

**CITY OF COLORADO SPRINGS PLANNING COMMISSION  
RECORD-OF-DECISION**

**NEW BUSINESS CALENDAR**

**DATE:** December 18, 2014  
**ITEM:** 4.A-4.C  
**STAFF:** Meggan Herington  
**FILE NO.:** CPC A 14-00010, CPC ZC 14-00011, CPC CP 14-00012  
**PROJECT:** Dublin Town Centre Annexation

**STAFF PRESENTATION**

Ms. Meggan Herington, City Principal Planner, presented PowerPoint slides (Exhibit A). Ms. Herington stated the fifth technical modification listed under the concept plan is not required any longer by City Traffic Dept., and requested it stricken from the motion.

Commissioner Markewich inquired of right-in, right-out access on principal arterials. Ms. Herington stated Marksheffel south of Dublin Blvd. is a City-run PPRTA project and can accommodate a few access points as it develops further to the south. Mr. Steve Kuehster with City Engineering Dept. confirmed that access points are typically discouraged along principal arterials, but Marksheffel won't be developed for quite some time before the 2020 PPRTA plan is implemented.

**APPLICANT PRESENTATION**

Mr. Tim McConnell of Drexel Barrell & Co. stated the applicant met with Ms. Krager of City Traffic several times, and she agreed to limited access along Marksheffel with an additional turn lane. There was no mention of closing it in the future.

Commissioner Donley inquired of limited development upon or across the gas easement on the eastern portion of the site. Mr. McConnell stated no structural buildings are allowed, and grading or landscaping activities are severely restricted on the easement.

**CITIZENS IN FAVOR**

None

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### **CITIZENS IN OPPOSITION**

1. Mr. James Burnett stated his property is directly east of the site was not notified of this project until the most recent mailing prior to the Planning Commission hearing. He opposed piecemeal annexations, and felt this area needs to be annexed with a large master-planned area that contains bicycle and pedestrian trails. He objected to the potential noise and traffic of retail/commercial uses that could also allow undesirable uses (bars, sexually-oriented businesses). He was concerned that traffic would not be allowed along Marksheffel in future years and would burden Mountain Dale Drive.

### **APPLICANT REBUTTAL**

Mr. McConnell stated this property is brought into the City primarily for C-5 zoning and will be used as a primary intersection to support residential uses.

### **STAFF REQUESTED TO SPEAK**

Mr. Wysocki clarified the Planning Commission's review of access points and whether to change staff's recommendations.

### **DECISION OF THE PLANNING COMMISSION**

Commissioner Markewich had concerns with setting precedence by allowing right-in, right-out access along a principal arterial when they have been restricted in the past. The lengthening of the deceleration lane along Marksheffel is only partially controlled by the property owner, and the land owner to the south will be negatively impacted should they desire annexation. He suggested an additional technical modification on the concept plan.

Commissioner Walkowski appreciated the neighbor's comments regarding piecemeal annexation, but it is difficult to master plan an area owned by several property owners. Even if it were a larger annexation, this site may be zoned commercially due to its location. He found the applications met the City Code's review criteria.

Commissioner Gibson agreed with staff's recommendations.

Commissioner McDonald addressed Mr. Wysocki and inquired about access along a principal arterial. Mr. Wysocki stated a traffic analysis was conducted with two right-in, right-out points with a full access intersection east of the property. Eliminating one driveway potentially changes all access points. Location and type is within the Planning Commission's purview, but it needs to be tied to the City Code criteria.

Commissioner Donley stated this is an infill project because it is an enclave. There is a recognition that all enclaves may need to be piecemealed, but this is not optimal. The C-5

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zoning is appropriate. He supported the concept plan and wished the area followed an area master plan, but the current process limits this option. The City's Traffic Criteria Manual is not being followed, and the City Traffic Engineer is allowing excessive access. He desired principal arterials not have unlimited access.

Commissioner Smith supported the applications.

Commissioner Shonkwiler had concerns with access to major arterials.

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.A-File No. CPC A 14-00010**, the Dublin Towne Centre Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 subject to the following conditions of approval:

1. The final annexation agreement signed by the owners must be submitted to staff prior to scheduling the City Council Hearing.
2. The inclusion into the Southeastern Colorado Water Conservancy district shall be completed prior to recordation of the annexation plat.

Motion carried 8-0 (Commissioner Henninger excused).

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.B-File No. CPC ZC 14-00011**, the establishment of the C-5/AO (Intermediate Business with Airport Overlay) zone district, based upon the findings that the zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B). Motion carried 8-0 (Commissioner Henninger excused).

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.C-File No. CPC CP 14-00012**, the Dublin Towne Centre Concept Plan based upon the findings that the concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501 subject to the following Technical Modifications:

1. Add AO (Airport Overlay) to the zoning information.
2. Graphically add the location of the wastewater main.
3. Add a note to the concept plan that states "Dublin Towne Centre is subject to a cost recovery agreement for Dublin Boulevard as required in the annexation agreement."
4. Dimension the 20-foot wide segment of right-of-way to be dedicated to the City on the western edge of the property.
5. ~~Call out the correct width of the collector road to include on-street parking on one side.~~

Motion carried 8-0 (Commissioner Henninger excused).

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The Planning Commission requested a work session with Ms. Krager regarding access on principal and major arterials.

Mr. Markewich explained that access issues and future city policy should be determined in a new Comprehensive Plan process and this is a perfect example of the manuals and procedures continuing to be outdated due to the failure to re-evaluate the 13 year old Comprehensive Plan.

December 18, 2014

Date of Decision

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Planning Commission Chair

DRAFT