

**CITY PLANNING COMMISSION AGENDA**

**STAFF: KATIE CARLEO**

**FILE NO(S):**

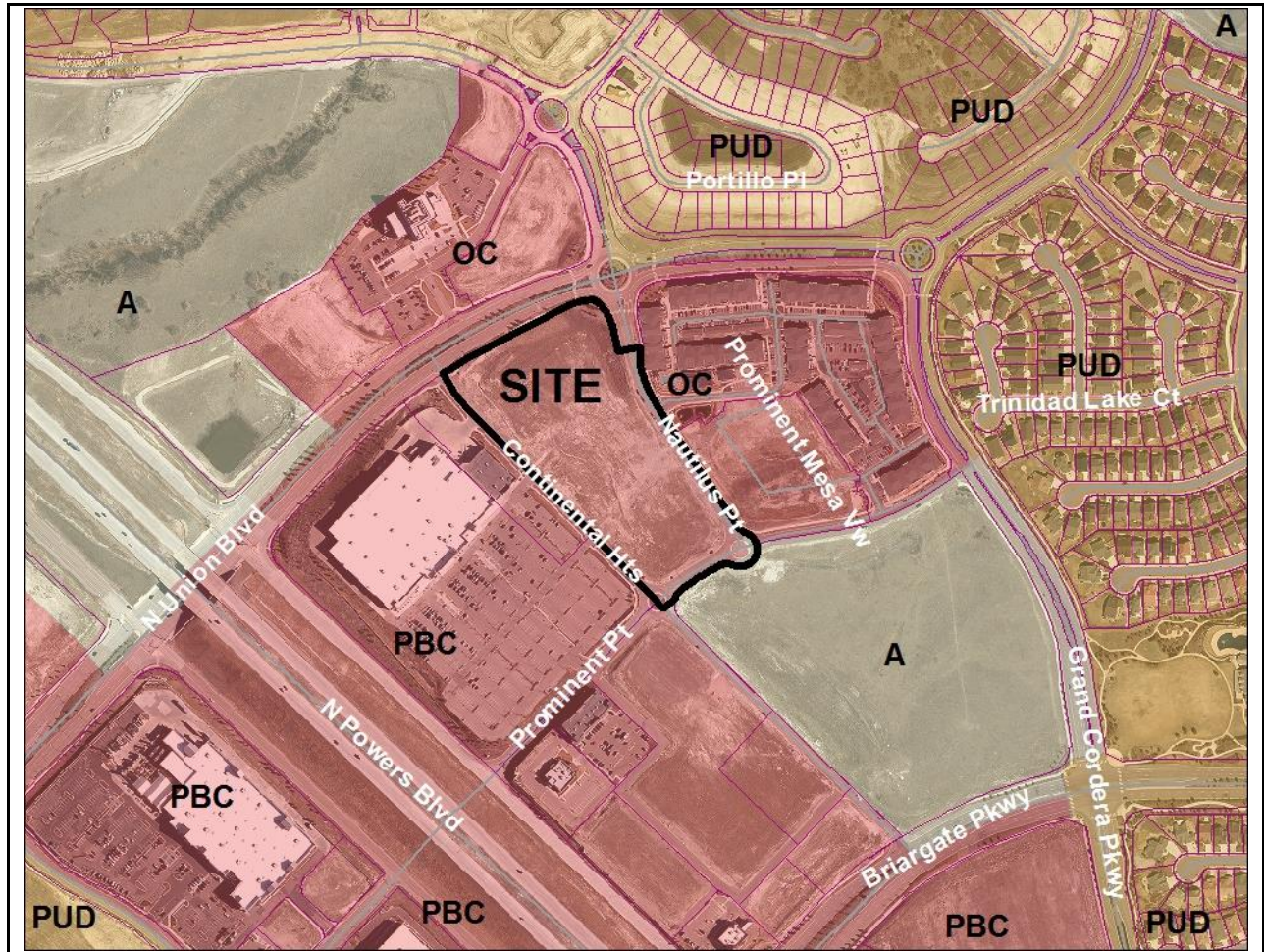
**A. - CPC ZC 16-00082 – QUASI-JUDICIAL**

**B. - CPC CP 16-00083 – QUASI-JUDICIAL**

**PROJECT: WATERMARK AT BRIARGATE**

**APPLICANT: CLASSIC CONSULTING ENGINEERS & SURVEYORS**

**OWNER: CONTINENTAL 140 FUND LLC**



**PROJECT SUMMARY**

1. Project Description: This project includes concurrent applications for a zone change from PBC (Planned Business Center) to OC (Office Complex) for an 11.06 acre site and associated concept plan for an intended multi-family apartment development. The project site is part of the larger Briargate Crossing East and will introduce 243 units within three buildings. The Watermark at

Briargate concept plan illustrates the layout of the three buildings with associated landscape, detention and access. **(FIGURE 1)** Staff is administratively reviewing a request for Administrative Relief for the building height of building three only.

2. Applicant's Project Statement: **(Refer to FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the associated applications.

### **BACKGROUND**

1. Site Address: This site is not currently addressed. The property is located northeast of Union Boulevard and Continental Heights.
2. Existing Zoning/Land Use: This site is currently vacant with minor vegetation.
3. Surrounding Zoning/Land Use: North: OC (Office Complex)/ Office and partially vacant  
South: A (Agricultural)/ Vacant  
East: OC (Office Complex)/ Multi-family Apartment  
West: PBC (Planned Business Center)/ Commercial
4. Comprehensive Plan/Designated 2020 Land Use: Designated as Commercial Center
5. Annexation: The property was annexed in September 1982 as part of the Briargate Addition #5 Annexation
6. Master Plan/Designated Master Plan Land Use: Briargate Master Plan designated as Highway Commercial
7. Subdivision: Briargate Crossing East
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is vacant and is primarily natural grasses. The property slopes from Union Boulevard southeast towards Prominent Point.

### **STAKEHOLDER PROCESS AND INVOLVEMENT**

Upon submittal public notice was provided to property owners within a 500-foot buffer of the site identifying the submittals the City received, along with notification of a public meeting to be held. The site was also posted with this information.

A neighborhood meeting was held on July 13, 2016. There were approximately 19 citizens in attendance. **(FIGURE 3)** The meeting introduced the process and overall plan for development of the site. Neighborhood concern was voiced at the meeting mainly regarding concern for the appropriate use of the site and original intention of the site to be commercial. Several citizens commented on concern for the apartment use type, and preferred the previously approved commercial use. Questions were also raised for the concern of school district capacity, the view of parking surrounding the site, and overall traffic impacts. Several letters of opposition were received by staff and are attached as **FIGURE 4**. Staff also received a letter of support which is attached **FIGURE 5**. The applicant has provided information and response to the concerns of the neighbors, this response letter is included as **FIGURE 6**.

Staff input is outlined in the following sections of this 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, and El Paso County Development Services.

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

1. Review Criteria / Design & Development Issues
  - a. Zone Change

This proposal includes the rezoning of 11.06 acres from PBC (Planned Business Center) to OC (Office Complex) **(FIGURE 7)** in preparation for a new multi-family development, Watermark at Briargate. By City Code multi-family is a conditional use within the PBC;

however the applicant has chosen to proceed through the re-zoning process accompanied with a concept plan.

This site was initially zoned PBC in 2005 with the establishment of the Briargate Crossing East development, however; the intended rezone is contiguous along the eastern property boundary with the existing OC zoned property, developed as the Vue 21 Apartments, and will allow for a continuation of residential use.

Staff finds this rezone is in conformance with the existing Briargate Master Plan and meets the City Code standards for a zone change request.

- b. Concept Plan  
The proposed Watermark at Briargate project will provide 243 dwelling units within this development. The applicant's proposal sets the specific dimensional requirements and illustrates the envisioned layout for the multi-family residential complex. The proposed layout includes three buildings designed with a focus to internal courtyards. **(FIGURE 1)** Access is illustrated on the concept plan with two main access points to be established off of surrounding private streets. All required parking will be provided on site with associated internal and motor vehicle lot landscape.  
  
Staff finds that the proposed plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E)
  - c. Building Height  
In addition Staff is administratively reviewing concurrently a submittal for Administrative Relief for the building height of building three only. Properties zoned OC have a maximum building height of 45-feet. City Code Section 7.5.11 allows relief up to a maximum of fifteen percent reduction applied to any quantifiable development standard within the Zoning Code. The applicant has proposed building three to have an overall height of 51'-7" which is within the limit allowed through the Administrative Relief. **(FIGURE 8)**
  - d. Traffic  
Concerns were raised from the neighbors about the impact of traffic. A trip generation study was done for the Watermark at Briargate apartment development. Overall the study determined if the site were otherwise developed for shopping center use in a larger interconnected shopping center there would be a higher volume of traffic generated for this use than that of the proposed apartment development. The City Traffic Department did review this study and had no concerning comments for the applications.
  - e. School District  
Several citizen concerns were voiced on capacity for the surrounding schools. It is standard process for the planning department to include distribution to the school district for their comment and review on any new residential development. Staff received a letter on July 7, 2016 from Don Smith of Academy School District 20 stating after his review of the proposed multi-family development the district had no comment on the proposed zone change. **(FIGURE 9)**
2. Conformance with the City Comprehensive Plan  
The proposed applications are consistent with the envisioned development patterns for the subject parcel, which is identified as Commercial Center per the Comprehensive Plan 2020 Land Use Map. This is supported by the intention to accommodate a mix of supporting uses including such use as higher density residential per the Comprehensive Plan.
    - a. Objective LU 2: Develop a Land Use Pattern that Preserves the City's Natural Environment, Livability, and Sense of Community.

The proposed project furthers the City's efforts to encourage infill development of undeveloped parcels throughout the City. This project provides a platform for the building of neighborhood and community; along with providing a buffer from commercial to single-family residential. The parcel has been vacant for over 10 years with development occurring around it giving great opportunity for infill.

b. Objective LU3: Develop A Mix of Interdependent Compatible, and Mutually Supportive Land Uses

The proposed project promotes development that is a mix of mutually supportive and integrated residential and non-residential land uses. This land use pattern decreases infrastructure need and promotes pedestrian accessibility provided with urban services in a more cost-effective manner.

Policy LU 301: Encourage Development of Mixed-use Activity Centers

The intended apartment complex allows for opportunity of a walkable connected community to include the development of a mix of uses that compliment and support each other. Surrounding commercial, employment-related, and residential uses serve a benefit to the surrounding neighborhood as a whole.

c. Objective LU 5: Develop Cohesive Residential Areas

The proposed project encourages the creation of functional and attractive neighborhoods, sharing an interconnected network of facilities. The multi-family development proposal also integrates variety into the neighborhood that generates new opportunities, while ensuring a well-functioning neighborhood with a mix of opportunity.

It is the finding of Staff that the Watermark at Briargate will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan

As previously approved on the Briargate Master Plan this site is identified as HC (Highway Commercial) which includes multi-family as an allowable use. This site, as well as the existing apartment development directly east, is part of master plan designations that allow for multi-family development. This furthers the intention to create a mix of use within the Highway Commercial designation allowing for a variety of mixed-use opportunity.

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

**STAFF RECOMMENDATION:**

**CPC ZC 16-00082 - CHANGE OF ZONE TO OC**

Recommend approval to City Council the zone change from PBC (Planned Business Center) to OC (Office Complex), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

**CPC CP 16-00083 - PUD CONCEPT PLAN**

Recommend approval to City Council for the Watermark at Briargate Concept Plan, based upon the findings that the concept plan meets the review criteria for concept plan as set forth in City Code Section 7.5.501(E).