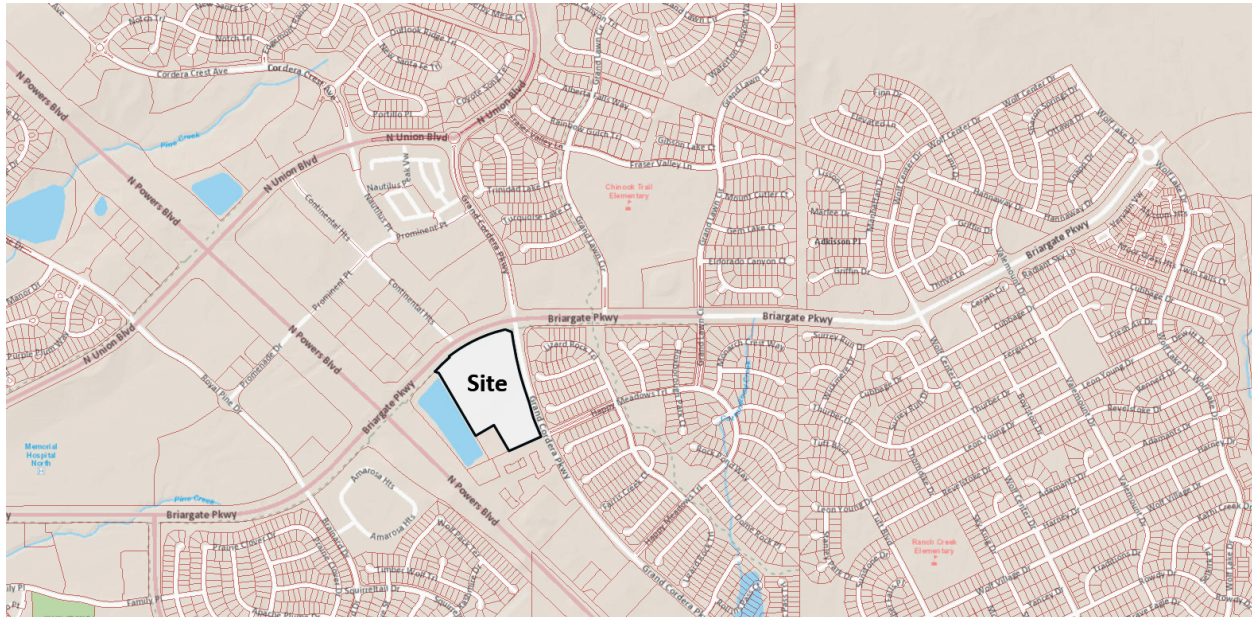


**CITY PLANNING COMMISSION AGENDA  
SEPTEMBER 14, 2022**

**STAFF: DANIEL BESINAIZ**

**FILE NO(S):**  
**CPC CU 22-00067 – QUASI-JUDICIAL**  
**CPC R 22-00137 – ADMINISTRATIVE**

**PROJECT:** RETREAT AT MOUNTAINSIDE  
**OWNER/APPLICANT:** HIGH VALLEY LAND COMPANY, INC.  
**CONSULTANT:** KIMLEY-HORN & ASSOCIATES



**PROJECT SUMMARY:**

1. Project Description: This project application is for approval of a conditional use development plan and administrative relief for Retreat at Mountainside located at the southwest corner of Briargate Parkway and Grand Cordera Parkway. The plan proposes a new 284-unit multi-family development with ancillary site improvements in a PBC (Planned Business Center) zone district. **(see “Conditional Use Development Plan” attachment)**
2. Applicant’s Project Statement: **(see “Project Statement” attachment)**
3. Planning and Development Team’s Recommendation: City Planning staff recommends approval of the application.

**BACKGROUND:**

1. Site Address: The project is located at the southwest corner of Grand Cordera Parkway and Briargate Parkway.

2. Existing Zoning/Land Use: The subject property is zoned PBC (Planned Business Center) and is currently vacant.
3. Surrounding Zoning/Land Use: North: PBC (Planned Business Center) and is developed as retail.  
South: PBC (Planned Business Center) and is vacant.  
East: PUD (Planned Unit Development) and is developed as single-family residential.  
West: PBC (Planned Business Center) and is vacant.
4. PlanCOS Vision: According to the PlanCOS Vision Map (**see “PlanCOS Vision Map” attachment**), the project site is identified as Newer Developing Neighborhood.
5. Annexation: The property was annexed under the Briargate Addition #5 (September 28, 1982, Ordinance No. 82-138).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Briargate Master Plan (Cordera Neighborhood). The Master Planned Land Use designation is commercial.
7. Subdivision: The property was platted as Lot 2, Briargate Crossing Subdivision.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is currently vacant.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 208 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. City Planning staff received five comments in opposition to the project (**see “Public Comment” attachment**). Interested residents cited concerns about traffic and obstructed views.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, City Fire, and City Police. All comments received from the review agencies have been addressed.

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

1. Review Criteria / Design & Development Issues:

- a. Conditional Use Development Plan Proposal

The proposed Retreat at Mountainside Conditional Use Development Plan (**see “Conditional Use” attachment**) consists of an infill development proposal for a seven-building 184-unit multi-family residential development on 9.74 acres. The site is zoned PBC (Planned Business Center), which permits multi-family as a conditional use. Per the Project Statement (**see “Project Statement” attachment**), this development will offer interior and exterior amenities (including a club house, swimming pool, and courtyard) and ancillary on-site improvements.

There is one primary right-in/right-out access point off Briargate Parkway and a secondary access to a proposed private shared access drive to the south (to be constructed by High Valley Land Co.) which ultimately connects to Grand Cordera Parkway. Within the complex, interior drives will have multiple stop signs, reduced speed limits, and pedestrian crosswalks to discourage through traffic. A 6’ sidewalk is proposed along all internal private

drives. The number of proposed parking spaces exceeds the number of parking spaces required per City Code.

A preliminary landscape plan was submitted illustrating a variety of trees and shrubs consistent with planting and landscape requirements; a final landscape and irrigation plan will be required within 90 days of building permit issuance. The preliminary landscape plan illustrates 10' sidewalks with minimum 7' tree lawns along Briargate Parkway and Grand Cordera Parkway, as well as walking paths throughout the site connecting building entrances to exterior amenities. The natural east to west slope of the site allows for added natural screening of parking areas throughout the site from the perspective of the single-family residential neighborhood to the east.

The applicant's proposal is a good fit for the surrounding area as infill development. Residents of the project will have convenient access to medical services, retail, and public parks and open space. Residents in the area do not have convenient access to alternate modes of transportation (i.e. Mountain Metro bus service) but there is close connection to the trail along Briargate Parkway. Bicycle parking is provided in several locations across the site.

City Planning staff finds the application to be consistent with the purpose of the Conditional Uses and Development Plan criteria.

b. Administrative Relief

The administrative relief application requests to allow for building height to exceed the 45' maximum for two of the seven buildings. The proposed height for Building 6 is 50' 1½" and the proposed height for Building 7 is 49' 4½" (see "**Conditional Use**" attachment). City Code 7.5.1103 creates an allowance for an increase in height of a structure using an administrative relief as long as the proposal is for a 15% increase in height or less. Staff finds that the request is in conformance with the intent of the provided building height calculation and the proposed request meets the criteria for granting an administrative relief.

City Planning staff finds the request meets the four review criteria, per City Code Section 7.5.1102, for an administrative relief to be granted:

- Extraordinary or exceptional physical conditions – There is currently 37' of fall from the east property line to the west property line. This existing topography follows Briargate Parkway and cannot be substantially altered due to the property's proximity to Briargate Parkway. Therefore, the two westernmost buildings are confined to a small range of finished floor elevations to provide a site that is easily maneuverable by traffic. Also, there is an existing utility easement along the western property line with a substantially deep sanitary sewer main in the existing condition. Colorado Springs Utilities has indicated that the development's proposed grades within this easement must remain like the existing grades which result in proposed grade elevations that are substantially lower than the rest of the site. This causes the drive aisle along the west property line to sit roughly 8-12' lower than the drive aisle on the east side of the western buildings.
- Intent of Zoning Code is preserved – The intent of the City Zoning code is preserved.
- No adverse impact upon surrounding properties – The adjacent properties to the east which consist of single-family homes sit approximately 40' higher than the west two buildings with relief being requested. With the increase in maximum building height, these two buildings will have maximum roof elevations lower than the rest of the proposed buildings on site which comply to the maximum building height. Therefore, the increase in the proposed building heights will not result in an adverse impact on adjacent properties.
- Granting will not allow an increase in number of dwelling units – The project is not utilizing the relief to increase the number of units on site.

2. Conformance with the City Comprehensive Plan:

City Planning staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as a Newer Developing Neighborhood (**see "PlanCOS Vision Map" attachment**). The project aligns with PlanCOS Chapter 2 Strategy VN-2.A-3, which states:

*"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."*

The proposed project increases both the housing types provided in the neighborhood and the range of demographic sectors served as a age-restricted residential development. The project also aligns with PlanCOS Chapter 2 Policy VN-3.E, which states:

*"Encourage and support the integration of mixed-use development in neighborhoods."*

Though the specific development itself is not mixed-use, its close proximity to medical services, retail, and parks and open space help to create a mixed-use neighborhood that may encourage alternative modes of transportation such as walking and biking.

3. Conformance with the Area's Master Plan:

The proposed Retreat at Mountainside development is located within the Briargate Master Plan. The Master Planned Land Use designation is commercial and would allow for the multi-family use. In addition, the Briargate Master Plan is considered an implemented master plan as approved by City Council; however, this proposed project is in compliance with the master plan.

The area surrounding the project is characterized by vacant land to the west and south and retail to the north. Across Grand Cordera Parkway to the east, is single-family residential development. The applicant's request for a multi-family development is complementary and supportive of the current land use patterns for the area. Through staff's review of the conditional use development plan application and consideration of the review criteria for establishing a development plan, as set forth in 7.5.502(E), the overall impacts of the project were analyzed. City Planning staff finds the project to be complementary and supportive of the vision for the Briargate Master Plan.

**STAFF RECOMMENDATION:**

**CPC CU 22-00067 – Conditional Use Development Plan**

Approve the Conditional Use Development Plan based upon the findings that the request meets the review criteria for granting a Conditional Use as set forth in the City Code Section 7.5.704 and meets the review criteria for granting a Development Plan as set forth in City Code Section 7.5.502(E).

**CPC R 22-00137 – Administrative Relief**

Approve the administrative relief request from City Code Section 7.3.204 allowing a building height of 50' 1½" from the required maximum building height of 45', based upon the findings that the request complies with the administrative relief review criteria in City Code Section 7.5.1102.