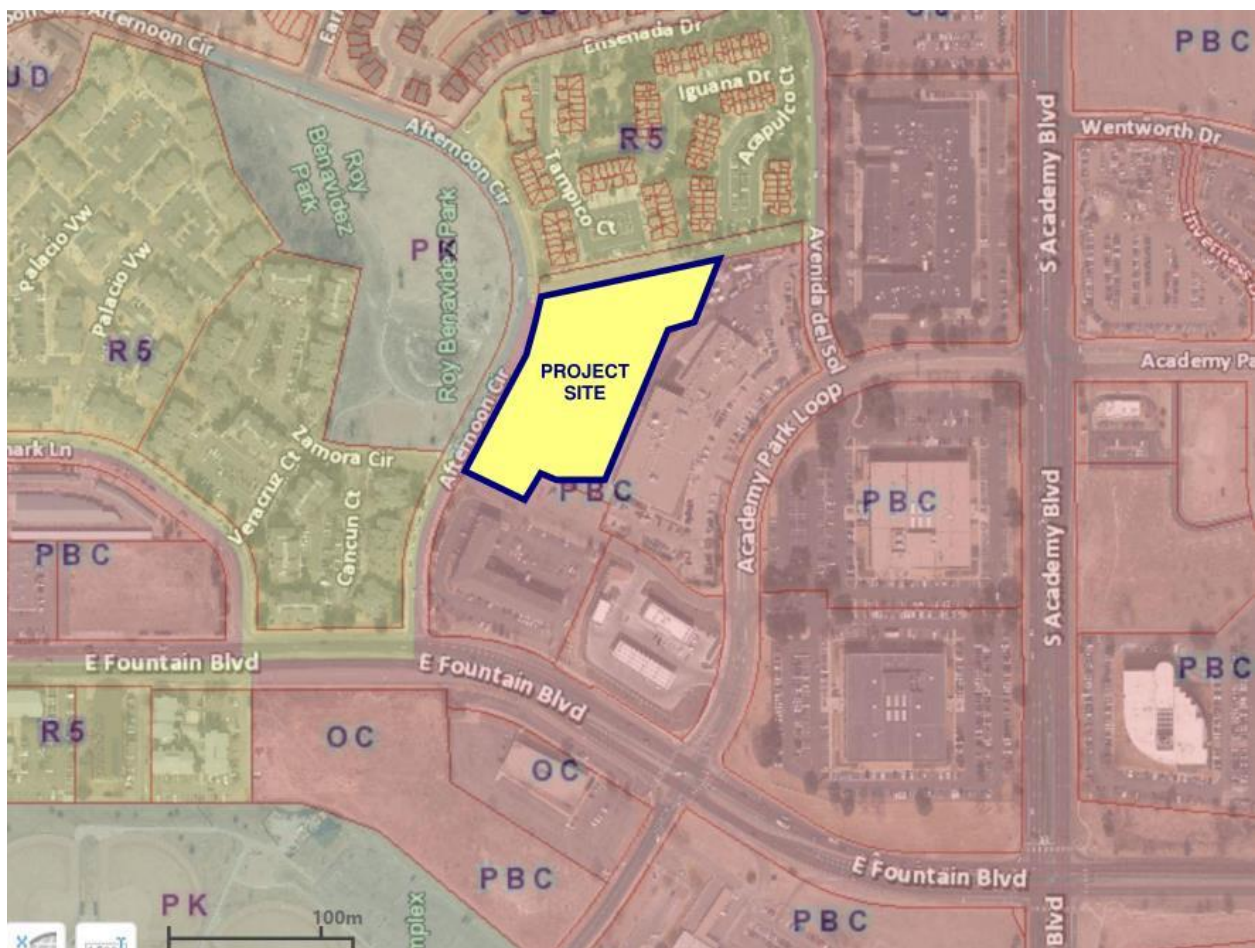


CITY PLANNING COMMISSION AGENDA
June 16, 2022

STAFF: TASHA BRACKIN

FILE NO:
CPC CU 20-00046 – QUASI-JUDICIAL
CPC NV 21-00083 – QUASI-JUDICIAL

PROJECT: ACADEMY PARK LOOP TOWNHOMES
OWNER: FIRETREE DEVELOPMENT CORPORATION
DEVELOPER: ENSIGN CONSTRUCTION, LLC
CONSULTANT: FORSGREN ASSOCIATES



PROJECT SUMMARY:

1. **Project Description:** The project includes an application for a conditional use development plan with a non-use variance for a reduction in rear yard setback, on 3.31 acres of land to be developed with a residential townhome development. The property associated with this project is located north and west of the intersection of Academy Boulevard and East Fountain Road. The project consists of 48 attached single-family (townhome) units in multiple buildings with ancillary public and private improvements. **(see attached Development Plan)**
2. **Applicant's Project Statement:** **(see attached Project Statement)**
3. **Planning and Development Team's Recommendation:** Staff recommends approval of the applications.

BACKGROUND:

1. **Site Address:** The project site is addressed as 1125 Academy Park Loop, although primary access will be taken from Afternoon Circle. New unit addresses will be assigned for private street addresses during the building permit process.
2. **Existing Zoning/Land Use:** The subject property is currently PBC/AO (Planned Business Commercial with Airport Overlay), and is undeveloped.
3. **Surrounding Zoning/Land Use:**
North: R-5 (Multi-Family Residential); residentially developed with townhomes.

East: PBC (Planned Business Center); commercially developed with an office building.

South: PBC (Planned Business Center); commercially developed with a motel and a convenience store with fuel station

West: PK (Public Park); developed with neighborhood park – Roy Benevides Park
4. **PlanCOS Vision:** According to the PlanCOS Vision Map, the project site is within an identified Changing Neighborhood (Valley Hi) and is proximate to South Academy Boulevard, which is an Intercity Corridor. **(see attached PlanCOS Vision Maps)**
5. **Annexation:** The subject properties were annexed into the City in 1964, with the Pikes Peak Addition #6 Annexation Plat.
6. **Master Plan/Designated Master Plan Land Use:** The property is part of the Western Sun Master Plan, which has been deemed "Implemented".
7. **Subdivision:** The property was subdivided with the Academy Park Loop Filing 1 subdivision plat, recorded June 24, 2001.
8. **Zoning Enforcement Action:** None.
9. **Physical Characteristics:** The site is currently vacant, sloping from the east to the west, and surface vegetation consists of seasonal grasses.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to adjacent property owners with 1,000 feet of the site, which included the mailing of postcards to 286 property owners, during the internal review stage, and sending notice to 301 property owners prior to the Planning Commission hearing. The site was also posted during the two occasions noted above as well. City staff received no written comments concerning the project.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, the Colorado Springs Airport, City Engineering, City Traffic, City Fire Prevention, City Parks & Recreation, Police, El Paso County and Real Estate Services.

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

1. Review Criteria / Design & Development Issues:

a. Conditional Use Development Plan

The proposed conditional use development plan for the Academy Park Loop Townhome project consists of a 48- unit residential project with private streets. **(see attached Development Plan)** Such residential development within a PBC (Planned Business Center) zone district requires the Planning Commission approval of a conditional use development plan. More specifically, the plans illustrate the envisioned site design and layout for 48 individual dwelling units in 16 separate buildings, with each townhome being privately owned and having a 2-car garage.

In addition, landscaped greenspaces meander between units, and private roads and guest parking areas are provided along with ancillary site improvements. Access to the project site will be via a main private roadway access from Afternoon Circle, with a second access point through a private guest parking area serving the townhomes at the south end of the site. Park and school dedication requirements for the residential units will be addressed through payment of impact fees under the city's park land dedication ordinance. Common open space and landscaped sidewalks will be provided for convenient pedestrian access. The buildings will be three stories tall, and the buildings were intentionally located as far east on the property as possible, given the significant grade differential and office-oriented use to the east. The building designs incorporate a variety of exterior materials, including stucco finishes with wood accents and patios with metal railings. Staff finds the project's building designs to be compatible with the surrounding building environment, which consists of multi-family, office, commercial, and public park land uses.

The parcel is located within the Pikes Peak Enterprise zone and the Airport Commercial Aeronautical Zone. The Airport Commission considered the development at their March 25, 2020 meeting, and aside from the typical requirements for an aviation easement and sound mitigation construction techniques as well as disclosures during construction, the commission had no objection to the development. The proposed development is in compliance with city zoning code. Based upon the information in the project plan, project

statement, and technical review comments, Staff finds that the proposed plan is consistent with the intent of a conditional use development plan, as set forth in City Code Section 7.5.701, and a development plan, as set forth in City Code Section 7.5.502(A).

b. Non-Use Variance

- i. The substantial grade difference (varying from 20-35 feet in height) is the primary reason that a rear-yard setback variance is being requested. Given the challenging grade on the east side of the property, and differing land uses that will abut each other, the developer intends to address the transition of these two uses with a minimal setback of fifteen feet. This width enables trees and shrub plantings to be incorporated into the layout, to buffer these adjacencies and further enhance amenities for the residents. Based upon the information in the project plan, project statement, and technical review comments, Staff finds that the granting of a variance is consistent with the criteria set forth in City Code Section 7.5.802.

c. Traffic

The applicant is proposing to gain access to the site via Afternoon Circle, an existing public street that is part of the existing city roadway network. Internal streets serving individual units will be private. As private streets, the maintenance and ownership of these roads will be an obligation of the owner. The City's Traffic Engineering Division of Public Works has reviewed the proposed development and has no objections to the project. The adjacent roadways and improvements to the site were deemed sufficient for the anticipated traffic volumes from the project. The city fire department staff has reviewed the circulation pattern for safety and accessibility and is satisfied that it meets criteria.

d. Drainage

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the conditional use development plan and accompanying drainage report for the project. SWENT has accepted the analysis and recommendations set forth in the drainage report prepared by applicant's consultant. The stormwater enterprise approved the final drainage report for this project in April of 2022.

City Planning staff finds that the proposed development addresses the applicable review criteria set forth in City Code.

2. Conformance with the City Comprehensive Plan

Staff has evaluated the proposed application for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified on the Plan's Vision map within an identified Changing Neighborhood and is proximate to an Intercity Corridor (**see attached PlanCOS Vision Maps**). Several themes within PlanCOS encourage infill development, and this parcel is one of the last remaining undeveloped parcels in this neighborhood. Development projects within Changing Neighborhoods are anticipated, and this project furthers the following vibrant neighborhood policies:

- Strategy VN-3.E-1: Focus incentives for mixed-use development within parts of the city that have been identified as priority redevelopment areas or corridors that have the potential for enhanced multimodal access and walkability.
- Strategy VN-3.E-3: Though a combination of Zoning Code changes and development review decisions, encourage and support flexible site and building designs and residential densities that are adaptable to the specific site.

The project's layout and provision of landscaped pedestrian corridors will support the objectives of PlanCOS to focus on safe connections into and within the neighborhood.

The applicant has accomplished this with new vehicular and enhanced pedestrian connections, and a site design and layout that incorporates substantial common open space which blends this project well into the surrounding land pattern.

City Planning staff finds the Academy Park Loop townhome project to be in substantial conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan

The project site is part of the Western Sun Master Plan. This Master Plan was previously deemed "Implemented". Based on the surrounding land use pattern, which contains a mix of multi-family residential and commercial uses, staff finds the Academy Park Loop townhomes project to be complimentary of and supportive to the surrounding area.

STAFF RECOMMENDATION:

CPC CU 20-00046 – CONDITIONAL USE DEVELOPMENT PLAN

Approve the conditional use development plan for the Academy Park Loop townhomes based upon the findings that the request meets the review criteria for granting a conditional use, as set forth in City Code Section 7.5.704, and a development plan, as set forth in City Code Section 7.5.502(E).

CPC NV 21-00083 – NON-USE VARIANCE

Approve the non-use variance request for the rear-yard setback at the Academy Park Loop townhomes based upon the findings that the request meets the review criteria for granting a non-use variance, as set forth in City Code Section 7.5.802.