



## Legislation Details (With Text)

<b>File #:</b>	CPC ZC 20-00097	<b>Version:</b>	3	<b>Name:</b>	Aspen Meadows
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Mayor's Office</b>	
<b>File created:</b>	4/28/2021	<b>In control:</b>		<b>City Council</b>	
<b>On agenda:</b>	7/13/2021	<b>Final action:</b>		<b>7/13/2021</b>	
<b>Title:</b>	Ordinance No. 21-53 amending the zoning map of the City of Colorado Springs pertaining to 12.23 acres located near the southwest corner of Marksheffel Road and Cowpoke Road from A (Agricultural) to PK/AO/SS (Park with Airport and Streamside Overlay).  (Quasi-Judicial)  Presenter: Katie Carleo, Planning Supervisor, Planning & Community Development Peter Wysocki, Planning Director, Planning & Community Development				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD\_ZoneChangeAspenMeadowsPark, 2. EXHIBIT A\_Aspen Meadows, 3. EXHIBIT B\_Aspen Meadows, 4. Signed Ordinance 21-53

Date	Ver.	Action By	Action	Result
7/13/2021	2	City Council	finally passed	Pass
6/22/2021	2	City Council	approved on first reading	Pass
5/20/2021	1	Planning Commission	referred	Pass

Ordinance No. 21-53 amending the zoning map of the City of Colorado Springs pertaining to 12.23 acres located near the southwest corner of Marksheffel Road and Cowpoke Road from A (Agricultural) to PK/AO/SS (Park with Airport and Streamside Overlay).

(Quasi-Judicial)

### Presenter:

Katie Carleo, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Planning Director, Planning & Community Development

### Summary:

Owner: RAO INVESTMENTS LLC  
Representative: MATRIX DESIGN GROUP, Jason Alwine  
Location: Southwest corner of Marksheffel Road and Cowpoke Road

The proposed project is a request by RAO Investments, LLC for a zone change to establish PK (Park) zoning. The size is currently zoned A (Agricultural) consisting of 12.23 acres.

### Background:

The Woodmen Heights Master Plan, originally approved in 2004, identified this area as a 9-acre park that would be dedicated as part of parkland dedication to meet the PLDO (Parkland Dedication Ordinance). This is just one park site within the overall Woodmen Heights Master Plan that in total meets the dedication requirements from the initially established land uses within the master plan. This area is being triggered now to be platted and rezoned to PK (Park) as the surrounding residential development is occurring. This rezoning and plat will set the stage for the construction of the park to begin; the park will be developed, owned, and maintained by the Woodmen Metropolitan District. The District has already begun design work with their consultants and coordination with City Parks' staff.

Currently, based upon platting and final layouts, 12.23 acres is proposed for the PK rezone. The increase in PK zoning does not change the previously approved ownership or maintenance obligations on the attached Final Plat documents. A portion of this increase is due to a gas easement that runs along the western edge of the property. This will be platted as a tract and coordination with the owner will allow for soft surface trails to be established along the easement.

The requested change of zone for the 12.23 acres (**ZONE CHANGE EXHIBIT**) will rezone properties from A (Agricultural) to PK/AO/SS (Park with Airport and Streamside Overlay) to establish a public park zoning. This proposed zoning is in conformance with the Woodmen Heights Master Plan which identifies areas to be established with a parkland use classification. Per City Code, the establishment of a PK (Park) zoning for the City does not require an accompanying concept plan. Staff has seen the conceptual layout that the Woodmen Heights Metropolitan District is working with the neighborhood and the Parks Department on and it includes a nice combination of playgrounds, interactive fitness equipment, open green fields, and several trail connections.

The project site is part of the Woodmen Heights Master Planned area, which identified the parcel as part of this application for the establishment of a park and open space. City Planning staff finds the rezoning to be consistent and in substantial compliance with the Woodmen Heights Master Plan, as amended.

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, which is part of the larger Woodmen Heights Master Planned area, is identified on the plan's Vision and Vibrant Neighborhoods Framework maps as a Newer Developing Neighborhood. The categorization of this type of neighborhood is generally considered to be most similar to Typology 3: Emerging Neighborhoods, which supports the development of newer areas with well-design communities with a neighborhood park, enhanced pedestrian and off-street trail connections, greater diversity of housing types, and roadway corridors with enhancements. As indicated in the proposed application, this project will support connections of the neighborhood park area and pedestrian connectivity with trails.

#### **Previous Council Action:**

The last Council action on this property was with original annexation and establishment of the A (Agricultural) holding zone in 2004.

On June 22, 2021, this Ordinance was approved on first reading on the Consent Calendar by a vote of 9:0:0:0.

#### **Financial Implications:**

N/A

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

This item was heard before the City Planning Commission on May 20, 2021 and approved unanimously as part of the consent agenda.

### **Stakeholder Process:**

The public notification process consisted of providing notice to adjacent property owners which included posting several locations (associated parcel for zone change) on two different occasions; during the internal review stage and prior to the Planning Commission hearing. During the internal review notification, City Planning staff did not receive any public comment.

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 20, Police, and E-911. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review, this site is not within any military buffer. All comments received from the review agencies are addressed.

- Airport Advisory Committee (Airport): This item was heard before the Airport at their regularly scheduled meeting on July 22, 2020 in which they supported the approval.
- Woodmen Heights Metro District (District): This site is dedicated as PLDO (Parkland Dedication Ordinance) land and will be developed and maintained by the District. The District reviewed the application and is concurrently working on park design that will be approved by the Parks Board for installation by the District.
- Parks Department: All PLDO requirements have been met and final Parks Board approval is in process. This does not affect the rezoning process and the PK (Park) establishment should be in place prior to park final design approval.

### **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 ZC 20-00097**

Approve the zone change of 12.23 acres from A (Agricultural) to PK/AO/SS (Park with Airport and Streamside 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).

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 12.23 acres from A (Agricultural) to PK/AO/SS (Park with Airport and Streamside Overlay) located near the southwest corner of Marksheffel Road and Cowpoke Road.