



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes - Final Planning Commission

Thursday, May 17, 2018

8:30 AM

Council Chambers

1. Call to Order

Present: 7 - Jeff Markewich, Samantha Satchell-Smith, Reggie Graham, Chairperson Rhonda McDonald, Jim Raughton, Ray Walkowski and Jamie Fletcher

Absent: 1 - Vice Chair Carl Smith

2. Approval of the Minutes

2.A. [CPC 531](#) Approval of the April 19, 2018 Planning Commission Minutes

Presenter:

Rhonda McDonald, Chair, City Planning

Motion by Fletcher, seconded by Satchell-Smith, to approve the April Planning Commission Minutes. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

3. Communications

Peter Wysocki - Director of Planning & Development

4. CONSENT CALENDAR

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

Jenn's Learning Center

4.A. [CPC CU](#)
[18-00047](#) A Conditional Use to allow a large home daycare in the R1-6000/DF/AO (Single-Family Residential with Design Flexibility and Airport Overlay) zone district located east of the intersection of Poplar Brook Drive and Pioneer Creek Drive.

(QUASI-JUDICIAL)

Presenter:

Michael McConnell, Planner II, Planning & Community Development

Motion by Fletcher, seconded by Walkowski, 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 7:0:2

Approval of the Consent Agenda

Motion by Fletcher, seconded by Walkowski, 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

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

Waffle House

4.B. [CPC ZC 17-00061](#) A zone change of two parcels totaling 33,793 square feet from C5 (Intermediate Business) and R1-6000 (Single-Family Residential) to C5 (Intermediate Business) at the southeast corner of North Chestnut Street and West Fillmore Street.

(Quasi-Judicial)

Presenter:
Michael McConnell, Planner II, Planning & Community Development

Motion by Markewich, seconded by Satchell-Smith, that this Planning Case be postponed to the July 19, 2018 Planning Commission Hearing. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

4.C. [CPC DP 17-00063](#) A development plan to allow the construction of a 2,020 square-foot restaurant at the southeast corner of North Chestnut Street and West Fillmore Street.

(QUASI-JUDICIAL)

Presenter:
Michael McConnell, Planner II, Planning & Community Development

Motion by Markewich, seconded by Satchell-Smith, that this Planning Case be postponed to the July 19, 2018 Planning Commission hearing. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

5. UNFINISHED BUSINESS

Reagan Ranch

- 5.A. [CPC MP 87-00381-A2 0MJ17](#) Major amendment of the Banning Lewis Ranch Master Plan changing the land use of 162 acres from industrial park and retail to residential, office, industrial/research and development and neighborhood-scale commercial land uses located east of Marksheffel Boulevard, south of Space Village Avenue, and north and west of undeveloped property within the Banning Lewis Ranch.

(LEGISLATIVE)

Presenter:

Meggan Herington, Assistant Director, Planning and Community Development

Motion by Markewich, seconded by Graham, that this Planning Case be postponed to the July 19, 2018 Planning Commission hearing. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

- 5.B. [CPC ZC 16-00152](#) Reagan Ranch zone change of 162 acres from PIP-2/PBC/AO/APZ-1 (Planned Industrial Park/Planned Business Center with Airport Overlay and Accident Potential Zone-1) to PUD/AO/APZ-1 (Planned Unit Development with Airport Overlay and Accident Potential Zone-1) located east of Marksheffel Boulevard, south of Space Village Avenue, and north and west of undeveloped property within the Banning Lewis Ranch.

(QUASI-JUDICIAL)

Presenter:

Meggan Herington, Assistant Director, Planning and Community Development

Motion by Markewich, seconded by Graham, that this Planning Case be postponed to the July 19, 2018 Planning Commission hearing. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

- 5.C. [CPC CP 16-00153](#) A PUD Concept Plan illustrating the amendment of the existing industrial park land use type and eliminating the retail land use type in favor of residential, office, industrial/research and development and neighborhood-scale commercial land uses located east of Marksheffel Boulevard, south of Space Village Avenue, and north and west of undeveloped property within the Banning Lewis Ranch.

(QUASI-JUDICIAL)

Presenter:

Meggan Herington, Assistant Director, Planning and Community Development

Motion by Markewich, seconded by Graham, that this Planning Case be postponed to the July 19, 2018 Planning Commission hearing. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

Eastside Landing

- 5.D. [CPC CU 18-00001](#) Eastside Landing Conditional Use to allow a multifamily use within the PBC/AO (Planned Business Center with Airport Overlay) zone district located at the southwest corner of Stetson Hills Boulevard and North Marksheffel Road.

(QUASI-JUDICIAL)

Presenter:

Michael McConnell, Planner II, Planning & Community Development

Staff presentation:

Mike McConnell gave a PowerPoint presentation discussing the scope of the project

Applicant Presentation:

John Olsen with Altitude gave a PowerPoint presentation discussing the scope and intent of the project.

Questions:

Commissioner Markewich asked why they requested a Conditional Use and not a Zone Change. Mr. Peter Wysocki stated Multi-Family is a permitted use subject to a Conditional Use, a zone change is not required. Mr. Olsen stated the Conditional Use process gives more predictable outcome of what will actually be seen because it goes through the full

development plan process.

Commissioner Markewich ask for clarification for the right-in/ right-out off Stetson Hills. Mr. Olsen stated that it's a right lane is continued. Mr. Olsen had Mr. John Rapp with Rockwood Homes clarify if the turn out onto Marksheffel was a right turn only. He said it wasn't but when signalization happens at Antelope Ridge and Stetson Hills it will work better for traffic to flow to the south.

Commissioner Roughton asked if acceleration and deceleration lanes were discussed. Mr. McConnell stated they did not come up in Traffic Engineering's comments. Commissioner Roughton stated his concern was due to the traffic volume so close to the development

Commissioner Roughton had concerns due to lack of useable open space and a solution is to have joint use of the detention pond to be used other than just being a basin. He felt this was a key for the City moving forward to make drainage areas useable. He thought the project could be improved with that type of dual purpose use. Mr. Olsen said they are trying to do that in different cities

Commissioner Fletcher had some questions about the amount of open space an there be more than was required. Mr. McConnell confirmed that. Commissioner Fletcher stated the developer worked with the neighbors to address concern in not just this area but in multiple areas of the project.

Meggan Herington, Assistant Planning Director, clarified a point that didn't seem clear listening to the discussion. When we say required open space in this situation, there is a difference between required park and open space to meet PLDO (Park Land Dedication Ordinance) and private open space where we use a policy, of rule of thumb, of 250 sq. ft. per bedroom. In this instance the open space that has over the required amount of open space, it's over the suggested amount of open space based on that rule of thumb we use of 250 sq. ft per bedroom. That's one piece of it the other is the PLDO where they will pay the fees in lieu of dedication that is the other piece. When you look in the code you will not see a specific type of development requires X amount of open space.

Supporters:

None

Opponents:

None

Questions of Staff:

None

Rebuttal:

None

DISCUSSION AND DECISION OF PLANNING COMMISSION:

No Discussion

Motion by Markewich, seconded by Satchell-Smith, to approve the Conditional Use to allow a multifamily use within the PBC/AO (Planned Business Center with Airport Overlay) zone district, based upon the findings that the Conditional Use request complies with the three (3) review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704.

The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

6. NEW BUSINESS CALENDAR

CMRS - Russell Middle School

- 6.A.** [CPC CM1
17-00136](#) A conditional use for a Commercial Mobile Radio Service (CMRS) installation of a 60-foot freestanding concealment canister monopole with 5-foot lighting rod and a fenced telecommunication compound located at 4760 Saddlewood Drive.

(Quasi-Judicial)

Presenter:

Rachel Teixeira, Planner II, Planning and Community Development Body

Staff presentation:

Rachel Teixeira gave a PowerPoint presentation discussing the scope of the project

Applicant Presentation:

Mr. Carroll representing the builder and School District 11. T-Mobile is the carrier gave a brief PowerPoint presentation.

Questions:

Commissioner Fletcher stated his cell phone was his life line yet cell towers and cell poles weren't attractive. We can't consider the health effects of

cell towers as part of the review. Commissioner Fletcher quoted from the packet regarding the Telecommunication Act of 1996 FCC that standards rest solely with the FCC and cities' cannot deny a CMRS facility on the basis of health concerns. But could a school district. Mr. Carroll stated that was a legal question and he can't answer. Commissioner Fletcher ask for verification from City Attorney Ben Bolinger. Mr. Bolinger stated he wouldn't comment on the school district's authority was. But property owners can do what they wish with their property. Commissioner Fletcher stated the school district owns the site and based on his information a school district can use health concerns express by the public to deny a tower. The school should weigh the financial gain verses health concerns.

Commissioner Fletcher expressed how he didn't like sticks, what the FCC mandates were, and asked if what's proposed was required for T-Mobile to provide substantial service above mediocre and if we'd know this. Ms. Teixeira stated documentation provided to the Planning Department indicates where lapse of coverage exists. Commissioner Fletcher asked what was mediocre and what was required to make a 911 call. The T-Mobile representative gave clarification on what level 911 calls could be made on and all 2G, 3G, and 4G levels. Commissioner Fletcher further asked if the current service meet the FCC requirements. The T-Mobile representative stated yes, it was satisfied years ago.

Chair McDonald interrupted Commissioner Fletcher and reminded him they are strictly limited to visual impact, the location and the height and type for their review, anything else the FCC regulates. If the school district wants to lease their property they can. Our only job is to see if this meets our criteria and the rest is not within our purview at all.

Commissioner Walkowski asked why they were using a 60-ft height in this location. The T-Mobile representative stated the best signal is line of site and there are a lot of mature trees here so we need to be higher. Commissioner Walkowski commented several 45-ft towers in several places could possibly be more product and then they wouldn't have to come to Planning Commission for a 60-ft one. We may need to change our height regulation to allow 60-ft to allow administrative approval.

Commissioner Graham asked if the lightning rod go above the 60-ft. The T-Mobile representative said yes.

Commissioner Markewich confirmed the original plan was a stealth monopine but due to the neighbors it was switched to the stealth pole, moved, and design was changed. The T-Mobile representative said yes.

Supporters:

None

Opponents:

None

Questions of Staff:

None

Rebuttal:

None

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commission Raughton stated he was pleased with how T-Mobile worked with the neighborhood to work out some compromises. He will be supporting the project.

Commissioner Markewich stated based on review criteria, this is a reasonable request. To opponents there is the ongoing discussion about health concerns that we can't control. There are numerous tradeoffs but he still thinks the request is reasonable and will be in support.

Motion by Graham, seconded by Satchell-Smith, to approve the conditional use for the CMRS at 4760 Saddlewood Drive Conditional Use Development Plan, based upon the findings that the CMRS conditional use development plan meets the review criteria for granting a conditional use as set forth in City Code Section 7.5.704 and the CMRS location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608. The motion passed by a vote of 7:0:2

Aye: 7 - Markewich, Satchell-Smith, Graham, Chairperson McDonald, Raughton, Walkowski and Fletcher

Absent: 1 - Smith

7. Presentations/Updates

7.A. [18-0262](#) Academy Boulevard Great Streets Progress Report 2018

Presenter:

Conrad Olmedo, Comprehensive Planner II

Natalie Rodriguez, Comprehensive Planning Work Study

Presentations and Informational Updates - No formal hearing

Conrad Olmedo, Comprehensive Planner II, gave a brief PowerPoint presentation on the Academy Boulevard Great Streets Report for 2017 and the plan for the project going forward.

7.B. [CPC 530](#) Accessory Dwelling Units Code Updates

Presentations and Informational Updates - No formal hearing

Hannah VanNimwegen, Senior Planner and Mike Schultz, Principal Planner gave a PowerPoint presentation regarding Accessory Dwelling Units Code Update. What the code amendments could include moving forward and approximate time frames for code amendments coming before Planning Commission and City Council.

8. Adjourn