



## Legislation Text

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**File #:** CPC PUZ 21-00008, **Version:** 3

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Ordinance No. 21-107 amending the zoning map of the City of Colorado Springs relating to 12.89 acres located at the northeast corner of Hills Circle and West Fillmore Street, from R (Estate Single-Family Residential) to PUD (Planned Unit Development: Single-Family Residential, 30-foot Maximum Building Height, and 3.87 Dwelling Units per Acre).

(Quasi-Judicial)

Related Files: CPC PUP 21-00104

**Presenter:**

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

**Summary:**

Owner/Developer: KC5, LLC

Representative: HR Green

Location: Northeast corner of Hills Circle and West Fillmore Street

The project includes applications for a PUD zone change and concept plan for 12.89 acres of land located to the northeast of Hills Circle and West Fillmore Street. The project is herein referred to as "Kissing Camels - Red Rock Point 4". The zone change request would change the current zoning from R (Estate Single-Family Residential) to PUD (Planned Unit Development: Single-Family Residential, Maximum Building Height of 30 feet, and a Maximum Dwelling Units per Acre of 3.87). The proposed concept plan illustrates the envisioned development parameters for a single-family residential development.

**Background:**

The Applicant has requested a change of zone to rezone the 12.89 acres project site from R (Estate Single-Family Residential) to PUD (Planned Unit Development: Single-Family Residential, Maximum Building Height of 30 feet, and a Maximum Dwelling Units per Acre of 3.87). City Code Section 7.3.604 Establishment Of The Land Use Types, Mix And Intensity Of Land Uses, the envisioned land use, density and maximum building height for each Planned Unit Development (PUD) zone district is set with the district creating ordinance. The requested PUD zone district establishes a proposed single-family detached residential use. The density and development parameters for the use are also set forth by the zone, which envisioned a 30-foot maximum building height and density of 3.87 dwelling units per acre. The proposed land use is similar to those land uses found within the immediate area and the larger Kissing Camels development. Together, the proposed land use and dimensional and development standards make the project a good fit for the surrounding area and meets the applicable City Code criteria for a zone change request.

The requested PUD concept plan for the Kissing Camels - Red Rock Point 4 project illustrates the envisioned development of a single-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 single-family use is similar to the surrounding development that currently exists within the larger Kissing Camel development. The Applicant's envisioned development standards are in conformance with the established controls for the surrounding residential developments which were also permitted as PUDs.

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 West Fillmore Road, Hill Circle and Grand Market Point, 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 private open space improvements with the larger Kissing Camels development. 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 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 PUD concept plan, as set forth in City Code 7.3.601, and concept plan, as set forth in City Code Section 7.5.501.

The City's Engineering Development Review Division of Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey (CGS), has reviewed the PUD concept plan and accompanying geological hazard investigation reports, prepared by ENTECH Engineering, Inc. (ENTECH), for the project. The reviewing agencies have accepted the analysis and recommendations set forth in the reports prepared by the applicant's consultant. As noted by ENTECH, the documented hazards and conditions will have some constraints on the proposed development and construction, but even the most significant problem affecting development, which is groundwater, can be avoided. Other conditions, such as the expansive soils or loose soils can be mitigated through proper engineering design and construction practices or avoidance. Upon approval for the Kissing Camel - Red Rock Point 4 project applications, City staff is prepared to execute the provided reports.

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 HR Grren. SWENT has accepted the analysis and recommendations set forth in the report and determined the proposed stormwater improvements are in compliance with the City's Drainage Control Manual. Future PUD development plan and final subdivision plat applications will confirm the final design for the stormwater improvements.

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 Kissing Camels - Red Rock Point 4 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 and location 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 neighborhoods and communities through the infill development of vacant parcels with a single-family residential use. 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:**

City Council previously took action on this property in the 1971s when the property was annexed and zoned.

On November 23, 2021, this Ordinance was approved on first reading on the Consent Calendar.

#### **Financial Implications:**

N/A

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

At the City Planning Commission meeting held on October 21, 2021, the project applications were pulled from the Consent Calendar due to a conflict of interest that Commissioner Hente had. Following Commissioner Hente’s departure, Commissioner McMurray solicited requests from fellow commissioners and the public to see if there was a desire to discuss the project applications under a formal hearing. Seeing none, the Planning Commission voted 5-0-2 (Commissioners Hente and Raughton) 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 88 property owners on two occasions: during the internal review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received comments supporting and objecting to the project. 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, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 11, 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 parkland obligations were met by the Hills Properties master plan. Future development plan and final subdivision plat applications will confirm compliance with the City's Parkland Ordinance.
- City Traffic - Traffic reviewed the project applications and accepted the analysis and recommendations set forth in 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 12.89 acres of land located at the northeast corner of Hills Circle and West Fillmore Street, from R (Estate Single-Family Residential) to PUD (Planned Unit Development: Single-Family Residential, 30-foot Maximum Building Height, and 3.87 Dwelling Units per Acre), based upon the findings that the review criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a zone change, as set forth in City Code Section 7.5.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 12.89 acres located at the northeast corner of Hills Circle and West Fillmore Street, from R (Estate Single-Family Residential) to PUD (Planned Unit Development: Single-Family Residential, 30-foot Maximum Building Height, and 3.87 Dwelling Units per Acre).