

CITY PLANNING COMMISSION AGENDA
June 17, 2021

STAFF: P. ANDREW BOWEN

FILE NO(s):

A. CPC CU 21-00044 – QUASI-JUDICIAL

B. CPC R 21-00045 – QUASI-JUDICIAL

PROJECT: The Marek at Colorado Springs

OWNER: CHRICOWHITT LLP

DEVELOPER: SAXON PARTNERS

CONSULTANT: NES, INC.





PROJECT SUMMARY:

1. Project Description: This project proposes concurrent applications for a conditional use development plan and administrative relief for a 10-95-acre site to be developed with a multi-family residential development (herein referred to as “The Marek COS”). The Marek COS consists of a 320-unit multi-family residential apartment project with ancillary site improvements. Of the project site, 9.23 acres of this parcel are part of this proposal while 1.76 acres will be reserved for a regional commercial use. The Applicant’s administrative relief request would allow for an additional five (5) feet of building height from the zone’s allowed 45 feet to 50 feet. The justification for said relief has been provided within staff’s analysis. This site lies within the PBC/AO (Planned Business Center with Airport Overlay) zoning district. **(DEVELOPMENT PLAN_Marek COS)**

The property under review is located on the corner of East Woodmen Road and Tutt Boulevard. A vacant parcel abuts the site to the south, Tutt Boulevard on the west, and a landscape storage and sales yard (Heidrich’s Colorado Tree Farm) to the east. The 10.95-acre subject site is currently vacant with no substantial natural features.

An application for a final subdivision plat is concurrently being reviewed administratively.

2. Applicant’s Project Statement: **(PROJECT STATEMENT Marek COS)**
3. Planning and Development Team’s Recommendation: City Planning staff recommends approval of the application.

BACKGROUND:

1. Site Address: The project site is not current addressed as it consists of unplatted and undeveloped parcels.
2. Existing Zoning/Land Use: The subject property is currently zoned PBC/AO (Planned Business Center with an Airport Overlay) and is vacant as previously noted.
3. Surrounding Zoning/Land Use: North: A (Agricultural), East Woodman Road

South: PBC/AO (Planned Business Center with Airport Overlay),
Vacant property

East: CC/A-5 (Commercial Community and Agricultural (5 acres),
El Paso County Zoning), Landscape Storage and Sales Yard

West: PBC/AO (Planned Business Center with Airport Overlay),
Tutt Boulevard

4. PlanCOS Vision: Per PlanCOS, the project site and its surrounding area is identified on the Plan's Vision map within an identified Newer Development Neighborhood and is adjacent to a segment of Woodmen Road, which is a New/Developing corridor.
5. Annexation: The subject property was annexed into the City per the Greenbriar Annexation Number 1 (Ordinance Number: 03-89) in 2003.
6. Master Plan/Designated Master Plan Land Use: Amendments to the Greenbriar/Powerwood Master Plan and Concept Plan were approved in February of 2021 to change 9.23 acres of the subject site from commercial to multi-family, the remaining 1.76 acres of the parcel will remain regional commercial with the intent of developing as mini-warehouse use. This amendment also approved a maximum density of 35 units per acre.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None on record.
9. Physical Characteristics: The site is currently vacant with little significant vegetation.

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 26 property owners, on two occasions: during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. The Public comment that was received by staff has been provided as **(PUBLIC COMMENT_Marek COS)**. Traffic and technical review addressing the public comment concerns are provided in the following sections of this staff report.

As part of the City's review process, 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 LUR Landscaping and Survey, Parks and Recreation, SWENT, Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, CONO, and E-911, Real Estate Services, and Colorado Springs Airport. As the project site lies outside of the two-mile military notice buffer, no installations were notified of this proposal.

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

1. Review Criteria / Design & Development Issues:
Conditional Use Development Plan

City Planning staff finds that the proposed plan is consistent with the purpose for 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 for the following reasons:

- a. Land Use

The conditional use development plan for The Marek COS proposes the construction of a multi-family residential apartment complex (single structure). As stated before, the application proposes 320 units in a single building, with an equal mix of studio and one-bedroom units. This dwelling configuration will result in a density of 35 units per acre, which is consistent with the recently approved Greenbriar and Powerwood Master Plan and Concept Plan amendments.

As stated by the applicant, the intent of this small unit configuration is to provide “*attractive, efficient, and cost-effective housing for medical workers who work at the nearby St. Francis Medical Center*”. The building will also house amenities such as health and wellness areas, indoor/outdoor gathering spaces, covered bike storage, pet friendly amenities, and outdoor areas such as a pool and spa.

Residential development in the PBC (Planned Business Center) zone district must meet the R-5 (Multi-Family Residential) dimensional standards of the Zoning Code, including minimum building setbacks of 20-foot (front), 5-foot (side), and 25-foot (rear). Per the zoning code, all lots within this zone have a maximum lot coverage of 40% and maximum building height of 45-feet (CPC Administrative Relief Approval Pending). The site specifications defined for the PBC zone by the Concept Plan specify a maximum density of 35 units per acre and include a periphery building setback of 25 feet. Planning staff finds that the Development plan as proposed meets the above requirements (sans building height).

b. Height Compliance: (Administrative Relief Request)

As found within the project narrative, the proposed four-story apartment building has a maximum height of 50 feet which is measured from finished grade to the structure’s flat roof. This exceeds the maximum height of 45-feet for the zone by five feet. Therefore, the applicant has requested that an administrative relief be granted to allow an additional five feet, which the consultant states will “*increase of light and air circulation for each unit.*” In applying the Administrative Relief criteria to this application, City Planning staff finds that this request falls within the 15% perimeter and does not adversely affect neighboring properties or expand the allowable unit density.

c. Parking and ADA Compliance

In review of the proposed parking and ADA accessibility schematics, City Planning staff finds that the proposal is consistent with all applicable city codes. To be specific, the required parking allocation for this complex is as follows, 417 parking total spaces, which must include nine ADA accessible parking spaces, to be further comprised of two van accessible stalls. Accessible routes are provided from the public right of way to the leasing office, building amenity area, outdoor bike garage storage and two (2) ADA four-car garages.

d. Open Space Provision Compliance

In order to maintain and encourage more livable dwelling spaces, the City Planning requested and the applicant provided 200 square feet of private open space per bedroom. (This requirement is in addition to PLDO requirements for public parks.) In application to this proposal, the developer was required to provide 1.47 acres of open space. In total, this proposal provides 1.99 acres of open space which is comprised of a 1.34-acre open space in the northwest corner of the parcel which includes a dog park and covered bike storage. An additional 0.65-acre interior courtyard space is also provided which will include a pool, spa, grill area and community area is provided.

e. Site Buffering and Fencing

An alternative compliance request for fencing has been proposed for this development as well (**LANDSCAPE ALT COMPLIANCE_Marek COS**). In their study of existing site grading, the consultant found a vegetated swale with the low point of said swale existing along the eastern property line. Due to this, the applicant states that 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*”. In response to this design constraint, the applicant has proposed that the garages on the

eastern boundary line be considered part of the required opaque screening with a 6-foot opaque fence spanning between the structures. As part of the alternative compliance request, evergreen trees are proposed behind said garages. In areas where the garages and fencing are not present (northeast and southeast areas), overplanting of evergreen plant units has been required by City Planning staff to form a buffer between the complex and Heidrich's Colorado Tree Farm.

f. Traffic Reporting Compliance

A traffic report for this development proposal was prepared by Roche in February of 2021. In this report, it is specified that there are two proposed access points to this development, one from Tutt Boulevard via a right-in/right-out access and one via the existing roundabout. There is also a connecting private street, Powerwood View, to the south of the proposal. This southern access point will be a shared access easement with the planned multifamily residential lot to the south with a gate being provided to control access. All driveways within the site will be marked as fire lanes and meet the turning radius required by CSFD. The City's Traffic Engineering Division of Public Works did require a Traffic Impact Analysis addendum to be submitted with the conditional use development plan evaluating the specific needs and impacts based on 320 proposed units. This document was provided by the applicant and City Traffic Engineering agreed with the findings.

g. Transportation Planning Compliance

Tutt Boulevard is being considered for Transit Routes paralleling Powers Boulevard to service the new development east and north of the Powers Corridor. Since the old Templeton Gap Road right-of-way that was designated as the future rapid transit corridor in the 2035 Long Range Transit Plan has been redeveloped and CDOT does not want fixed route bus service on Powers Boulevard, Tutt Boulevard will serve as a major transit corridor for rapid transit and fixed route in the future.

h. SWENT Compliance

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. SWENT has sent notes which require some edits to the Final Drainage report, but no changes to the Development Plan are required.

In receipt of the public comment, City Planning staff met with Mr. Heidrich on site in order to discuss his stormwater issues on his property. Staff explained to Mr. Heidrich that SWENT has reviewed and accepted the site plan and that the on-site stormwater facilities comply with the City's Drainage Control Manual. Mr. Heidrich's stormwater issues are not applicable to this development, as they originate from a culvert to the north.

2. Conformance with the City Comprehensive Plan

City Planning staff finds The Marek COS development proposal to be in substantial conformance with PlanCOS and its guidance for the following reasons:

As required by City Code, staff has evaluated the proposed applications to ensure conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019.

Per PlanCOS, the project site and its surrounding area is identified on the Plan's Vision map within an identified Newer Development Neighborhood and is adjacent to a segment of Woodmen Road, which is a New/Developing corridor. Woodmen Road is also identified as a corridor contributing to the strong connections of the City. Per the Vibrant Neighborhoods Framework map, the project site is part of an area identified as a Newer Developing Neighborhood. With Marek COS' future

development, staff finds that by the City permitting the addition of dwelling units in proximity to vital employment and office nodes, a greater mix of cohesive uses is realized. As said mix of area use helps create a live/work environment within the City. The ultimate goal of PlanCOS is to create a supportive mix of uses, in general, the addition of The Marek COS, helps to expand this aspiration.

3. Conformance with the Area's Master Plan

City Planning staff finds The Marek COS development proposal to be in conformance with the Greenbriar/Powerwood Master Plan for the following reason:

The subject site to be developed is part of the Greenbriar/Powerwood Master Plan, which has been amended to allow this multi-family use at its current density rate of 35 units per acre.

STAFF RECOMMENDATION:

CPC CU 21-00044 – CONDITIONAL USE DEVELOPMENT PLAN

Approve the conditional use development plan for The Marek COS project, 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 R 21-00045

Approve the Administrative Relief for The Marek COS project, based upon the findings that the request meets the review criteria for granting an Administrative Relief, as set forth in 7.5.1102.