
CITY PLANNING COMMISSION AGENDA

ITEM NOS: 7.A – 7.C

STAFF: MEGGAN HERINGTON

FILE NO(S):

A. - CPC MPA 05-00278-A2MN14- QUASI-JUDICIAL

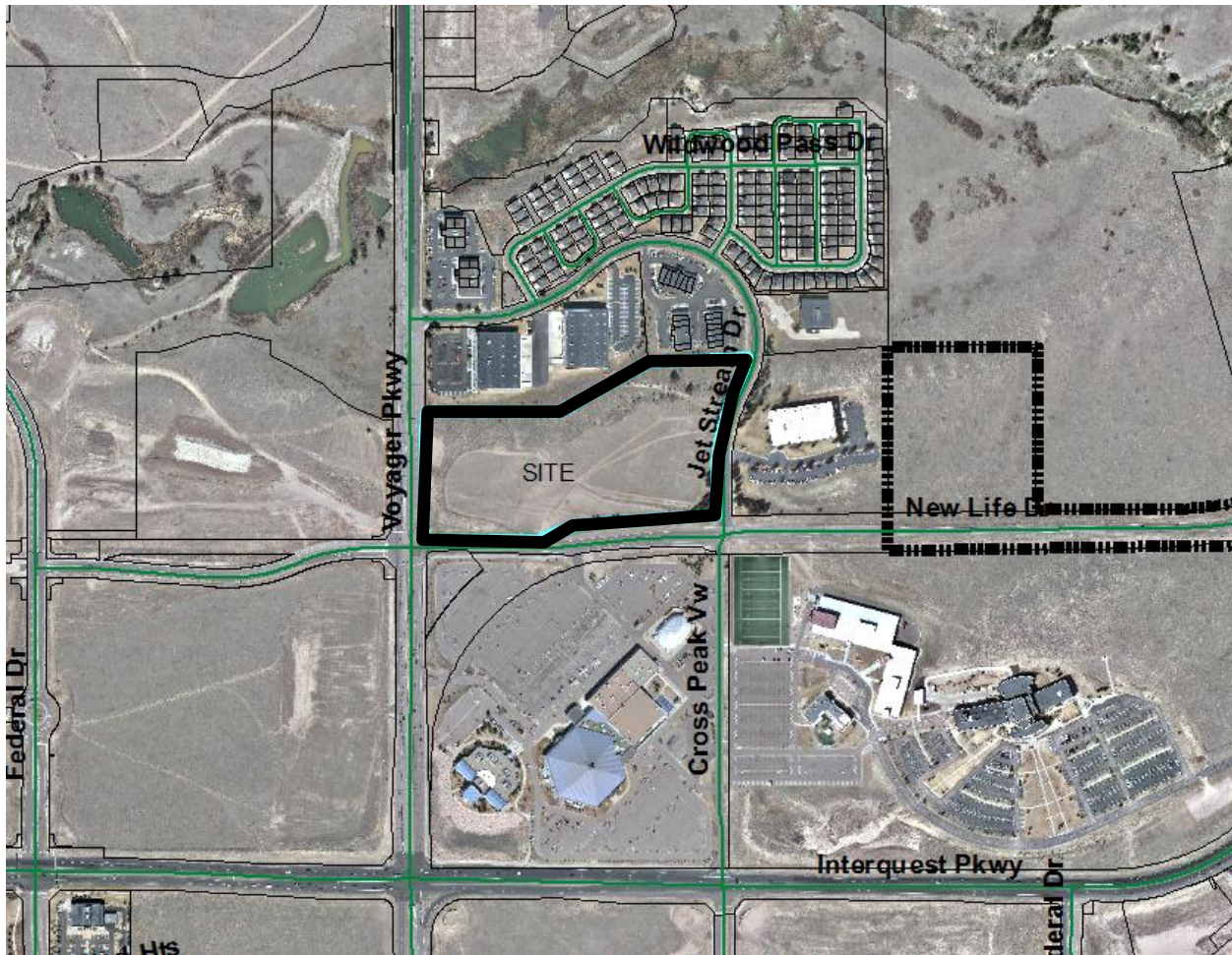
B. - CPC PUZ 14-00066 – QUASI-JUDICIAL

C. - CPC PUP 14-00070 – QUASI-JUDICIAL

PROJECT: 11305 VOYAGER

APPLICANT: EV STUDIO PLANNING

OWNER: NEW LIFE CHURCH



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a minor amendment to the Northgate Master Plan, PUD zone change, and PUD concept plan for a 17.05-acre parcel located at the northeast corner of Voyager Parkway and New Life Drive, north of New Life Church.

The minor master plan amendment proposes to change the land use from office and industrial to community commercial and multi-family residential. Rezoning will change the 17.05 acres from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development), allowing a mix of commercial and multi-family uses (multi-family residential at a maximum of 30 dwelling units per acre) with a 45-foot maximum building height for all structures.

The PUD concept plan illustrates the development of 3.7 acres of mixed commercial uses along Voyager Parkway and a 13.35-acre apartment project on the eastern portion of the site. The concept plan illustrates multi-family development to include up to 344 apartment units of varying size within 15 individual buildings, along with internal private parks and open space areas. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends denial of the applications.

BACKGROUND:

1. Site Address: The site is currently addressed as 11305 Voyager Parkway.
2. Existing Zoning/Land Use: The 17.05 acres is vacant
3. Surrounding Zoning/Land Use:
North: PIP-1/Office/Warehouse
South: OC/New Life Church
East: PIP-1/ Office Warehouse
West: PUD/Commercial and Multi-family
4. Comprehensive Plan/Designated 2020 Land Use: The 2020 Lands Use Map designates this property as an "Employment Center" which is defined as "activity centers that are major concentrations of employment supported by a mix of uses that meet the needs of employees and visitors, such as restaurants, lodging, child care, higher density residential, and educational facilities".
5. Annexation: The property was annexed in 1985 as part of Northgate Addition Annexation #2 and Northgate Addition Annexation #3.
6. Master Plan/Designated Master Plan Land Use: The property is in the Northgate Master Plan and currently shown as O/I (Office and Industrial). The project includes a request to amend this master plan use to community commercial and multi-family.
7. Subdivision: The property is platted as Lot 1 of New Life Church Filing No. 3 that was recorded in February, 2004.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant. The topography slopes significantly from the north to the south with roughly 34 feet elevation between the low and high points of the property.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site and sending postcards to 35 property owners within 500 feet.

Written opposition was received from the property owner to the north. This adjacent property is zoned PIP-1 (Planned Industrial Park) with a number of office/warehouse tenants. The owners of the property feel that the conversion of the site to multi-family residential will have a negative impact on their industrial uses. **(FIGURE 3)**

Staff also sent the plans to the standard internal and external review agencies for comments. There were no significant comments from the review agencies, and all comments received have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 20, Police and E-911 and the US Air Force Academy.

On July 30, 2014, staff received written comments for the US Air Force Academy stating that the property is inside the Academy's east pattern and maneuver area and the inhabitants will be exposed to aircraft traffic pattern noise during daylight hours Monday through Friday and occasionally on Saturdays (there were no attachments to this email). The request from the Academy is to add a standard notice to the plans as follows: *NOTICE: This property may be impacted by noise and other similar sensory effects of flight by aircraft used in the United States Air Force Academy's Airmanship Program. This notice shall remain in effect until the Air Force Academy shall cease to be used for flight training purposes. This notice shall run with the land.*

The applicant has added the note to the concept plan and will add the same note to the future development plan.

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

1. Review Criteria / Design & Development Issues:

Minor Master Plan Amendment

The Northgate Master Plan was originally adopted in 1985 with the annexation of Northgate Additions Numbers 1 through 4. This master plan has been amended 20 times since adoption. Those amendments vary in size and impact; changing land uses and access locations. A recent major amendment to the master plan was approved for the Copper Ridge commercial area. That amendment changed 192 acres from office and industrial to regional commercial.

With the proposed amendment, the Northgate Master Plan illustrates 364 acres of Office and Industrial, 46 acres of Community Commercial and 100 acres of Multi-Family. With each amendment to the master plan, valuable office and industrial land is being converted to other uses, but not being replaced elsewhere in this area or other parts of the City with similar access to I-25, quality of surrounding office and industrial development and land area. Continued changes in the office and industrial land use could result in an eventual elimination of this use type and a negative impact on the ability to site these types of uses in the Northgate area and City as a whole.

Staff finds that it is important to preserve the valuable office and industrial land use in Northgate. This area has superior access to I-25 and direct access to major arterials such as Interquest Parkway and Voyager Parkway which have been a draw for corporate headquarters including Compassion International, Progressive and Oracle, among others. Most recently Wal-Mart opened a data center and Bal-Seal relocated its corporate headquarters to this area. Elimination of the office and industrial (PIP-1) could impact the overall ability of the City to attract new corporate headquarters,

office/industrial flex space and other similar uses. Staff recognizes that there are other industrially zoned areas throughout the City; however, the Voyager Blvd. corridor between Briargate Blvd. and Northgate Blvd. is particularly attractive for larger campus-like office and industrial uses due to accessibility, planned commercial and service uses, existing housing options and larger tracts of undeveloped land.

There are already a number of other multi-family projects in the area. There are two existing multi-family communities; Talon Hill Apartments and Bella Springs Apartments. There is a newly approved 264-unit multi-family complex on the west side of Voyager in the Marketplace at Interquest project, across from the proposed project. Also on the west side of Voyager are 29 acres within The Farm master plan that are shown as high density multi-family. Staff has had preliminary discussions with a multi-family developer looking to continue the entitlement process for that property. (see **Figure 4**)

The existing multi-family zoning and the previously master planned areas already provide for a mixed use employment, commercial and residential center. Changing the zoning to from PIP-1 to PUD to allow additional multi-family would potentially unbalance the uses in this area.

PUD (Planned Unit Development) Rezone

The property was zoned PIP-1 as part of a larger zoning in 1985 along with the approval of the annexation and adoption of the master plan. This zone change proposes to rezone the 17.05 acres from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development). The PUD is a customized zone district that sets specific uses, densities, and building heights for the property. This PUD rezone request will allow multi-family uses at a density maximum of 30 dwelling units per acre and all land uses permitted in the PBC zone district excluding:

- Medical/Recreational Marijuana Center
- Motor Vehicle Service Station
- Sexually Oriented Businesses

The maximum building height of the PUD zone is proposed as 45 feet. The 45-foot height is the typical office and commercial building height.

City Code Section 7.5.603.B sets forth the following criteria for approving zone changes:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.
4. N/A

It is the finding of staff that the proposal to rezone from PIP-1 to PUD does not meet the all of the required criteria for zone changes, particularly Criteria 2 and 3. Staff believes that the proposed zone change will further diminish the intent of the Northgate

Master Plan as an employment center. As described above, through the years significant reduction in office and industrial zoning has occurred in the Northgate Master Plan area, deviating from the original vision of that part of the City to have a balance between residential and non-residential uses. Furthermore, a majority of the property will be designated as multi-family. Multi-family residences in this area may have a negative impact on existing and potential future industrial uses on the surrounding parcels. Approval of this zone change would essentially isolate a pocket of the existing PIP-1 zoning, which staff fears would result in possible issues with attracting new tenants or expansion of the existing uses. Further, as stated in greater detail in the master plan section above, rezoning this property from PIP-1 may have a greater impact on the overall office and industrial uses in that area by eliminating potential sites for future users.

PUD Concept Plan

The concept plan shows 3.7 acres of mixed commercial uses along Voyager Parkway and 13.35 acres of the eastern portion of the site as multi-family residential. The multi-family concept illustrates 344 multi-family units of varying sizes in 15, three-story buildings, along with usable park and open space areas for the residents.

Allowable uses and building heights are outlined on the concept plan along with building and landscape setbacks. All setbacks shown on the plan meet the minimums for City Code requirements.

As mentioned in the stakeholder section of this report, the northern neighbor has concerns about the impacts of new residential neighbors. The overall issue is compatibility and whether future residents on the subject property will object to the existing industrial uses to the north. Future residents' objections to the existing industrial properties could affect the long-term marketability of those tenant-occupied spaces. Compatibility may be accomplished through site design; the concept plan shows significant screening and buffering along the northern property line. There is an 80-foot building setback shown on the plan. Within this setback are a series of retaining walls, six-foot screen fence, 15-foot wide landscape buffer and 30-foot wide interior drive. While the exact landscape design and screen fence design are not required with the concept plan, those details of creating compatibility will be reviewed by staff with the development plan.

Site topography will also aid in buffering. There is significant grade difference between this property and the property to the north. The proposed multi-family site sits approximately 34 feet higher than the northern property. The bottom of the ridge on the northern property is at an elevation of 6,740 and the top of the ridge on the multi-family site is at an approximate elevation of 6,774.

Access will be from Jet Stream Drive and New Life Drive. There is also a new three-quarter movement access proposed off of Voyager Parkway. Internal drive aisles are private. The current New Life Drive right-of-way is wider than needed along the southeastern portion of the site. The developer will request that City Council sell a portion of the unused right-of-way for use by this project. That right-of-way disposal request will go directly to Council at a future date when the development details are submitted. The concept plan does show that area of right-of-way that will be included in the project boundaries based on Council's expected approval of the property sale.

City Code Section 7.3.605 outlines the requirements and review criteria for a PUD concept plan. The PUD concept plan document is not required to show specific landscaping, screening and buffering, lighting or other site design aspects. That type of detail is specific to a development plan. Any future request for building permits will require the submission of a PUD development plan, which will be reviewed administratively per City Code Section 7.3.606.

The two PUD concept plan criteria that warrant specific discussion are criteria 7.3.605.E & F. Criterion E. requires that the proposed concept plan “promote the stabilization and preservation of the existing or planned land uses in adjacent areas and surrounding residential areas.” Criterion F. requires that the proposed concept plan “provide an appropriate transition or buffering between uses of differing intensities both on site and off site.” Staff finds that property owner to the north raises valid questions and concerns relative to these criteria.

2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map: Employment Center

Strategy N 203b: Achieve Balanced Mix of Land Uses.

Objective LU 3: Develop a Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.

Policy LU 301: Promote a Mixed Land Use Pattern.

Policy N 302: Promote Development of Mixed-use Neighborhoods – Provide residents the choice of walking, bicycling or driving to parks, schools, work, shopping, places of worship and transit stops in their own and other neighborhoods.

Objective CCA 6: Fit New Development into the Character of the Surrounding Area.

The Comprehensive Plan does not provide direction as to the conversion of prime industrial land to other uses (especially multi-family residential), nor does it provide direction on density of multi-family residential in suburban areas. Staff acknowledges that the proposed increase in residential density can mutually support and be supported by the commercial development planned for the area; however, it is important to preserve industrial zoning so that site availability options exist for large primary-job employers. Considering that the adjoining properties are already zoned for several hundred multi-family residential units, staff believes that changing the zoning of this property from PIP-1 to MFR is not warranted.

It is the finding of the Land Use Review Division that the minor amendment to the Northgate Master Plan and the 11305 Voyager Concept Plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan’s goals and objectives.

3. Conformance with the Area’s Master Plan:

This property is part of the Northgate Master Plan and currently shown as Office/Industrial. The project includes a minor amendment to the master plan to change the use to 3.7 acres of community commercial and 13.35 acres of multi-family. The Northgate Master Plan will then include approximately 100 total acres of multi-family land use and 46 acres of community commercial while continuing to diminish the stock of industrial zoned properties.

The Northgate Master Plan was originally approved with over 900 acres of O/I (office and industrial) designated land use. The proposed master plan amendment now further reduces that land use category and impacts the land use balance in the area.

It is the finding of Staff that the proposal is not in compliance with the Northgate Master Plan.

STAFF RECOMMENDATION:

ITEM NO.: 7.A CPC MPA 05-00278-A2MN14 – MINOR MASTER PLAN AMENDMENT

Deny the amendment to the Northgate Master Plan, based upon the finding that the amendment does not meet the review criteria for master plan amendments as set forth in City Code Section 7.5.408

ITEM NO.: 7.B CPC PUZ 14-00066 – CHANGE OF ZONING TO PUD

Deny the zone change of 17.05 acres from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: Multi-family residential, 30 dwelling units per acre maximum, commercial uses as permitted in the PBC zone district excluding Medical/Recreational Marijuana Center, Motor Vehicle Service Station and Sexually Oriented Businesses, 45-foot maximum building height), based upon the findings that the change of zoning request does not comply with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603 and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

ITEM NO.: 7.C CPC PUD 14-00070 – 11305 VOYAGER PUD CONCEPT PLAN

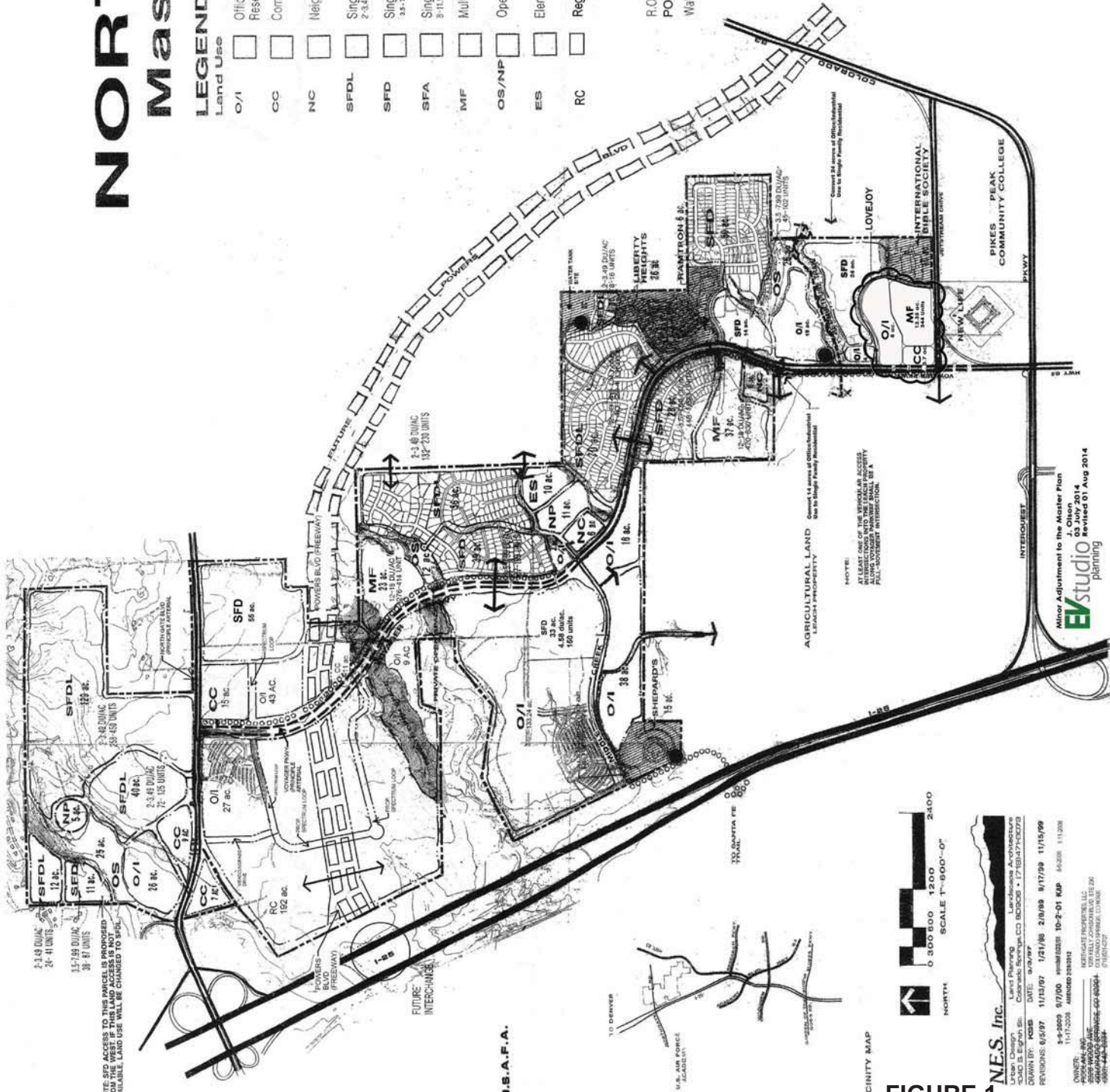
Deny the 11305 Voyager PUD Concept Plan based upon the findings that the PUD concept plan does not meet the review criteria for PUD concept plans as set forth in City Code Section 7.3.605.

Should the Planning Commission wish to approve the subject applications, it is recommended that the motion maker clearly states the reasons for the approval.

NORTHGATE Master Plan

LEGEND

Land Use	Proposed Acres
O/I	364
Office-Industrial Park/ Research & Development	46
CC	11
Community Commercial	308
NC	254
Neighborhood Commercial	0
SFDL	100
Single Family Detached Low	79
2-3.49 ac/lot 695-1061 units	10
SFD	192
Single Family Detached	
3.5-7.99 ac/lot 725-1073 units	
SFA	
Single Family Attached	
8-11.99 ac/lot 224-336 units	
MF	
Multi Family	
OS/NP	
Open Space/Neighborhood Park	
ES	
Elementary School	
RC	
Regional Commercial	



- MULTI-USE TRAIL
- BIKE PATH
- FIRE STATION (General Vehicle)
- WASTEWATER PUMP STATION
- ELECTRIC SUBSTATION
- MINOR ARTERIAL
- MAJOR ARTERIAL
- EXPRESSWAY
- INTERSTATE

Total Acreage 1508

R.O.W. Major Road
 POWERS BLVD.
 Water tank

PROPERTY OWNED BY OTHERS

VEHICULAR ACCESS
 (Show and describe all ingress and egress for adjoining properties.)

CPC MPA 05-00278-A2M14
 -CPC-MPA 05-00278-A1M14

NOTE: SFD ZONES IN THIS MAP ARE PROPOSED. HOLD SFD ACCESS TO THIS LAND ACCESS IS NOT AVAILABLE. LAND USE WILL BE CHANGED TO SFD.

VICINITY MAP

FIGURE 1

N.E.S. Inc.
 Urban Design Land Planning Landscape Architecture
 3040 S. English Bl. Colorado Springs, CO 80908 • (719) 437-0073
 DRAWN BY: KCB DATE: 9/10/09
 REVISIONS: 6/26/07 11/23/07 1/21/08 2/09/08 9/17/09 11/10/09
 5-5-2009 9/7/00 10-2-01 KJP 8-2-09 11/2/08
 PROJECT: NORTHGATE MASTER PLAN
 PROJECT NO.: 05-00278-A2M14
 SHEET NO.: 05-00278-A1M14

Minor Adjustment to the Master Plan
 J. Olson
 20 July 2014
 E!studio
 planning
 Revised 01 Aug 2014

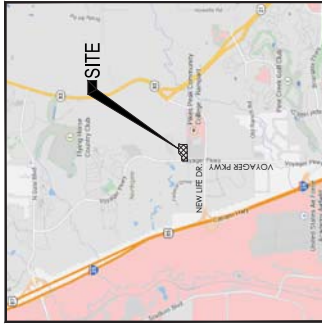
U.S.A.F.A.



Denver, CO
Evergreen, CO
Coppens Cove, TX
Colorado Springs, CO
303.670.7242
www.e!studio.com
www.e!studio.com

CONCEPT PLAN FOR 11305 VOYAGER

LOCATED IN A PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO



SOURCE: GOOGLE EARTH MAPS, 2014
ROAD MAP



SOURCE: USGS QUADRANGLE MAP COLORADO EL PASO CO. (PREVIEW, Colorado-2013)
USGS MAP

UTILITY CONTACTS

SANITARY SEWER
SUNBELT UTILITIES
111 S. CASCADE AVENUE
COLORADO SPRINGS, CO 80903
CONTACT: MATT WILLIAMS, PE
PHONE: 719.448.8800

WATER / FIRE
COLORADO SPRINGS UTILITIES
111 S. CASCADE AVENUE
COLORADO SPRINGS, CO 80903
CONTACT: MATTHEW WILLIAMS, PE
PHONE: 719.448.8800

ELECTRIC

COLORADO SPRINGS UTILITIES
111 S. CASCADE AVENUE
COLORADO SPRINGS, CO 80903
CONTACT: MATTHEW WILLIAMS, PE
PHONE: 719.448.8800

GAS

COLORADO SPRINGS UTILITIES
111 S. CASCADE AVENUE
COLORADO SPRINGS, CO 80903
CONTACT: MATTHEW WILLIAMS, PE
PHONE: 719.448.8800

PROJECT CONTACTS

OWNER
EVLUDIO ARCHITECT
1105 VOYAGER PARKWAY
COLORADO SPRINGS, CO 80903
CONTACT: MATT WILLIAMS, PE
PHONE: 719.234.7777

DEVELOPER
BANEY MANDEL DEVELOPMENT, LTD.
1203 S. WHITE CHAPEL BLVD., SUITE 230
COLORADO SPRINGS, CO 80903
CONTACT: BRYAN HOLLAND
PHONE: 817.875.2115

APPLICANT

EVLUDIO ARCHITECT
1111 OXBOW STREET, SUITE 306
DENVER, CO 80204
CONTACT: JOHN W. OLSON, R.A., LEED-AP, CNU-9
PHONE: 719.231.9799

CIVIL ENGINEER

EVLUDIO ARCHITECT
1111 OXBOW STREET, SUITE 306
DENVER, CO 80204
CONTACT: JOHN W. OLSON, R.A., LEED-AP, CNU-9
PHONE: 719.231.9799

LANDSCAPE ARCHITECT

EVLUDIO ARCHITECT
1111 OXBOW STREET, SUITE 306
DENVER, CO 80204
CONTACT: BILL FOSTER, AA
PHONE: 303.745.3482

FLOODPLAIN STATEMENT

This property is located within Zone X (Area not determined to be outside of the 500-year floodplain) as established by FEMA per FEMA map #04041C 0560; revised March 17, 1997.

GENERAL NOTE:

- The development will be comprised of a mixture of uses, potentially including Multi-Family Residential, Office, Retail, Restaurant, or Service businesses.
- All streets within the neighborhood are to be Private.
- Street grades are to be in accordance with the subdivision ordinance.
- Street names, widths, and details are shown conceptually. Actual configurations may vary, however details are established by the plan and by ordinance.
- No significant natural features exist on the property.
- Standards: Fire lane markings on the street to be inspected by the Colorado Springs Fire Department prior to Certificate of Occupancy.
- This development is located directly adjacent to existing light industrial uses. There may be impacts from traffic, noise and lighting related to the adjacent use.

SHEET INDEX

SHEET 01 - CP1
SHEET 02 - CP2

ZONING

EXISTING ZONING	PP1
PROPOSED ZONING	PUD (MULTIFAMILY AND ALL LAND USES ASSOCIATED WITH THE PROPOSED COMMERCIAL CENTER) ZONING CLASSIFICATION
Excluding:	Medical/Recreational Marijuana Center; Motor Vehicle Center; and Sexually Oriented Businesses
MAXIMUM BUILDING HEIGHT	45 FEET
RESIDENTIAL DENSITY	30 UNITS/ACRE MAXIMUM

COVER SHEET

CONCEPT PLAN

CONCEPT PLAN

DATE: 10/15/14
DRAWN BY: JWD
CHECKED BY: JWD

11305 VOYAGER
11305 Voyager Parkway
Colorado Springs, Colorado
CO-13-072

NOT FOR CONSTRUCTION

CONCEPT PLAN
This document is the property of E!studio planning and is not to be distributed, copied, or used in any way without the written consent of E!studio planning.
REVISED: 8-15-14
Addressed Comments: 5-14

COVER SHEET

CP1
CPC PUP 14-00070
Sheet 1 of 2

LAND DESCRIPTION:

A tract of land being a portion of the East Half of the Northeast Quarter of Section 20, Township 12 South, Range 66 West of the Sixth Principal Meridian, County of El Paso, City of Colorado Springs, State of Colorado. **Being more particularly described as follows:**

Block Of Beginning: The Southern line of Northgate Office/Warehouse Center Filing No. 1, recorded under reception No. 99031542 records of El Paso County, Colorado, being monumented at the Western end by a No. 4 rebar and being monumented at the Eastern end by a No. 4 rebar and end by a No. 5 rebar and 2" aluminum cap stamped "L.S. 228207" being assumed to bear N89°57'43"E, a distance of 574.27 feet.

Commencing at the Southwesterly corner of Northgate Office/Warehouse Center Filing No. 1, recorded under reception No. 99031542 records of El Paso County, Colorado, said point also being the True Point Of Beginning;

Thence along the Southern boundary line of said Northgate Office/Warehouse Center Filing No. 1, the following two (2) courses:

- 1) N89°57'43"E, a distance of 574.27 feet;
- 2) N69°18'38"E, a distance of 413.05 feet to the Southwesterly corner of Lot 1 of a rebar filing No. 1, recorded in plat Book E-4 of Page 119;

Thence along the Southern boundary line of said Lot 1, Lovejoy Filing No. 1, N89°07'46"E, a distance of 421.22 feet to a point on the Northern boundary line of said Lot 1, recorded in Northgate Office/Warehouse Center Filing No. 1, recorded in Plat Book C-4 at Page 3;

Thence along said Western Right-Of-Way line of said Jet Stream Drive, the following three (3) courses:

- 1) Along an arc of a curve to the right, having a central angle of 17°19'23", a radius of 378.00 feet, a distance of 114.29 feet to a point of reverse curve;
- 2) Along an arc of a curve to the left, having a central angle of 28°40'39", a radius of 832.00 feet, a distance of 416.51 feet to a point of tangency;
- 3) S02°54'41"E, a distance of 162.75 feet;

Thence S48°00'00"W, a distance of 54.25 feet;

Thence S89°50'58"W, a distance of 524.87 feet;

Thence S6°53'47"W, a distance of 110.25 feet;

Thence S89°06'29"W, a distance of 56.86 feet;

Thence along an arc of a curve to the left whose chord bears S46°23'22"W, a distance of 25.29 feet, having a central angle of 0°54'07", a radius of 1055.00 feet, a distance of 25.29 feet;

Thence N89°45'38"W, a distance of 143.37 feet;

Thence S89°54'10"W, a distance of 340.61 feet to the Southwesterly corner of Voyager Parkway, as platted in said Northgate Office/Warehouse Center Filing No. 1;

Thence along the Eastern Right-Of-Way line of said Voyager Parkway N00°02'31"W, a distance of 1444.99 feet;

Thence along the Eastern Right-Of-Way line of said Voyager Parkway N00°02'31"W, a distance of 933.15 feet to the True Point of Beginning.

Acresage of the above mentioned parcel is 742.481 ± 3.0 FT or 17.05 ± .AC. This parcel shall be known as New Life Church Filing No. 4.



Denver, CO
 Evergreen, CO
 Coppens, CO, TX
 Colorado Springs, CO
 303.970.7242
 www.evstudio.com

1305 VOYAGER

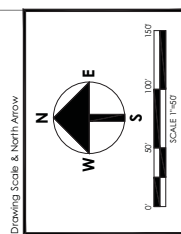
Colorado Springs, Colorado
 CO-13-072

NOT FOR CONSTRUCTION

CONCEPT BWA
 PREPARED BY: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 8-15-14
 ADDRESS COMMENTS: 8-15-14

CONCEPT SITE PLAN

- Legend
- Biting Sanitary Sewer
 - Biting Storm Sewer
 - Biting Water Mains
 - Biting Gas Line
 - Proposed Gas Line
 - Proposed Electric
 - Proposed Contour
 - Proposed Paving
 - Proposed Street
 - Proposed Fencing
 - Proposed Paving
- Scale: 1" = 40.0'

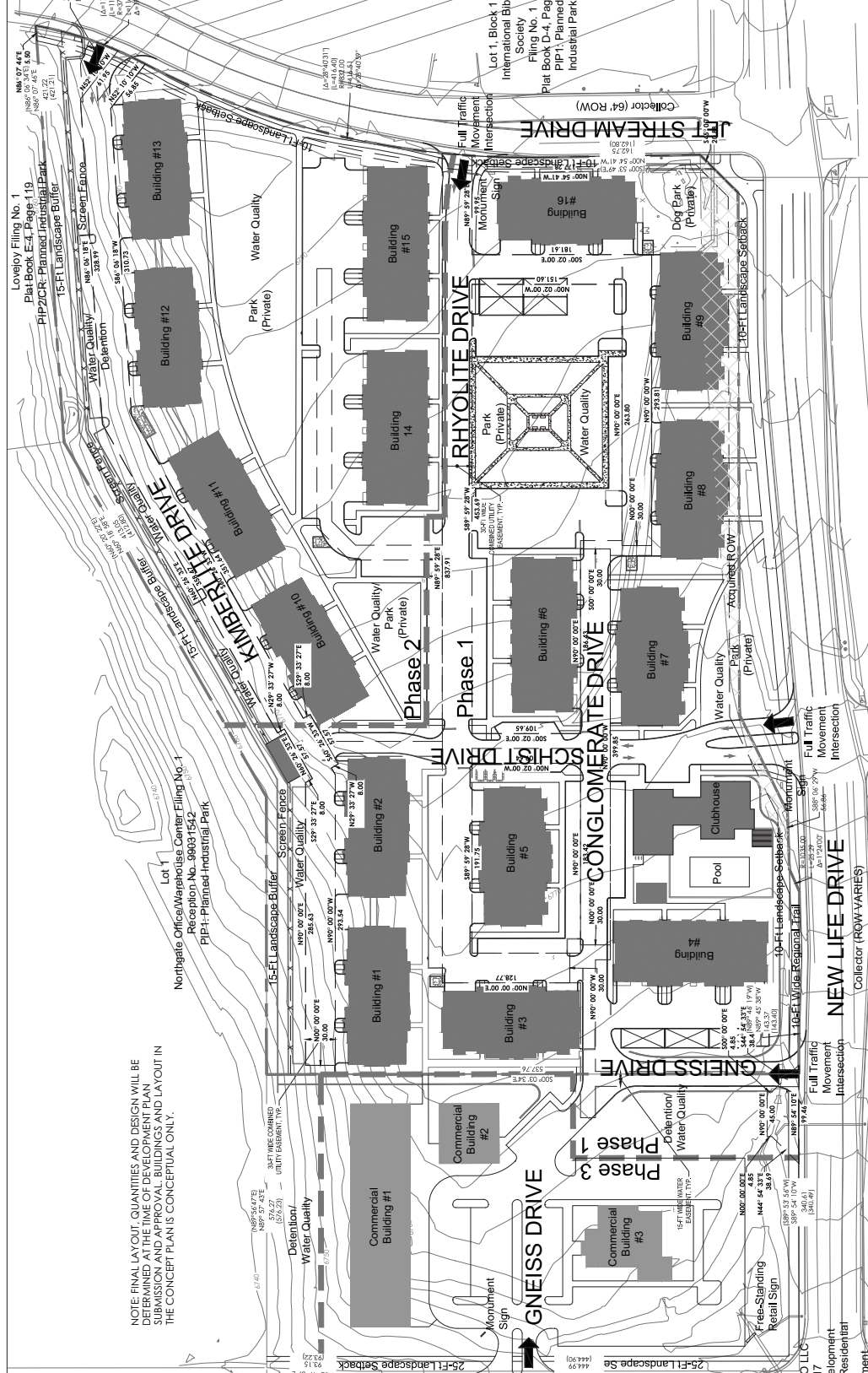


NOTE: THIS PROPERTY HAS BEEN CHECKED BY MOSE AND OTHER SIMILAR SENIOR EFFECTS OF FLIGHT BY AIRCRAFT USED IN THE UNITED STATES AIR FORCE ACADEMY'S ACADAMY SHALL CEASE TO BE USED FOR NIGHT TRAINING PURPOSES. THIS NOTICE SHALL RUN WITH THE LAND.

UNITS: ALL MEASUREMENTS ARE IN FEET UNLESS OTHERWISE NOTED

- 13.35 Acres [3,025,521 sq. ft.]
- 2 BWA Parcels [100,000 sq. ft.]
- 344 Apartments [Unit mix TBD]
- 597 Total Parking Spaces
- 14 Concrete Parking Spaces
- 21 Concrete Driveway Spaces
- 1.62 Parking Spaces/Unit

Provided Parking Spaces



- Parking Plan
- As illustrated above, we envision a three-phase development of the site, with Phase 1 occurring first, followed by Phase 2, and the subsequent Phases 3 and 4 to follow.
- Phase 1: 200 Apartments
 - Phase 2: 200 Apartments
 - Phase 3: 200 Apartments
 - Phase 4: 200 Apartments
 - Total: 800 Apartments
 - Total: 597 Total Parking Spaces
 - Total: 14 Concrete Parking Spaces
 - Total: 21 Concrete Driveway Spaces
 - Total: 1.62 Parking Spaces/Unit

Alison Valley Day, CO LLC
 TSN: 6220100017
 PUD: Planned Unit Development
 Land Use: High Density Residential
 NorWood Development
 TSN: 6220100011
 PUD: Planned Unit Development
 Land Use: High Density Residential

Lovejoy Filing No. 1
 Plat Book E-4, Page 119
 PIP2/C/R - Planned Industrial Park
 15-Ft Landscape Buffer

Northgate Office/Warehouse Center Filing No. 1
 Reception No. 98931542
 PIP1 - Planned Industrial Park
 15-Ft Landscape Buffer

New Life Church Filing No. 2
 Reception No. 96059981
 OC/C/R - Office Complex
 25-Ft Landscape Setback

Commercial Building #1
 Commercial Building #2
 Commercial Building #3

Building #1
 Building #2
 Building #3
 Building #4
 Building #5
 Building #6
 Building #7
 Building #8
 Building #9
 Building #10
 Building #11
 Building #12
 Building #13
 Building #14
 Building #15
 Building #16
 Building #17

Water Quality
 Detention
 Water Quality
 Water Quality
 Water Quality
 Park (Private)
 Dog Park (Private)
 Water Quality
 Park (Private)

3/4" Traffic Movement Intersection
 Pending Median Modification in Traffic Study

FIGURE 1

New Life Church Filing No. 4

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 20,
TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P. M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

LEGAL DESCRIPTION

A tract of land being a portion of the East Half of the Northeast Quarter of Section 20, Township 12 South, Range 66 West of the Sixth Principal Meridian, County of El Paso, City of Colorado Springs, State of Colorado, **Being more particularly describes as follows:**

Basis Of Bearings: The Southerly line of Northgate Office/Warehouse Center Filing No. 1, recorded under reception No. 99031542 records of El Paso County, Colorado, being monumented at the Westerly end by a No. 4 rebar and 1-1/4" aluminum cap stamped "L.S. 9853" and at the Easterly end by a No. 5 rebar and 2" aluminum cap stamped "L.S. 32820" being assumed to bear N89°57'43"E, a distance of 576.27 feet.

Commencing at the Southwestery corner of Northgate Office/Warehouse Center Filing No. 1, recorded under reception No. 99031542 records of El Paso County, Colorado, said point also being the True Point Of Beginning; Thence along the Southerly boundary line of said Northgate Office/Warehouse Center Filing No. 1, the following two (2) courses:

- 1) N89°57'43"E, a distance of 576.27 feet;
- 2) N60°18'58"E, a distance of 413.05 feet to the Southwestery corner of Lot 1 of Lovejoy Filing No. 1, recorded in plat book E-4 at Page 119;

Thence along the Southerly boundary line of said Lot 1, Lovejoy Filing No. 1 N86°07'46"E, a distance of 421.22 feet to a point on the Westerly Right-Of-Way line of Jet Stream Drive as platted in Northgate Office/Warehouse Center Filing No. 1, recorded in Plat Book C-4 at Page 3;

Thence along said Westerly Right-Of-Way line of said Jet Stream Drive, the following three (3) courses:

- 1) Along an arc of a curve to the right, having a central angle of 17°19'23", a radius of 378.00 feet, a distance of 114.29 feet to a point of reverse curve;
- 2) Along an arc of a curve to the left, having a central angle of 28°40'59", a radius of 832.00 feet, a distance of 416.51 feet to a point of tangency;
- 3) S00°54'41"E, a distance of 162.75 feet;

Thence S45°00'00"W, a distance of 54.25 feet;

Thence S89°50'58"W, a distance of 526.87 feet;

Thence S63°53'47"W, a distance of 110.25 feet;

Thence S88°06'29"W, a distance of 56.86 feet;

Thence Along an arc of a curve to the left whose chord bears S66°23'22"W a distance of 25.29feet, having a central angle of 01°24'00", a radius of 1035.00 feet, a distance of 25.29 feet;

Thence N89°45'38"W, a distance of 143.37 feet;

Thence S89°54'10"W, a distance of 340.61 feet to the Southeasterly corner of Voyager Parkway, as platted in said Northgate Office/Warehouse Center Filing No.1;

Thence along the Easterly Right-Of-Way line of said Voyager Parkway N00°02'51"W, a distance of 444.99 feet;

Thence along the Easterly Right-Of-Way line of said Voyager Parkway N02°17'37"E, a distance of 93.15 feet to the True Point of Beginning.

Acreage of the above mentioned parcel is 742,481 ± SQ FT or 17.05 ± AC. This parcel shall be known as New Life Church Filing No. 4.



Project Statement/ Analysis
July 3, 2014, Revised August 11, 2014

The proposed application includes a minor adjustment to the Master Plan and a Concept plan showing a mixture of uses on an existing 17 acre site.

Our client, desires to develop the currently Industrial-zoned land (PIP1, or Planned Industrial Park) into a mixture of uses. Our proposed zoning for both properties is as a Planned Unit Development, or PUD, which is a down zoning process from PIP1.

The current zoning in place allows the following land uses as permitted uses:

- Call Center
- Financial Service
- General Office
- Medical Office
- Automotive Repair Garage
- Business Office Support Services
- Business Park
- Communication Services
- Data Center
- Extermination Services
- Medical Marijuana Center
- Medical Marijuana Infused Product Manufacturer
- Medical Marijuana Cultivation Operation Center
- Membership Clubs
- Community Gardens
- Colleges or a University
- Proprietary Schools
- Construction and/or Contractor Yards
- Light Industrial
- Manufacturing
- Research and Development
- Truck Terminal
- Warehouse
- Warehouse and Distribution
- Private Parking Lot
- Public Parking Lot
- Transit Shelter
- Commercial Greenhouse

The uses listed above are permitted uses that do not require development plans to go to Planning Commission or City Council for approval. Additional notable/feasible conditional uses, which due require a Planning Commission Hearing include indoor entertainment; indoor sports and recreation; outdoor sports and recreation; restaurants; cemetery; daycare services; charter/public/non-public schools; hospital; religious institution; and community recreation.

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1117 Cherokee Street, Suite 306
Denver, Colorado 80204
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Evergreen Office:
4602 Plettner Lane – 4D
Evergreen, Colorado 80439
866.323.5882 toll free

Texas Office:
314 E. Highland Mall Blvd. Suite 100
Austin, Texas 78752
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Colorado Springs Office:
201 E. Las Animas, Suite 113
Colorado Springs, CO 80903
303.670.7242 local

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The Concept Plan submitted in conjunction with this application illustrates the intention to develop the land with predominantly 3-story apartment buildings. These buildings will be accompanied with amenities of sunken parks distributed through the site that dual function for storm water infiltration and a place for residents to enjoy the outdoors. With the dual use green spaces, we can better utilize the land and not be subject to the large detention areas that are found throughout the city.

The land along Voyager Parkway is envisioned to be developed for community commercial, which may or may not include shops, restaurants, offices, additional multiple-family residential or a combination of these uses. We envision this to not be isolated from the large area of multi-family, but rather walkable and a part of the fabric of the multi-family units. The Concept Plan illustrates the pedestrian and vehicular connectivity between the two future land parcels.

We believe the land to be harmonious and complementary to the existing land uses in the overall area. There are currently two other multi-family projects underway in the vicinity. The demand for multi-family in the area is a response, or in preparation for, the planned retail developments in the area along totaling over 4.5 million square feet of Retail. Planned retail centers include Colorado Crossing (800,000 sq. ft.), the Interquest Marketplace (900,000 sq. ft.), Monument Marketplace (641,000 sq. ft.) and Copper Ridge (2,000,000 sq. ft). In early August of this year, another retail development was announced in the Gazette with 167,000 sq. ft.

In the design process for this project, it was analyzed to maintain a portion of the property as its current zoning, PIP-1. Market research and analysis was not favorable however due to the cost of the land, however the growing demand for multi-family residential is very favorable for this area due to the area's growth rate.

One project is located directly to the southwest of the intersection of New Life Drive and Voyager Parkway. It is a part of the Interquest Marketplace and has 264 apartment units planned.

The other project is the Farm which includes 29-acres of multi-family residential. Although this plan does not currently have an application into the city denoting information regarding quantities of apartments, it does underline that there is a demand for multi-family residential in the area.

In addition to the adjacent multi-family properties, a single-family development is also located to the northwest of the property, although it is not directly adjacent. Other adjacent land uses that are complementary to apartments include New Life Church to the south and a Community College to the southeast.

Herington, Meggan

From: Steve Clark <sclark@clarkinv.com>
Sent: Thursday, July 31, 2014 4:23 PM
To: Herington, Meggan
Cc: Johnny Stevens; bwright@fwflegal.com; Sandy Stevens; Charlie Stevens; Cathy Tilma; Stephen Clark, II; Mike Helwege (mhelwege@coscommercial.com); Sharon Pack
Subject: Request for Rezoning to Multi-Family on New Life Drive & Voyager

Ms. Herington –

This is to follow up our phone conversation this week with a formal written objection to the above zoning change and request to change the Northgate Master Plan from “O & I” to residential uses in our area.

Approximately 10 years ago we developed two industrial buildings at the SEC of Voyager and Jet Stream (1705 & 1735 Jet Stream), and have owned and operated them since that time. They are Class A, 28 feet in the clear industrial buildings with multiple loading docks. At the time we purchased the land we relied on the Northgate Master Plan that assured us the area would be limited to industrial uses. A few years later we somehow missed the application (being based in Kansas), unfortunately, that resulting in allowing the single family homes (Wildwood at Northgate) that now exist across Jet Stream to the North of us.

As a result of that change of use we have had complaints from the residents of that complex regarding truck traffic, noise and lighting at our property. This would not have happened if the use had been limited to Industrial. Heavy, larger truck traffic is a hazard to children who reside in residential neighborhoods, and creates additional liability for us due to safety concerns.

Tenants with industrial uses are adverse to locating in properties that have residential uses in close proximity, with a resulting diminution of the value of our property. If the proposed rezoning is approved, we will have to bear the burden of these issues even though we were there first to locate there when this area was represented to be limited to industrial and office uses. This change would be particularly impactful to us since the subject rezoning request is immediately contiguous to our property on the South.

The owners and developers of the subject land may suggest economic reasons warrant these changes, but it is not adequate justification to burden us with the additional management responsibilities and loss of value that we will most certainly incur. It is not fair nor equitable for us to have relied in good faith upon the restrictions initially setup for this area that are now being requested to be lifted to accommodate other users economic interests many years later.

We have retained Mr. Bruce Wright, of Flynn, Wright & Fredman as our legal counsel to represent us in objecting to the requested changes. Mr. Wright will be following up with you. Please add Mr. Wright to any correspondence you might send to us on this matter.

Sincerely,

**Steve Clark
Clark Investment Group
1717 N. Waterfront Parkway
Wichita, Kansas 67206
Phone 316.634.1112
FAX 316.634.1116
www.clarkinvestment.com**

Herington, Meggan

From: Steve Clark <sclark@clarkinv.com>
Sent: Monday, July 28, 2014 9:19 AM
To: Herington, Meggan
Cc: Johnny Stevens; Mike Helwege (mhelwege@coscommercial.com)
Subject: My VM Message to you - 1735 Jet Stream

Meggan –

Per my VM to you, at your convenience I would appreciate talking with you about the pending rezoning application to multi-family on the large vacant tract contiguous to the South of our industrial property, which is located at the SEC of Voyager and Jet Stream in the Northgate area.

We would like to log a formal complaint in objection to this change. Placing residential uses immediately adjacent to industrial is problematic at best.

Our building have been there now for approximately 10 years. That immediate area was represented to us as being master planned to be only industrial uses when we developed our two buildings. Since then the zoning was changed across the street to the North with residential developed there. The uses are not compatible with truck noise, lighting requirements for industrial uses, etc.

My number is below, or you may e-mail me if you wish.

Thank you.

**Steve Clark
Clark Investment Group
1717 N. Waterfront Parkway
Wichita, Kansas 67206
Phone 316.634.1112
FAX 316.634.1116
www.clarkinvestment.com**

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FWF File No. 3357.001

July 30, 2014

Via Email:
(mharrington@springs.gov.com)

Megan Harrington
Planning Department
City of Colorado Springs
30 South Nevada Avenue, Suite 105
Colorado Springs, CO 80903

Re: Proposed Northgate Rezone / Voyager Parkway / New Life Drive
CPC MPA 05-00278 - A2MN 14

Dear Ms. Harrington:

We have just been retained by the owners of the industrial property immediately to the north of this proposed project to assist them in analyzing these related requests. Although we have not had time to do much background investigation, I do note the applicants are requesting only a minor amendment to the Northgate Master Plan. According to City Code (Section 7.5.403(c)(2)), a minor amendment is one which "would not increase trip generation off the parcel by more than ten percent." Changing land use on this 16.69 acre parcel from Planned Industrial to a 344-unit multi-family complex would certainly increase trip generation by dramatically more than ten percent. Thus, it would seem more appropriate to process the master plan request as a major amendment. I understand the landowners will separately be providing you with a summary of their concerns.

I appreciate your attention to this matter. Please call if there are questions.

Sincerely,



BRUCE M. WRIGHT

BMW/gad

cc: Steve Clark
Johnny Stevens

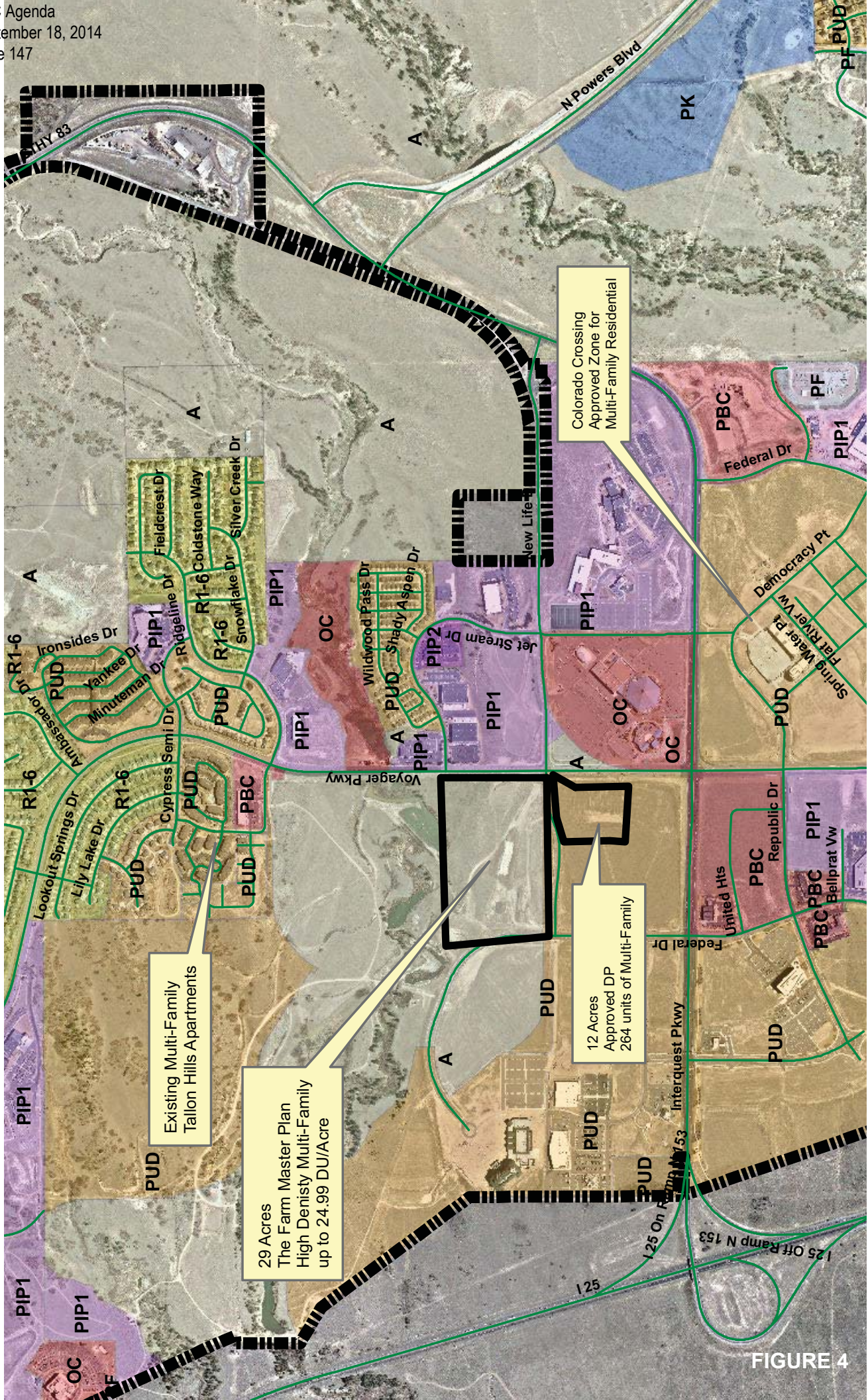


FIGURE 4