



## Legislation Details (With Text)

<b>File #:</b>	CPC ZC 20-00172	<b>Version:</b>	3	<b>Name:</b>	Rustic Hills Redevelopment
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Mayor's Office</b>	
<b>File created:</b>	6/29/2021	<b>In control:</b>		<b>City Council</b>	
<b>On agenda:</b>	9/28/2021	<b>Final action:</b>		<b>9/28/2021</b>	
<b>Title:</b>	Ordinance No. 21-76 amending the Zoning Map of the City of Colorado Springs relating to 19.4 acres located at 3910 Palmer Park Boulevard and 1605 North Academy Boulevard from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay).				
	(Quasi-Judicial)				
	Related File: PD DP 64-62-A39MJ20				
	Presenter: Daniel Sexton, Planning Supervisor, Planning & Community Development Peter Wysocki, Director, Planning & Community Development				

### Sponsors:

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### Code sections:

**Attachments:** 1. ORD\_ZC\_RusticHillsRedevelopment, 2. Exhibit A - Zone Change, 3. CC\_RusticHills\_DJS, 4. Vicinity Map

Date	Ver.	Action By	Action	Result
9/28/2021	2	City Council	finally passed	Pass
9/14/2021	2	City Council	approved on first reading	Pass
8/24/2021	2	City Council	postpone to a date certain	Pass
7/15/2021	1	Planning Commission	referred	Pass

Ordinance No. 21-76 amending the Zoning Map of the City of Colorado Springs relating to 19.4 acres located at 3910 Palmer Park Boulevard and 1605 North Academy Boulevard from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay).

(Quasi-Judicial)

Related File: PD DP 64-62-A39MJ20

### Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

### Summary:

Owner: RHSC Limited Liability Company

Developer: Brennan Investment Group

Representative: Galloway

Location: Northeast of the Centennial Boulevard and Fillmore Street intersection

The project includes applications for a zone change and major development plan amendment for 19.4 acres of land located at 3910 Palmer Park Boulevard and 1605 North Academy Boulevard (northeast corner of the Palmer Park Boulevard and North Academy Boulevard intersection). The project is herein referred to as “Rustic Hills Redevelopment”. The zone change request would change the current zoning from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay). The proposed major development plan amendment application illustrates a change of use to establish commercial and industrial uses and minor building and site changes.

### **Background:**

The Applicant has requested a change of zone to rezone the project site from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay). The project as envisioned will comply with all applicable dimensional standards as set for in City Code Section 7.3.204 Office, Commercial, Industrial and Special Purpose Zone District Development Standards. These development standards are generally comparable with the established development parameters for the surrounding area. Under the proposed zone, the requested envisions a mix of light industrial and commercial uses. While not dissimilar to those land uses already found within the immediate area, the Applicant has proposed to prohibit the following list of lands uses through conditions of record to mitigate the project’s impacts.

- Proposed Prohibited Land Uses
- Convenience Food Sales (w/Fuel Sales)
- Garbage Service Companies
- Kennel (Commercial Only)
- Landfill
- Large Recycling Collection Center
- Industrial Laundry Service (Large Scale Activities)
- Mining Operations
- Recycling Processing Center
- Scrap Metals Processing Yard
- Transfer Station
- Truck Terminal
- Vehicle Dismantling Yard

The Applicant’s proposed Major Development Plan Amendment for the Rustic Hills Redevelopment project illustrates the redevelopment of the largely vacant shopping center (commonly known as the “Rustic Hills Shopping Center”) with a mix of commercial and industrial uses and minor building and site changes. The envisioned uses will help to revitalize the partly vacant center with uses that are consistent with the surrounding land use pattern, which already contain a mix of commercial and industrial uses. The proposed building and site changes include demolishing the northern commercial building, which has already been deemed unsafe for use. The main building will receive a façade update with new storefronts, paint and material. The site improvements consist of new exterior lighting fixtures, landscaping within the parking lot and adjacent North Academy Boulevard and Palmer Park Boulevard, and restriping the parking facility. All proposed building and site

improvements are in conformance with current City Code requirements.

As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff find this to be true because the current commercial center has largely sat vacant for years and the lack of activation has resulted in criminal activity. The above discussed development parameters and envisioned supportive land uses mitigate the impacts of this infill development and reinforce why this project will be a compatible with the surrounding neighborhood.

The City's Engineering Development Review Division (EDRD) of Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey (CGS), has reviewed the amended development plan and accompanying geological hazard investigation letter, prepared by Galloway & Company, Inc., for the project. The reviewing agencies have accepted the analysis and recommendations set forth in the letter prepared by the Applicant's consultant. The documented geological hazards and engineering geological conditions on the project site included active gully erosion along the West Fork of Sand Creek to the southeast of the project area. Future development plan and final subdivision plat applications may require a more detailed geological hazard analysis. Upon approval for the Rustic Hills Redevelopment project, City staff is prepared to execute the provided letter.

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the amended development plan and accompanying drainage letter, prepared by Galloway & Company, Inc. SWENT has accepted the analysis and recommendations set forth in the letter. Since the project's overall disturbance is less than <1 acre and no changes to the current drainage patterns or facilities are proposed, stormwater from the project will be captured and directed into existing on-site and office facilities. No additional improvements are required to comply with the City's Drainage Control Manual. The Applicant will be required to submit a final drainage report with each future development plan and final subdivision plat application.

The project site is located within the South Academy Economic Opportunity Zone (SAEOZ). According to the Action Plan for the SAEOZ, more specifically, the project site is located with the northern catalyst area, which encompasses the neighborhoods surrounding the former Rustic Hills Shopping Center. In this catalyst area, the form center is referenced as a priority redevelopment opportunity, as it is contemplated that the redevelopment of this center could generate the "...greatest impact and opportunities for value capture" and could spark change and momentum for reinvestment in the larger corridor. City Planning staff finds that the Rustic Hills Redevelopment project is supportive of the vision for the corridor, as it will further efforts to reconnect the surrounding neighborhoods economically - making the area relevant and desirable. Additionally, the project was found to be complimentary and supportive of the surrounding area, which already contains a mix of commercial and industrial uses.

The project applications have been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified as an Established Suburban Neighborhood and is adjacent to a segment of North Academy Boulevard which is listed as a Mature/Redeveloping activity center. In the context of these key elements, which capture the essence of the "Big Ideas" and goals set forth throughout PlanCOS, the Rustic Hills Redevelopment project reinforces the positive change that can occur when infill and redevelopment is encouraged.

One of the big ideas in Chapter 3, entitled "*Embrace Creative Infill, Adaptation, and Land Use*

Change”, has Goal UP-2 that states:

*“Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.”*

A policy for this goal further speaks to *“Supporting infill and land use investment throughout the mature and developed areas of the city.”*

In Chapter 4, there are a couple big ideas that support this proposal, such as “Expand Our Base”, with Goal TE-2 that states:

*“Diversify the local economy by fostering a range of business types and sizes.”*

And, the “Embrace Sustainability” big idea, with Goal TE-4 stating:

*“Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”*

Together, the above referenced big ideas reinforce a core value of PlanCOS, which supports adaptive and responsive land use change. On balance with this perspective, City Planning staff has determined that the project’s land use, location and site design meet the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this redevelopment proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

The project supports the City’s Strategic plan goals of building community and collaborative relationships and provides a platform for the building thriving neighborhoods and communities through the infill redevelopment of vacant or underutilized parcels with a complimentary mix of commercial and light industrial uses. The development of new commercial and light industrial uses will be a catalyst for further redevelopment and investment within the South Academy Economic Opportunity Zone, supports existing communities, and strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

City Council previously took action on this property when the property was zoned.

**Financial Implications:**

N/A

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

At the City Planning Commission meeting held on July 15, 2021, the project applications were considered under the Consent Calendar portion of the agenda. The Planning Commission ultimately voted 9-0 to approve the project applications.

**Stakeholder Process:**

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 303 property owners on three occasions: during the internal review and prior to the Planning

Commission hearing. The site was also posted during the three occasions noted above. City Planning staff received written comments from adjacent property owners that were excited about the redevelopment proposal but wanted more information regarding the potential land uses that could be development under the light industrial zoning and the proposed building/site changes.

Staff input is outlined in the following sections of this report. 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, Colorado Geological Survey, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), Police, and E-911. All comments received from the review agencies have been addressed. As an infill project within an established neighborhood, City Planning staff notes that the following review agency provided project specific comments:

- Colorado Geological Survey - Colorado Geological Survey reviewed and accepted the proposed development plan amendment and accompanying geological hazard report. Standard notes were applied to the entitlement documents to acknowledge the geological hazard analysis and documented hazards on the site. Future development plan and final subdivision plat applications may require a more detailed geological hazard analysis.
- City Traffic - The City's Traffic Engineering Division reviewed and accepted the amended site design and accompanying Trip Generation letter for the project. The submitted study assessed current and projected traffic volumes based on the proposed land uses and concluded that the proposed change of use would generate fewer trips than the existing uses. Furthermore, the surrounding infrastructure and traffic control measures were adequate.

#### **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 20-00172

Adopt an ordinance amending the Zoning Map of the City of Colorado Springs relating to 19.4 acres located at 3910 Palmer Park Boulevard and 1605 North Academy Boulevard from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay) based upon the findings the request meets the review criteria for granting a zone change as set forth in City Code Section 7.5.603.B. with the following conditions of record:

Prohibited Uses:

1. Convenience Food Sales (w/Fuel Sales)
2. Garbage Service Companies
3. Kennel (Commercial Only)
4. Landfill
5. Large Recycling Collection Center
6. Industrial Laundry Service (Large Scale Activities)
7. Mining Operations
8. Recycling Processing Center
9. Scrap Metals Processing Yard
10. Transfer Station
11. Truck Terminal
12. Vehicle Dismantling Yard

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 19.4 acres, located at 3910 Palmer Park Boulevard and 1605 North Academy Boulevard, from PBC/SS (Planned Business Center with Streamside Overlay) to M1/cr/SS (Light Industrial with Conditions of Record and Streamside Overlay).