



Legislation Details (With Text)

File #: CPC ZC 22-00001 **Version:** 3 **Name:** Lexington Vistas

Type: Ordinance **Status:** Mayor's Office

File created: 5/5/2022 **In control:** City Council

On agenda: 7/12/2022 **Final action:** 7/12/2022

Title: Ordinance No. 22-38 amending the zoning map of the City of Colorado Springs relating to 6.49-acres located southwest of the intersection of Lexington Drive and Parliament Drive from R-5/P (Multi-Family with Planned Provisional Overlay) to R-5 (Multi-Family Residential)

(Quasi-Judicial)

Related File: CPC CP 22-00002

Presenter:
Katelynn Wintz, Planning Supervisor, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord_ZC_LexingtonVistas, 2. Exhibit A, 3. Exhibit B, 4. Signed Ordinance No. 22-38

Date	Ver.	Action By	Action	Result
7/12/2022	2	City Council	finally passed	Pass
6/28/2022	2	City Council	approved on first reading	Pass
5/19/2022	1	Planning Commission	recommended for approval	Pass

Ordinance No. 22-38 amending the zoning map of the City of Colorado Springs relating to 6.49-acres located southwest of the intersection of Lexington Drive and Parliament Drive from R-5/P (Multi-Family with Planned Provisional Overlay) to R-5 (Multi-Family Residential)

(Quasi-Judicial)

Related File: CPC CP 22-00002

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Summary:

Owner: Covenant Presbyterian Church
Developer: Springs Land Ventures, LLC
Consultant: NES Inc.
Location: 2845 Parliament Drive

The project includes concurrent applications for a Concept Plan and Zone Change for 6.49 acres of land at 2845 Parliament Drive, southwest of the intersection of Parliament Drive and Lexington Drive. The project, Lexington Vistas, is zoned R-5/P (Multi-Family with Planned Provisional Overlay) (CPC P 85-40, Ordinance 85-29). The Planned Provisional Overlay was put in place to restrict uses to allow religious institutions only. The Zone Change proposes to remove the Planned Provisional Overlay and keep the R-5 Zone to facilitate a multi-family residential development on the southern portion of the site. The Concept Plan shows the established religious institution on the northern 3.53 acres and proposes a new multifamily development on the southern 2.96 acres. The proposed maximum residential density is 28 units per acre, which would result in approximately 82 units.

Background:

The request will rezone 6.49 acres from R-5/P (Multi-Family Residential with Planned Provisional Overlay) to R-5 (Multi-Family Residential). The Planned Provisional Overlay includes two conditions of record. The first restricts the use of the parcel to church and church-related activities only. The second required Planning Department approval of a development plan prior to the issuance of a building permit. The second condition of record became irrelevant because the Zoning Code now requires administrative approval of development plans prior to the issuance of any building permit. The proposed land use includes a multifamily residential development, south of the established religious institution, with a density of 28 dwelling units per acre.

City Planning staff finds the application to be consistent with the purpose for a zone change request, as set forth in City Code Section 7.5.601.

The proposed Concept Plan consists of a design for 6.49 acres of property to be separated into two uses: an established religious institution is proposed to continue operating on the northern 3.53 acres while a new multi-family residential development is proposed to be developed on the southern 2.95 acres. The multi-family residential use will be bordered by the religious institution to the north, Rampart High School to the south, Lexington Drive to the east and a small-lot single family detached residential development to the west. Changes are proposed to the access and circulation on the site, which currently has one full-movement access off Parliament Drive and one off Lexington Drive. The proposed plan includes two full movement access points from each adjacent roadway. As illustrated on the development plan, a private full-spectrum detention pond is proposed, and surface parking is proposed adjacent to that pond as well as to the north and east of the proposed building.

City Planning staff finds the application consistent with the purpose for a concept plan request, set forth in City Code Section 7.5.501.

Changes are proposed to the access and circulation on the site, which currently has one full-movement access off Parliament Drive and one from Lexington Drive. The proposed plan includes two full movement access points from Parliament Drive to allow access to the church and one full movement access point along Lexington Drive for the proposed multi-family use. A traffic impact study was prepared in December 2021, and revised in January 2022, and was reviewed by City Traffic Engineering. This report concludes, "Analysis of future traffic conditions indicates that the addition of site-generated traffic is expected to create no negative impact to traffic operations for the existing and surrounding roadway system." Traffic Engineering agrees with the Traffic Impact Analysis (TIA) findings and recommendations.

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan

(herein referred to as “PlanCOS”), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as an Established Suburban Neighborhood. PlanCOS is a high-level vision document with a focus on community-wide themes, larger neighborhoods, corridors, nodes, “typologies”, places, and big ideas. The Established Suburban Neighborhood typology states, “New development should focus on safe connections into and within these neighborhoods.” The development is situated next to an established public trail and greenspace that connects to several community amenities including Wedgewood Park, Rampart Park and Rampart High School.

The Vibrant Neighborhoods chapter of PlanCOS emphasizes the need to provide a diversity of housing types, styles, and price points. In the Unique Places Chapter, PlanCOS reflects on the importance of managed and thoughtful changes in land use relating to infill to support the changing conditions of the market and remaining competitive while embracing preservation where most appropriate. Finally, The Thriving Economy Chapter also discusses that embracing sustainability through infill transitional development will support maximizing investment in existing infrastructure and limit maintenance costs. The Lexington Vistas project introduces a new housing type to this neighborhood with a creative vision for an underutilized lot on a minor arterial roadway.

As previously approved on the Briargate Master Plan, this site is identified as CH (Church - Public/Institution), which includes multi-family dwelling (Apartment, Condominium, Townhouse) as an allowable use. The Briargate Master Plan is deemed implemented, meaning at least 85% of the planned area is built out and the remaining vacant land is zoned in conformance with the master plan. Per the master plan, the land use pattern to the east of the site is largely residential with some pockets of commercial development. Staff finds that, in addition to multifamily as a permitted use in the CH land use category, the proposed multifamily development is a compatible future land use and provides a logical transition from the established residential neighborhood to the minor arterial roadway along Lexington Drive.

Staff finds the project to be consistent and in substantial compliance with the Briargate Master Plan.

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 development of vacant parcels. The development of new residential units will further development and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor

Previous Council Action:

The parcel was annexed into the city under three separate annexations accepted in 1978, 1982 and 1984. The City Council also acted on this parcel when zoning of the property was established in 1982.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

This item was heard at the May 19th, 2022, City Planning Commission meeting. Planning Staff requested that this item be removed from the consent calendar and a hearing be held since interested residents had attended the meeting and wished to make comments on the application.

After the public hearing and a brief question and answer period the commissioners discussed the project. Commissioner McMurray stated that while he felt that the request to rezone the property

made sense, he expressed concerns about the form and massing of the proposed development juxtaposed with the City and market needs for more diverse housing in the City and that he was struggling to determine if he would vote in support or opposition to the Concept Plan. Commissioner Rickett stated that he was not in favor of either application because he felt that the implemented master plan envisioned this site as a church use only and while it was zoned R5 the intent was always that the property would remain a religious institution. He further stated that he felt two of the review criteria for granting a concept plan had not been met. Commissioner Almy shared similar concerns about the scale and massing of the development. Commissioner Raughton asked if the building envelope as shown on the concept plan could be the only development style for the building or if there is opportunity for change. Director Wysocki confirmed that the concept plan is a highly conceptual document and simply reflect what could be built but that final form of development will be established at development plan. Commissioner Hente also confirmed that any interested residents would be able to engage in any future development plan review process and should a future decision be made, those residents would have an opportunity to appeal and future land use decisions. There was in-depth conversation around the bulk & massing with future consideration to stepping the height of the building and requesting that the developer work closely with residents when a development application is submitted. Both the zone change and concept plan passed on a 5-1-2 vote (Dissenting Vote - Rickett, Absent - Graham and Wilson).

Stakeholder Process:

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 260 property owners on three occasions; during the initial review and prior to both the Planning Commission and City Council hearings. The site was also posted during the three occasions noted above. City Planning staff received comments expressing concerns about the application and allowing multi-family residential development on the subject parcel. Many concerns were related to traffic, use of the public trail, decrease in property value and increased crime.

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 22-00001

Approve an ordinance amending the zoning map of the City of Colorado Springs relating to 6.49-acres from R5/P to R5, based on the findings that the change of zoning request complies with the three (3) criteria for granting a zone change as set forth in City Code Section 7.3.603(B)

An ordinance amending the zoning map of the City of Colorado Springs relating to 6.49-acres located southwest of the intersection of Lexington Drive and Parliament Drive from R-5/P (Multi-Family with Planned Provisional Overlay) to R-5 (Multi-Family Residential)