



## Legislation Details (With Text)

**File #:** CPC ZC 21-00062    **Version:** 3    **Name:** Sand Creek Townhomes - NEC Peterson & Carefree  
**Type:** Ordinance    **Status:** Mayor's Office  
**File created:** 8/9/2021    **In control:** City Council  
**On agenda:** 10/12/2021    **Final action:** 10/12/2021  
**Title:** Ordinance No. 21-79 amending the zoning map of the City of Colorado Springs relating to 6.95 acres located at the northeast corner of Peterson Road and North Carefree Circle, from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay).

(Quasi-Judicial)

Related File: CPC CP 21-00063

**Presenter:**  
Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Ord\_ZC\_NECPeterson&CarefreeTownhomes, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Change, 4. Vicinity Map

Date	Ver.	Action By	Action	Result
10/12/2021	2	City Council	finally passed	Pass
9/28/2021	2	City Council	approved on first reading	Pass
8/19/2021	1	Planning Commission	referred	Pass

Ordinance No. 21-79 amending the zoning map of the City of Colorado Springs relating to 6.95 acres located at the northeast corner of Peterson Road and North Carefree Circle, from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay).

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### Presenter:

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

### Summary:

Owner: Mountain View Church of Christ of Colorado Springs  
Developer: Steven Gosnell

Representative: Kimley-Horn & Associates, Inc.

Location: Northeast corner of Peterson Road and North Carefree Circle

The project includes applications for a zone change and concept plan for 6.95 acres of land located to the northeast of the Peterson Road and North Carefree Circle intersection. The project is herein referred to as “NEC Peterson & Carefree Townhomes”. The zone change request would change the current zoning from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay). The proposed concept plan illustrates the envisioned development parameters for a multi-family residential development.

### **Background:**

The Applicant has requested a change of zone to rezone the 6.95-acre project site from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay). Per City Code Section 7.3.103 Permitted, Conditional and Accessory Uses, the envisioned multi-family residential use is a permissible use in the R-5 (Multi-Family Residential) zone. The project will also comply with all applicable development standards as set for in City Code Section 7.3.104 Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Development Standards. City Planning staff notes that the previous condition of record applied to the property in 2002 limited the permitted land use on the site to a religious institution. Staff find this limitation to be overly restrictive and no guidance from PlanCOS or other guiding documents would support the use limitation today.

The Applicant’s proposed concept plan for the NES Peterson & Carefree Townhome project illustrates the envisioned development of a multi-family residential use on the currently undeveloped property. As an infill development, the Applicant’s proposal is a good fit for the surrounding area. City Planning staff finds this to be true because the proposed multi-family use functions as a transitional land use between the other residential units to the north and west and the commercial and civic uses to the south. The Applicant’s envisioned development standards are in conformance with the established controls, set forth in City Code Section 7.3.104 Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Standards.

From a site design and layout perspective, the Applicant has set forth a conceptual development configuration that accounts the logical access and extension of public and private roads. Public improvements (i.e. sidewalks, curb and gutter) are anticipated along Peterson Road and North Carefree Circle, which will be determined under subsequent land use applications. The envisioned on and off-site pedestrian and vehicular improvements will afford greater connectivity for future residents to access the surrounding area, especially the school facility to the south of North Carefree Circle. Moving forward, the future development plan and final plat application submittals will further refine how the project complies with 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 envision land use is a good transitional use for the area and the development standards will help to blend the development into the surrounding neighborhood. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing a concept plan, as set forth in City Code Section 7.5.501.

The City’s Water Resources Engineering Division of Public Works (herein referenced as “SWENT”) has reviewed the concept plan and accompanying final drainage report, prepared by Kimley-Horn & Associates. SWENT has accepted the analysis and recommendations set forth in the report. An

addendum to the drainage report will determine the design and placement of all stormwater improvements and ensure their compliance with the City's Drainage Control Manual.

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. In the context of these key elements, which capture the essence of the "Big Ideas" and goals set forth throughout PlanCOS, the NEC Peterson & Carefree Townhomes project reinforces the positive change that can occur when infill 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, the "*Embrace Sustainability*" big idea, has 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.

The project supports the City's Strategic plan goals of building community and collaborative relationships and provides a platform for the building neighborhoods and communities through the infill redevelopment of vacant parcels with a multi-family residential use. The development of new residential units will further redevelopment and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor.

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

City Council previously took action on this property in the 2001s when the property was zoned.

#### **Financial Implications:**

N/A

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

At the City Planning Commission meeting held on August 19, 2021, the project applications were considered under the Consent Calendar portion of the agenda. The Planning Commission voted 6-0-3 (Commissioners Hente, Raughton, and Rickett) 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 439 property owners on three occasions: during the internal review and prior to the Planning

Commission and City Council hearings. The site was also posted during the three occasions noted above. City Planning staff received one written comment from the Stonestrow at Springs Ranch HOA raising a concern regarding screening. Staff also received several phone calls from interested residents just looking for information.

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 including Colorado Springs Utilities, Colorado Springs Airport, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 49, 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:

- City Parks - Parks acknowledged that the changing a use from a religious institution to a multi-family use triggers the Parkland Dedication ordinance (PLDO). As part of future development plan and final subdivision plat applications the applicant will coordinate with Parks to determine how best to comply with PLDO.
- City Traffic - Traffic reviewed the project applications and acknowledged the future need for off-site public improvements along Peterson Road and North Carefree Circle. Traffic also reviewed and accepted the Traffic Impact Analysis prepared by the Applicant's consultants.

#### **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:**

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Approve an ordinance amending the zoning map of the City of Colorado Springs relating to 6.95 acres of land located at the northeast corner of Peterson Road and North Carefree Circle, from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay) based upon the findings that the change of zone request complies with the criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

An ordinance amending the zoning map of the City of Colorado Springs relating to 6.95 acres located at the northeast corner of Peterson Road and North Carefree Circle, from R5/cr/AO (Multi-Family Residential with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay).