
SAXON PARTNERS

PROJECT STATEMENT

MARCH 2021

REQUEST

N.E.S. Inc. on behalf of Saxon Partners requests approval of the following applications:

1. Conditional Use Development Plan for Multifamily Residential Development 9.23AC site
2. Final Plat for 10.99AC showing 1.76AC as Lot 1 and 9.23AC as Lot 2

The property is in the southeast corner of the E. Woodmen Rd and Tutt Blvd intersection. The site is east and proposed multifamily residential to the south. The 9.23-acre property is currently vacant and is zoned PBC-AO (Planned Business Center and Airport Overlay). The surrounding land uses include vacant PUD (Planned Unit Development) zoned property to the north of E. Woodmen Road; vacant PBC (Planned Business Center) zoned property to the west; multifamily to the south; and Heidrich's Colorado Tree Farm to the east.



PROJECT DESCRIPTION

The request is for a conditional use of a multifamily residential development within the PBC zone. The application proposes 320 units in a single building, with an equal mix of studio and one-bedrooms. 320 studio and one-bedroom apartments on 9.23AC will result in a density of 35 units per acre, this is consistent with the recently approved Greenbriar and Powerwood Master Plan and Concept Plan amendments and approved max density of 35 units/AC. The intent of smaller units in this location is to provide attractive, efficient, and cost-effective housing for medical workers who work at the nearby St. Francis Medical Center. This building and site are designed to facilitate a strong sense of community by offering resident amenities such as health and wellness, indoor/outdoor gathering spaces, covered bike storage, pet friendliness, and outdoor amenities such as a pool and spa.

Amendments to the Greenbriar/Powerwood Master Plan and Concept Plan for this area were approved as of February 2021 to change 9.23AC of this site from commercial to multifamily, the remaining 1.76AC of the parcel is to remain regional commercial with the intent of developing as mini storage. The 1.76AC regional commercial lot is currently planned as mini storage facility, this site is not included as part of this application and will be subject to a separate development plan. Residential development in the PBC Zone must meet the R-5 standards of the Zoning Code, including minimum building setbacks of 20-foot front, 5-foot side, and 25-foot rear, maximum lot coverage of 40%. The site specifications defined for the PBC Zone by the Concept Plan specify a max density of 35 units per acre and include a periphery building setback of 25ft. This Development plan meets the above requirements.

The proposed apartment building is a 4-story with a building height of 50ft from the finished grade to a flat roof. This exceeds the maximum height of 45-feet for the zone by 5 feet. The applicant is requesting administrative relief to allow an additional 5ft of building height so that the developer can provide 9'6" ceiling for each unit. This will allow for an increase of light and air circulation for each unit.

City parking standards for the 320 units require 417 parking spaces including 9 accessible parking spaces, 2 of which are to be van accessible. This project meets the requirements by providing 395 surface parking spaces and 24 garage spaces for a total of 419 parking spaces with 9 ADA parking spaces, two of which are van accessible. Accessible routes are provided from the public right of way to the leasing office, building amenity area, outdoor bike garage storage and two ADA 4 car garages.

The project includes an internal club house, amenity building (to include a fitness center), leasing office, and interior courtyard that will provide a swimming pool, spa, grill area and community area. The City requires 200 SQ.FT. of open space per bedroom, which equates to 1.47AC of open space. This development provides a 1.34AC open space in the Northwest corner of the parcel, this space includes a dog park and covered bike storage. An additional 0.65AC interior courtyard amenity space which will include a pool, spa, grill area and community area is provided. Cumulatively, the 1.34AC open space and 0.63AC interior courtyard will provide 1.99AC of open space and exceeds the City open space requirement of 1.47AC.

As described in the traffic report, prepared by Roche Feb. 2021, there are two proposed access points to the multifamily residential development: one from Tutt Blvd via a right-in/right-out access and one via

the existing roundabout and a connecting private street, Powerwood Vw, to the south. The south access will be a shared access easement with planned multifamily residential lot to the south. The 1.76 AC regional commercial parcel (to be developed as mini storage) will have a right-in/right-out access onto E. Woodmen Rd with cross-access onto the multifamily residential site. A gate will be installed at the cross-access onto the multifamily residential site. A private drive connects traffic from Tutt Blvd. into the site and to a series of looped drive aisles which serve to provide access to all portions of the buildings for residents and emergency services. A main drive serves to connect traffic from Tutt Blvd. to a full access intersection on Powerwood Vw. The south access road from the public ROW shares an access easement with the south adjacent property, a multi-family development. All fire lanes within the site will be adequately marked as fire lanes and meet the turning radii required by CSFD.

PROJECT JUSTIFICATION

A. SURROUNDING NEIGHBORHOOD: THAT THE VALUE AND QUALITIES OF THE NEIGHBORHOOD SURROUNDING THE CONDITIONAL USE ARE NOT SUBSTANTIALLY INJURED.

The multifamily residential use is consistent with the recently approved amendments to the Master Plan and Concept Plan. The property is surrounded by a mix of uses including commercial, medical, office, industrial, and storage. Multi-family residential is an appropriate proposed use within this mix to create a dynamic live-work neighborhood. The proposed use does not negatively impact the surrounding land uses but rather serves to diversify nearby housing choices within the area and provide nearby housing choices for medical and hospital workers at the St. Francis Medical Center.

B. INTENT OF ZONING CODE: THAT THE CONDITIONAL USE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THIS ZONING CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

The multi-family residential use was recently reviewed in the context of the approved amendments to the Master Plan and Concept Plan, where it was deemed to be an appropriate use for this location that is consistent with the intent and purpose of the Zoning Code to promote public health, safety, and general welfare. It is also the intent and purpose of the Zoning Code to ensure a logical growth of the various physical elements of the City; to improve housing standards; and to preserve neighborhoods. The introduction of multifamily residential into a growing and diverse part of the City will promote these objectives by providing quality housing that strengthens and preserves this new and expanding neighborhood.

C. COMPREHENSIVE PLAN: THAT THE CONDITIONAL USE IS CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY.

The multifamily residential development supports the recently adopted PlanCOS, which focuses heavily on the importance of creating vibrant neighborhoods that support diverse housing choices and the thriving economy framework that serves to nurture cornerstone institutions

such as the St. Francis Medical Center. The proposed multifamily use introduces additional housing choice and will support the adjacent commercial and hospital uses. PlanCOS also emphasizes the importance of infill development and adapting to ever-changing market needs and demands. Currently, rental accommodations are in demand in this area and this project enhances the mix of land uses that will support and encourage growth here.

CONFORMANCE WITH DEVELOPMENT PLAN REVIEW CRITERIA (CODE SECTION 7.5.502.E)

A. THE DETAILS OF THE USE, SITE DESIGN, BUILDING LOCATION, ORIENTATION AND EXTERIOR BUILDING MATERIALS ARE COMPATIBLE AND HARMONIOUS WITH THE SURROUNDING NEIGHBORHOOD, BUILDINGS AND USES, INCLUDING NOT-YET-DEVELOPED USES IDENTIFIED IN APPROVED DEVELOPMENT PLANS.

At the City Council hearing for the Master/Concept Plan amendments in Feb 2021, the plan as was approved on consent with no formal opposition.

The buildings are intentionally set back from the eastern property boundary by a minimum of 90 feet, with garages on the eastern boundary of the property, a landscape buffer and 6' opaque fence between the garages will ease the transition of the commercial tree farmland uses to the east to the proposed multifamily residential and regional commercial to the west. The building is positioned in the center of the site to allow for ease of access into the site from Tutt and onto Powerwood Vw. Furthermore, this positioning allows the building to be set back further from E. Woodmen Rd. and Tutt Blvd. 1.34 AC of the site in the northwest corner of the site will be developed as an open space amenity and dog park, this will aide to buffer the proposed residential uses from E. Woodmen Rd. A 15ft landscape buffer will be developed between the 1.76AC regional commercial and 9.23AC multifamily. The developer will own both properties and is proposing for 8' of this buffer and a 6' opaque privacy fence to be on the multifamily side of the property with the remaining 7' of the buffer on the regional commercial side. The remaining 7' of landscape buffer will be put in place with the mini-storage.

Alternative compliance is being requesting for the landscape buffer along the eastern boundary of the site. The existing grading shows a vegetated swale with the low point of this swale along the eastern property line. Because of the swale depth and grade along the eastern boundary of the site, it will not be possible to place a 6' opaque fence along the eastern property line or create a continuous row of plantings in this location. Alternative compliance is being requested for the garages to be considered as part of the required opaque screening with a 6' opaque fence in between the garages. This proposed alternative will provide an opaque screen along the length of the eastern property boundary. As part of the alternative compliance request, evergreen trees are proposed behind to garages to add screening in addition to the garages and erosion control of the swale.

B. THE DEVELOPMENT PLAN SUBSTANTIALLY COMPLIES WITH ANY CITY- ADOPTED PLANS THAT ARE APPLICABLE TO THE SITE, SUCH AS MASTER PLANS, NEIGHBORHOOD PLANS, CORRIDOR PLANS, FACILITIES PLANS, URBAN RENEWAL PLANS, OR DESIGN MANUALS.

The multifamily residential development complies with the recently adopted PlanCOS, which promotes vibrant neighborhoods, infill development and the provision of diverse housing choices. There are no other City-Adopted plans relevant to this site. The multi-family residential also complies with the recently approved amendments to the Master Plan and Concept Plan, which show multifamily residential use for 9.23AC of this parcel and regional commercial for 1.76AC.

C. THE PROJECT MEETS DIMENSIONAL STANDARDS, SUCH AS BUT NOT LIMITED TO, BUILDING SETBACKS, BUILDING HEIGHT AND BUILDING AREA SET FORTH IN THIS CHAPTER, OR ANY APPLICABLE FBZ OR PUD REQUIREMENT.

The R-5 zone standards are applicable to residential projects in the PBC zone. The project meets the building setbacks, and lot coverage standards of the R-5 zone. Administrative relief is being requested to allow for a 50' building in place of the 45' max building height. This will allow the ceiling of each unit to be 9'-6" and allow for a greater amount of sunlight and air circulation.

D. THE PROJECT GRADING, DRAINAGE, FLOOD PROTECTION, STORMWATER QUALITY AND STORMWATER MITIGATION COMPLY WITH THE CITY'S DRAINAGE CRITERIA MANUAL AND THE DRAINAGE REPORT PREPARED FOR THE PROJECT ON FILE WITH THE CITY ENGINEERING DEPARTMENT.

A Final Drainage Report, prepared by Classic Consulting, Engineers and Surveyors is included in this application. The plan conforms to the applicable drainage basin planning study and the drainage criteria manual.

E. THE PROJECT PROVIDES OFF-STREET PARKING AS REQUIRED BY THIS CHAPTER, OR A COMBINATION OF OFF-STREET OR ON-STREET PARKING AS PERMITTED BY THIS CHAPTER.

For the proposed unit mix, City parking standards require 417 parking spaces, including 9 accessible parking spaces, 2 of which must be van accessible. The project meets this requirement by providing 395 surface spaces and 24 garages spaces, for a total of 419 spaces, with 9 ADA parking spaces, two of which are van accessible.

F. ALL PARKING STALLS, DRIVE AISLES, LOADING/UNLOADING AREAS, AND WASTE REMOVAL AREAS MEET THE LOCATION AND DIMENSION STANDARDS SET FORTH BY THIS CHAPTER.

The parking stalls meet the dimensional standards of the Zoning Code. The loading area at the front of the building is a one-way drive aisle with a widened connecting sidewalk to accommodate for guests unloading. This development includes a single trash compactor in the southeast corner of the site, this compactor meets the location and dimensional standards of the chapter.

G. THE PROJECT PROVIDES LANDSCAPED AREAS, LANDSCAPE BUFFERS, AND LANDSCAPE MATERIALS AS SET FORTH IN THIS CHAPTER AND THE LANDSCAPE DESIGN MANUAL.

All required landscape setbacks and buffers are identified on the Development Plan. The Preliminary Landscape Plan includes the required setback and buffer, screened trash enclosure and plantings. The Final Landscape Plan will include landscape materials consistent with the Landscape Design Manual.

Alternative compliance is being requested for the landscape buffer along the eastern boundary of the site. The existing grading shows a vegetated swale with the low point of this swale along the eastern property line. Because of the swale depth and grade along the eastern boundary of the site, it will not be possible to place a 6' opaque fence along the eastern property line or create a continuous row of plantings in this location. Alternative compliance is being requested for the garages to be considered as part of the required opaque screening with a 6' opaque fence in between the garages. This proposed alternative will provide an opaque screen along the length of the eastern property boundary. As part of the alternative compliance request, evergreen trees are proposed behind to garages to add in screening in addition to the garages and erosion control of the swale.

H. THE PROJECT PRESERVES, PROTECTS, INTEGRATES OR MITIGATES IMPACTS TO ANY IDENTIFIED SENSITIVE OR HAZARDOUS NATURAL FEATURES ASSOCIATED WITH THE SITE.

There are no sensitive or hazardous natural features identified on the site.

I. THE BUILDING LOCATION AND SITE DESIGN PROVIDE FOR SAFE, CONVENIENT AND ADA-ACCESSIBLE PEDESTRIAN, VEHICULAR, BICYCLE, AND APPLICABLE TRANSIT FACILITIES AND CIRCULATION.

Pedestrian walkways are provided throughout the development and a bike rack is located at the front of the building. A bike storage garage is located in the 1.34AC open space/dog park area for covered bike storage with an ADA path leading to it. Additional bike storage is provided interior to the building. Accessible routes are provided from the public right-of-way to the leasing office area and throughout the site to provide adequate access to accessible units and parking spaces. Two of the four car garages are ADA accessible.

J. THE NUMBER, LOCATION, DIMENSION AND DESIGN OF DRIVEWAYS TO THE SITE SUBSTANTIALLY COMPLY WITH THE CITY'S TRAFFIC CRITERIA MANUAL. TO THE EXTENT PRACTICABLE, THE PROJECT SHARES DRIVEWAYS AND CONNECTS TO DRIVE AISLES OF ADJOINING DEVELOPMENTS.

The external roads adjacent to the development are in place and two points of access are provided to the site via existing roundabouts. A series of looped driveways circulate through the site in order to provide access to all portions of the building and garages for residents and emergency access. All fire lanes within the site will be adequately marked as fire lanes and meet the turning radii required by CSFD. A gate will be installed at the one-way regional commercial (proposed mini storage) access drive.

K. THE PROJECT CONNECTS TO OR EXTENDS ADEQUATE PUBLIC UTILITIES TO THE SITE. AS REQUIRED BY COLORADO SPRINGS UTILITIES, THE PROJECT WILL EXTEND THE UTILITIES TO CONNECT TO SURROUNDING PROPERTIES.

The Preliminary Utility and Public Facilities Plan included in the Development Plan set identifies all proposed extensions and connections to public utility infrastructure.

L. IF NECESSARY TO ADDRESS INCREASED IMPACTS ON EXISTING ROADWAYS AND INTERSECTIONS, THE PROJECT INCLUDES ROADWAY AND INTERSECTION IMPROVEMENTS TO PROVIDE FOR SAFE AND EFFICIENT MOVEMENT OF MULTI-MODAL TRAFFIC, PEDESTRIANS AND EMERGENCY VEHICLES IN ACCORDANCE WITH THE CITY'S TRAFFIC CRITERIA MANUAL, PUBLIC SAFETY NEEDS FOR INGRESS AND EGRESS AND A CITY ACCEPTED TRAFFIC IMPACT STUDY, IF REQUIRED, PREPARED FOR THE PROJECT.

A traffic report prepared by Roche in Feb 2021, addressed the change in use of 9.23AC of this parcel from commercial to multifamily residential and the remaining 1.76AC of the site to remain regional commercial to be developed as mini storage. This report indicated that the addition of site generated traffic is expected to create minimal negative impacts to traffic operations for the existing and surrounding roadway system. A right-in/right-out traffic access point was found to be sufficient to serve the 1.76AC proposed ministorage portion of the site and that the 9.23AC multifamily portion of site will be adequately served by a right-in/right-out on Tutt Blvd. An evaluation of auxiliary lane requirements revealed that a right turn deceleration lane along E. Woodmen Rd. will be required, from the 1.76AC portion of the site. A right turn deceleration lane is not required since the posted speed along E. Woodmen Rd. is below the 50MPH threshold. A northbound right lane along Tutt is not required since the development's projected peak hour right turn volume does not exceed the City's threshold of 50 vehicles per hour. Analysis of a full movement intersection to the south at Powerwood Vw. found the proposed intersection to operate a Level of Service Level A, with no adverse impacts.

M. SIGNIFICANT OFF-SITE IMPACTS REASONABLY ANTICIPATED AS A RESULT OF THE PROJECT ARE MITIGATED OR OFFSET TO THE EXTENT PROPORTIONAL AND PRACTICABLE. IMPACTS MAY INCLUDE, BUT ARE NOT LIMITED TO LIGHT, ODOR AND NOISE.

No significant off site impacts are anticipated with this development.

FINDINGS NECESSARY TO GRANT ADMINISTRATIVE RELIEF (CODE SECTION 7.5.1102):

- A. THE STRICT APPLICATION OF THE REGULATION IN QUESTION IS UNREASONABLE GIVEN THE DEVELOPMENT PROPOSAL OR THE MEASURES PROPOSED BY THE APPLICANT OR THAT PROPERTY HAS EXTRAORDINARY OR EXCEPTIONAL PHYSICAL CONDITIONS THAT DO NOT GENERALLY EXIST IN NEARBY PROPERTIES IN THE SAME ZONING DISTRICT AND SUCH CONDITIONS WILL NOT ALLOW A REASONABLE USE OF THE PROPERTY IN ITS CURRENT ZONE IN THE ABSENCE OF RELIEF.**

This application is requesting administrative relief from the 45' height restriction to allow for a single 4-story, 50' building. The allowance of a 50' multifamily building in this location will allow for 9'-6" ceilings for each unit which will overall increase sunlight and air circulation for each proposed unit. Because this development is proposing a single building at the max allowed density of 35 dwelling units per acre, it is extraordinarily difficult for the building to stay below the height restriction of 45' and provide energy efficient, economical and healthy living units for medical workers.

- B. THE INTENT OF THIS ZONING CODE AND THE SPECIFIC REGULATION IN QUESTION IS PRESERVED.**

With this request, the overall intent of the zoning code and specific regulation in question is preserved. In February of 2021, City Council approved the amendment to the Greenbriar/Powerwood Master and Concept plan to allow for 9.23AC as multifamily with a max density of 35 Dwelling Units/AC and 1.76AC as regional commercial (to be developed as mini storage). This application is in alignment with the intent of multifamily on 9.23AC at a max density of 35 dwelling units per acre. Administrative relief to allow for a max building height of 50' will allow for a single 320 units multifamily building with 9'-6" ceilings in each unit.

- C. THE GRANTING OF THE ADMINISTRATIVE RELIEF WILL NOT RESULT IN AN ADVERSE IMPACT ON THE SURROUNDING PROPERTIES.**

There are no additional adverse impacts to the surrounding properties identified with the addition of 5' in building height. The building is centered on the property and will be developed as a single structure, because of the building position, there are no anticipated shadow overlays or sunlight infringements onto adjacent properties.

- D. THE GRANTING OF THE ADMINISTRATIVE RELIEF WILL NOT ALLOW AN INCREASE IN THE NUMBER OF DWELLING UNITS ON A PARCEL. ADMINISTRATIVE RELIEF SHALL NOT BE USED TO CREATE OR MODIFY LOTS TO THE EXTENT THAT THEY NO LONGER MEET THE MINIMUM LOT SIZE FOR THE ZONE DISTRICT IN WHICH THEY ARE LOCATED.**

Administrative relief is being requested so that the internal units of the building will have a 9'-6" ceiling, which will allow for an increase of sunlight and air circulation within each unit. At 320 units on 9.23AC, this development meets the max density of 35 dwelling units per ac and is not requesting or proposing to exceed that, modify the lot or modify the lot beyond what is allowed in the zone district.