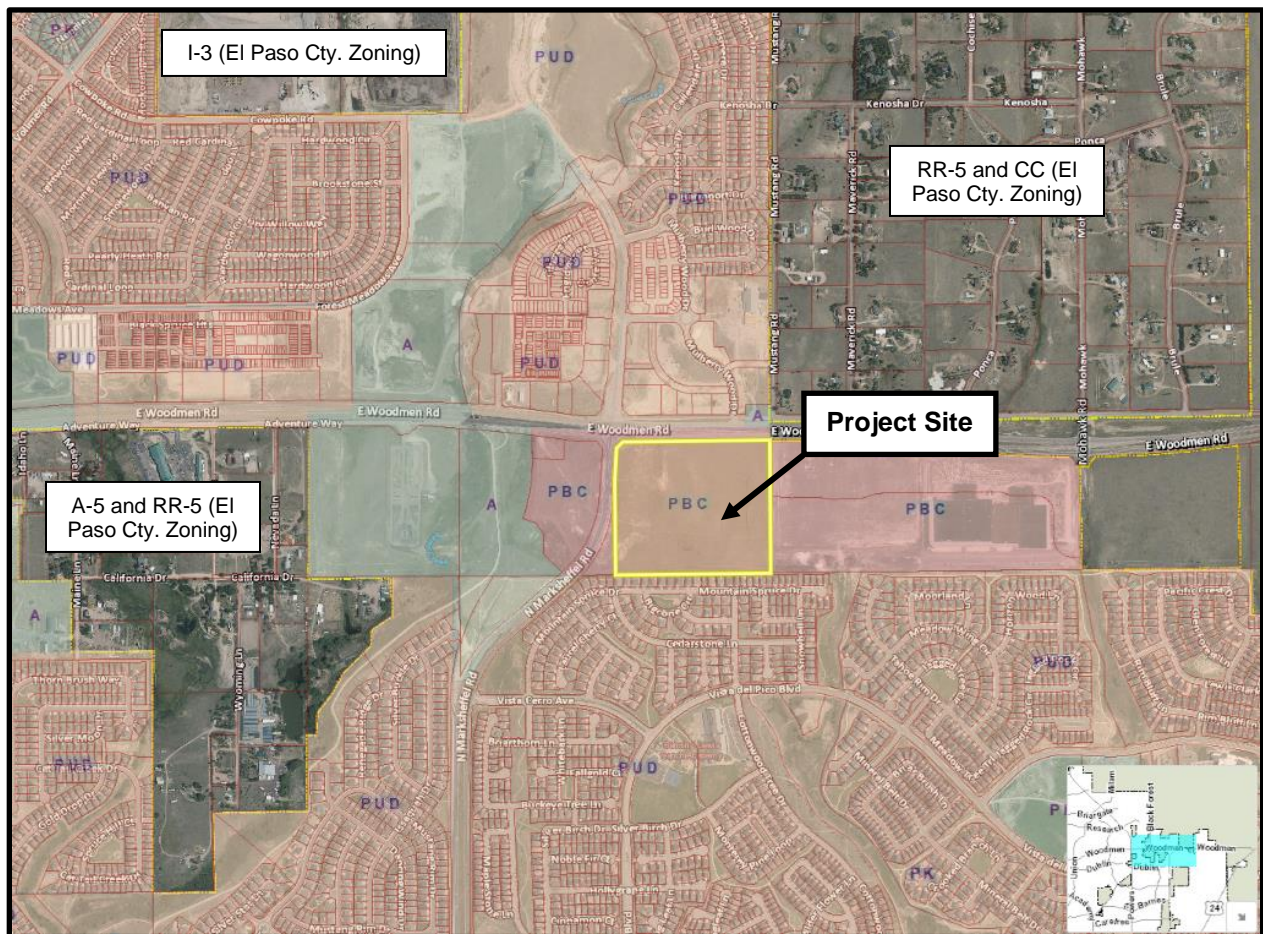


**CITY PLANNING COMMISSION AGENDA
September 16, 2021**

STAFF: DANIEL SEXTON

FILE NO(S):
CPC CP 0600146-A3MJ21 – QUASI-JUDICIAL
CPC CU 21-00050 – QUASI-JUDICIAL

PROJECT: SOLACE AT BLACK FOREST
OWNER: MW COLORADO SPRINGS, LLC
DEVELOPER: FORGE PARTNERS
CONSULTANT: M&S CIVIL CONSULTANTS, INC.



PROJECT SUMMARY:

1. Project Description: The project includes concurrent applications for a major concept plan amendment and conditional use development plan for 36-acres of land located at the southeast corner of East Woodmen Road and North Marksheffel Road. The project is herein referred to as "Solace at Black Forest". The amended concept plan envisions of development with seven (7) lots and two (2) tracts to be developed with a mix of commercial and residential uses. **(see "Concept Plan" attachment)** The conditional use development plan will allow construction of a 374-unit multi-family apartment project with a clubhouse and ancillary site improvements. **(see "Development Plan" attachment)**

A concurrent final subdivision plat application is being administratively reviewed.

2. Applicant's Project Statement: **(see "Project Statement" attachment)**
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the applications with technical modification.

BACKGROUND:

1. Site Address: The property associated with this project is not addressed, as the property is unplatted.
2. Existing Zoning/Land Use: The property is zoned PBC/AO (Planned Business Center with an Airport Overlay) and is vacant.
3. Surrounding Zoning/Land Use:
 - North: PUD/AO (Planned Unit Development with an Airport Overlay) and is being developed with commercially and residential uses.
 - East: PBC/AO (Planned Business Center with an Airport Overlay) and is vacant.
 - South: PUD/AO (Planned Unit Development with an Airport Overlay) and is residentially developed.
 - West: PBC/AO (Planned Business Center with an Airport Overlay) and is vacant.
4. PlanCOS Vision: According to the PlanCOS Vision Map **(see "PlanCOS Vision Map" attachment)**, the project site is identified as a Newer Development Neighborhood and is adjacent to a New/Developing Activity Center.
5. Annexation: The property was annexed into the City under the Getz Annexation #1 plat (October 12, 2006; Ordinance #06-65) and Woodmen Heights #5 annexation plat (September 23, 2004, Ordinance #04-127).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Woodmen Heights master planned area, which is implemented.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The project site is vacant and slopes down to the south.

STAKEHOLDER PROCESS AND INVOLVEMENT:

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 223 property owners on three occasions: during the internal review, prior to a neighborhood meeting held on July 1, 2021, and prior to the Planning Commission hearing. The site was also posted during the three occasions noted above. City Planning staff received numerous written correspondences from interested

residents inquiring about the development and other objecting to the proposal. (see “Public Comment” attachment)

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 included Colorado Springs Utilities, City Airport, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Woodmen Metropolitan Districts, Council of Neighborhood Organizations (CONO), 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 – The new residential use and units trigger the Park Land Dedication Ordinance (PLDO). Fees in lieu of land dedication will be due at building permit for each unit.
- City Traffic – While multiple traffic impact studies provided for the development No comments were received from the School District 11. As such, City Planning staff will require the payment of fees in lieu of land dedication for the new residential units.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

a. Application Summaries:

i. Major Concept Plan Amendment

The Applicant’s proposed major concept plan amendment for the Solace at Black Forest project (see “Concept Plan” attachment) illustrates a seven (7) lots and two (2) tracts development with a developed mix of commercial and residential uses on a 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 siting of uses functions as a transitional land use between the residential units to the south and the commercial uses planned to the east. The Applicant’s envisioned development standards are in conformance with the established controls for the PBC (Planned Business Center) zoning, as set forth in City Code Section 7.3.204 *Office, Commercial, Industrial and Special Purpose Zone District Standards*.

From a site design and layout perspective, the Applicant has set forth a conceptual development configuration that accounts the access off Marksheffel Road and Woodmen Road and the extension of private roads and public infrastructure within the site. While discussed in greater detail below under the Traffic subsection of the report, City Planning staff notes that the City’s Traffic Engineering Division of Public Works (herein referenced as “Traffic”) has requested that the proposed full movement intersection on Marksheffel Road be moved to the south to the location previously approved under the former concept plan for the SC Woodmen development. (see “SC Woodmen Plan”) Public improvements (i.e. sidewalks, curb and gutter) are anticipated along Marksheffel Road and Woodmen Road and are described in greater detail under the concurrent conditional use development plan application. The envisioned on- and off-site pedestrian and vehicular improvements will afford greater connectivity for future residents to access the surrounding area. Moving forward, the future submission of development plan application submittals for individual pads 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 envisioned land uses are 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 technically modified, is in conformance with the purpose for establishing a concept plan, as set forth in City Code Section 7.5.501.

ii. Conditional Use Development Plan

The Solace at Black Forest project (**see “Development Plan” attachment**) is a 374-unit multi-family apartment project containing apartment and cottage types with a mix of bedroom configurations, a clubhouse, and ancillary public and private site improvements. In accordance with City Code Section 7.3.205 *Additional Standards for Specific Land Uses*, residential uses are allowed within certain commercial and industrial zone districts, included the PBC (Planned Business Center) zone district. While residential dwelling units are allowed in the zone, the dimensional standards set forth in the R5 (Multi-Family Residential) zone district apply and govern certain aspects of the site design and layout. The Applicant’s proposal is in conformance with the established dimensional controls, set forth in City Code Section 7.3.104 *Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Standards*. City Planning staff applied the parking calculation for the proposed mix of units with different bedroom configurations to arrive at the off-street parking requirement of 625 parking spaces. As proposed, the Applicant has provided 625 parking spaces, which will be accommodated with garage and surface spaces.

From a site design and layout perspective, the Applicant has taken steps to aesthetically improve the site and mitigate any off-site adverse impacts. The carriage house product type was strategically placed along the southern edge of proposed Lot 1 to visually screen the larger apartment product types internal to the development. A robust landscape-planting regime has been proposed throughout the site to enhance the proposed buildings and site amenities. With respect to the current single-family residential units to the south specifically, Tract A will be used of surface parking facilities (northern edge) and the private stormwater pond – affectively creating a 300-foot buffer. The project also incorporates pedestrian and vehicular improvements within the project site and along the adjacent public roadways to afford greater connectivity for future residents to access the surrounding area.

Access to the project site will be afford a number of ways, such as: a right-in/right-out and right-in movement access points off the east-bound lane of Woodmen Road and a right-in/right-out access point and full movement intersection off Marksheffel Road. As mentioned elsewhere in this report, City Planning staff notes that Traffic has requested that the proposed full movement intersection on Marksheffel Road be moved to the south to the location previously approved under the former concept plan for the SC Woodmen development. (**see “SC Woodmen Plan”**) According to City Traffic, the siting of the full movement intersection is not the preferred location and the southern location affords greater queuing capacity for the existing full movement Marksheffel Road/Woodmen Road intersection and the new full movement intersection.

The development parameters outlined above reinforce why this project will be a good infill development for the area. City Planning staff finds that the proposed plan, as technically modified, is in conformance with the purpose for authorizing a use that is conditionally permitted in the commercial zone, as set forth in City Code 7.5.701, and the purpose for establishing a development plan, as set forth in City Code Section 7.5.502(A).

b. Traffic

The City’s Traffic Engineering Division of Public Works (herein referenced as “Traffic”) has reviewed the Applicant’s proposed concept plan amendment and conditional use development plan applications, which included various iterations of a Traffic Impact and Access Analysis prepared by LSC Transportation Consultants. While Traffic finds that the traffic analysis and site design and layout for the proposed access points are sound, the siting for the proposed full movement intersection on Marksheffel Road is not preferred. Traffic determined that the preferred location for the full movement intersection on Marksheffel Road would be to the south, as it affords greater separation and queuing distance between the Marksheffel Road/Woodmen Road intersection and the new full

movement intersection. City Planning staff notes that the preferred site for the new full movement intersection aligns with the previously approved location established under the former concept plan for the SC Woodmen development. **(see “SC Woodmen Plan”)** Additionally, the Applicant is required to construct roadway improvements along Marksheffel Road and Woodmen Road for vehicles entering and exiting the site. City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

Based on the above analysis, Traffic has requested that a technical modification be applied to the approval of the amended concept plan and conditional use development plan plans moving the proposed full-movement intersection on Marksheffel Road to the location previously approved under the concept plan for the SC Woodmen development.

c. Drainage

The City’s Water Resources Engineering Division of Public Works (herein referenced as “SWENT”) has reviewed the development plan and accompanying master drainage development plan/final drainage report, prepared by M&S Civil Consultants, Inc. SWENT has accepted the analysis and recommendations set forth in the report. Stormwater from the proposed project will be captured and directed into an on-site private full spectrum detention pond located to the south of the proposed commercial and residential pads under Colorado Springs Utilities overhead high voltage transmission line. As designed, all proposed stormwater improvements were found to comply with the City Drainage Control Manual.

City Planning staff finds that the proposed project addresses all the applicable review criteria set forth in City Code, as long as the Applicant revises the proposed plans to relocate the full movement intersection on Marksheffel Road as requested by City Traffic.

2. Conformance with the City Comprehensive Plan:

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 a Newer Development Neighborhood and is adjacent to a New/Developing Activity Center. **(see “PlanCOS Vision Map” attachment)** The Solace at Black Forest project is consistent with one of the core values of PlanCOS, which reinforces the important of encouraging the infill development proposals. One of the “Big Ideas” in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled “Reclaim Neighborhood Space”, which has goal VN-3 that states:

“Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs.”

To do this, PlanCOS suggests, “New development should focus on safe connections into and within these neighborhoods”.

A “Big Idea” from Chapter 4, entitled “Embrace Sustainability”, has Goal TE-4 that states:

“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.”

A policy for this goal further reinforces that development should “Prioritize development within the existing City boundaries and built environment (not in the periphery).”

Adaptive and responsive land use change is also one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project’s proposed land use mix, location and site design meets the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this infill development proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area’s Master Plan:

The project site is part of the Woodmen Heights master planned area and is identified for community commercial and office land uses. The Woodmen Heights Master Plan has been deemed "Implemented". According to City Code Section 7.5.402(B)(2), a master plan can be deemed implemented when 85% or more of the planned area is built-out. City Planning staff finds that the Solace at Black Forest project to be complimentary and supportive of the long-range vision for the Woodmen Heights Master Plan, which consisted of a mix of residential, commercial and civic uses. (see "**Context Map**" attachment) Through staff's review of the amended concept plan and conditional use development plan applications and the review criteria considered for these applications, the overall area impacts of the project were analyzed.

STAFF RECOMMENDATION:

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Recommend approval to City Council a Concept Plan for the Solace at Black Forest project, based upon the findings that the plan meets the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E), subject to the following technical modification:

- Prior to approval, the project plans shall be revised so the proposed full-movement intersection on Marksheffel Road is moved to the location previously approved under the concept plan for the SC Woodmen development (City File #CPC CP 0600146-A1MN11).

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Approve the conditional use development for the Solace at Black Forest project, based upon the findings that the request meets the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E), and the findings for authorizing a conditional use, as set forth in City Code Section 7.5.704, subject to the following technical modification:

- Prior to approval, the project plans shall be revised so the proposed full-movement intersection on Marksheffel Road is moved to the location previously approved under the concept plan for the SC Woodmen development (City File #CPC CP 0600146-A1MN11).