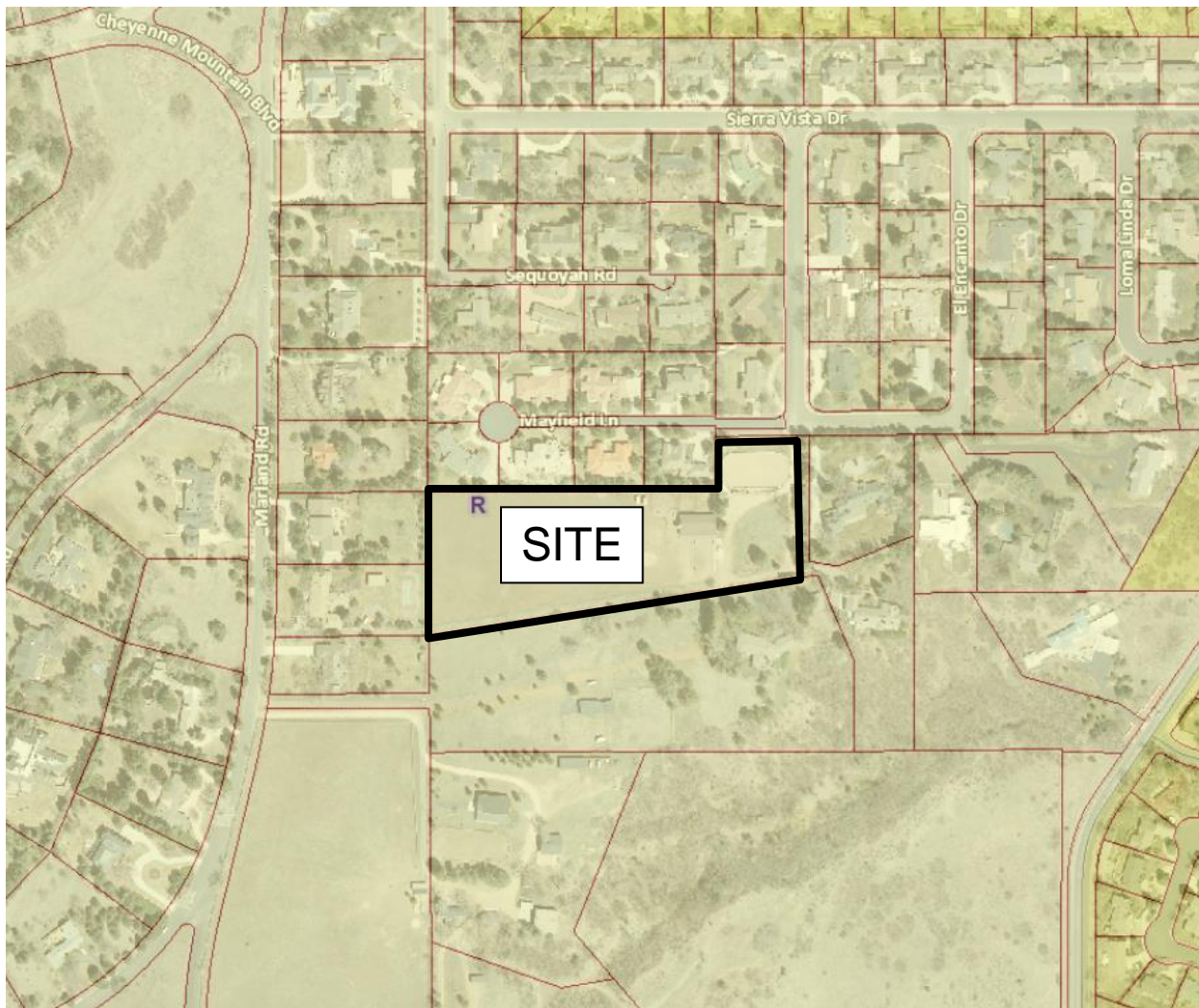


CITY PLANNING COMMISSION AGENDA

STAFF: LONNA THELEN

FILE NO(S):
AR PFP 16-00629 – QUASI-JUDICIAL

PROJECT: ARCHER PARK
APPLICANT: RICHARD DELESK
OWNER: THE NEWPORT COMPANY



PROJECT SUMMARY:

1. Project Description: This project includes a preliminary and final plat for a seven lot single-family subdivision located at 10 El Encanto Drive, contains 4.7 acres and is zoned R (Estate Single-Family Residential). The lot layout is illustrated on the preliminary plat (**FIGURE 1**) and the final plat (**FIGURE 2**).

The preliminary and final plat process is an administrative review; however, the applicant has requested that this application be forwarded to City Planning Commission due to neighborhood opposition.

2. Applicant's Project Statement: (**FIGURE 3**)
3. Planning and Development Team's Recommendation: Staff recommends approval of the application, subject to modifications to the preliminary and final plat.

BACKGROUND:

1. Site Address: 10 El Encanto Drive
2. Existing Zoning/Land Use: R/horse stable and grazing area
3. Surrounding Zoning/Land Use: North: R/Residential
South: R/Residential
East: R/Residential
West: R/Residential
4. Comprehensive Plan/Designated 2020 Land Use: Low Residential
5. Annexation: Reannexation of the Southwest Annexation Area, 1980
6. Master Plan/Designated Master Plan Land Use: There is no master plan for this site.
7. Subdivision: The property is currently unplatted.
8. Zoning Enforcement Action: There are no current enforcement actions on this site.
9. Physical Characteristics: The site is relatively flat with very little vegetation. The only structure on the site is a horse stable.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process involved with the review of these applications included posting the site and sending postcards to 60 property owners within 500 feet for a pre-application neighborhood meeting held on June 22, 2017. Approximately 35 people attended the meeting. For internal review and notification, the property was posted and postcards were sent for a neighborhood meeting that was held on October 18, 2016. Approximately 90 people attended the meeting. Multiple rounds of public comments were received during the internal review; **FIGURES 4-7** document the public comments received from the first, second, third and fourth rounds of review. Finally, the site was also posted and postcards sent for the City Planning Commission meeting to 141 property owners within a 1,000 foot buffer of the site.

The major areas of concern documented by the neighborhood are fire safety, utility easements, access, an increase in density, stormwater runoff, and an increase in traffic. These areas of concern will be discussed in the following review section of the report.

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 Traffic, City Fire, Police, Enumerations, Floodplain, Real Estate Services, City Landscape, Comcast, School District 12 and E-911. This site is not within the Airport Overlay and was not seen by the Airport Advisory Committee and is outside of the buffer for review by USAFA.

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

1. Review Criteria / Design & Development Issues:
Background

Historically, 10 & 12 El Encanto Drive have been under single ownership; the owner resided at 12 El Encanto Drive and used 10 El Encanto Drive as a horse property. A stable was constructed on 10 El Encanto Drive in 1956, but no other structures have ever been constructed on 10 El Encanto Drive. The eastern portion of 10 El Encanto Drive and 12 El Encanto Drive were platted, but the western portion of 10 El Encanto Drive has never been platted.

In 2016, 10 & 12 El Encanto Drive were put on the real estate market. The owners were willing to sell the properties as a whole or as two separate properties, **FIGURE 8**. The owner of 9 El Encanto Drive agreed to purchase 12 El Encanto Drive and was sold in June of 2016. In December of 2016, 10 El Encanto Drive was purchased by The Newport Company. The Newport Company had conducted two neighborhood meetings and submitted the preliminary and final plat application prior to purchase.

The Preliminary and Final Plat application is a request to subdivide the property into seven single-family lots with a 20 foot private road accessing each lot from El Encanto Drive. The property is zoned R (Estate Single-Family Residential) and each lot requires 20,000 square feet. To address concerns about overflow parking, a nine foot wide grass paver section was added to the north of the private drive. There are three tracts proposed: Tract A includes landscape, drainage, stormwater quality and the grass paver parking area, Tract B includes the round-about landscaping, and Tract C includes private and emergency access to the seven lots as well as to 12 El Encanto Drive.

Density

A major concern heard from the neighborhood was that the new lots would be more dense than the existing lots surrounding the property. **FIGURE 9** includes an analysis of the surrounding properties and notes that the surrounding properties vary in size from 17,296 square feet to 69,260 square feet. Of the 85 lots analyzed only 9 lots exceed 25,000 square feet. The lots proposed with this subdivision range from 20,002 square feet to 25,068 square feet. Staff feels this range fits well within the density of the surrounding neighborhood.

Private access and Parking

The neighbors also expressed concern that the 20 foot access road is too small and stated that the owner should be required to meet the standard 50 foot right-of-way and 35 foot pavement width of the surrounding community. The proposed roadway is private and meets the standard width requirement for fire and traffic. In addition to the 20 foot private drive, the applicant is adding a nine foot grass paver parking area that is 330 feet in length along the majority of the private drive. Grass paver parking area would accommodate 15 parked vehicles for the neighborhood in addition to parking that could be accommodated in the driveways of the lots. City Code requires one parking space per unit and this parking space can be accommodated in a garage or driveway; the lots in this development will accommodate the required parking and the 15 grass paver parking spaces will be used for overflow parking.

Fire Access/safety

Although this property is located on the west side of I-25 and in the Broadmoor, it is not within the Hillside Overlay. The neighboring property owners were concerned about fire safety, fire access and fire evacuation. Brett Lacey, City Fire Marshall, met on-site with the neighbors to address their concerns. A 20 foot access drive adequately meets the requirements for fire access and the turnaround at the end of the cul-de-sac allows the fire apparatus to come in and out of the site. The added single-family homes will be able to exit in the event of a wild fire via the existing street system. The Broadmoor Fire Chief, Noel Perran, was also consulted and reviewed the submitted plans. He raised no additional concerns for the development.

Even though the property is not within the Hillside Overlay, the property is within the Wildland Urban Interface (WUI). Staff has worked with the applicant and the applicant is willing to voluntarily follow Appendix K of the Fire Code. This appendix is the hillside design manual for

the fire department and requires additional hardening of the structures due to the location of the homes in the WLUI.

Utility easements

A major point of concern raised by the surrounding neighbors was to ensure all recorded easements were correctly documented on the final plat and that the easements allowed the current property owner of 10 El Encanto Drive to service the seven new lots with water, sewer, electric and gas. Due to the complexity of the concerns, staff has included the easements below and noted how all concerns have been addressed by the applicant.

- Book 1397 Page 217-219 (**FIGURE 10**) - The first page of this easement does not apply to this property. The applicable portion of the easement starts on page 2. This easement runs along the southern property line of 10 El Encanto Drive. The 20 foot private utility easement grants the ability to lay and maintain utilities and utility lines under the service of said easement. The proposed plat includes this 20 foot private utility easement.
- Book 2228 Page 380 (**FIGURE 11**) – This easement is along the eastern property line of 10 El Encanto Drive, but not adjacent to the property line. The 15 foot easement was established in 1968 and was created for the purpose of laying sewer pipe and the construction, maintenance, operation and repair of said sewer system. This easement discusses allowing two additional connections to the sewer line to the western portion of 10 El Encanto Drive. Colorado Springs Utilities has reviewed this easement and agrees that this does not limit sewer connections for 10 El Encanto Drive.
- Reception number 216067228 (**FIGURE 12**) – This easement was recorded on June 21, 2016 to grant 12 El Encanto Drive a non-exclusive permanent easement across the easterly twenty feet of 10 El Encanto Drive. This easement is shown on the plat.
- Book Z-2 Page 98 (Replat of Lot 9, Block 1, Sierra Vista Estates Plat) (**FIGURE 13**) – When the Sierra Vista Estates Plat was created it granted a 5 foot public utility easement on the east property line of 10 El Encanto Drive and a 7 foot and 15 foot public utility easement on the west side of the old Lot 3, Block 1 from the Replat of Lot 9, Block 1 Sierra Vista Estates.

The water and sewer connections for this site are being accessed via a 50 foot wide public utility easement that straddles the eastern property line. This project is dedicating a 45 foot wide public utility easement on the eastern property line from El Encanto Drive to the east/west private drive. The other 5 feet of this easement is on the western edge of 12 El Encanto Drive via the 5 foot public utility easement establishment with the Replat of Lot 9, Block 1 Sierra Vista estates.

Detention and Water Quality

A single private full spectrum pond is located within Tract A towards the entrance of the site. The pond was designed and sized for the 100 year storm event per the Urban Drainage Detention spreadsheet. A swale located on the south side of the private drive will convey flows from the single-family homes to the full spectrum pond in Tract A. After treatment and detention, the water will then be conveyed to El Encanto Drive and Mayfield Lane.

Traffic

The preliminary plat drawings were reviewed by the City Traffic Engineering Department. The access width of 20 feet was approved and a traffic study was not required for the site due to the small number of trips added from the seven new single-family homes.

Geologic Hazard

A geologic hazard study was required for the property. The study was reviewed by the Colorado Geologic Survey (CGS); see their comments in **FIGURE 14**. Their review did not observe any subsurface conditions that would preclude the residential development. CGS did recommend following Entech Engineering's recommendations for monitoring for shallow groundwater and

regarding and associated construction recommendations to mitigate against damage from frost heaving.

Staff finds that the applications associated with this project have adequately addressed all of the issues raised by the internal review agencies and meet the review criteria as set forth in City Code.

1. Conformance with the City Comprehensive Plan:

The 2020 Comprehensive Plan calls out this area as “Low Residential”, which is a designation to be used for large lot residential developments and underdeveloped areas with environmental features that preclude more intense development. Although this site is currently undeveloped, it does not have any environmental features to be protected. The development that is proposed is compatible with the surrounding existing large lot residential. The Comprehensive plan encourages infill and use of existing infrastructure for new developments.

Objective LU 2: Develop A Land Use Pattern That Preserves the City's Natural Environment, Livability, And Sense of Community

A focused pattern of development makes more efficient use of land and natural and financial resources than scattered, "leap frog" development. In contrast to dispersed patterns of development, a consolidated pattern helps to decrease traffic congestion and facilitates the ability of the City to provide needed services and public facilities, such as street maintenance, public transit, police and fire protection, and emergency services.

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Objective LU 5: Develop Cohesive Residential Area

Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city's transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.

2. Conformance with the Area's Master Plan:

No master plan exists for this site.

STAFF RECOMMENDATION:

AR PFP 16-00629 – PRELIMINARY AND FINAL PLAT

Approve the preliminary and final plat for Archer Park, based upon the finding that the preliminary and final plat complies with the review criteria in City Code Section 7.7.102, 7.7.204 and 7.7.303, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Preliminary Plat:

1. On page 3 dimension the 100' lot width for each lot.
2. Remove the temporary blow-off assembly and dead-end the main with the proposed fire hydrant.

3. A 50' wide public utility easement is required for two wet utilities. Indicate the 5' side lot easement that is on the property to the east that is being utilized to accommodate the required 50' width.
4. Show and label all existing gas and electric facilities. Existing gas and electric within El Encanto Dr. ROW not shown and labeled.
5. Call out the grass paver section as 9' wide on page 3.
6. Include a note that states "This project will follow Appendix K of the Fire Code. The hillside design manual for the fire department and requires additional hardening of the structures due to the location of the homes in the WUI."
7. Revise the pond maintenance note on page 4 to state Broadmoor Meadows HOA, not Newport Company.

Technical and Informational Modifications to the Final Plat:

1. Remove the 7' PUD Easement per book Z2 page 98 and the 15' PUD per Book Z2 page 98 from the as replatted drawing as these are to be vacated.
2. Include the reception numbers for the vacated easements noted in #1 on the as platted drawing.
3. Include the reception number for the covenants.
4. Fill in the blanks for the geologic hazard note statement.
5. For the 5' Public Utilities easement on the east property line and the 15' and 7' Public Utility Easement on the west property line of Lot 3 Block 1 Sierra Vista Estates refer to "Replat of Lot 9, block 1 Sierra Vista Estate", not "Sierra Vista Estates Plat".
6. On the blow up of the roadway on page 3 make the following changes:
 - a. Remove the 7' public utility easement.
7. Provide proof that Tract A closes, staff finds that Tract A does not close.
8. Show Tract A distance along north property line. Also show Waterfield View distance.
9. When comparing C6, C19 and the Lot curve data, the lot data and C19 agree, which indicates that there is a missing call for the 50' curve on Tract A. Please review and revise as appropriate.
10. Show and label front, side and rear lot easements for all proposed lots.
11. Show curve data for the 50' curve in Tract A.
12. Assuming the curves 22, 11, 2, 15, 31, & 23 are concentric, then the Deltas and the Chord Bearings for each curve should be identical. Please review and revise as appropriate. The same holds true for curves 21, 10, 3, 16, 30, and 24. Also, please review curves 4, 9, and 25.
13. Minor issues remain on the drainage report. Receive approval of the drainage report prior to preliminary and final plat approval.