



## Legislation Text

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**File #:** CPC ZC 19-00073, **Version:** 3

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Ordinance No. 19-76 amending the zoning map of the City of Colorado Springs from A (Agricultural) to PK (Parkland) zoning district consisting of 29.99 acres.  
(Quasi-Judicial)

Related Files: CPC ZC 19-00070, CPC ZC 19-00071, CPC ZC 19-00072, CPC ZC 19-00073, CPC CP 19-00074

### **Presenter:**

Peter Wysocki, Director of Planning and Community Development  
Katie Carleo, Principal Planner, Planning & Community Development

### **Summary:**

Owner: High Valley Land Company Inc.

Consultant: Matrix Design Group

Location: The property is located along the eastern side of Power Boulevard stretching from just south of Old Ranch Road to north of Union Boulevard.

This project includes concurrent applications for several zone changes from the existing A (Agricultural) zone district that was established with annexation and an associated concept plan covering the area known as Cordera Commercial South at Briargate. Applications for zone change include establishment of the following zone districts: Parcel A and C to be zoned OC (Office Complex), Parcel B to be zoned PF (Public Facility), and Parcel D to be zoned PK (Park). The project site is part of the larger Briargate Master Plan. The Cordera Commercial South Concept Plan illustrates a schematic concept layout of future proposed development with associated infrastructure and access.

### **Background:**

This development proposal is a portion of the north western extension of the Cordera neighborhood. Cordera is fully encapsulated in the Briargate Master Planned area. Previous Cordera development established the surrounding residential component of the neighborhood. This proposal identifies the future development for an office complex and high density residential along with open space and associated public facilities. This extension of the Cordera neighborhood establishes neighborhood services that will support the surrounding residential as well as provides a mix of housing opportunity in the neighborhood. The current proposal in more detail is outlined below.

The proposed rezones will allow for a continuation of implementation of the Briargate Master Plan intended uses including High-Medium Residential, Office Complex and Park establishment. The overall area as part of this application is divided into separate parcels for the purposes of rezoning to the specific zoning districts, but is illustrated together on the Cordera Commercial South concept

Plan. The following is a breakdown of each parcel for proposed rezone.

#### Parcel A

This proposal includes the rezoning of 12.88 acres from A (Agricultural) to OC (Office Complex) in preparation for a new multi-family housing development. By City Code the zoning district Office Complex allows for Multi-family Dwelling development (City Code 7.3.202) as a principally permitted use; furthermore, City Code defines Multi-family Dwelling including townhomes, condominiums, and apartments. The establishment of the OC zoning district will allow for the development of a Multi-family housing facility. The establishment of this zoning district will also remain consistent to surrounding zoning that has been established and supported as the appropriate zoning district to establish as a transition from low-medium density residential to a zone district that would allow for higher density and multifamily residential as well as office complex uses that would support the surrounding neighborhood. The associated Briargate Master Plan identifies this parcel as High-Medium Residential.

#### Parcel B

This proposal includes the rezoning of 7.24 acres from A (Agricultural) to PF (Public Facility) for an existing detention facility. The establishment of the PF zoning district is in conformance with the Master Drainage Development Plan that details this detention facility to be constructed by the developer and dedicated as a City public facility. Any public facility of this nature is then zoned as Public Facility. With completion of the facility this parcel will be platted and dedicated to the City.

#### Parcel C

This proposal includes the rezoning of 15.86 acres from A (Agricultural) to OC (Office Complex) in preparation for a new general office development. The establishment of the OC zoning district will allow for the development of new office as a principally permitted use in the Office Complex zone district. As mentioned previously this zone district has been established in surrounding areas as an appropriate transitional zoning district from residential to light office or commercial. This establishment would further allow the development of neighborhood services on the edge of a residential neighborhood. The associated Briargate Master Plan identifies this parcel as Office-Industrial/ Research and Development.

#### Parcel D

This proposal includes the rezoning of 29.99 acres from A (Agricultural) to PK (Park) for the preservation of this open space. The establishment of the PK zoning district is in conformance with the Briargate Master Plan that details this area to be classified Open Space. Any dedicated public open space is then zoned as PK. This open space meet requirement per the master planned area and is detailed to be owned and maintained by the developer.

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B. of City Code. Specifically, the request must not be detrimental to public interest, health, safety, convenience or general welfare; the proposal must be consistent with the City's Comprehensive Plan; and the request must be consistent to the approved master plan for the area. The proposed uses are all in conformance with the Briargate Master Plan and further support the intention of PlanCOS for neighborhood services and a diversity of housing options in our neighborhoods. Furthermore staff believes the proposed zone districts will offer an appropriate flexibility to allowable uses that will support the neighborhood and surrounding area. The proposed Cordera Commercial South concept plan provides the general layout for the intended future development within each of

the proposed zoning districts. This will give opportunity of diverse residential use in the surrounding area along with opportunity for new office commercial growth and surrounding preserved open space.

As previously approved on the Briargate Master Plan the associated Parcels are in conformance with the master plan designations as discussed above, and further detailed here:

Parcel A: Master plan designation as High-Medium Residential

Parcel B: Master plan designation as Open Space (which allows for public facilities)

Parcel C: Master plan designation as Office-Industrial/ Research and Development

Parcel D: Master plan designation as Open Space

The attached City Planning Commission staff report summarizes the project in more detail.

The project supports the City's Strategic plan of building community and collaborative relationships and provides a platform for the building of neighborhoods and communities, as it will complete a very visible segment of the Briargate Master Planned area. This project represents an opportunity for developing a residential use that is compatible with the surrounding land use pattern, and establishing opportunity for neighborhood commercial. The envisioned use will function as a good transitional use with the surrounding residential developments. The envisioned development will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

Previous Council action on this property was at annexation and initial establishment of the A (Agricultural) zone district in 1982.

On October 22, 2019, this Ordinance was approved on first reading on the Consent Calendar.

**Financial Implications:**

A Fiscal Impact Report is required with the establishment of a master plan (Section 7.5.408.F) or a major amendment. There is no change to the master plan. No FIA was completed.

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

At the Planning Commission meeting held on September 19, 2019, these items were approved unanimously on the New Business calendar. The Planning Commission voted 7-0-1-1 in favor of the items (with Commissioner Raughton recused and Commissioner McDonald excused).

Please reference the minutes from the hearing for a detailed record.

**Stakeholder Process:**

Upon submittal public notice was provided to 391 property owners within a 1000-foot buffer of the site identifying the submittals the City received. This posting included information for the neighborhood meeting held June 18, 2019 in which 20 citizens attended. The site was also posted with these notifications.

The neighborhood meeting introduced the process and overall plan for future development of the site. Neighborhood concern was voiced at the meeting regarding the need for adequate parking to

be provided at time of development for any apartment or office use. Questions were also raised regarding the loss of views to the mountains. Three letters of opposition were received by staff and are enclosed with the associated Staff Report. After receiving letters in opposition and hosting a neighborhood meeting, the developer has provided information and response to the concerns, these are also enclosed with the associated Staff Report.

Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Stormwater 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. Staff has determined that this application is outside the two-mile buffer for USAFA notification. This property is also outside of the City Airport Overlay.

**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 19-00073 - CHANGE OF ZONING TO PK (Parcel D)**

Approve an ordinance changing the zoning of 29.99 acres from A (Agricultural) to PK (Park), 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).

**Parcel D:**

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 29.99 acres from A (Agricultural) to PK (Park).