

CITY PLANNING COMMISSION AGENDA
SEPTEMBER 14, 2022

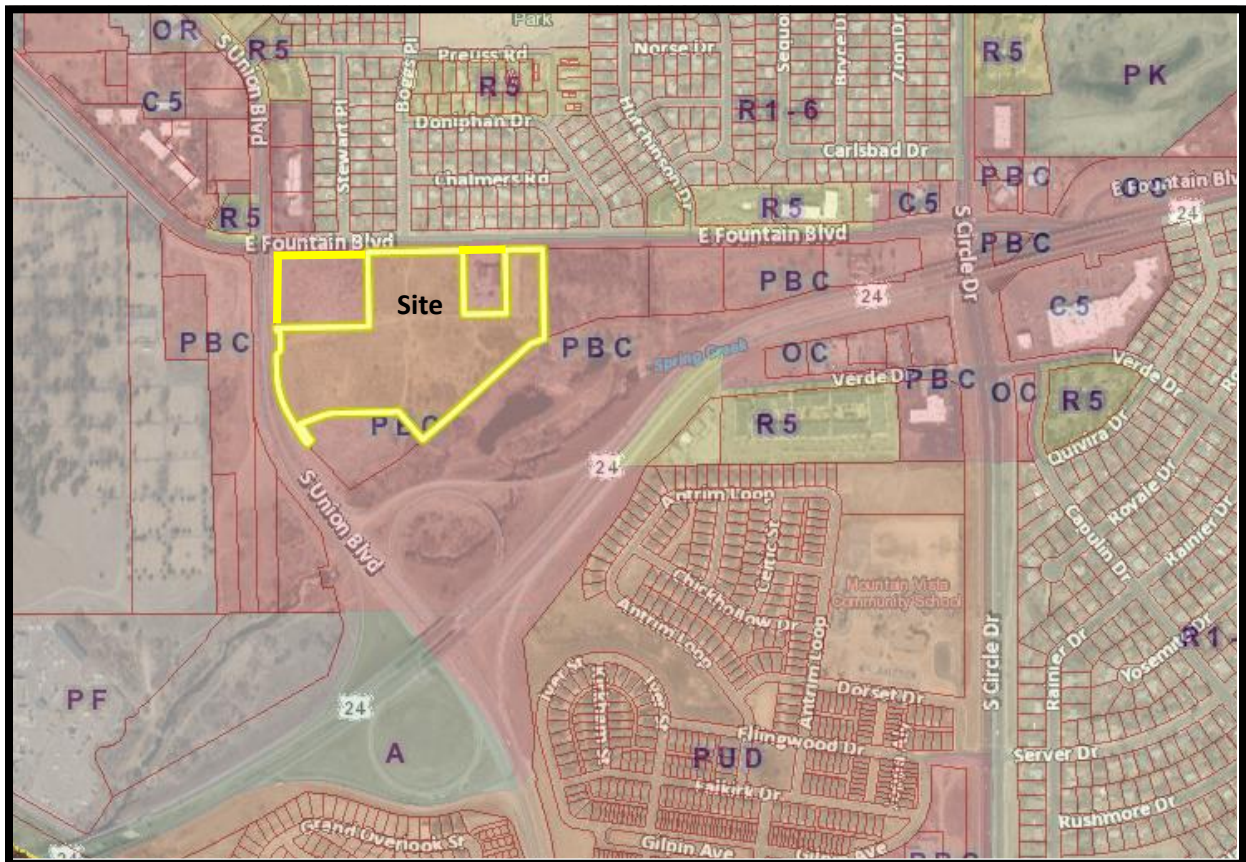
STAFF: GABE SEVIGNY

FILE NO:
CPC CP 20-00041-A1MN21 - QUASI-JUDICIAL
CPC CU 21-00148 – QUASI-JUDICIAL

PROJECT: CHEYENNE VIEW APARTMENTS CONDITIONAL USE

OWNER/DEVELOPER: FOUNTAIN VALLEY HOLDINGS LLC

CONSULTANT REPRESENTATIVE: CLASSIC CONSULTING ENGINEERS & SURVEYORS, LLC /
KYLE CAMPBELL



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for a concept plan amendment for the Fountain and Union Concept Plan consisting of 20.638 acres, a conditional use development plan for Cheyenne View Apartments consisting of 13.535 acres for 341 multi-family units, and an administrative application for a final plat for four (4) Lots and two (2) Tracts. The site is zoned PBC/CR/SS (Planned Business Center with Conditions of Record and Streamside Overlay), located southeast of the East Fountain and Union Boulevard intersection.
2. Applicant's Project Statement: (see attachment "Project Statement")

3. Planning and Development Team's Recommendation: Staff recommends approval of the applications with one (1) Condition of Approval:
 - a. Condition of Approval:
 - i. Applicant will receive final approval from SWENT for the Final Drainage Report.

BACKGROUND

1. Site Address: The property is southeast of the East Fountain and Union Boulevard intersection and is currently not addressed.
2. Existing Zoning/Land Use: PBC/CR/SS (Planned Business Center with Conditions of Record and Streamside Overlay)/Vacant Parcels
3. Surrounding Zoning/Land Use:
 - North (of East Fountain Boulevard): R5, R-1 6000 and C5/Single-Family, Multi-Family Residential, Religious Institution, Elementary School and Park, Apartments, Nursing Home, and Commercial
 - East: PBC, OC, R5, R 1-6000, PK and C5/Apartments, Golf Course, Commercial, Convenience Store, Restaurant, Mortuary Religious Institution, Warehouse/Storage, Neighborhood Shopping Center, Vacant Commercial and Single Family
 - West (of South Union Boulevard): PBC & PF/Vacant Commercial, Cemetery and Warehouse/Storage
 - South: PBC, PUD, A and R5/Vacant Parcel, Single Family, Elementary School, and Commercial
4. Annexation: Buena Vista Addition #3, May 1971
5. Master Plan/Designated Master Plan Land Use: Prospect Park/Commercial
6. Subdivision Plat: A concurrent application for a final plat is pending an approval of these applications.
7. Zoning Enforcement Action: None
8. Physical Characteristics: The 20.638-acre site is an existing vacant parcel with native grasses, and slopes from the northeast area of the site southeast towards Spring Creek adjacent to Interstate-24.

STAKEHOLDER PROCESS AND INVOLVEMENT

City Planning noticed 193 property owners within a 1,000-foot buffer distance. City Planning Staff received an three (3) emails concerning the project (**see attachment "Neighbor Comments"**). Concerns were in regards to density and traffic. No other written correspondence was received in response to the internal review postcard mailing and the property posting. The site will also be noticed and posted prior to the City Planning Commission hearing.

Staff sent the plans to the standard internal and external reviewing agencies for comments. Those commenting agencies included Colorado Springs Utilities, Traffic Engineering, City Engineering Development Review, Parks and Recreation, Floodplain, City Surveyor, Water Resources, Fire Department, Budget/Finance, Harrison School District 2, CDOT, Economic Development, CONO, Spring Creek HOA, Hillside Neighborhood Association, and Eastlake HOA. Harrison School District 2 (HSD2) did not provide any comments pertaining to the additional students being added to the school district, however, school fees will be collected upon issuance of building permits. All city agency comments have been addressed.

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

1. Review Criteria / Design & Development

a. Background

The original 48.9-acre Prospect Park Master Plan was approved February 6, 1981, for the area generally south of East Fountain Boulevard, east of South Union Boulevard, west of South Circle Drive, and north of the U.S. 24 bypass. The original Prospect Park Master Plan contained 37.2 acres of commercial land use designation. A master plan amendment was completed in October 4, 1984, that modified the land from just commercial to a more specific mix of commercial and retail and increased the master planned area to a total of 56.46 acres. In May of 2020, another master plan amendment, CPC MP 81-A2MJ20, and the first Fountain and Union Concept Plan, CPC CP 20-00041, was approved for an area of 20.638 acres as master planned and concept plan for commercial and multi-family residential (12-24.99 dwelling units per acre).

At the time of the above approvals, there was a former restaurant site included in this development that was intended to be removed; however, that structure has since sold to another developer and that developer intends to refurbish the structure. This process required a concept plan amendment to relocate the multi-family use into an area that was previously designated as commercial in order for the applicant to submit for a conditional use development plan.

b. Concept Plan Amendment

The proposed minor amendment is due to a loss of an area designated as multi-family to the existing restaurant and relocating the proposed multi-family to the westside of the site occupying what was previously designated as commercial (**see attachment "Fountain and Union Concept Plan Amendment"**).

The commercial uses within the Fountain and Union Concept Plan are shown to be located along South Union Boulevard and near the South Union Boulevard and East Fountain Boulevard intersection. The multi-family residential (12-24.99 dwelling units per acre) is proposed on the remaining portion of the site. Locating the commercial uses at the corner will allow visibility and access from two major roadways. Introducing multi-family directly east will complement the commercial and afford new residents the opportunity to walk to neighborhood services. The multi-family is complementary to the adjacent streamside and provides a good transition between commercial and single-family uses in the area.

Staff finds the concept plan minor amendment is in conformance with the review procedures for an amendment in Section 7.5.503 and for establishing a concept plan in Section 7.5.501.E of City Code.

c. Conditional Use Development Plan

The property is currently zoned PBC (Planned Business Center). Within the PBC zone district a variety of uses are allowed. The uses are primarily commercial; however, multi-family is allowed as a conditional use. Conditional uses require staff to review the project and determine if the use is compatible with the surrounding uses. The City Planning Commission is the final approving authority for all conditional uses.

The requested Cheyenne View Apartments Conditional Use Development (**see attachment "Cheyenne View Apartments Conditional Use Development Plan"**) illustrates a total of 341 units dispersed through thirteen (13) structures and 569 total parking spaces to be built out in three (3) phases, and two (2) tracts, one for onsite detention and the other for a future public neighborhood park. There are three (3) access points along Fountain Boulevard, and one (1) access point along Union Boulevard for this development.

The subject property is surrounded by a variety of land uses. These uses include the Evergreen Cemetery, offices, storage, and warehouses to the west, commercial to the northwest, commercial and residential to the north, commercial, office and Valley Hi Golf Course to the northeast, commercial, civic and residential land uses to the east, and residential

to the south (**see attachment “Context Map”**). The multi-family residential provides an additional housing option and transition from single-family residential to commercial. The project will allow for additional and affordable housing choice in the area since there is primarily single-family residential to the north (across East Fountain Boulevard) and to the southeast of the site.

There are varieties of parks within a 1.6-mile range including regional parks:

- Memorial Park to the northwest off of South Union Boulevard
- Valley Hi Golf Course to the northeast off of South Chelton Road
- Leon Young Sports Park to the southeast off of South Chelton Road

Neighborhood parks including:

- Adams Park to the north off of Manitoba Drive
- Van Diest Park to the southeast off of Verde Drive
- Fountain Park to the west off of East Fountain Boulevard
- Roy Benavidez Park to the northeast off of Afternoon Circle

There are several schools in the area ranging from elementary to college. These nearby educational opportunities include:

- Adams Elementary to the south off of Manitoba Drive
- Hunt Elementary to the northwest off East Moreno Avenue
- Eastlake High School to the northwest off Eastlake Boulevard
- Mountain Vista Community School to the southeast off Dorset Drive
- Pikes Peak Elementary to the southeast off Verde Drive
- Carmel Middle School to the southeast off Pepperwood Drive
- Star Academy Elementary to the northeast off Airport Road
- Tesla Middle and High School to the northeast off Afton Way
- Rogers Elementary School to the northeast off South Circle Drive.

The site is also in close proximity to several bus stops that will afford future residents additional transportation opportunities to many different areas of the city.

There are a total of 5 bus stops adjoining or within a short walk from the site serving Bus Route No. 15 and Bus Route No. 1 including:

- two stops at the intersection of Union and Fountain;
- one stop off Fountain between Donifan Drive and Hutchinson Drive; and,
- two stops near the intersection of Fountain and South Circle.

There are also several areas of undeveloped, commercial sites in close proximity: 7.17-acres across South Union Boulevard to the west; three vacant commercial sites to the east, two commercial lots off of South Union Boulevard, 1.35-acre lot to the north of South Union Boulevard and East Fountain Boulevard, 0.989-acre to the north of South Union Boulevard and East Fountain Boulevard, and commercial sites along the South Circle Drive corridor are potential sites for commercial redevelopment.

There are major grocery stores sites within a 3-mile range of the Fountain and Union project including:

- King Soopers at 2910 South Academy Boulevard;
- Target at 1630 East Cheyenne Mountain Boulevard;
- Walmart Neighborhood Market off of 1725 North Union Boulevard and 1622 South Academy Boulevard;

- Safeway Stores off of 1920 South Nevada Avenue; 1425 South Murray Boulevard and 1121 North Circle Drive; and
- Walmart Supercenter off of 3201 East Platte Avenue.

Staff finds that the proposed plan meets the review criteria for a Conditional Use and Development as set forth in City Code Sections 7.5.704 and 7.5.502(E) respectfully.

d. Final Plat

The applicant has submitted a concurrent application for a final plat for the Cheyenne View Apartments Filing No. 1. The final plat proposes to replat Lot 1, Block 1 Prospect Park Subdivision No. 6, and a portion of unplatted land, and plat as four (4) lots and two Tracts. Tract A is proposed to be reserved for onsite detention, while Tract B is proposed to be reserved for a future public park. This application is an administrative approval, but will not be approved unless the above applications are approved by the City of Colorado Springs Planning Commission.

e. Outside Agency Review

i. Traffic Engineering

An updated Traffic Generation Analysis was required for this submittal and was dated November 30, 2021. The proposed development area has the potential to generate approximately 2,496 daily trips with 157 of those occurring during the morning peak hour and 191 during the afternoon peak hour. The Analysis anticipates the proposal will not create a negative impact to traffic operations for the surrounding roadway network and proposed site accesses, nor at the Fountain Boulevard and Union Boulevard intersection and is in compliance with the Prospect Park at Fountain and Union Traffic Impact Study. The analysis was sent to City Traffic Engineering and have no additional comments and agree with the Analysis.

Notes were added to the Conditional Use Development Plan that the developer is required to construct an eastbound right turn lane at the intersection of Fountain Boulevard/proposed wester site access (adjacent to Stewart Place) to provide 175-foot right-turn and 55-foot long bay taper; as well as adding the developer is required to stripe a southbound left turn lane at the intersection of Union Boulevard/proposed middle site access (access B in the traffic study) to provide a back to back left turn lane with 120-foot southbound left-turn with 25-foot taper, and 200-foot northbound left-turn with 25-foot taper at Fountain Boulevard/Union Boulevard Intersection.

ii. Streamside Overlay:

The site has been reviewed for streamside standards in City Code Section 7.3.508 and a land use suitability analysis was provided. The property meets the requirements for streamside.

iii. Final Drainage Report:

Stormwater runoff from the Cheyenne View Apartments development and future Fountain and Union mixed use development will be captured within a privately owned and maintained storm sewer system. The runoff will then be conveyed to a privately owned and maintained Full Spectrum Extended Detention basin. The Full Spectrum Extended Detention basin will treat for water quality and release major (100-year) and minor (5-year) storm events, at or below predeveloped rates, into existing public storm sewer system that flows south and under Highway 24.

2. Conformance with the City's Comprehensive Plan (PlanCOS)

Staff has evaluated the proposed application for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the Vision Map (**see attachment "Vision Map"**), as part of the Reinvestment Area &

Community Hub. The subject site is identified as high areas of change on the Areas of Capacity and Change Map (**see attachment “Areas of Change”**). PlanCOS identifies policies related to the proposed use variance. Several themes support the proposal and are discussed below.

Vibrant Neighborhoods

The project site is identified on the plan’s Vision map as a Changing Neighborhood. Per the Vibrant Neighborhoods Framework map this site is part of the Pikes Peak Park North neighborhood that extends from north of Hancock Expressway and goes thru the Pikes Peak Park subdivision neighborhood to South Chelton Road, and Fountain Boulevard to south of Fountain Boulevard between East Las Vegas Street and South Academy Boulevard.

The project has the desired elements of an integrated mix of land uses to allow siting of residential, retail, office, recreational, and educational facilities within close proximity and a diverse of housing choices. The applicant’s mission for the project supports the goal of the neighborhood typology to retrofit, reinvent, and introduce new features to enhance the identity, quality, affordability, and attractiveness of the Pikes Peak Park North neighborhood.

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.

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.

Strategy VN-2.A-5: Amend the City’s zoning code to allow attainable housing in multi-family and commercial zoning districts in order to maximize the availability and distribution of this housing option in the city.

Unique Places

The project site is identified on the plan’s Vision map as Reinvestment Area and Community Hub within the Pikes Peak Park North neighborhood. This site extends from north of South Union Boulevard to south of Fountain Boulevard, between East Las Vegas Street to the eastern edge of South Academy Boulevard per the Unique Places Framework map.

As a whole, this project provides a mixture of commercial and residential development that will provide infill development that compliments the surrounding residential land uses. Here, the neighborhood center typology provides a center of activity with an integrated mix of land uses and to take advantage of the capacity and potential of this neighborhood to create unified, vital, connected, and more transit supportive urban places, each with its unique character, identity, and design.

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.

Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the city.

Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core area of the city by using a combination of incentives, rezoning, and creative design solutions.

City Planning staff finds the Fountain and Union Concept Plan Amendment and the Cheyenne View Apartments Conditional Use Development Plan to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Master Plan

The site is part of the Prospect Park Master Plan and is currently designated as commercial and multi-family residential on the site plan. Staff has determined this proposal to be in compliance with the master plan.

STAFF RECOMMENDATION:

CPC CP 20-00041-A1MN21 – Concept Plan Amendment

Approve the Fountain & Union Concept Plan Amendment, based upon the findings for an amendment in Section 7.5.503 and for establishing a concept plan in Section 7.5.501.E

CPC CU 21-00148 – Conditional Use Development Plan

Approve the Cheyenne View Apartments Conditional Use Development Plan to allow for 341 multi-family units in the PBC/CR/SS (Planned Business Center with Conditions of Record and Streamside Overlay) zoning district, based upon the findings that the request complies with the three review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.E, with one (1) Condition of Approval:

1. Condition of Approval:

- a. Applicant will receive final approval from SWENT for the final drainage report.