



January 8, 2021

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Land Use Review Division
30 S. Nevada Avenue, Ste 105
Colorado Springs, CO 80901
719-385-5369

Re: Academy Park Loop Townhomes
PROJECT STATEMENT & NONUSE VARIANCE
Development Plan, Conditional Use and Nonuse Variance

Project Statement

Please accept the following statement for the Academy Park Loop Townhomes (Innovative Park Townhomes) development project.

This submittal is for approval of a Development Plan for a single-family attached townhome unit development. The site is zoned PBC/AO. The proposed development project consists of 48 owner occupied townhome units on individual lots. The single-family attached units shall consist of 2, 3, and 4-unit buildings. The 3.31-acre site is located northwest of the intersection of East Fountain Boulevard and South Academy Boulevard at the intersection of Afternoon Court and Zamora Circle. The included parcel, Lot 2 of the previously platted Academy Park Loop Subdivision No.1. It is currently anticipated that construction of this project would begin Q1 2021.

The surrounding subdivision is primarily business park, hospitality, and multi-family residential uses. The project is harmonious with adjacent land uses and fits with the other multi-family developments in the area. The development will be set back and screened from adjacent business park/commercial parcels. A 25-foot set back is provided along Afternoon Circle, which contains on-street parking. The site is designed to provide adequate open space with a combination of two large open space tracts, greenbelts, and private outdoor space. The site will have two drive access points on Afternoon Circle and Zamora Court allowing for circulation through the site. This vehicular circulation encourages safe movement around and within the site. Movement of handicapped persons is safe and convenient throughout the site with use of sidewalks and ramps where needed, however no curb and gutter are proposed.

Nonuse Variance Criteria

As part of the Academy Park Loop Townhomes project, a nonuse variance for the rear yard setback is being requested. The R-5 setback requirements call for a 25-foot rear yard setback. The Development Plan, as currently presented, provides a 15-foot landscape setback in the rear of the property. The Development Plan provides front and side setbacks that exceed the R-5 setback requirements. Criteria in support of the requested nonuse variance are presented below.

1) Extraordinary or Exceptional Conditions

The parcel contains conditions that impose burdensome space restrictions not seen on nearby parcels in the neighborhood. Given these conditions, additional space is needed. Reducing the required setback will provide additional space to accommodate these exceptional conditions. These conditions are described below.

- a. Onsite stormwater detention is not provided on nearby properties of comparable size and density.
- b. The natural drainageway is not available to accept stormwater discharge from the property. Consequently, stormwater must be discharged to the street which has resulted in restrictive downstream discharge elevations and greatly expanded footprint of the onsite detention facility.
- c. The parcel contains very steep slopes on the east side of the property further reducing buildable space.

2) No Reasonable Use

Surrounding properties do not have the buildable space restrictions seen on this property. The property has less reasonable use due to requirements not applied to surrounding properties. Given the increased setbacks, and space required to accommodate drainage infrastructure, a development of a size and density comparable to others in the neighborhood cannot be constructed. This is further highlighted in the fact that the neighborhood is fully developed, with the exception of this parcel.

3) No Adverse Impact

Given the topography, the reduction in rear setback would not have an adverse impact on either this property or the adjacent property. The large elevation difference between the two properties and proposed retaining wall, will provide visual screening, as well as a barrier to pedestrian movement between the two properties. The existing slope is pictured in the photos below. The slope results in a 14-foot difference between the finished floor elevation of the commercial building on the adjacent parcel, and the finished floor of the proposed townhomes. Consequently, an increased setback would not provide benefits for either parcel.



Additionally, the townhome units are setback further than required by code on the front and sides of the parcel. As proposed in the current development plan, the front setback is 25-feet, and the side setbacks are 15-feet. The 15-foot rear setback will serve as a

landscape setback as well. The reduced rear setback and increased front setback is more beneficial and better fits the character of the neighborhood.

Should you require any additional information, please contact me at 720-214-5884.

Respectfully,

FORSGREN ASSOCIATES INC.



James L. Adams, P.E.
Forsgren Associates
Senior Engineer/Project Manager