



## Legislation Details (With Text)

**File #:** CPC PUP 19-00154 **Version:** 2 **Name:** Downtown Flying Horse  
**Type:** Planning Case **Status:** Passed  
**File created:** 6/29/2021 **In control:** City Council  
**On agenda:** 8/24/2021 **Final action:** 8/24/2021  
**Title:** A Planned Unit Development Concept Plan for 67.42 acres of mixed medium to high density residential, commercial, hospitality, and office land uses located north and northwest of the New Life Drive and Interquest Parkway intersection.

(Quasi-judicial)

Related Files: CPC MP 06-00219-A10MJ21, CPC PUZ 19-00153

**Presenter:**  
Hannah Van Nimwegen-McGuire, Senior Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

### Sponsors:

**Indexes:** Flying Horse, Master Plan Amendment

### Code sections:

**Attachments:** 1. Downtown Flying Horse Concept Plan\_8.5x11, 2. 7.5.501.E Concept Plans, 3. 7.3.605 PUD Concept Plan

Date	Ver.	Action By	Action	Result
8/24/2021	2	City Council	approved	Pass
7/15/2021	1	Planning Commission	referred	Pass

A Planned Unit Development Concept Plan for 67.42 acres of mixed medium to high density residential, commercial, hospitality, and office land uses located north and northwest of the New Life Drive and Interquest Parkway intersection.

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### Presenter:

Hannah Van Nimwegen-McGuire, Senior Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

### Summary:

Owner: Pulpit Rock Investments, LLC  
Developer: Stillwater Classic Flying Horse, LLC  
Representative: Land Design  
Location: North and northwest of the New Life Drive and Interquest Parkway intersection

The proposed Downtown Flying Horse development includes three concurrent applications to amend and update the Flying Horse Master Plan, to establish the site's zone district, and to conceptually plan 67.42 acres of mixed-use development to include medium to high-density residential, commercial, hospitality, conference center, and open space land uses. The Major Amendment to the Flying Horse Master Plan amends Parcels 13 and 17 on the master plan's south end to reflect the addition of residential land uses and the expansion of the Regional Commercial designation (**see "Flying Horse Master Plan Major Amendment" attachment**). The zone change request would establish a PUD/CR (Planned Unit Development with Conditions of Record: Mixed-Use with 125-foot maximum building height) zone district, and the concept plan lays out a proposed block pattern with land uses identified by block, ingress and egress locations, internal site circulation, internal street cross sections, and other applicable development notes (**see "Downtown Flying Horse Concept Plan" attachment**).

## Background:

### *History of Flying Horse Parcels 13 & 17:*

In 2003, the 1,566-acre Flying Horse Ranch Annexation was approved which included the subject site. At the time of annexation, the Flying Horse Master Plan was established and laid out land uses for the subject Parcels 13 and 17. Parcel 17 has not been amended since establishment of the master plan, and was, and currently is, designated for "Regional Commercial" land uses. Though the regional commercial land use had been established for the parcel, the property was never zoned and remained in the holding zone (A - Agriculture) used following annexation. City GIS mapping services incorrectly identifies a portion of the site as zoned PUD (Planned Unit Development).

Parcel 13 was amended in 2019 from high density residential allowing a density range between 12 and 20 dwelling units per acre (du/ac) to medium density residential allowing a density range of 3.5 to 8 du/ac. Parcel 13 is currently zoned PUD (Planned Unit Development) for a single-family detached residential development, then called "Capri," at 4.45 du/ac. The Capri development once considered for Parcel 13 is no longer on the table, and the current applications seek to consider Parcels 13 and 17 as one unified mixed-use development.

### *General:*

The proposed 67-acre Downtown Flying Horse development intends to mix medium, high, and very high residential product types with commercial, retail, hospitality, and office land uses to create a regional destination for entertainment, urban living, and employment centered around a 3.14-acre active open space parcel. The applicant anticipates to construct approximately 1,500 residential units taking the form of both single and multi-family residential product types; 250 hotel rooms; a 50,000 square foot conference center; about 300,000 square feet of commercial space; and about 800,000 square feet of office and employment spaces. The development is broken up into a series of blocks with a general land use designation, size, building height, and minimum residential density or Floor Area Ratio (FAR):

Block	Size (acres)	Height Maximum (feet)	Type	Density (du/ac) or FAR Minimum
A	3.62	N/A	Detention Pond/Open Space	N/A
B	6.16	125	Residential	12 du/ac

C	3.78	125	Residential	12 du/ac
D	5.05	125	Mixed-Use	0.25 FAR
E	3.14	125	Open Space/Commercial	25% maximum coverage
F	13.15	125	Residential	12 du/ac
G	2.71	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
H	6.96	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
I	10.56	125	Residential	8 du/ac

Each of the above blocks allows additional land uses outlined in the concept plan for flexibility, but also has specific development, design, and land use standards described in more detail below.

### *Design Standards:*

The intent is to construct a unified vertically and horizontally mixed-use development with the potential for structures to reach 125 feet in height. A number of development standards have been placed on the concept plan and in the zone district's conditions of record to support and encourage the typical design of a unified mixed-use development. These standards include:

- A 15-foot wide “build within zone” for all parcels which have adjacency to Block E (the center open space parcel). The build within zone requires the lower 30-feet of a structure facing Block E to be located within 15-feet of the property line and cannot be setback further than 15-feet. Portions of the structure which are taller than 30-feet may be setback further from the property line.
- Big box stores, movie theaters, parking structures or other single tenant uses greater than 50,000 square feet shall be partially wrapped with other commercial use spaces on the street side of the structure.
- A minimum number of bicycle parking spaces shall be provided equal to five percent (5%) of the total number of automobile parking spaces provided by the development. Bicycle parking facilities shall be located no further than one hundred feet (100') from a building entrance, shall be visible from the land uses they serve, and shall not be located in remote parking areas.

The concept plan lays out land uses with consideration to nearby existing neighborhoods. The Reserve at North Creek neighborhood is located directly to the west of the proposed development, and an open space parcel and residential land use parcel are identified to be located on the project's western side creating a buffer between the existing neighborhood and the more intense commercial land uses. The land uses of highest intensity are located central to the development where they would not be directly adjacent to an existing developed area.

### *Land Use Standards:*

A land use table is included on the Downtown Flying Horse concept plan and outlines what land uses are allowed in certain blocks. The land use table is flexible in allowing similar uses to be interchanged within blocks, but regulates other uses which could lead to undesirable impacts on a pedestrian-oriented development. In addition to the previously listed design standards, land use standards have also been included.

- Restaurants with drive-through windows or fueling stations are not permitted unless adjacent

- to New Life Drive or Interquest Parkway, or as an attached end cap to a row of other tenants.
- Block D (mixed-use) must contain minimum 50% of commercial uses. Percentage is based on total block gross square footage of all uses.
- Outdoor storage of materials is prohibited; except the outdoor storage of promotional merchandise as long as a clear path of at least 36-inches is provided for ADA compliance.
- Veterinary clinics and animal hospitals will require all activities to be conducted within a totally and permanently enclosed, soundproofed building and are restricted to small animal care with boarding of animals overnight only due to the animal's medical condition and associated treatment at the clinic/hospital.

#### *Access, Internal Roadways, and Parking:*

The Downtown Flying Horse development will have three main points of ingress and egress and a secondary point of access off of the existing Running Water Drive to the west of the proposal. From New Life Drive, the development will have a full-movement access between Blocks A and C and a right-in/right-out only access between Blocks C and F aligning with Pikes Peak Community College's access drive to the south. A second right-in/right-out only access will be placed between Blocks F and H off of Interquest Parkway.

The Downtown Flying Horse development will contain primarily public roads with a single private road between Blocks D and E (north of the center open space parcel). Proposed internal road cross sections are included in the concept plan. Several road cross sections are proposed which correspond to different needs by each area of the concept plan. Each illustrates a sidewalk, a planting area to buffer sidewalks from the road, and two lanes of travel. Most cross sections also illustrate on-street parking where appropriate.

The Downtown Flying Horse development will be parked according to the City of Colorado Springs Zoning Code standards, but includes flexibility to reduce the number of parking spaces when a parking study is conducted, reviewed, and approved by staff. The concept plan also states that parking may be shared across parcels. The development intends to accommodate parking in both surface parking areas and in parking structures.

#### *Major Amendment to the Flying Horse Master Plan & Fiscal Impact Analysis:*

As previously mentioned, the subject site is identified on the Flying Horse Master Plan as Parcels 13 and 17. Those parcels are currently designated for medium density residential and regional commercial land uses respectively. The amendment to this master plan changes their land use designation to regional commercial with medium and high-density residential land uses intertwined. This amendment also updates the total number of residential dwelling units expected to be constructed in the whole Flying Horse Master Plan boundary-3,561 units with the proposed development included. This updated count helps the appropriate review agencies track the developer's park and school obligations according to the PLDO ordinance.

This change to the master plan was classified as a major amendment in accordance with code section 7.5.403 dictating all changes in master plan land use classification be considered "major" alterations. All major amendments to master plans require a fiscal impact analysis be conducted by the City's Budget Office. This amendment was forwarded to the City's budget office who concluded the proposed development would have a positive cumulative impact.

The review criteria for major amendments to master plans can be found in code section 7.5.408. Generally, these criteria discuss: promoting a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian connections; compatibility with existing uses; that land uses are buffered and transition in intensity; that the proposal will not overburden existing infrastructure; that significant natural features are preserved; and that there is not a fiscally adverse impact to the City. It is staff's opinion that the Downtown Flying Horse development is compliant with these criteria.

### *Zone Change:*

The Downtown Flying Horse development site currently has two zone districts each pertaining to their designated parcels on the Flying Horse Master Plan. The portion of the site designated as Parcel 13 is currently zoned PUD (Planned Unit Development) for single-family detached homes at 4.45 du/ac. The other portion of the development, Parcel 17 on the master plan, is currently zoned A (Agriculture) which was used as a holding zone for the property following the annexation of Flying Horse Ranch. The A (Agriculture) holding zone is used when a property is annexed but there are not specific plans for development at the time of annexation.

The request is to establish a PUD/CR (Planned Unit Development with Conditions of Record) zone district for the Downtown Flying Horse project. Each Planned Unit Development zone district throughout the city must establish a maximum building height, land use type, and density. For the proposed Downtown Flying Horse development, staff is proposing the PUD zone district specify the maximum height, land use type, and density (or floor area ratio for commercial land uses) by the development's individual blocks:

Block	Height Maximum (feet)	Type	Density (du/ac) or FAR Minimum
A	N/A	Detention Pond/Open Space	N/A
B	125	Residential	12 du/ac
C	125	Residential	12 du/ac
D	125	Mixed-Use	0.25 FAR
E	125	Open Space/Commercial	25% maximum coverage
F	125	Residential	12 du/ac
G	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
H	125	Office/Commercial/Residential	12 du/ac; 0.25 FAR
I	125	Residential	8 du/ac

In addition to the PUD zoning proposed above, staff is proposing a number of the design and land use standards as Conditions of Record applicable to the zone district. Conditions of Record are discussed in code section 7.3.507 which describes, "... Conditions of Record are to be used to establish special procedures or development standards when the base zone district will not adequately address unique situations ... All conditions designated by the City Council shall be made a part of the approved ordinance."

While there are many conditions listed on the concept plan, conditions which are only listed on the concept plan may be administratively amended if the assigned planner feels the adjustment is appropriate and meets applicable review criteria. Conditions of Record which are part of the zone district's ordinance ensure a project is developed according to those standards or the property must be rezoned and reevaluated by the City Planning Commission and City Council. Staff is proposing the following conditions to become part of the zone district's ordinance because staff feels they are critical to the Downtown Flying Horse concept described:

1. Build-Within Zone: A 15-foot Build-Within Zone is established for all parcels which front Block E (the open space parcel). The front Build-Within Zone applies to principal building but may not include entryway features or signage. The front Build-Within Zone shall apply only to the lower 30 feet, or first two (2) stories, whichever is less, of a building, and higher portions of the building may be stepped back farther from the front property line.
2. Outdoor storage of materials: outdoor storage of materials is prohibited; except the outdoor storage of Promotional merchandise as long as a clear path of at least 36-inches is provided for ADA compliance.
3. Restaurants with drive-through windows and fueling stations are not permitted unless adjacent to New Life Drive or Interquest Parkway, or as an attached end cap to a row of other tenants.
4. Big box stores, movie theaters, parking structures or other single tenant uses greater than 50,000 sf shall be partially wrapped with other commercial use spaces on the street side of the structure.

The review criteria for zone changes and for establishing a PUD zone district can be found in code section 7.5.603 and 7.3.603. It is staff's judgement that the proposed development will not be detrimental to the public interest, health, safety, or general welfare, and is consistent with PlanCOS as discussed further in this report.

#### *Concept Plan:*

Many of the components of the concept plan have been described in previous sections of this report such as the land use block pattern, the internal roadways and proposed cross sections, the design and use standards, and the land use table. However, one additional component is addressed on the concept plan.

The Downtown Flying Horse development is adjacent to Black Squirrel Creek which forms the northern border of the subject site. Black Squirrel Creek is identified as critical habitat for the Preble's Meadow Jumping Mouse (PMJM), an endangered mouse known to inhabit washes near creeks on the northern side of town. U.S. Fish & Wildlife has jurisdiction over areas that contain endangered species, and are required to review plans for development when they are adjacent to endangered species habitat. A Habitat Conservation Plan (HCP) was prepared and defined the boundaries of required conservation area, development constraints, and discussed methods to protect habitat for

PMJM. The HCP identified the PMJM habitat, and a corresponding line was drawn which prohibits disturbance by development. This line encroaches into the project site in two areas: a small encroachment into Block D and a significant encroachment into Block I on the project's far northeast side. In both locations where the habitat line encroaches into the property, the concept plan illustrates the space to be dedicated to the City of Colorado Springs for open space. The land dedication would occur when the final plat is recorded.

The review criteria for PUD concept plans can be found in code section 7.3.605. It is staff's judgement that the proposed development is consistent with PlanCOS (discussed further in this report); the development pattern proposed provides an appropriate transition and buffering between uses of differing intensities; the residential and nonresidential development pattern promotes integrated activity centers and avoids linear configurations along roadways; and that the proposed development will not overburden existing infrastructure or facilities.

### *Traffic Impact Analysis & Findings:*

A traffic impact analysis (TIA) was submitted for review with the initial application's submittal in November of 2019, and was continuously updated and revised throughout the review of the project according to comments by the City Traffic Engineering Division. The most recent version of the TIA, dated March 25, 2021, has been accepted by City Traffic Engineering and addresses how counts were adjusted for the COVID-19 pandemic. The TIA estimates the development will generate:

- 11,797 new vehicle trips on the average weekday
- During the weekday morning peak hour, 396 vehicles would enter and 335 would exit the site
- During the weekday evening peak hour, 290 vehicles would enter and 399 vehicles would exit the site

The TIA also analyzed the Level of Service (LOS) of each of the proposed access points and nearby existing intersections:

- The intersection of Interquest Parkway and New Life Drive: The signalized intersection of Interquest Parkway/New Life Drive is projected to operate at LOS C overall through the 20-year horizon during both peak hours.
- The proposed Interquest Parkway and right-in, right-out access on Interquest Parkway: The eastbound right-turning movement is projected to operate at LOS E during morning peak-hour. It is not uncommon for minor street approaches on arterial streets to operate at LOS E or even LOS F during peak periods. It is unlikely that a traffic signal warrant would be met at this intersection.
- The proposed New Life Drive and right-in, right-out access across from Pikes Peak Community College: All approaches and individual turning movements currently operate at and are projected to remain at LOS D or better through 2040 during both peak hours, with or without the addition of site-generated traffic.
- The proposed New Life Drive and the full-movement middle access: The southbound left-turning movement at the proposed middle access on New Life Drive is projected to operate at LOS E during the morning peak-hour. Again, it is not uncommon for minor street approaches on arterial streets to operate at LOS E or even LOS F during peak periods. It is unlikely that a traffic signal warrant would be met at this intersection.

Lastly, the TIA recommends the proposed full-movement intersection on New Life Drive should be studied further as Downtown Flying Horse begins to develop. The TIA states that the projected traffic counts is in cusp between a stop-sign controlled intersection and a signalized intersection.

*Conformance with the Area's Master Plan, PlanCOS, and the City's Strategic Plan:*

As previously mentioned, the subject site is identified on the Flying Horse Master Plan as Parcels 13 and 17. Those parcels are currently designated for medium density residential and regional commercial land uses respectively. The proposed amendment to this master plan changes their land use designation to regional commercial with medium and high density residential land uses interweaved. However, the proposed development is not too far from what was previously approved on the master plan. The amendment increases residential density, but maintains the regional commercial component. Because the Fiscal Impact Analysis had a positive result, and because the regional commercial land use is maintained, it is staff's opinion that the proposal is compliant with the Flying Horse Master Plan and compliant with the review criteria for such applications.

The City's Comprehensive Plan, PlanCOS, identifies the subject area a "New and Developing Activity Center" located within a Newer Developing Neighborhood on the Vision Map. The subject site is also adjacent to two Smart Corridors (Interquest Parkway and Powers Boulevard), an Intercity Corridor (Highway 83), and a future trail which will become part of the Ring the Springs Loop. There are two primary components to the Downtown Flying Horse development-the commercial activity center and the urban residential neighborhood.

The residential component of this project is supported by elements in the Vibrant Neighborhoods chapter by fitting within the Emerging Neighborhoods typology. Recommendations for this typology include incorporating higher density and a mix of housing types on remaining parcels. This project also supports Strategy VN-2.A-3 which discusses supporting land use decisions that provide a variety of housing types and sizes, serving a range of demographic sectors. A number of other policies and strategies within this chapter also support a mixture of commercial and residential land uses which create a community gathering place-specifically policy VN-3.E which encourages and supports the integration of mixed-use developments in neighborhoods.

The commercial component of the Downtown Flying Horse project speaks to the Thriving Economy chapter of PlanCOS. It is staff's opinion that the proposal would create an "experience economy" which is a listed typology for the chapter. This typology recommends highlighting local and regional destinations, attracting large-scale retail, entertainment, and lodging, and creating walkable destinations. The goal of this typology is to support a variety of high quality existing and new attractions and related amenities appealing to a diverse mix of interests and incomes. Additionally, Strategy TE-1.C-2 states, "support and leverage projects and initiatives with mixed uses, transit supported and walkable attributes to attract and retain a skilled workforce and business investment."

The Unique Places chapter of PlanCOS is also applicable. The Downtown Flying Horse development seeks to become a regional attraction. The Unique Places chapter describes Regional Employment and Activity Centers typology. This typology recommends supporting a mix of land uses, including high density residential housing, while focusing on the pedestrian experience. It is staff's opinion that this development creates place with the center open space parcel, and supports the pedestrian experience with the various design standards. Additionally, many of the policies and strategies listed in this chapter support elements found within the Downtown Flying Horse development.



For the above reasons, it is staff's judgment the proposed Downtown Flying Horse development is compliant with and supports the goals and policies within PlanCOS.

This item supports the City's strategic plan goal to promote job creation by supporting new development-a critical influence for a resilient economy. Further, the subject proposal will increase housing variety and opportunities in a desirable area of town.

**Previous Council Action:**

In 2003, the City Council voted to annex 1,566 acres known as Flying Horse Ranch. With that annexation, the City Council approved the establishment of the Flying Horse Master Plan which laid out land uses for the subject Parcels 13 and 17. In late 2019, as part of the consent calendar, the City Council voted to approve a major master plan amendment, zone change, and development plan for the Flying Horse Capri development which was located on Parcel 13. Construction of the Flying Horse Capri development did not commence and is now subject to the current Flying Horse Downtown proposal.

**Financial Implications:**

N/A

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

The City Planning Commission voted 7-0-2 (Commissioners Graham, Slattery, McMurray, Hente, Raughton, Eubanks, and Wilson in favor, and Commissioners Almy and Rickett were absent), as part of the New Business calendar, to approve the major master plan amendment, zone change, and concept plan for Downtown Flying Horse.

**Stakeholder Process:**

The initial public notification process for the zone change and concept plan submittal consisted of placing a poster on the project site and sending postcards to 28 property owners within the standard 1,000-foot buffer of the subject site. Following first review of the two applications, the project boundary was expanded and staff initiated a second round of public notification to both notify of the project's expansion and to notify new owners who had recently purchased and constructed on new residential lots in the vicinity. The second round of notice consisted of a poster on the project site and postcards mailed to 128 property owners. Following additional review, staff determined a major amendment to the Flying Horse Master Plan would be required. When this application was submitted, staff required a third poster be posted on the project site notifying of the additional application to the overall Downtown Flying Horse project. Staff then noticed all three applications prior to the City Planning Commission meeting by posting a poster on the subject site and mailing postcards to 127 property owners detailing the meeting's information. For each of the notification rounds, the Council of Neighbors and Organizations (CONO) emailed an additional notification to all Homeowners Associations and Metro Districts with jurisdiction in 1,000-foot buffer of the subject site. This included an email notice to College Creek Metro District, Flying Horse Metro District, Deer Creek at Northgate Homeowners Association, Flying Horse Homeowners Association, Reserve at North Creek Homeowner Association, and the Wildwood 1 Homeowners Association.

Public comments were received during each of the notification rounds described above (**see "Public Comments" attachment**). Primarily, the comments received were from residents in the Wildwood and Reserve at North Creek neighborhoods, and discuss concerns with negatively affecting property values, obstructing views, increasing traffic on New Life Drive, increased noise, and increasing crime in the area. Other comments mention compatibility with existing residential neighborhoods,

preservation of wildlife, and concerns regarding the Colorado Springs Police and Fire Department's ability to serve the area effectively. Public comments were also received before the City Planning Commission hearing, but after the publishing of the staff report for the project, and were emailed to the City Planning Commission prior to the hearing. These comments, as well as additional comments received following the City Planning Commission but prior to the publishing of this memo, are attached (**see "Additional Public Comments" attachment**).

Staff input is outlined in the following sections of this report. The applications were sent to the standard internal and external agencies for review including Colorado Springs Utilities, City Traffic Engineering, City Engineering, Landscape, City Budget Office, Colorado Springs Fire Department and Police/E-911, the Stormwater Enterprise, the United States Air Force Academy, Academy School District 20, and Parks, Recreation and Cultural Services. Staff also routed the subject applications to the El Paso County Planning and Engineering divisions. Minor revisionary comments were received and addressed. At this time all comments from review agencies have been addressed.

- Parks, Recreation and Cultural Services: The proposal is subject to the Parkland Dedication Ordinance (PLDO). The Flying Horse Master Plan outlined park obligation needs throughout the master plan area, and was continuously updated as parcels within the master plan were developed. The proposal for Parcels 13 and 17 trigger the PLDO requirement for either land dedication or fees paid in lieu of land dedication. The exact number of acres of land or fees paid in lieu are determined when specific product types are proposed during the review of future development plan applications.
- Academy School District 20: The proposal is subject to the school land portion of the Parkland Dedication Ordinance (PLDO). The Flying Horse Master Plan outlined school obligation needs at the initiation of the Flying Horse Master Plan. At the initiation of the master plan, the owners of the Flying Horse development and Academy School District 20 entered into a conveyance agreement stating that 41.77 acres of school campus shall be dedicated in the master plan area in exchange for credits for 3,180 residential units. The agreement also stated, "if any future plats of property within the Flying Horse Property exceed a total of 3,180 residential units, then and in such event, fees will be due to the District 20 for all building permits issued for such excess residential units..." Representatives of the school district and development team met and agree that 2,244 residential units have been approved in the Flying Horse Master Plan area. The previous school land dedication will cover the next 936 residential units platted in the Flying Horse master plan area, and any additional units would be required to pay fees according to the PLDO.
- Colorado Springs Fire Department: Minor revisionary comments were returned during review of the applications; there are no concerns with ability to service the property.
- Colorado Springs Utilities: Comments reflected the proposal will have little to no hydraulic impact and presents no concern for the water distribution system.
- City Traffic Engineering: Comments received stated Traffic agreed with the findings in the submitted Traffic Impact Analysis. Details on this analysis are discussed in the following sections of this report.
- United States Air Force Academy (USAFA): The subject site is within a two mile radius of the

United States Air Force Academy triggering their review of the proposal. USAFA commented that the proposed maximum building height of 125-feet may extend into the airfield's imaginary surfaces plane. Federal Aviation Administration (FAA) regulations require any proposed structure or construction crane which penetrates the Part 77 surface (the imaginary surfaces plane) to file an aeronautical study which would be reviewed by the FAA and USAFA. Standard procedure dictates that an aeronautical study is filed once building locations and heights are finalized, because any changes to the building's location or height nullify the results of the aeronautical study and a new study must be filed even if the impact is lessened by a lower building height. The development team is in communication with USAFA to coordinate construction crane schedules and final building heights, and will file the aeronautical studies with the FAA when appropriate. At this stage, USAFA could not determine any clear adverse impacts to their flying operation and the development team is aware the maximum building height (even if approved in the zone district) is subject to FAA approval of the aeronautical study.

- Stormwater Enterprise: The subject property is within the Elkhorn Drainage Basin and is subject to a Master Development Drainage Plan (MDDP). The Stormwater Enterprise found the subject proposal to be in conformance with the MDDP. Future drainage report will be required with future development plan and plat applications.
- El Paso County Planning and Engineering: This agency review was triggered due to the subject proposal's proximity to El Paso County's jurisdiction. No concerns or requests for revision were returned from the county offices, but the Planning division did note they would be supportive of future annexation of nearby properties into the city's jurisdiction.
- City Budget Office: Major amendments to master plans require a Fiscal Impact Analysis to be conducted by the Budget office. The City of Colorado Springs Zoning Code section 7.5.408 states that Fiscal Impact Analyses shall be used as a basis for determining impacts attributable to the master plan for a ten (10) year time horizon. The Fiscal Impact Analysis conducted for the major amendment associated with the Downtown Flying Horse project demonstrates a positive impact. Additional details are provided in following sections of this report.

**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 PUP 19-00154

Approve the PUD Concept Plan for 67.42 acres of mixed medium to high density residential, commercial, hospitality, and office land uses located north and northwest of the New Life Drive and Interquest Parkway intersection based upon the findings the concept plan complies with the review criteria found in City Code Sections 7.5.501.E and 7.3.605.

N/A