

CITY PLANNING COMMISSION AGENDA
APRIL 30, 2020

STAFF: RACHEL TEIXEIRA

FILE NO:
CPC MP 81-16-A2MJ20 - LEGISLATIVE
CPC CP 20-00041 - QUASI-JUDICIAL

PROJECT: PROSPECT PARK MASTER PLAN & FOUNTAIN AND UNION CONCEPT PLAN

OWNER/APPLICANT: FOUNTAIN VALLEY HOLDINGS LLC AND WELCOME TO REALTY, LLC 401K PROFIT SHARING PLAN

CONSULTANT REPRESENTATIVE: NES, INC



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for a master plan amendment (**FIGURE 1**), and concept plan (**FIGURE 2**). The master plan amendment will change the use of this site from commercial to commercial and residential land uses. The concept plan illustrates 5.5 acres of commercial and 15.638 acres of residential land use with a density range of 12 to 24.99 dwelling units per acre for multi-family residential. The site is located southeast of East Fountain Boulevard and the South Union Boulevard intersection, is zoned PBC/cr/SS, and consists of 20.63 acres.
2. Applicant's Project Statement: (**Refer to FIGURE 3**)

3. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: The property is southeast of the East Fountain Boulevard and South Union Boulevard intersection is addressed as 0 East Fountain Boulevard and 2125 East Fountain Boulevard.
2. Existing Zoning/Land Use: PBC/cr/SS (Planned Business Center with condition 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. Zoning Enforcement Action: None
7. 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 email in support for the project from a neighboring resident who feels that developing this area to include residential structures would improve the area (**FIGURE 4**). 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 and City Council.

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. HSD2 provided the following comment on the project that "School fees collected upon issuance of building permits." All city agency comments have been addressed for the two applications.

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

1. Review Criteria/Design & Development Issues
Master Plan Amendment

The original 48.9-acre Prospect Park Master Plan was approved in 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. The current master plan amendment changes an area of 15.638 acres master planned as commercial to multi-family residential (12-24.99 dwelling units per acre) **(FIGURE 1)**.

The 1984 Prospect Park Master Plan converted the land from commercial to commercial and retail, and increased the master planned area to a total of 56.46-acres. There is a former restaurant site included in this development. That restaurant has sat vacant for a number of years. Attempts at sale and redevelopment as a restaurant have been unsuccessful. This property has become an isolated commercial/retail parcel with no activity or interest as a commercial only development. There has been interest in developing this area as mixed use -commercial and residential. The contextual map attached as **FIGURE 5** illustrates the land uses surrounding the site.

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 **(FIGURE 5)**. 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. The amendment to the master plan will allow development of a mixed commercial and residential project. This is a great location for multi-family residential due to the proximity of transit services, schools, and parks. 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

(Page 2 of FIGURE 5)

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

- Adams Elementary to the south off Manitobe 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.

(Page 2 of FIGURE 5)

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. **(FIGURE 6)**

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.

(Page 3 of FIGURE 5)

The commercial uses within the Fountain and Union development 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 very complementary to the adjacent streamside and provides a good transition between commercial and single-family uses in the area. There are very limited areas of land to construct multi-family residential in the southeast area of the city. There has been some interest in the property with several pre-application meetings; however, there have been no purchase and development offers until now.

Fiscal Impact Analysis (FIA)

The City Budget Office prepared the FIA attached as **FIGURE 7**. The budget department estimated the City General Fund, Public Safety Sales Tax (PSST) Fund, and 2C Road Maintenance Tax revenue and expenditures attributable to the Prospect Park Master Plan Amendment. City Zoning Code Section 7.5.408 – Fiscal Master Plan Amendment states, “Fiscal impact analysis and existing infrastructure capacity and service levels are used as a basis for determining impacts attributable to the master plan. City costs related to infrastructure and service levels shall be determined for a ten (10) year time.” The budget office determined the FIA on a case study approach, City units project the increased marginal cost of providing services to the development for 2021-2030, and the analysis assumes a 270 dwelling units multi-family project for development.

The analysis resulted in a negative cumulative cash flow for the City during the 10-year timeframe for 2021 - 2030. This is primarily due to the loss of sales tax revenue from possible commercial activity. The Budget office indicated that while the multi-family does provide significant population based revenues, in addition to sales tax, it was not enough to overcome the loss of commercial sales tax revenues. The FIA has the ‘Summary of Expenditures and Revenues for Prospect Park’ included and provide the method for expenditures and revenues calculations.

Parks Recreation and, Cultural Services:

Parks, Recreation and Cultural Services Department Staff commented that the residential conversion does trigger the need for parkland dedication of Fee’s in Lieu of land dedication per the change of use from commercial to residential with the Master Plan Amendment (File No. CPC MP 81-16-A2MJ20). Parks Department Staff has agreed with the applicant’s decision to determine whether providing

parkland dedication or Fee's in Lieu of land dedication at the time of development plan. The following Park Land Ordinance Obligation language has been added to the Master Plan: "Park Land Ordinance Obligation: The change in use from commercial to residential with this Master Plan Amendment (File No CPC MP 81-16-A2MJ20) triggers the need for park land dedication or Fee's in Lieu of land dedication."

The applicant has agreed to provide Parks, Recreation and Cultural Services Department staff a proposal of how this obligation will be met no later than during the Development Plan application process, and prior to a Subdivision Plat approval for the residential project. The parkland obligation will be determined based upon the Park Land Dedication Ordinance in effect when the Development Plan or Conditional Use Development Plan is submitted.

Staff finds that the request for the master plan amendment is in conformance with City Code Section 7.5.408 standards and review criteria for a master plan amendment.

Concept Plan:

The concept plan illustrates future development of a mixed commercial and residential project. Again, the concept plan is for 5 acres of commercial and 15.638 acres of residential with a density range of 12 to 24.99 dwelling units per acre for multi-family residential.

As noted above, the need for appropriate buffers between the internal commercial and residential land uses will be analyzed at the development plan stage when a more specific building and land use configuration is provided. Seven (7) access points are shown to the site: three off South Union Boulevard and the remaining four along East Fountain Boulevard. City Traffic Engineering has agreed that the applicant submit a Traffic Impact Analysis (TIA) with future development plans in order to further analyze the proposed locations and future roadway improvements prior to Traffic Engineering providing approval during the review of future development plans.

The property is currently zoned PBC (Planned Business Center) and the uses contemplated with the concept plan are permitted in the PBC zone with multi-family being a conditional use in the PBC zone. No rezoning action is required to implement this concept plan. The requirement for a conditional use to construct the multi-family residential development with a 12 to 24.99 dwelling units per is referenced on the plan per General Note #2. In addition, the Streamside Overlay will be reviewed and illustrated in detail with the submittal of a development plan application per General Notes 3 and 4. The concept plan lists the commercial building setbacks and height per the PBC zone district and the residential building setbacks and height per the R5 (Multi-Family Residential) zone district in PBC zone.

The development for the Fountain and Union site requires the applications including development plans for the commercial, conditional use site plans for the residential and final plats for the platting of the lots. These plans will be reviewed administratively. At this time, the applicant has not submitted any development plans, conditional use plans and final plat for the development.

Traffic Engineering:

Traffic Engineering's comments are addressed for the master plan amendment and concept plan. In order to provide further analysis of the access locations and roadway improvements, the applicant has agreed to submit a TIA (Traffic Impact Analysis) with the development plan. The concept plan includes a note stating that "Prior to the approval of proposed access points, the applicant is required to submit a Traffic Impact Analysis (TIA) with future development plans to analyze access locations and future roadway improvements."

Streamside Overlay:

Streamside's comments have been addressed for this master plan amendment and concept plan proposal. The only requirements to be met for the streamside overlay is to identify streamside overlay areas, establish buffer and impervious surface averaging determinations, and to average any other of

the streamside standards across the entire respective plan area. The plans illustrate the location of the streamside overlay.

In addition, the following statement was added to both plans: "This property contains streamside overlay designation and therefore streamside overlay requirements apply. At the time of Development Plan, the overlay buffer must be shown on the plans, and appropriate landscape plantings will be required. No opaque fencing is permitted within the streamside overlay. Slopes within the streamside overlay must be maintained at 3:1 or less." Again, the specific details of the Streamside Overlay requirements per City Code Section 7.3.508 will be finalized with the proposed development plans for this site.

Preliminary Drainage Report:

The applicant has submitted a preliminary drainage report to Water Resources for the master plan amendment and concept plan proposal. The site layout for the full spectrum detention and water quality will be finalized with the proposed development plans or final plats for this site. The latest comments from Water Resources are as follows: Preliminary Drainage Report (PDR) returned to applicant for revision with minor comments; PDR is generally acceptable.

Staff finds that the request for the concept plan is in conformance with the City Code Section 7.5.501(E).

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

PlanCOS, the City's adopted Comprehensive Plan, is a high level and visionary document as a theme based approach to alignment of development intentions for the City. The Prospect Park Master Plan Amendment and the Fountain and Union Concept Plan project is consistent with the envisioned land use pattern for the subject parcel as it relates to the Vibrant Neighborhoods and Unique Places vision themes in PlanCOS (**FIGURE 8**).

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 Prospect Park Master Plan Amendment and the Fountain and Union Concept Plan 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.

It is the finding of the Planning and Development Department that the Prospect Park Master Plan Amendment and the Fountain and Union Concept Plan supports the PlanCOS Goals, Policies and Strategies with Vibrant Neighborhoods and Unique Places visions.

3. Conformance with the Master Plan

The site is part of the Prospect Park Master Plan (**FIGURE 9**) and is currently designated as commercial on the site plan. This application includes a master plan amendment to amend this area from 20.638 acres of commercial to commercial and multi-family residential. The master plan retains 5.0 acres of commercial along South Union Boulevard and to close to South Union Boulevard and East Fountain Boulevard intersection, while the remaining area, 15.638 acres, is to change to multi-family residential with 12-24.99 dwelling units per acre development.

STAFF RECOMMENDATION:

CPC MP 81-16-A2MJ20 – MASTER PLAN AMENDMENT

Approve the Prospect Park Master Plan amendment for commercial and residential land uses, based on the findings that the master plan amendment request complies with the review criteria for master plans as set forth in City Code Section 7.5.408.

CPC CP 20-00041 – CONCEPT PLAN

Approve the Fountain and Union Concept Plan for commercial and residential land uses, based upon the findings proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E).