



## Legislation Text

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**File #:** ZONE-23-0030, **Version:** 2

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Ordinance No. 25-29 establishing a R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface Overlay) zone district for 12.51 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

(Legislative)

Related Files: ANEX-24-0001RF, ANEX-24-0001, ANEX-24-0002RF, ANEX-24-0002, ANEX-24-0003RF, ANEX-24-0003, ANEX-24-0004RF, ANEX-24-0004, ANEX-24-0005RF, ANEX-24-0005, ANEX-24-0006RF, ANEX-24-0006, ANEX-24-0007RF, ANEX-24-0007, ZONE-23-0026, ZONE-23-0027, ZONE-23-0030, MAPN-23-0009

Not currently located within a Council District, however, if approved it would be anticipated to be within Council District 3.

**Presenter:**

Gabe Sevigny, Planning Supervisor, City Planning Department  
Kevin Walker, Planning Director

**Summary:**

Owner: Rock Creek Residential LLC

Representative: Matrix

Location: West of Highway 115 and south of Cheyenne Mountain State Park.

This project includes concurrent applications for annexation, establishment of zoning, and a Land Use Plan for the associated 109-acres located west of Highway 115 and south of Cheyenne Mountain State Park. The land use plan illustrates the proposed land use configuration, access and circulation, intended infrastructure and overall intent. The proposed zoning will establish a R-Flex-Med/HS-O/WUI-O (R-Flex Medium Scale with Hillside and Wildland Urban Interface Overlay), PK/WUI-O (Public Parks with Wildland Urban Interface Overlay), and R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface Overlay) zone districts to allow for a serial annexation consisting of a 53.84 acre parcel owned by the City of Colorado Springs and the remainder to be on private property and future right-of-way to be built to city standards and dedicated as public-rights-of-way.

**Background:**

Please see the attached City Planning Commission Staff Report for a complete analysis of the proposed applications.

**Review Criteria:**

The review criteria for a Zoning Establishment as set forth in City Code Section 7.5.704 (UDC) are

noted below.

1. The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district.
2. The rezoning will not be detrimental to the public interest, health, safety, convenience or general welfare.
3. The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).
4. If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.
5. If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.
6. If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514C.3 (Land Use Plan Criteria).
7. The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that the approved Concept Plans have been classified as implemented and do not have to be amended to be considered consistent with an amended zoning map.
8. If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607D.47.5.702 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.
9. If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or governmental regulations.
10. Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).

Planning Commission and Staff finds the proposed applications meet the review criteria for a Zone Establishment.

**Previous Council Action:**

On August 8, 2023, City Council accepted the petition for annexation. On October 7, 2024 an information presentation for the Annexation Policy Checkpoint was held with City Council. On December 10, 2024, City Council approved a resolution finding the Cheyenne Mountain State Park Addition No. 1 and Rock Creek Mesa Addition No. 1-6 Annexation petition(s) to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of January 28, 2025 to consider the annexation, and directing the City Clerk to provide notice of the hearing in accordance with C.R.S. section 31-12-108.

**Financial Implications:**

See the attached Fiscal Impact Analysis. The City Budget Office shows a positive cashflow for the 10 -year timeframe.

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

This item was heard before City Planning Commission on November 13, 2024 as part of the New Business, Public Hearing agenda. The Planning Commission voted on a 7-2 to recommend approval, with Commissioners Rickett and Gigiano voting against. Those voting against had the following objections; Commissioner Rickett - Response time for Fire and Police and not having an additional area set aside for a future station, therefore he felt the application did not meet Criteria two (2); Commissioner Gigiano - concerns over the area not having their own police and fire services.

**Proposed Motion:**

Adopt Ordinance No. 25-29 establishing 12.51 acres as R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface Overlay) zone district, based upon the findings that the zone establishment request complies with the criteria for granting a zone establishment as set forth in City Code Section 7.5.704.

An ordinance annexing to the City of Colorado Springs that area known as Cheyenne Mountain State Park Addition No. 1 consisting of 53.84 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 1 consisting of 4.02 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 2 consisting of 8.35 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 3 consisting of 25.55 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 4 consisting of 4.06 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 5 consisting of 7.43 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance annexing to the City of Colorado Springs that area known as Rock Creek Mesa Addition No. 6 consisting of 5.61 acres located west of Highway 115 and south of Cheyenne Mountain State Park.

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 38.11 acres located west of Highway 115 and south of Cheyenne Mountain State Park establishing an R-Flex-Med/HS-O/WUI-O (R-Flex Medium Scale with Hillside and Wildland Urban Interface Overlay) zone district.

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 53.84 acres located west of Highway 115 and south of Cheyenne Mountain State Park establishing an PK/WUI-O (Public Parks with Wildland Urban Interface Overlay) zone district.

An ordinance amending the Zoning Map of the City of Colorado Springs relating to 12.51 acres located west of Highway 115 and south of Cheyenne Mountain State Park establishing an R-Flex-Med/WUI-O (R-Flex Medium Scale with Wildland Urban Interface Overlay) zone district.