

CITY PLANNING COMMISSION AGENDA
October 18, 2018

STAFF: MIKE SCHULTZ

FILE NO(S):
CPC MP 10-00089-A3MJ18 - LEGISLATIVE
CPC PUZ 18-00054 - QUASI-JUDICIAL
CPC PUD 18-00055 - QUASI-JUDICIAL

PROJECT: CHAPARRAL POINTE

APPLICANT: NES, INC.

OWNER: HARRY & LYNN FRIES



PROJECT SUMMARY

1. Project Description: The project (**FIGURE 1**, project statement) includes concurrent applications for a major master plan amendment, PUD (Planned Unit Development) zone change, and PUD development for 12.153 acres. The subject property is located northwest of the intersection at Powers Boulevard and Barnes Road at the terminus of Integrity Center Point.

The major master plan amendment for the High Chaparral Master Plan (**FIGURE 2**) proposes a change of use from commercial to residential (3.5-7.99 DU/AC) involving 4.8 acres located northwest of Powers Boulevard and Barnes Road (north of the Elevations Apartment complex and south of the City owned High Chaparral Open Space).

The proposed rezone (**FIGURE 3**) will change the current zoning for the subject properties from A/UV/AO (Agriculture with Use Variance and Avigation Overlay) to PUD/AO (Planned Unit Development with Avigation Overlay; single-family and attached two-family, 35-foot maximum building height, 5.59 dwelling units per acre).

The Chaparral Pointe PUD Development Plan (**FIGURE 4**) illustrates the proposed 32 single-family lots and 36 two-family residential lots on the 12.153 acre site.

1. Applicant's Project Statement: (**Refer to FIGURE 1**)
2. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: The property is not currently addressed.
2. Existing Zoning/Land Use: A/UV/AO / Property is currently vacant
3. Surrounding Zoning/Land Use:
 - North: A/AO/High Chaparral Open Space
 - South: PBC/CU/Multi-Family Residential and A-5 (El Paso County zoning)/Single-family Residential
 - East: R-1 6000/AO/Single-Family Residential
 - West: R-1 6000/AO/Single-Family Residential
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: High Chaparral Annexation, February 1985
6. Master Plan/Designated Master Plan Land Use: High Chaparral Master Plan/Commercial and Single-Family Residential
7. Subdivision: Unplatted
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site contains grade and slopes from east to west and increases in elevation from south to north; the site sits above Powers Boulevard and grades falls in elevation moving toward Chaparral Road. Gambrel Oak is found throughout the site. There is a home and accessory structures currently located in the northeast portion of the site; these structures will be razed to make way for the proposed development.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public process included posting the site and sending postcards to 314 property owners within a 1000-foot buffer of the subject property including the Old Farm Awareness Association. Staff had initially received six (6) comments (**FIGURE 5**) from surrounding property owners,

including a property owner and representative of the Plaza at Barnes commercial center, located immediately north of Barnes Road.

Residents' initial concerns included the proposed density of the project, access/use of Chaparral Road, traffic generation, signal/access at Barnes Road/Integrity Center Point, pedestrian access to High Chaparral Open Space, noise mitigation, over-burdening parks/open space.

The commercial property owner, John Olive, voiced opposition to the proposed project over the proposed use of Integrity Center Point for residential traffic, when the private roadway was intended to be used for commercial uses as identified in the High Chaparral Master Plan. Staff provides additional information in the Analysis section provided below.

A neighborhood meeting was held on August 9, 2018 at Fire Station #19; approximately 18 residents attended the neighborhood meeting.

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. Besides Land Use Review comments, the review agencies had no comments on the proposed applications. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Police and City Fire.

El Paso County Planning & Community Development was not included on the original buckslip review, however City Staff will continue working with the property owner and El Paso County regarding their drainage concerns.

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

1. Review Criteria / Design & Development

a. Background

The property is part of the High Chaparral Master Plan, originally approved in 1985 as part of the High Chaparral annexation of the same year. The proposed land uses as shown on the original Master Plan identified single-family residential, park and office/research and development. The Master Plan originally had shown Rio Vista Drive to extend from Barnes Road to Stetson Hills Boulevard; however the planned road was later eliminated in 2001 when the TOPS (Trails, Open Space and Parks) committee recommended and the City Council agreed to purchase approximately 73 acres within the master planned area.

The High Chaparral Master Plan has had numerous amendments to the plan since its initial adoption in 1985, including an amendment in 2012 involving 18 acres from commercial to high density residential that is now the Elevation Apartments. The commercial area to the south, known at Plaza at Barnes and Plaza at Barnes West, continues to build out; Staff is administratively reviewing a proposed hotel, retail center and gas station at the northwest corner of Barnes Road and Integrity Center Point.

b. Master Plan Amendment/Fiscal Impact Analysis

The Major Amendment to the High Chaparral Master Plan illustrates a change of 4.8 acres from a Commercial land use to Single-Family Residential on the eastern portion of the site. This amendment would be the third major amendment to the High Chaparral Master Plan since modern master plan was adopted in 2011, around the same time frame TOPS purchased the High Chaparral Open Space. The original

High Chaparral Master Plan adopted in 1985 when the property was annexed, included the property north of the open space; that area was later incorporated into the Templeton Heights Master Plan.

A financial impact analysis (FIA) was completed (**FIGURE 6**) by the City Budget Office; the analysis revealed that there would be a “negative cumulative cash flow” for the City during the 10-year timeframe. The analysis takes into consideration the proposal of public streets within the proposed Chaparral Pointe development compared to the potential of a private street system and commercial revenue generated from the 4.8 acres that was proposed for commercial use.

Planning Staff completed a land use analysis of the most recent High Chaparral Master Plans and has determined the overall land use changes from the 2003 Master Plan (which was the most recent Master Plan from the original 1985 Plan) to the current 2018 Plan are negligible (**FIGURE 7**). From 2003 to 2018 there is overall modest increase in single-family residential, 1.6 acres and a much larger increase in multi-family acreage at 6.9 acres. There is an overall decrease in office/commercial use, 2 acres and the park/open space use, 5.6 acres, was eliminated.

The overall financial impact of low density single-family residential uses to city budgets generally has been determined to have a negative impact given the amount of property taxes paid in relation to City expenditures such as road, utility and park maintenance when you compare that with either high density residential uses or that of commercial, office and industrial land uses.

Planning Staff would argue that the High Chaparral Master Plan strikes an overall balance of varying land uses, particularly in regards to office/commercial (31.85 acres) and high density residential (14 acres) that helps off-set the overall expenditures of the City. Approximately 18 acres of designated office/commercial land use remains undeveloped at this time, an additional 5.3 acres of commercial development is currently under administrative review at the northwest corner of Barnes Road and Integrity Center Point.

Additionally, the subject 4.8 acre area is now located between existing apartments (Elevation Apartments) to the south and City owned open space to the north; the likelihood of a commercial user having interest in the property is low due to its location. The highest and best use of the property is now for residential given how the area has developed along with the City’s purchase of the open space to the north.

It is Planning Staff’s determination that the land use amendment involving 4.8 acres from commercial to single-family residential (3.5 – 7.99 DU’s per acre) is negligible when factoring all other land uses associated with the Master Plan.

c. Change of Zone

The proposed change of zone involving the 12.153 acre site would be from the existing A/UV/AO (Agriculture with Use Variance and Avigation Overlay) to PUD/HS (Planned Unit Development with Avigation Overlay; single-family and attached two-family, 35-foot maximum building height, 5.59 dwelling units per acre). The Agriculture zone district was utilized as a holding zone when the property was

annexed; the High Chaparral Master Plan dictated the eventual zoning of the property, unless later amended.

The PUD zoning request would accommodate the proposed Chaparral Pointe Development Plan involving 68 total dwelling units. The change of zone would be in conformance with the High Chaparral Master Plan and proposed amendment; the zone change request meets the City Code standards for establishment of a PUD zone district and a zone change request. City Planning Staff supports the proposed change of zone request.

d. Development Plan

The Chaparral Pointe PUD Development Plan illustrates 68 total dwelling units; 32 single-family lots that are shown along the west half of the site (adjacent to the existing single-family Old Farm Neighborhood) and 36 two-family lots, located on the east half of the property; the development consists of 12.153 acres.

Minimum lot sizes for single-family detached lots will be a minimum 4,500 square feet and a minimum 4,200 square feet for single-family attached units. Setbacks for the single-family detached lots will be 20 feet from property line to the house and garage door, allowing sufficient driveway parking. Setbacks for the single-family attached lots will be 14 feet to the house, but 20 feet from the back of sidewalk to the face of garage in order to allow sufficient driveway parking.

Access for the development will be solely from Integrity Center Point, a private road located to the south of the project that connects to a signalized intersection at Barnes Road. There will be no vehicular access from the proposed development to Chaparral Road to the west (see below for additional Staff analysis).

An on-site stormwater capture facility is proposed in the southwest portion of the site, near Integrity Center Point. This facility will be owned and maintained by the Chaparral Pointe Metro District. Water Resources Engineering has no major issues or comments in regards to the proposed design or drainage report; a final drainage report will be required prior to approval of the development plan and final plat.

Staff finds that the proposed plan meets the review criteria from granting a PUD development plan.

e. Integrity Center Point and Chaparral Road

Residents located along Chaparral Road, located west of the subject property, initially voiced concern about a potential road connection from the proposed development to Chaparral Road, citing a likely increase in traffic, both through the neighborhood to the west as well as to the south at Barnes Road. Another concern was the condition of Chaparral Road, the road currently has a "rural" cross-section and lacks curb, gutter and sidewalk south of the Old Farm neighborhood; the road currently meanders between the jurisdictions of the City and El Paso County

The proposed development illustrates no vehicular connection from the development to Chaparral Road, sole access for the development will be from Integrity Center Point, a private road, located immediately south of the project. With the development all roads will be constructed to public street standards and dedicated to the City for ownership and maintenance. The Developer will be responsible for curb, gutter and

sidewalk improvements adjacent to the development, but not south of the site where those improvements would be necessary to accept additional residential traffic.

On September 11, 2018, City Council approved a resolution creating the Chaparral Pointe Metropolitan District; the service plan would allow financial contribution to the maintenance of Integrity Center Point, a privately owned and maintained drive. The Metro District was established to help off-set costs associated with site grading and construction of public improvements such as streets, stormwater infrastructure and park access, to name a few. Note number six (#6) of the Development Plan outlines the intent of a funding agreement between the Chaparral Pointe Metropolitan District and Barnes Center Owners Association regarding the maintenance of Integrity Center Point.

City Traffic Engineering will continue dialogue with John Olive and the Barnes Center Owners Association, who currently own and maintain the road, regarding the possibility of converting the private road to a publicly owned and maintained street. To convey the road the current owners would to plat and dedicate the right-of-way and street to the City; the road would also need to meet public design standards. An example of a recent conveyance of a private road to the City occurred with Lee Vance Drive near East Woodmen Road and Rangewood Drive (south of Cook Communications campus); the road was reconstructed and then platted and conveyed to the City.

f. Parks Access

Another concern raised by residents of the Old Farm Neighborhood was in regard to having access to the High Chaparral Open Space, located east of the Old Farm Neighborhood and immediately north of the proposed development. The Developer agreed to allow public access through a pedestrian sidewalk connection at Heathland Terrace off of Chaparral Road (note: the intent is for pedestrian access only at this location). Residents could then walk along the public sidewalks along Heathland Terrace and connect through a designated tract (Tract 'C') that will connect to the open space; public access through this tract is called out on both the Development Plan and plat.

City Parks has not yet constructed formal trails within the open space, over the years residents have created informal social trails throughout the City owned property. This trail will not need to meet the Americans with Disabilities Act (ADA) standards as it is not providing any other accessibility improvements; the City will likely need to incorporate ADA design into the primary trailhead and bathroom facilities when those are constructed on the north end of the property.

g. Drainage

The project proposes an on-site water quality pond on the south side of the site, just west of Integrity Center Point; a preliminary drainage report has been reviewed and generally accepted by City Water Resources Engineering.

The adjacent property owners to the south of the proposed development, Mr. and Mrs. Cline (4625 Chaparral Road), have voiced concern regarding the proposed detention pond will release storm water at historic flows across their property. The City's Drainage Criteria Manual calls requires that drainage reports cite existing historic drainage and current flows and how the proposed development and

detention pond will match the historic drainage patterns and flow rates. Mr. and Mrs. Cline are requesting clarification on how close the engineering estimates need to be to the historic rates, what are the ramifications if the final construction does not match the intended design and if there are any alternative designs to consider.

Planning Staff is attempting to arrange a meeting with all parties to determine if there is a potential resolution; findings will be presented to the Planning Commission at the October 18th public hearing.

2. Conformance with the City Comprehensive Plan

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

Strategy N 301a: Identify Non-Residential Land Uses that Support Neighborhoods

Identify the type, scale and nature of non-residential uses that contribute to the efficient functioning and attractiveness of neighborhoods.

Infill Supplement: 1 – Neighborhoods: As addressed throughout this chapter, Infill and redevelopment sites often have more complexity and challenges based on the established and mature nature of the surrounding neighborhoods.

3. Conformance with the Area's Master Plan:

As indicated above, staff finds the Chaparral Pointe Development Plan and associated applications to substantially conform to the Comprehensive Plan's goals, objectives, and 2020 Land Use map.

STAFF RECOMMENDATION

CPC MP 10-00089-A3MJ18

Recommend approval to City Council the major amendment of High Chaparral Master Plan, based on the findings that the amendment request meets the review criteria for granting a master plan as set forth in City Code Section 7.5.408.

CPC PUZ 18-00054 – PLANNED UNIT DEVELOPMENT ZONE CHANGE

Recommend approval to City Council the zone change of 12.153 acres from A/UV/AO (Agriculture with Use Variance and Avigation Overlay to PUD/HS (Planned Unit Development: single-family and attached two-family, 35-foot maximum building height, 5.59 dwelling units per acre) with Hillside Overlay, based on the finding that the zone change request complies with the

three review criteria for granting a zone change in City Code Section 7.5.603(B) and the review criteria in City Code Section 7.3.603 for establishment of a PUD zone.

CPC PUD 18-00055 – DEVELOPMENT PLAN

Recommend approval to City Council the Chaparral Pointe Development Plan consisting of 32 single-family and 36 two-family residential lots based upon the findings that the PUD development plan meets the review criteria for granting a PUD development plan as set forth in City Code Section 7.3.606 and meets the review criteria for granting a development plan as set forth in City Code Section 7.5.502(E) with the following condition:

1. The terms of the financial contribution by the Chaparral Pointe Metropolitan District and the Barnes Center Commercial Owners regarding the maintenance of Integrity Center Point will agreed upon prior to final approval of the development plan.