



City of Colorado Springs

To Join By Phone
Call: 720-617-3426
Conf ID: 503 838 788#

Meeting Minutes - Draft Planning Commission

Wednesday, July 13, 2022

9:00 AM

Regional Development Center Hearing Room
2880 International Circle

1. Call to Order and Roll Call

- Present:** 6 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett, Commissioner Wilson and Alternate Griggs
- Excused:** 3 - Chair Hente, Commissioner Graham and Commissioner Almy

2.A. Approval of the Minutes

2.A.A. [22-290](#) Minutes for the April 21, 2022, Planning Commission hearing.

Presenter:

Scott Hente, Chair of the City Planning Commission

Motion by Commissioner Rickett, seconded by Commissioner Raughton, that this Minutes be approved Approve the minutes for the April 21, 2022, Planning Commission meeting. The motion passed by a vote of

- Aye:** 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B. Changes to Agenda/Postponements

Victory Ridge Park

2.B.A. [CPC ZC 22-00097](#) A zone change for Victory Ridge Park relating to 7.98-acres located northeast of the Thunder Mountain Avenue and Daydreamer Drive intersection from PUD (Planned Unit Development) to PK (Public Park).

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to postpone Item 2.A.A. Victory Ridge Park to the August 10, 2022, City Planning Commission meeting. to the Planning Commission Informal. The motion passed by a vote of 5:0:3:0

- Aye:** 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

Dublin North No. 5 Annexation

2.B.B. [CPC A](#) Dublin North No. 5 Addition Annexation located at 6685 Templeton
[21-00137](#) Gap Road consisting of 5.89-acres.
 (Legislative)

Presenter:
 Katelynn Wintz, Planning Supervisor, Planning & Community
 Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, that this Ordinance be postponed to the August 10 City Planning Commission hearing. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.C. [CPC PUZ](#) Dublin North No. 5 Addition Annexation located at 6685 Templeton
[21-00171](#) Gap Road consisting of 5.89-acres.
 (Legislative)

Presenter:
 Katelynn Wintz, Planning Supervisor, Planning & Community
 Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022, City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.D. [CPC PUD](#) Dublin North No. 5 Addition - Pikes Vista zone change establishing
[21-00172](#) the PUD/AO (Planned Unit Development, Airport Overlay: attached and detached single-family residential, 40-foot maximum building height, 7.7 dwelling units per acre) zone district located at 6685 Templeton Gap Road consisting of 5.89-acres.
 (Legislative)

Presenter:
 Katelynn Wintz, Planning Supervisor, Planning & Community
 Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, that this Planning Case be postponed to the August 10, 2022, City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

Amara Annexation

2.B.E. [CPC A](#)
[21-00197](#) Postpone the Amara Addition No. 1 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 1.193 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.F. [CPC A](#)
[21-00198](#) Postpone the Amara Addition No. 2 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 4.160 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.G. [CPC A](#)
[21-00199](#) Postpone the Amara Addition No. 3 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 8.633 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.H. [CPC A](#)
[21-00200](#) Postpone the Amara Addition No. 4 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 24.430 acres.

(Legislative)

Presenter:

Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.I. [CPC A 21-00201](#)

Postpone the Amara Addition No. 5 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 124.759 acres.
(Legislative)

Presenter:

Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.J. [CPC A 21-00202](#)

Postpone the Amara Addition No. 6 Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 218.046 acres.
(Legislative)

Presenter:

Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.K. [CPC A 21-00203](#)

Postpone the Amara Addition No. 7A Annexation located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road consisting of 95.566 acres.
(Legislative)

Presenter:

Katie Carleo, Land Use Review Planning Manager, Planning &

Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.L. [CPC A 22-00108](#)

Postpone the Amara Addition No. 7B Annexation located near the northeast corner of Squirrel Creek Road and Link Road consisting of 254.149 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.M. [CPC A 21-00204](#)

Postpone the Amara Addition No. 8 Annexation located near the northeast corner of Squirrel Creek Road and Link Road consisting of 400.348 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.N. [CPC A 21-00205](#)

Postpone the Amara Addition No. 9 Annexation located near the northeast corner of Squirrel Creek Road and Link Road consisting of 515.841 acres.
(Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.O. [CPC A 21-00206](#) Amara Addition No. 10 Annexation located near the northeast corner of Squirrel Creek Road and Link Road consisting of 719.719 acres. (Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.P. [CPC A 21-00207](#) Postpone the Amara Addition No. 11 Annexation located near the northeast corner of Squirrel Creek Road and Link Road consisting of 858.642 acres. (Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2.B.Q. [CPC MP 21-00208](#) Postpone the establishment of the Amara Master Plan for proposed commercial, industrial, civic, single-family residential, multi-family residential, parks and open spaces within the City of Colorado Springs. The property is located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road, and consists of 3172.796 acres. (Legislative)

Presenter:
Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this item to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

- 2.B.R.** [CPC ZC
21-000209](#) Postpone the establishment of an A (Agriculture) zone district, in association with the Amara Annexations, located near the northeast corner of Squirrel Creek Road and Link Road, south of Bradley Road, consisting of 3172.796 acres.
(Legislative)

Presenter:

Katie Carleo, Land Use Review Planning Manager, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to postpone this ordinance to the August 10, 2022 City Planning Commission meeting. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

2525 N Nevada Ave - STR Appeal

- 2.B.S.** [CPC AP
22-00107](#) An appeal of the administrative denial of the Short Term Rental permit applications for 2525 & 2527 North Cascade Avenue for an ownership change, pursuant to City Code Sections 7.5.1702.B and 7.5.1704.D.

(Quasi-Judicial)

Presenter:

Carli Hiben, Program Coordinator, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to postpone the appeal of the Short Term Rental for 2525 & 2527 North Cascade Avenue to the August 10, 2022, meeting per the request of the applicant. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

3. Communications

Peter Wysocki - Director of Planning & Community Development

Mr. Wysocki stated the Police and Fire impact fees were approved by City Council on July 12, 2022 meeting on first reading at 70% cost recovery

4. CONSENT CALENDAR

These items will be acted upon as a whole, unless a specific item is called for discussion by a Commissioner/Board Member or a citizen wishing to address the Commission or Board. (Any items called up for separate consideration shall be acted upon following the Consent Vote.)

Glory Drive Home Daycare

- 4.A. [CPC CU 22-00065](#) A conditional use development plan for the Black Forest Montessori licensed large daycare home with attendance of seven (7) to twelve (12) children located at 8139 Glory Drive consisting of 0.13 acres. (Quasi-Judicial)

Presenter:

Austin Cooper, Planner II, Planning & Community Development.

This Planning Case was approved on the Consent Calendar.

Little Explorers Daycare

- 4.B. [CPC CU 22-00071](#) A conditional use development plan for a licensed large daycare home with attendance of seven (7) to twelve (12) children and infants and is located at 8166 Lockport Drive. (Quasi-Judicial)

Presenter:

Daniel Besinaiz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

The Preserve at Mesa Creek

- 4.C. [CPC PUZ 21-00187](#) Postpone an ordinance amending the zoning map of the City of Colorado Springs relating to 45.66 acres located southeast of Grand Vista Circle at West Fillmore Street from PUD/SS/HS (Planned Unit Development: Multi-Family, 3.5 to 7.99 dwelling units per acre not to exceed 500 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations, with Streamside and Hillside Overlays) to PUD/SS/HS (Planned Unit Development: Single-Family and/or Multi-Family, 2.38 to 7.99 du/ac not to exceed 364 units, maximum building heights as shown on any approved concept plan not to exceed 69 feet using hillside height calculations with Streamside and Hillside Overlays) to the August 23, 2022 City Council meeting. (Quasi-judicial)

Related Files: CPC PUP 19-00026-A1MJ21, & AR PUD

20-00023-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

This Ordinance was recommended for approval on the Consent Calendar to the City Council.

- 4.D. [CPC PUP 19-00026-A1 MJ21](#) Postpone a PUD Concept Plan Amendment for 45.66 acres located at southeast of Grand Vista Circle at West Fillmore Street for a single-family residential development to the August 23, 2022 City Council meeting.
(Quasi-judicial)

Related Files: CPC PUZ 21-00187 & AR PUD 20-00023-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

- 4.E. [AR PUD 20-00023-A1 MJ21](#) Postpone a PUD development plan amendment for 45.66-acres located southeast of Grand Vista Circle and West Fillmore Street to allow 123 single-family dwelling units to the August 23, 2022 City Council meeting.
(Quasi-judicial)

Related Files: CPC PUZ 21-00187 & CPC PUP 19-00026-A1MJ21

Presenter:

Caleb Jackson, AICP, Senior Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

Meadow Wing Circle Daycare

- 4.F. [CPC CU 22-00054](#) A conditional use development plan for a licensed large daycare home with attendance of a maximum of twelve (12) children. The site is zoned PUD/AO (Planned Use Development with Airport Overlay) and is located at 8475 Meadow Wing Circle.

(Quasi-Judicial)

Presenter:

Peter Lange, Planner II, Planning & Community Development

This Planning Case was approved on the Consent Calendar

Home 2 Hotel

- 4.G. [CPC CP 97-00025-A1 MJ22](#) A major amendment to the existing New Discovery Concept Plan to allow for the development of a proposed four-story hotel on a portion of a 6.08 acre site located at 1913 Aerotech Drive.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

This Planning Case was approved on the Consent Calendar

- 4.H. [CPC DP 22-00043](#) A development plan application proposing a Home 2 Hotel four-story hotel with 119 guest rooms consisting of 2.75 acres and located at 1913 Aerotech Drive.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

This Planning Case was approved on the Consent Calendar

Costilla 10-Plex

- 4.I. [CPC CU 22-00030](#) A conditional use development plan for a 10-unit three-story apartment complex. The site is zoned C6 (General Business) and located at 703 East Costilla Avenue consisting of 0.02-acre-lot

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

This Planning Case was approved on the Consent Calendar

- 4.J. [CPC NV 22-00031](#) A nonuse variance from 7.3.104.A to allow a 17'-10" corner front yard setback where 20 feet is required located at 703 East Costilla Avenue.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

This Planning Case was approved on the Consent Calendar

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Commissioner Raughton, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

Absent: 3 - Chair Hente, Commissioner Graham and Commissioner Almy

5. ITEMS CALLED OFF CONSENT

6. UNFINISHED BUSINESS

7. NEW BUSINESS CALENDAR

1115 Cragin Road - Appeal

- 7.A. [AR APR 22-00128](#) An appeal of the administrative approval of an amendment to Plat Restriction allowing for the placement of a new 192-square-foot shed within a 75-foot “no-build” area on a 21,132 square-foot site located at 1115 Cragin Road.

(Quasi-Judicial)

Presenter:

Drew Foxx, Planner II, Planning & Community Development

Staff Presentation: Drew Foxx Planner II - North Team presented a PowerPoint presentation with the history of the site and the scope and intent of this project

Background information:

- Lot is a .49 lot zoned estate single family residential within the Falcon Estates Filing No. 4 Subdivision. Surrounding area and character of the neighborhood is office/residential zone to the east but single-family residential and ½ acre lots directly adjacent on all sides
- A letter of objects was received by the Falcon Estates HOA.
- Site is not within the Falcon Estate HOA and only adjacent to it
- Covenant and bylaws are private agreements the city has no vested interest in
- Previous approved amendment to plat restrictions have been approved

in this same area

Public Notice:

- Public notice was sent to 29 property owners for internal review and Planning Commission
 - One in favor
 - Two opposed
- Areas of concern raised
 - Size
 - Neighborhood Compatibility
 - Property Values
 - View Corridor
 - Covenant and Bylaws

Appellant's presentation:

- Jim Pearl Lisa Stark are doing a joint appeal and presentation and history of the site
- Area is known as Falcon Estates
- Not typical city suburb as characterized by small lots, area has no curb and gutters, sidewalk or streetlights, semi-rural features, half-acre lots
- Several changes were made to the master plan and final plats over the years, but the no build area has continued
- Appellant suggested the applicant could move the shed to the side of the house
- Based on their research the no build area has not changed even with the revisions and amendments to master plans or any of the final plats in the area

Questions of appellant:

Commissioner Raughton clarified there were other structures like sheds and fences within the 75' area and they have been grandfathered in. Mr. Peal said yes, one that he knew of but didn't know about the others and the 1055 Cragin Rd has a garage and a shed that was allowed for the revision in 2003.

Applicant presentation:

- Greg Bianchi and the owner of 1115 Cragin Rd. He described the area and what they are trying to do with their intent and impact of the project.
- Intent is to preserve what they have and keep the rural feel
- Sheds and garages have been added to the area over time
- Proposed shed will blend with the property.
- They're not in the HOA, the revision in 1995 took them out of the HOA area
- A shed to the side of the house wouldn't work very well due to the window wells required for egress wouldn't accomplish anything other than being out of sight and it could compromise egress ability.

Public Comment:

No comments in Support or against the appellant and none were in support or against the applicant either the audience or on the phone.

Discussion and Decision of Planning Commission:

Commissioner Ricket complimented staff regarding historical information. His decision will be based on what's been done on other lots and approved by previously by City Council and Planning Commissions which was relabeling the area as a 75-ft no build area for primary structure. He will uphold the decision by staff.

Commission Raughton asked Mr. Bianchi about the possible proposal to move the shed to the side of the house and why the relocation is not appropriate. Mr. Bianchi gave the lot and house dimensions and explained there are window wells for egress purposes and a gas meter line. If the shed was on the side of the house, the egress out of the house could be compromised.

Commissioner Slatery clarified which houses were within that 75' no build area and which properties were subject to the 75' area during the filings. Mr. Foxx referenced Lot 4, Block 2, Lot 3 Block 2, Lot 2 Block 3 and all of Lot 4 of Block 3 all had structures in the rear by the restricted area.

Commissioner Raughton clarified whether they were fences or structures and Mr. Foxx stated there were no fences, but Lot 4 had a deck encroachment and on Block 3 Lot 4, Block 2 it had a previous amendment to plat restriction for a shed and a garage.

Commissioner Ricket asked if there were eight lots and half do not have the restriction? Mr. Foxx confirmed that was correct.

Commissioner Wilson asked if the 75' setback was interpreted to be open space and if there was any precedent throughout the city that an accessory structure is allowed in that area.

Commissioner Ricket stated the amendment from both Planning Commission and City Council defined that 75' area as they called it, no build, which there isn't a definition for, but they clarified it as no build for primary structure. That's why you see four out of the eight lots have structures or buildings in the space but not the primary structure.

Commissioner Wilson wanted to be sure it was not interpreted to be something different.

Mr. Foxx gave the definition of open space per City Code - a tract of land that is kept in its natural state in perpetuity. Vacant land that may be subject to future development is not considered open space. There is no specified size range for open space other than the minimum area needed to conserve a significant nature feature.

Ms. Katie Carleo, Planning Manager provided further clarification about open space stating it is land that is set aside for open space in specifically dedicated tracks. This is a residential lot and not a dedicated tract for open space. Structures can be in open space in a dedicated tract, but this is a residential lot.

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to

affirm the administrative approval of the Amendment to Plat Restriction for 1115 Cragin Road to allow for the establishment of the proposed 192 square-foot shed and deny the appeal, based upon the finding that the application complies with the review criteria in City Code Section 7.7.503, and that the appeal criteria found in City Code Section 7.5.906.A.4. are not met. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

Tutt Blvd Townhomes

- 7.B. [CPC MP 02-00254-A4 MJ22](#) A resolution of the City Council of the City of Colorado Springs, Colorado, approving a major amendment to the Powerwood 2 Master Plan located west of the intersection of Tutt Boulevard and Sorpresa Lane changing the land use designation from Commercial/Industrial to Multi-family Residential.

(Legislative)

Related Files: CPC ZC 22-00011, CPC CP 22-00012

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Planner Presentation:

Gabe Sevigny, Planning Supervisor Central Team gave a PowerPoint presentation with the history of the site and the scope and intent of this project

Background information:

- Annexed under Ordinance No. 03-177, with a zoning designation of A/AO (Agriculture with Airport Overlay) for a holding zone.
- Surrounding Zoning/Land Use:
 - North: R5 (Multi-family) Vacant/or developing as multi-family apartments
 - South: C-6 (General Business) Area is redeveloping, but currently mostly residential
 - East: PUD (Planned Unit Development) and is residentially developed.
 - West: R5 (Multi-family) Vacant or developing as multi-family apartments.
- The last Master Plan Amendment was to designate this area Office/Industrial the area has not developed for office/industrial and a change of designation is requested for allow multi-family residential

Project information:

- A Concept Plan for 140 townhome units, to provide a better transition from single-family dwellings to the east and the higher density apartment

buildings to the north and west.

- A Traffic Impact Analysis was completed, and City Traffic agrees with findings and recommendations of the study
- A Fiscal Impact Analysis was completed and determined a positive cashflow for the City during the 10-year timeframe.

Public Notice:

- 152 property owners and on-site postage
- Two occasions: internal review and this Planning Commission hearing
- 6 comments were received which expressed the following concerns:
 - Traffic
 - Building Heights in association with blocked views

Plan COS Conformance:

- Chapter 2: Vibrant Neighborhoods
 - Policy VN-2.A: Promote neighborhoods that incorporate common desired neighborhood elements.
 - Strategy VN-2.A-3: Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels.
 - Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods
- Chapter 3: Unique Places
 - Policy UP-4.A: Actively plan and encourage a development pattern consisting of unique centers located along new and redeveloped corridors and at other designated areas throughout the city.
 - Goal UP-4: Strengthen our overall community identity and better serve the needs of residents and businesses within our large metropolitan area by developing active, unique, and connected centers and corridors.
- Chapter 4: Thriving Economy
 - Strategy TE-4.A-4: Support greenfield development that includes mixed-use, higher-density clusters, and quality design

Questions:

Commissioner McMurray stated the master plan updates appeared to be more than for 13.45 acres, was that correct. Mr. Sevigny stated the master plan update would be for the northern and southern parcel. The area Commissioner McMurray referenced were already amended, and there are other concurrent applications for the south that will come in at a later time.

Applicant presentation:

- Applicant discussed the scope and intent of the project.
- Site is 13.45 acres
- Proposed plan is for 140 Townhomes
- Open Space
- Buffer along Tutt Blvd
- Adds Variety of Housing Types

- Architectural design not finalized
- Height was modified due to concerns raised by adjacent neighbors
- Site traffic well within current roadway capacities and meets criteria set by the City

Questions of Applicant :

None

For:

NA

Against:

NA

Discussion:

No discussion

Motion by Commissioner Rickett, seconded by Commissioner Wilson, to recommend approval to City Council the major amendment to the Powerwood 2 Master Plan, based upon the finding that the master plan amendment complies with the review criteria in City Code Section 7.5.408. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

7.C. [CPC ZC 22-00011](#)

An ordinance amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay)

(Quasi-judicial)

Related Files: CPC MPA 02-00254-A4MJ22, CPC CP 22-00012

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Wilson, to recommend approval to the City Council the zone change of 13.45 acres from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay) based upon the findings that the change of zoning request complies with the three (3) criteria for granting a zone change as set forth in City Code Section 7.5.603(B). The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

7.D. [CPC CP 22-00012](#) Approve a concept plan for 13.45 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane for a multi-family development

(Quasi-judicial)

Related Files: CPC MPA 02-00254-A4MJ22, CPC ZC 22-00011

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Wilson, to recommend approval to City Council the concept plan for Tutt Boulevard Townhomes, based upon the findings that the concept plat meets the review criteria for granting a concept plan as set forth in City Code Section 7.5.501(E) with the following Condition of Approval, and technical modifications:

Conditions of Approval

1. Receive final approval from SWENT for a preliminary drainage report and the Master Drainage Development Plan (MDDP) prior to final approval of the Concept Plan.

Technical Modifications

1. Receive final acceptance of street naming by the Public Safety Street Naming Administrator and indicate street names on the plan.

The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

N 30th Street Apartments

7.E. [CPC CU 21-00193](#) A conditional use development plan for the N 30th Apartments project to permit a multi-family residential development. The site is zoned PBC (Planned Business Center) is 2.75 acres in size and located at 5075 North 30th Street.

(Quasi-Judicial)

Presenter:

William Gray, Senior Planner, Planning and Community Development

Planner Presentation:

William Gray, Senior Planner, Central Team gave a PowerPoint presentation describing the scope and intent of the project.

Background Information:

- Annexed under Pope’s Bluff Addition Annexation Plat (November 1, 1965) and Pope’s Bluff Addition No. 3 Annexation Plat (March 1, 1971).
- The site is part of the implement Pinon Valley Master Plan. The master

plan designates the land use for this site as Planned Business Center.

- The site is a vacant and undeveloped with on-site slopes ranging from one percent (1%) to nine percent (9%) and flows from west to east located at the southeast corner of the Centennial Boulevard and North 30th Street intersection

Project information:

- A proposed four-story, 85-unit multi-family development on a 2.75-acre site at the southwest corner of Centennial Blvd and N 30th St
- Site is zoned PBC (Planned Business Center) which allows Multi-family within the zone district as a conditional use
- Surrounding Zoning/Land Use:
 - North: PBC (Planned Business Center) and PIP-2 (Planned Industrial Park) and commercially and industrially developed
 - South: PIP-2 (Planned Industrial Park) and is industrially developed
 - East: PIP-2 (Planned Industrial Park) and is industrially developed
 - PBC (Planned Business Center) and PIP-2 (Planned Industrial Park) and is commercially developed
- A Traffic Impact Analysis was completed, and City Traffic agrees with findings and recommendations of the study
- Drainage facilities will be constructed to address impacts associated with the project and approved by SWENT

Public Notice:

- 81 property owners and posting of the property
- Two occasions: administrative review and Planning Commission hearing
- 9 comments were received which expressed the following concerns:
 - Traffic
 - Building Heights
 - Noise
 - Emergency/Disaster Preparedness
 - Inadequate park area

Plan COS Conformance:

- Vibrant Neighborhood - Housing for All
 - GOAL VN-2: Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs
- Unique Places - Embrace Creative Infill, Adaptation, and Land Use Change
 - GOAL UP-2: Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.
- Strong Connections - Connect Multimodal Transportation
 - GOAL SC-1: Multimodally connect people and land uses

throughout the city and region.

Questions of Staff:

Commissioner Slattery stated she agreed with some of the public comments about this being a tall building contextually and asked how the building height variance would not add units.

Richard Lyon with Atwell, the project manager civil engineer on the project, said primary concern raised in the communities, Mountain Shadows in particular, was the building height relative to their views. The closest Mountain Shadows parcel is at an elevation of approximately 6,520 and this first floor elevation is at 6,476. A 50-ft height is not as high as some of the comments describe and not really blocking views as described in the context of the emails.

Christin Katara, architect on the project, said they worked to get the height down from their initial submittal. We were aware height was a concern for this area and wanted to avoid a variance, so they worked to get the height as low as possible and only do an administrative relief.

Commissioner Rickett asked if they would have had a flat roof or a parapet instead of the architectural roof, would admin relief have been needed.

Christin Katara she was unsure, but she knew they had other elements that could protrude above that level regardless due to the elevator shaft on two sides of the building, so they thought they would need the administrative relief either way. The parapet design did not fit the residential neighborhood.

Bill Gray stated he thought the building would comply with the standards if it had a flat roof. They could need relief, but only for a couple of inches. If it was just for the stairwell feature or elevator shaft it would still be only a few inches. For the most part, if there was a flat roof and a parapet wall, it would have complied with height standards in City Code for the zone district.

Commissioner Raughton stated at the same time it would not have been attractive in how it looked.

Richard Lyon with Atwell stated regarding the height concern, with Retool COS the parcel would allow for a 50' height

For:

NA

Against:

NA

Discussion:

Commissioner Raughton stated he was glad to see a mix of housing types with one and two bedrooms and a few three bedrooms. He felt this was appropriate given the present market.

No further discussion

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to approve the Conditional Use Development Plan for the N 30th Street Apartments project in the PBC (Planned Business Center) zone district, based upon the findings that the request meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 and the review criteria for granting a Development Plan, as set forth in City Code Section 7.5.502(E). The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

7.F. [AR R](#)
[22-00340](#)

An administrative relief to City Code Section 7.3.104 for the N 30th Apartments project to permit a 49'-4" maximum building height where the maximum allowed is 45 feet. The site is zoned PBC (Planned Business Center) is 2.75 acres in size and located at 5075 North 30th Street.
(Quasi-Judicial)

Presenter:

William Gray, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to approve the Administrative Relief to City Code Section 7.3.204 for the N 30th Street Apartments project to allow a building height of 49'-4" in the PBC (Planned Business Center) zone district where the maximum allowed is 45', based upon the findings that the request meets the review criteria for granting Administrative Relief as set forth in City Code Section 7.5.1102. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

7.G. [AR R](#)
[22-00341](#)

An administrative relief to City Code Section 7.3.104 for the N 30th Apartments project to permit a 20.3' front yard setback at the southeast corner of the multi-family building where the minimum required is 25'. The site is zoned PBC (Planned Business Center) is 2.75 acres in size and located at 5075 North 30th Street.
(Quasi-Judicial)

Presenter:

William Gray, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to approve the Administrative Relief to City Code Section 7.3.204 for the N 30th Street Apartments project to allow a 20'3" front yard setback at the southeast corner of the multi-family building in the PBC (Planned Business Center) zone district where the minimum allowed is 25', based upon the findings that the request meets the review criteria for granting Administrative Relief as set forth in City Code Section 7.5.1102. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

- 7.H. [ARR 22-00342](#) An administrative relief to City Code Section 7.3.204 for the N 30th Apartments project to permit a 22.6' front yard setback at the northeast corner of the building where the minimum required is 25'. The site is zoned PBC (Planned Business Center) is 2.75 acres in size and located at 5075 North 30th Street.
(Quasi-Judicial)

Presenter:
William Gray, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to approve the Administrative Relief to City Code Section 7.3.204 Section for the N 30th Street Apartments project to allow a 22.6' front yard setback at the northeast corner of the multi-family building in the PBC (Planned Business Center) zone district where the minimum required is 25', based upon the findings that the request meets the review criteria for granting Administrative Relief as set forth in City Code Section 7.5.1102. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

- 7.I. [ARR 22-00403](#) An administrative relief to City Code Section 7.3.102.C.2 for the N 30th Apartments project to permit an ornamental feature to exceed the base height by 5'-9" where the maximum allowed is 5'. The site is zoned PBC (Planned Business Center) is 2.75 acres in size and located at 5075 North 30th Street.
(Quasi-Judicial)

Presenter:
William Gray, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to approve the Administrative Relief to City Code Section 7.4.102.C.2 for the N 30th Street Apartments project to allow an ornamental feature to exceed the base height limitation by 5'-9" in the PBC (Planned Business Center) zone district where the maximum allowed is 5', based upon the findings that the request meets the review criteria for granting Administrative Relief as set forth in City Code Section 7.5.1102. The motion passed by a vote of 5:0:3:0

Aye: 5 - Commissioner Raughton, Vice Chair McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Wilson

8. PRESENTATIONS/UPDATES

9. Adjourn