

**CITY PLANNING COMMISSION AGENDA
APRIL 21, 2022**

STAFF: KATELYNN WINTZ

FILE NO(S):
CPC ZC 22-00008 – QUASI-JUDICIAL
CPC CP 22-00009 – QUASI-JUDICIAL

PROJECT: ALLASO AT BRIARGATE

OWNER: ECHO BRIARGATE, LLC & 2013 PRIME CENTER, LLLP BY: GBR PROPERTIES INC

DEVELOPER: TITAN PROPERTY MANAGEMENT, LLC

CONSULTANT: NES, INC.



PROJECT SUMMARY:

1. Project Description: The project includes concurrent applications for a zone change and concept plan (see “**Zone Change Exhibit**” and “**Concept Plan**” attachments) on 10.4-acres for Allaso at Briargate (the project). The proposed is a zone change from PIP1/cr to OC/cr where multifamily development is a conditionally permitted use. The concurrent concept plan illustrates the
2. Applicant’s Project Statement: (see “**Project Statement**” attachment)
3. Planning and Development Team’s Recommendation: Staff recommends approval of the applications

BACKGROUND:

1. Site Address: The property address is 2502 Dynamic Drive.
2. Existing Zoning/Land Use: The property is zoned PIP1/cr (General Industrial with conditions of record) and is partially developed. The property abutting Dynamic Drive is currently improved with an overflow parking lot and the parcel immediately south remains vacant.
3. Surrounding Zoning/Land Use:
North: PIP1 (General Industrial) and is commercially developed.
South: PF (Public Facility) and is the location of Colorado Springs Fire Department Fire Station 19.
East: R1-6000/DFOZ (Single Family Residential with Design Flexibility Overlay) and is residentially developed.
West: PIP1/cr (General Industrial with conditions of record) and is commercially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map (see “**PlanCOS Vision Map**” attachment), the project site is identified as an Established Suburban Neighborhood and adjacent to the primary trail network for the established Briargate SIMD trail.
5. Annexation: The property was annexed into the City under Briargate Addition No. 4 annexation (September 28, 1982, Ordinance No. 82-137)
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Briargate Master Plan and is deemed implemented.
7. Subdivision: The properties were platted under two recorded plats: Orix Prime West at Briargate Filing 1 and Briargate Business Park Filing 25.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The northern portion of the project site is partially developed with a parking lot and parcels to the east are improved with the Briargate SIMD trail. The southern lot appears to be over lot graded with no significant slopes and is vacant.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 254 property owners on two occasions; during the initial review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. The initial public notification included neighborhood meeting information. The Council of Neighborhoods and Organizations (CONO) was also notified and asked to relay the development information to their neighborhood mailing list. City Planning staff received dozens of comments both in

support and opposition of the project. The themes of the comments that were received ranged from concerns around traffic volumes, school capacity, building height and impacts to community 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, City Police, District 20 and City Budget. All comments received from the review agencies have been addressed.

- School District 20 – The School District 20 determined that fees in lieu of land dedication is required to satisfy PLDO requirements. Staff followed up with the school district in response to neighborhood comments regarding school capacity concerns and the district responded that “they would be pleased to serve any students that are generated by the proposed development”.
- Parks and Trails – Parks has identified that fees in lieu of land dedication is required to any future residential development. The Trails division had their comments addressed through a plan revision that illustrates the location of the existing trail. Details of ownership and maintenance will be captured on future development plans.
- Engineering Development Review – Dynamic Drive is scheduled to undergo the 2C overlay road work in 2022. After the paving season, Dynamic Drive will be under moratorium through 2027. If infrastructure construction, storm sewer, or utility tie-in work impacts Dynamic Drive, developer needs to be familiar with the City’s degradation fee schedule and restoration specification. Restoration limits and degradation fees will be defined in the field based on extent of impact. Degradation fees are graduated based on area of impact and the age of the current roadway surface treatment.

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

1. Review Criteria / Design & Development Issues:

a. Summary heading for each application

i. Zone Change

This project site is currently zoned PIP1/cr (General Industrial with conditions of record) (**see “Zone Change” exhibits**). The conditions of record established with the initial zoning included the following: 1. A 100-foot landscape/open space buffer area will extend along the entire east property line. This buffer area shall not allow development (i.e., parking, buildings etc.), 2. One tree per 10-feet is required within the 100-foot buffer. One third of the required trees will be evergreen. Tree sizes within the 100-foot buffer area shall be a minimum of 8-feet high for evergreens and two-and-a-half-inch caliper for deciduous trees, 3. A grading plan shall be reviewed and approved with the coordination of the city planning and city engineering. Adjacent neighbors shall be notified of grading plan review, and 4. The finished grade of the site and the finished floor elevations of the building(s) shall be reduced to the maximum extent possible at the final development plan approval to reduce impacts to the residence to the east. Staff interprets the intent of several of the conditions of record are intended to serve as a dedicated buffer to reduce overall impacts to the residential properties to the east. As such, staff requested several of these conditions be carried forward as conditions of record in the proposed OC (Office Complex) zone district.

The conditions of record for the proposed OC (Office Complex) zoning include a 38-foot maximum building height for any residential uses and carries forward conditions 1 & 2 from the current zoning. The main difference between these conditions is a 30-foot difference in the required buffer size. This difference is acknowledged because the existing PIP1/cr zoning includes 30-foot-wide parcel

that is under separate ownership and not considered part of this rezoning request or project area.

The proposed zone change is supported by a concurrent concept plan (**see “Concept Plan” attachment**) illustrating the proposed future land use of residential, a conditionally permitted use in the OC zone district. Many uses surrounding the site are residential or low-intensity commercial uses. From a land use perspective some of the existing permitted land uses per the existing plan are higher intensity, like industrial uses, that are generally regarded as incompatible near residential uses. The proposed OC zone district is more reflective of the established residential and low-intensity commercial uses surrounding the project site.

City Planning staff finds the application to be consistent with the purpose for a zone change request, as set forth in City Code Section 7.3.601 and City Code Section 7.5.601.

ii. Concept Plan

The proposed Concept Plan consists of a conceptual design for the 10.4-acre property to be developed as multifamily residential. The proposed future development as shown on the concept plan shows the multi-family development being constructed as two buildings with private access drives and dedicated off-street parking to satisfy any future residential development. The site will be accessed from an existing full movement shared access along Dynamic Drive and right in, right out shared access along Research Parkway. Notes on the concept plan reinforce the proposed zoning conditions of record.

The applicant had previously proposed developing an estimated 300 dwelling units; however, staff encouraged the applicant to take a closer look at exactly what could be feasible for this site and revised plans showed an overall reduction to the proposed number of units for future development. The applicant currently proposes a maximum residential density of 24 dwelling units per acre with a maximum unit count of 251 residential units and incorporates the dimensional controls as established with the R5 (multi-family residential) zoning as required by City Code.

The PIP1 and R5 zoning allow for a 45-foot maximum building height, however, to keep some of the spirit of the existing conditions of record on site one of the proposed conditions of record restricts residential building heights to a maximum of 38-feet in height. A views study was also submitted by the applicant for review and consideration (**see “Views Studies” attachment**). While the City zoning code does not have explicit criteria for viewshed protection staff finds that the maximum building height restriction proposed as a zoning condition of record supports the intent of the existing condition of record item 4 to reduce impacts to the residence to the east. Staff finds that the Views study supports the existing conditions of record and demonstrates that development of this property would not have significant negative impacts to adjacent residential properties.

City Planning staff finds the application consistent with the purpose for a Concept Plan, as set forth in City Code Section 7.5.501.

b. Traffic

The City’s Traffic Engineering Division of Public Works (herein referenced as “Traffic”) has reviewed the proposed PUD concept plan and accompanying Master Traffic Impact Study (TIS), prepared by SM Rocha, LLC. Traffic has determined that there is adequate capacity to accommodate the proposed site uses and resulting trip generation. Neighborhood concerns surrounding existing and future traffic volumes were clearly expressed during the City-initiated neighborhood meeting. As a result of that meeting, Traffic requested several

revisions to the traffic study including additional analysis of PM peak hours to include Mountain Ridge Middle School PM traffic and provide further clarification about the traffic pattern assumptions at the proposed site access points. A revised traffic study addressing the items as stated above was provided and found that all intersections included in this study will operate at acceptable levels of service at full build out of the proposed development. Traffic Engineering deemed that all their comments had been adequately addressed with the revised traffic study and accepted the report with a March 2022 revision date (**see “Traffic Study” attachment**)

c. Outstanding Issues – Technical Modifications

i. Stormwater Review Enterprise –

A Master Development Drainage Plan (MDDP) amendment was submitted in support of this concept plan application demonstrating how the future full spectrum detention facility would function on site. The Stormwater Review Enterprise (SWENT) indicated that based on the level of detail shown on this concept plan that the future full spectrum detention facility should be shown/labelled on the plans. Staff supports this request and finds that the following technical modification should be considered:

Show and label the full spectrum detention facility prior to approval of the plans

2. Conformance with the City Comprehensive Plan:

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 an Established Suburban Neighborhood (**see “PlanCOS Vision Map” attachment**). PlanCOS is a high-level vision document with a focus on community-wide themes, larger neighborhoods, corridors, nodes, “typologies”, places, and big ideas.

A “Big Idea” from Thriving Economy Chapter 4, entitled “Embrace Sustainability”, has Goal TE-4 that states:

“Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”

The Unique Places chapter of PlanCOS also captures this vision for appropriate and reasoned land use adaptation through its “Embrace Creative Infill, Adaptation and Land Use Change” big idea.

“We value the preservation of our built environment, especially our historic buildings and areas. But, for our city to be even more competitive, we also need areas to infill and adapt in response to a myriad of trends including demographics, technology, and the market. As a community we should embrace the prospect of managed, thoughtful, and forward-thinking changes in land use by reinvesting in key areas”

Juxtaposed with PlanCOS acknowledgement of the need for land use planning adaptation are its Vibrant Neighborhoods values embodied in Chapter 2

PlanCOS Chapter 2, Vibrant Neighborhoods, identifies in Goal VN-2 to:

“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.”

Staff recommends that, especially when compared with the currently permitted business and light industrial uses, conversion of the site to multi-family uses will not result in substantively greater impacts to this existing established neighborhood.

Overall, City Planning Staff finds that the project balances the intent of PlanCOS, which prioritizes adaptive and responsive land use changes.

3. Conformance with the Area's Master Plan:

As previously approved on the Briargate Master Plan, this site is identified as O/I (Office-Industrial/Research & Development), which includes multi-family dwelling (Apartment, Condominium, Townhouse) as an allowable use. The Briargate Master Plan is deemed implemented, meaning at least 85% of the planned area is built out and the remaining vacant land is zoned in conformance with the master plan. Per the master plan, the land use pattern to the east of the site is largely residential with some pockets of commercial development. Staff finds that, in addition to multifamily as a permitted use in the O/I land use category, the proposed multifamily development is a compatible future land use and provides a logical transition from the established residential neighborhood to the commercial corridor along Chapel Hills Drive.

Staff finds the project to be consistent and in substantial compliance with the Briargate Master Plan.

STAFF RECOMMENDATION:

CPC ZC 22-00008

Recommend approval to the City Council the Zone Change from PIP1/cr (General Industrial with Conditions of Record) to OC/cr (Office Complex with Conditions of Record) based on the findings that the request meets the review criteria as set forth in City Code Section 7.5.603

CPC CP 22-00009

Recommend approval to the City Council the Allaso at Briargate Concept Plan, based upon the findings the proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) with the following technical modification:

- Show and label the full spectrum detention facility prior to approval of the plans