_ChapelHeights, 2. Exhibit A - Legal Description, 3. Exhibit B - Zoning Map, 4. Aerial Vicinity Map, 5. Map_location of park facilities, 6. Vicinity Map, 7. Map_distance to parks, 8. CPC Staff Report_Chapel Heights, 9. FIGURE 1 - Chapel Heights Project Statement, 10. FIGURE 2 - Chapel Heights Zone Change Site Plan, 11. FIGURE 3 - Chapel Heights Concept Plan Site Plan, 12. FIGURE 4 - Land Uses Map, 13. FIGURE 5 - Neighborhood Mtg, 14. FIGURE 6 - Special Use Zone, 15. FIGURE 7 - EOZ Map, 16. FIGURE 8 - PlanCOS, 17. 7.5.603.B Findings - ZC, 18. 7.3.603 Establishment & Development of a PUD Zone, 19. CPC_Minutes_ChapelHeights_draft, 20. Signed Ordinance 20-9.pdf

Date	Ver.	Action By	Action	Result
1/28/2020	2	City Council	finally passed	Pass
1/14/2020	2	City Council	approved on first reading	Pass
11/21/2019	1	Planning Commission	referred	Pass

Ordinance No. 20-9 amending the zoning map of the City of Colorado Springs pertaining to 42.04 acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development with Airport Overlay) zone district located at 1111 Academy Park Loop.

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Presenter:
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Peter Wysocki, Director, Planning and Development Department

Summary:

Applicant: Thomas and Thomas
Owner: Nazarene Bible College
Location: 1111 Academy Park Loop

This project includes concurrent applications for a PUD zone change and a PUD concept plan for future mixed residential development; single-family attached and detached units as well as a multi-family component on 42.04 acres located at 1111 Academy Park Loop. The proposal will rezone 42.04 acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development: single-family attached and detached and multi-family residential, overall density range of 8-11.99 dwelling units per acres, with a maximum height of 35 feet) with Airport Overlay. The concept plan will allow future mixed residential development with single-family attached and detached and multi-family residential in six (6) phases of development.

Background:

Nazarene Bible College was founded in 1964, chartered in 1967, and approved by the Colorado Department of Education to grant degrees in 1970. The college has recently relocated out of 1111 Academy Park Loop after modifying their private, educational institution program to an on-line only instructional campus college curriculum in 2017. The property has been on the market for the past two years. There has been some interest in the property with several pre-application meetings; however, there have been no purchase and development offers until now. Currently, there are several non-residential properties in close proximity to the Chapel Heights site that are currently, vacant and have been on the market for numerous years. These sites, along the South Academy Boulevard corridor, have not been redeveloped into commercial sites and are potential sites for commercial development.

The Chapel Heights development is close proximity to several schools including: Sand Creek Elementary school to the east off of Airport Road; Wildflower Elementary to the northeast off of Keith Drive and Jet Wing Drive; Atlas Preparatory Charter High and Middle School to the south off of Pulsar Drive; Sierra High School to the south off of Jet Wing Drive, and Panorama Middle School to the southeast off of South Chelton Road. In addition, the Sand Creek Division Police Department located across the street and City of Colorado Springs Fire Station 8 is at the southwest corner of South Academy Boulevard and Airport Road. There are transit services available to the residents of Chapel Heights for public transportation; the bus stops are to the west of Chapel Heights along South Academy Boulevard, and also to the east of Chapel Heights along South Murray Boulevard.

Chapel Heights is designated as Special Use with Airport Overlay (SU/AO) zone district. The request is to rezone the entire site to a Planned Unit Development with Airport Overlay (PUD/AO) zone in order to allow for a variety of mixed residential land use types. Utilizing the PUD zone district will also allow for a variety of development standards including varied front, side and rear setbacks, lot widths, and lot sizes that do not apply in the set development standards within the SU zone district.

Additional details on the Special Use (SU) zone district and a summary of staff discussions with the developer on the potential use of the SU zone district can be found in the attached City Planning Commission staff report under Background.

The housing types within the proposed Chapel Heights development include 163 single-family detached housing units; 162 duplex (single-family attached) units; and 138 multi-family style unit townhomes for multi-family leasing and management purposes. The project illustrates six (6) phases

of development along with two stormwater facilities; one facility is located to the south of the site, while the other facility is situated in the northwest corner of the site adjacent to Chapman Drive.

Two points of access are being provided. One is existing off Academy Park Loop, and one new access point off Murray Boulevard directly across from Earlyview Court. A new east-west residential collector plans to provide vehicular access through the site and is to extend from Academy Loop on the west to South Murray Boulevard on the east. This planned roadway includes accessible five-foot detached sidewalks for pedestrian circulation within and through the site. The development allows for integration into the surrounding neighborhood and street network, and ensuring this will not become an isolated development within the neighborhood.

Ensuring adequate parks and open space has been an important aspect of the development review process. Parks Recreation Cultural Services (PRCS) provided input on the new residential units and the parkland needs. PRCS stated that all new units must contribute land or fees in lieu of land dedication in order to meet the created parkland obligation due to the proximity of parks in the area including Sagebrush and Prairie Grass within a quarter, half, and one mile; and the Sand Creek Trail access being within approximately one mile.

Also provided as part of the concept are 4.2 acres of private open space. The open space includes 1.45 acres from perimeter buffers located within the identified landscape setbacks 1.97-acres from the private community center and open space, identified as Area F, and the additional open space is from the cumulative of open space provided from each development area. Area E will provide additional open space with a minimum fifteen percent (15%) to meet the multi-family development standards of the code. The 90-foot bell tower will remain. The to be renovated Strickland Chapel building will serve as a community center with park-like site elements including irrigated and maintained turf, benches, walkways and a playground for residents.

The open space for the Chapel Heights development will exceed the minimum 4.2-acres as required within the PUD zone. This open space will be privately owned and maintained by the metro district. The fees for parkland are collected at time of building permit using the fee schedule in effect at that time. The current fees schedule is based on two density ranges; above or below eight (8) dwelling units per acres. The parkland for eight (8) dwelling units per acres and under are \$1,781 per unit, and parkland fees for eight (8) dwelling units per acre and over are \$1,264 per unit and these fees are subject to change. The private open space does not offset the in-lieu fees required by the Park Land Dedication Ordinance.

This property is located within an Economic Opportunity Zone. The purpose of the economic opportunity zone allows for interested investors to defer their capital gains taxes by investing them in Opportunity Funds that provide needed long-term investments in our region's Opportunity Zones to promote economic vitality. Those possible investment opportunities could include the following: 1. Real estate development and significant rehabilitation in Opportunity Zones; 2. Opening new businesses and expansions of businesses already within Opportunity Zones; 3. Investing in startup businesses that have the potential for rapid increases in scale; and 4. Workforce and affordable housing projects.

Staff asked the applicant to consider utilizing the Economic Opportunity Zone (EOZ) and provide documentation as to why that is not a need or viable option for the proposed development. With that, the applicant confirmed they feel project will not benefit from use of the EOZ and have decided not to use the EOZ. The applicants thoroughly investigated and vetted project alignment with the EOZ

program and determined that the conditions and terms of the participation do not conform to the financial or contractual needs and obligations of the parties investing in the overall development proposal for Chapel Heights. The applicants state that typical EOZ investment projects, such as, mixed-commercial or large-scale multi-family apartment communities would not be an appropriate type of development in this Gateway Park neighborhood. In addition, the applicant has stated that the additional apartment community type development would have, long term, negative impact on the stability of the neighborhood.

The project site is identified on the PlanCOS Vision map as an Established Suburban Neighborhood. Per the Vibrant Neighborhoods Framework map this site is part of the established suburban neighborhood that extends from north of Fountain Boulevard to south of Old Ranch Road between Academy Boulevard and Powers Boulevard. The applicant's mixed residential land use types is supportive of this typology goal, which encourages, supports, and promotes for the neighborhoods a diversity of housing choices. This site will utilize the existing street connections by allowing the development of single-family attached and detached and multi-family residential land use types in this neighborhood, the project encourages an infill development with a variety of lot sizes with safe connections into and within these neighborhood.

The project provides for a mixed residential land use types, the renovation of the existing Strickland Chapel building will be renovated and converted into the community center for Chapel Heights residents, and the 90-foot bell tower is to remain as an icon element of the past Nazarene Bible College site. This is one of the major goals within the PlanCOS document; to maintain housing attainability, update the zoning, and to keep a strong sense of identify with preserving the existing elements that define the neighborhood's character.

The project site is identified on the plan's Vision map as Cornerstone Institutions and Life and Style topologies. Per the Thriving Economy Framework map this site is part of the northeast area of South Academy Boulevard and Fountain Boulevard.

The applicant's mixed residential land use types is supportive of the Cornerstone Institutions typology goal, which provides for a variety of integrated or nearby housing options for employees working in the area, and also provides for land use integration with surrounding areas. The project also will include an integrated and reused cultural landmark per Life and Style typology; the existing, Strickland Chapel building will be renovated and converted into the community center for the future Chapel Heights residents, and the 90 ft. bell tower is to remain as an icon element representative of the past Nazarene Bible College site.

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 allow for the development of a complimentary mix of land uses. The envisioned residential use will provide rooftops that will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the corridor.

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 comprehensive plan in the City Planning Commission Staff Report.

Previous Council Action:
N/A

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

On November 21, 2019, the City Planning Commission unanimously voted to approve this item. Comments from the Commissioners included Commissioner Raughton commending the applicant and stating that this redevelopment will fit right in to some of the vision that was in the comprehensive plan for this area. Commissioner Almy stated he was encouraged by the use of the land because it was at risk of becoming a blighted area. Commissioner Hente commended Challenger on their move to try and make improvements to the southeast part of town.

One resident spoke in support of the new development and questioned the need for a traffic signal at the Fountain and Academy intersection. That supporter generally asked about a plan for closed businesses in the South Academy Corridor and stated that there are a number of homeless living under a bridge along Fountain Boulevard and trash generated.

No opponents attended the City Planning Commission Hearing.

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

Stakeholder Process:

City Planning noticed 66 property owners within a 1,000 foot buffer distance. No written communication was received in response to the internal review postcard mailing and the property posting. A neighborhood meeting was held on October 9, 2019 and approximately 15 people were in attendance. The questions raised by the neighborhood were the following: how does this project meet PlanCOS, how is this project going to be a local benefit to the community, how is this going to improve the southeast district and community, and what land use is being proposed for this project. These items will be addressed in the review section of this report. In addition, an e-mail was received from an adjacent owner with a similar list of questions. The site will be posted and notice sent again prior to the City Planning Commission hearing and City Council hearing.

Staff sent the plans to the standard internal and external reviewing agencies for comments. Those commenting agencies included Colorado Springs Utilities, Traffic Engineering, City Engineering Development Review, City Surveyor, Enumerations, Water Resources, Fire Department, Parks and Recreation, CONO, and Harrison School District No. 2. All city agency comments have been addressed for the PUD zone change and PUD concept plan.

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 19-00078

Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 42.04-acres from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development: single-family attached and detached, 8-11.99 dwelling units per acres with a maximum height of 35 feet;

single-family attached, 12-24.99 dwelling units per acres with a maximum height of 35 feet; multi-family residential, 12-24.99 dwelling units per acres with a maximum height of 35 feet, and community center on 1.97 acres with a maximum height of 50 feet, and Airport Overlay), 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), 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 42.04 acres. Adopt an ordinance amending the zoning map of the City of Colorado Springs pertaining to 42.04-acres located at 1111 Academy Park Loop from SU/AO (Special Use with Airport Overlay) to PUD/AO (Planned Unit Development: single-family attached and detached, 8-11.99 dwelling units per acres with a maximum height of 35 feet; single-family attached, 12-24.99 dwelling units per acres with a maximum height of 35 feet; multi-family residential, 12-24.99 dwelling units per acres with a maximum height of 35 feet, and community center on 1.97 acres with a maximum height of 50 feet, and Airport Overlay).