

City of Colorado Springs

Due to COVID-19 Health Concerns, this meeting will be held remotely.



Meeting Minutes - Draft

Thursday, December 17, 2020

8:30 AM

Remote - Call 720-617-3426

Enter Conf ID: 866 286 596#

Planning Commission

Those who wish to join/comment during the meeting by phone should wait to be admitted into the meeting after calling in.

For those who participate by calling in, you will be muted upon entry to the meeting.

Once an item has been heard, the Chair will open the public portion of the hearing for those who wish to comment. There is a three (3) minute time limit for each person.

*In order to speak, you must press *6 on your phone to unmute yourself.*

1. Call to Order

- Present:** 8 - Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy, Commissioner Eubanks and Alternate Griggs
- Absent:** 2 - Commissioner Raughton and Chair Graham

2. Approval of the Minutes

2.A. [CPC 20-682](#) Minutes for the October 15, 2020 City Planning Commission meeting.

Presenter:
Reggie Graham, Chair of the City Planning Commission

Minutes were not available for review.

3. Communications

Peter Wysocki - Director of Planning and Community Development

CLOSED EXECUTIVE SESSION

[21-002](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b), the City Planning Commission, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney for the purpose of receiving legal advice related to land use exactions.

The Chairperson of the Commission shall poll the Commission members, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each Commission member participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:
Ben Bolinger, Senior Attorney, Office of the City Attorney

- Present:** 8 - Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy, Commissioner Eubanks and Alternate Griggs
- Absent:** 1 - Commissioner Raughton
- Excused:** 1 - Chair Graham

4. CONSENT CALENDAR

- Present:** 9 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy, Commissioner Eubanks and Alternate Griggs
- Excused:** 1 - Chair Graham

These items will be acted upon as a whole, unless a specific item is called for discussion by a Commissioner/Board Member or a citizen wishing to address the Commission or Board. (Any items called up for separate consideration shall be acted upon following the Consent Vote.)

Rio Vista

- 4.A. [CPC ZC 20-00116](#) Ordinance No. 21-19 amending the zoning map of the City of Colorado Springs pertaining to 7.38 acres located southwest of the Rio Vista Drive and Barnes Road intersection from PUD/AO (Planned Unit Development: multi-family with an Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay)

(Quasi-Judicial)

Related Files: CPC ZC 20-00116 and CPC CP 20-00117

Presenter:
Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

This Ordinance was recommended for approval on the Consent Calendar to the City Council.

- 4.B. [CPC CP 20-00117](#) A Concept Plan for the Rio Vista Commercial project located at 4250 Rio Vista Drive.

(Quasi-Judicial)

Related Files: CPC ZC 20-00116 and CPC CP 20-00117

Presenter:
Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

This Planning Case was recommended for approval on the Consent Calendar to the City Council.

Flats at Dublin Commons

- 4.C. [CPC CU 20-00129](#) A Conditional Use Development Plan for the Flats at Dublin Commons project consisting of a 60-unit multi-family residential development on 5.26-acres zoned PBC (Planned Business Center) and located at the southwest corner of Article Drive and Tutt Boulevard.

(Quasi-Judicial)

Presenter:
Daniel Sexton, Principal Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

Village on Uintah

- 4.D. [CPC CU 20-00073](#) A Conditional Use Development Plan for the Village on Uintah, a 12-unit multi-family residential duplex project located at 3606 Galley Road.

(Quasi-Judicial)

Presenter:
Katelynn Wintz, Senior Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

Project Academy

- 4.E. [CPC UV 20-00158](#) A Use Variance Development Plan for Project Academy to allow a delivery station facility in the PBC/AO (Planned Business Center with Airport Overlay) zone district, addressed as 715 South Academy Boulevard.

(Quasi-Judicial)

Presenter:
Tasha Brackin, Senior Planner, Planning and Community Development

This Planning Case was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Commissioner Raughton, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of

8:01:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

ITEMS CALLED OFF CONSENT

5. UNFINISHED BUSINESS

Park Land Dedication Items

5.A. [CPC CA 19-00135](#) Ordinance No. 21-24 repealing and reordaining Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to park land dedication

(Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Britt Haley, Parks Development Manager/TOPS Program Manager
Chris Lieber, N.E.S. Inc.

Staff presentations:

Peter Wysocki, Director of Planning & Community Development

Chris Lieber, N.E.S, Consultant

Britt Haley, Parks Development Manager

Karen Palus, Director of Parks, Recreation & Cultural Services

Chris Lieber presented a PowerPoint with the scope and intent of this project.

Questions:

Commissioner Almy said first, going back to the pie chart, and the rationale given for the 5.5, why use the percentage against the 37.2 acres of current service and multiply that by the percentages displayed? I come up with 4.5. I'm just not sure what the disconnect is there?

Mr. Lieber said on the pie charts, it might be a rounding issue. When we looked at specifically those various service levels, those numbers came in just below 5.5. Again, that is that combined neighborhood and community park total. But that's a good question.

Commissioner Almy said it seemed to him that the whole idea of alternate

compliance, or in lieu of, automatically knocks whatever value we choose, whether it be 7.5 or 5.5, that's never attainable, if people are using this alternate compliance. So how do we stress that we want to maintain that. It was pointed out that in many of the older communities, we're well below that to begin with.

Mr. Lieber said Commissioner Almy was correct in that decisions to pursue alternative compliance do systematically kind of erode at that requirement. One response to that is it is critical that when alternative compliance is considered, it should be for something of great value; it should be that one off. It cannot be something that you would implement on a regular basis. The other piece of it is that if you were to look at a number of the developments that have come in and particularly some of the larger developments, in many cases the land dedication that is brought to the city through the planning process is more than that requirement. There are scenarios where the city is receiving more land than is required, which helps kind of buffer. Mr. Lieber said he thought that provides some room and some space for alternative compliance. At the same time, that has to be done on a very limited basis, and only when there's something that really helps advance the park master plan, for instance, should that be considered.

Commissioner Almy said he would be curious to see how the service areas overlay on the City Council districts. Commissioner Almy questioned why we did not go to City Council districts that covered those service areas instead where it gives you an automatic advocate and a route for public comment into the whole planning process.

Mr. Lieber said they had looked at that, as well as school district boundaries and several other scenarios. There is an understanding that council districts can change over time with redistricting, and once dollars go into one of these specific pots with a service area, the thought was those dollars need to make sure they're spent within that same area, even though other boundaries might change. Mr. Lieber said there was a lot of time spent on weighing exactly the scenario that Commissioner Almy suggested with council districts but landed here because it was best for the duration of the ordinance.

Commissioner Almy commented that with infill areas and upping the density of housing within those areas, that it is those areas that really need the green space since they don't have the yards the newer communities have and are more reliant on parks in general. Commissioner Almy said in the example shown about cost per individual of the alternate compliance, it was not really a cost to the individual but a cost to the builder or developer per unit. The individual never sees the cost other than the cost of the housing that was purchased or leased later.

Mr. Lieber said that was correct. The fees would be paid at the time of building permit and they would be reflected on a per unit basis. As a frame of reference, Mr. Lieber said a question they received was what that would look like if it were broken down to the cost to individuals. Hence, the reason that data was provided.

Commissioner McMurray asked if it was fair to say this approach would be helping to trade quantity for quality in terms of our parks, and how will we establish and build parks moving forward?

Mr. Lieber said in some ways, perhaps indirectly. When we talk about kind of the sustainability, it's one thing for the city to secure a piece of land for a neighborhood park or a community park, but when that really begins to provide great value to the residents is once it has been activated, once it has been developed, and once it's maintained. With Venezia Park, that land was sitting there for decades, but it was not developed. Certainly, there were some folks that were out there walking dogs and whatnot, but once it was developed, it became an anthill with tremendous use. So, if the amount of land that we're pursuing specifically to neighborhood community parks is at a pace that we can also develop and maintain, then in some ways, perhaps those parks are able to come on even sooner. That is indirect, but that is a potential effect.

Commissioner McMurray asked when it comes to the question of dedication versus fee in lieu, that is dictated largely by the city parks' department, not necessarily by the developer dictating which way they would like to go? Mr. Lieber said that was correct and that the ordinance states it is completely the choice of the city. Commissioner McMurray said it sounded like this is really going to help us smartly differentiate between what is best when it comes to an infill project versus a green field project. Mr. Lieber said he would agree to that statement.

Commissioner Rickett said right now the city is at 7.5 acres per 1000. There has been a lot of development in the north service area, a lot of development in the central east, as well as the southeast. Those are sitting at just under five and two. So, at a at a run of 7.5 acres, we're ultimately only getting five or less. He said he was assuming a lot of that has to do with not dedication, but the fee in lieu of dedication and using that fee to go create parks in those areas. Would that be a fair statement?

Mr. Lieber said that is a fair statement.

Commissioner Rickett said in these areas, especially to the north, there are special tax districts. Those tax districts create their own parks. They must meet the standard that they create, produce, and maintain their own parks. Is

that correct?

Mr. Lieber said yes, and typically those take the form of Metropolitan districts. There are portions, particularly in the north and east where those developments are not only providing the land, they are also then building and maintaining those park sites funded through those Metropolitan Districts.

Commissioner Rickett asked if those numbers were included in these, and Mr. Lieber said yes, they looked holistically at community park or neighborhood park service independent of kind of responsibility for managing. Commissioner Rickett said the city does not actually own those parks, and Mr. Lieber said that was correct. Those are owned specifically by the districts.

Commissioner Rickett said he agreed with Commissioner Almy's comment about downtown and infill and agreed that we need additional green space, yet they are far ahead of almost every place else. He said he could see downtown, especially on the larger apartment and high-rise projects, that we are going to get more fee in lieu of land dedication, so they should be able to purchase additional land and develop additional parks.

Commissioner Rickett commended everyone and said it was a good piece of work, and the ordinance itself was very well defined. Commissioner Rickett asked what was the parks request to go back to 7.5 working through this for the last couple years. He was curious to know that history and agreed with them based on trying to at least get to five acres for 1000 anywhere in the city, that you've got to go a little higher to get there. But what brought on that request? And is that going to take it into 3.5 and four, between neighborhood and community parks?

Ms. Britt Haley, Parks, Recreation & Cultural Services, said the Parks Board decision is that it was hard for them to come to this decision; it was a split decision. There were five members who voted in favor of the level of service. They liked everything else about the draft ordinance, but the level of service has been hard for everyone. The four that were on the minority side were the ones that took part in the task force; they took part in developing this draft ordinance. There was a lot of discussion back and forth, and what it really came down to is trying to figure out how we move forward with this part of the puzzle, being just a part of the puzzle essentially that PLDO is essentially about land, and it is about land for the new residents and park services for the new residents that are generated whenever there is a development proposal. It was a policy discussion that was active at the Parks Board and it was a split decision: five to four.

What we have suggested as the best approach, because it's been referenced

here on the record, we have a park system master planning process, and we have a park system master plan from both 2000 and then our most recently updated park system master plan in 2014. Both of those made a policy decision to arrive at a level of service of 5.5 acres per 1000 residents, which comports essentially with what we have in service on the ground.

There can be changes going forward. If we elevate our level of service by providing more Parkland acreage, then the next park system master plan may reflect that, and then this ordinance would need to follow through. Where we could have done better is, we have an ordinance in place right now that wasn't updated to the 2014 Park standards. It is hard to catch up, we ought to do that now, and then move forward with level of service conversations on all levels, because it's not just about PLDO at that point. It's about the Trails, Open Space and Parks program. It's about other Park funding opportunities, so that we can elevate the service. The one thing that I've really taken away from two years of this process of working through all of this is that every time that we have a choice in parkland dedication of taking land, or fees in lieu of that land, we are going to have a preference for land. Whenever we honor the fee for the land, it needs to be spent on land. That is a learning process, it has been a good process, and the fact is, not an easy process. That really explains how the parks board, when it made its split decision, how they struggled with that and where they came down.

Commissioner Rickett said he thought that was a great explanation and appreciated it. He said it was interesting with that because he lives in one of the special districts. The reason that they like to create that is they can go create the park in the neighborhood immediately or relatively quickly compared to what we have seen in other land dedicated areas to parks in Colorado Springs where the Parks department does not have the funding to go actually create those parks. Commissioner Rickett wanted to know if that was taken into consideration as well, because based on the comments, it sounded like the goal is going to be to purchase land, but not necessarily develop parks.

Ms. Haley said there will be dual goals and that is to solve that problem we have with constructing new parks, but also maintaining and operating them. Regarding special district parks, this draft ordinance recognizes those as a form of alternative compliance. That is the form of alternative compliance where you not only get the park, but the acreage is in service for the public, and it counts for a level of service. It has been the Parks Board's preference to approve special district formed parks and they want to continue doing that. That is one of those win-win-win situations when that can happen. Not every development proposal has the capacity to do those, so we will continue to recognize those, we will continue to encourage them, but we also need to address these other issues that keep the city in general from moving forward on

the park sites that remains to be constructed.

Mr. Wysocki added what this proposed ordinance really achieves, not only aligns our regulations with our policy document, but also establishes well defined alternative compliance criteria by which now the city can administer and make those very objective decisions based on the criteria set forth in the ordinance, as well as in the criteria manual. In the past, that criteria was not defined in city code, and what this ordinance strives to achieve is that very thing, to establish that criteria so as we move forward as a city and review projects, we can then make a much more informed decision on when it's more appropriate to ask for the land dedication, when it's more appropriate to seek alternative compliance or collect the fees in lieu of land dedication. Just as equally important, when it is appropriate to apply those fees to purchase land versus capital improvements. So, please keep that in mind that this ordinance achieves many of those benefits that are lacking and are being sought by city staff to help us guide those decisions.

Commissioner Raughton said when we consider the private parks and the open space that is not dedicated but reserved for homeowners' associations and special districts to maintain, where is that reflected in the pie chart. Mr. Lieber explained that if it was private open space or HOA open space, those acreages were not included in the chart since they may only provide access to the residents within that HOA. What was included was the developed portion of Bear Creek Park that is a county facility, but it is within the city and it serves the population in much the same way. So, there are some anomalies, but the litmus test was, are those lands truly available for the public and public access? And are they truly serving in the capacity of a neighborhood or community park?

Commissioner Raughton mentioned Portales Park and how it is not a public park and not included in the acreages. Mr. Lieber said yes, Portales Park is not a public park and those acreages are above and beyond what is reflected on the pie chart.

Commissioner Raughton said it seems that many of our planned unit developments do include that privately developed park or open space and asked if Mr. Lieber thought so as well. Mr. Lieber said there is often developments that have a private open space component, but could not say what percentage, and those resources are above and beyond what is calculated as part of the public domain.

Commissioner Raughton said if it is our public policy to encourage the development of these private open spaces in it, perhaps, it justifies the lower dedication percentage. Commissioner Raughton also commented on the cities that were shown as comparable to Colorado Springs and wanted to know why

Lakewood and Boulder were not included since they have similar geography.

Mr. Lieber explained the initial list came from and matched the comparisons that were done with the 2014 master plan, and then some were added. What is not shown or reflected is that the Parks & Recreation advisory board asked for the Front Range Community to be looked at, specifically. Mr. Lieber said they did look at their standards they have from their various master plans, and they vary in terms of what was included within that level of service standard. So, that was a secondary kind of tier review that was completed.

Commissioner Raughton commended Mr. Lieber, the staff, and the advisory group because he sees some alignments and some of the policy statements within the comprehensive plan being fulfilled. Commissioner Raughton said overall, he was very pleased with the proposed ordinance.

Supporters:

Tim Seibert, Nor'wood Development Group

- Mr. Seibert said he served on the steering committee that has spent almost two years or more working on this review of the PLDO revision and updating it from it's very dated past from the early 70s
- The committee was very diverse, and they heard a lot of different comments and concerns
- Encouraged the Planning Commission to make a recommendation to City Council to support the ordinance as presented
- From a development industry standpoint, providing park land is a critical quality of life for the community
- The intent is to ensure that the dedication matches our current population trends
 - Many of the homes being developed tend to be smaller and have a smaller population or family unit in it, thereby reducing that overall park approach
 - That was one of the primary drivers in analyzing the park dedication requirements
- Recognizes this is only two components of the entire park system, but that can be some of the most expensive to construct and maintain
- Finding the right balance ensuring enough acreage for quality of life and our park system to meet the needs of our growing community, while at the same time being realistic about what can be built and maintained
- Many of the master plan communities with private open space supplements what is coming out of the PLDO requirement and therefore not counted or captured in the analysis, but it is still part of serving that outdoor recreation needs for all of the residents
- Mr. Seibert said he believed this approach is fair and balanced and it

meets the objectives that were set out over two years ago

Opponents:

N/A

Rebuttal:

N/A

Questions of Staff:

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Almy:

- Commended the group who worked on this ordinance, as it was a lot of work with a lot of moving pieces.
- It's hard to apply one standard across the diverse area that is being served.
- Will vote in favor of passing this forward; however, with reservations
 - Concerned about the diversity across the different zones being considered
 - For example, the area he lives has a very, very poor level of service compared to the standard, versus new areas, which are doing well and meeting that standard
 - New communities are in general are pursuing good recreation facilities for their residents
 - Older communities aren't going to change; they are very fixed.
 - There can be a goal of 5.5, but you're never going to change much off what you have got
 - Infill opportunities are very marginal with little chance for growth unless something is done that is drastically different
 - Other considerations are the cost for the parks and recreation to maintain these facilities once they are established
 - That is a burden on the city and the taxpayers going forward
 - For new builders, it's the impacts of the affordability and the profitability for any new development
- Luckily there is review criteria in this that we will be able to look at it more frequently and make sure that it is still viable
- The 5.5 number being proposed is reasonable and it's based on existing macro view of the Colorado Springs area with a lot of deviation from that within the different districts
- Commissioner Almy said he would be in favor of this because a lot of work has gone into it, it is something we need, and it is something we can adjust to over time if it proves unrealistic

Commissioner Rickett said he believes it should be at 7.5 acres and asked how to incorporate that into the motion. He said he was in favor of all of the changes and that was the only alternative he wanted to put out there and support the Parks Board as well.

Senior Attorney Ben Bolinger said to make the motion as it is to approve the ordinance and state that rather than 5.5 acres per 1000 residents, that it provides for 7.5 acres per 1000 residents. Mr. Bolinger encouraged the commissioners who would support that to state for the record how they came to the conclusion of the 7.5.

There was further discussion that if the 7.5 acres per 1000 residents was voted down, then a secondary motion could be made to go back to the original recommendation from the Planning Department.

Commissioner Rickett made the motion to approve the ordinance with the added change of the 5.5 acres per 1000 residents to the 7.5 acres per 1000 residents supporting the Parks Board recommendation. Commissioner McMurray seconded the motion.

Commissioner Raughton said he understood and empathized with the 7.5 recommendation; however, the way it is calculated right now, he could not support the motion. Commissioner Raughton said some of the open spaces that are being secured through the design and development of many of these projects are not being factored in.

Commissioner Rickett said it was his understanding that on the newer developments 7.5 is still being used and it is just getting to 5 or just under 5. Those in the special districts that were at 7.5 in those areas are not included in the pie chart that was shown, that are included in the land percentage noted in the map that had the acreage per 1000. So, if we went away from special districts, developers doing private open space development, then that is going to go way down.

Commissioner Slattery said she did not think she could support the 7.5. She said a lot of work has gone into this to find something fair and equitable to continue to be able to provide development and parks, then she would vote favorably upon the original motion.

Commissioner Hente agreed with Commissioner Slattery and said he was on several open space parks boards. This has been an item of discussion for a year or two on those boards. In addition, Commissioner Hente said this was a struggle when he was on City Council, and this is not the first time he has had a stab at this. One thing he has argued consistently, is that the city needs to be consistent with all those different rules. The number one thing is it makes it consistent with the 2014 park system master plan. For many of the reasons Commissioner Rickett brought up, he was not crazy about the reduction in the number, but for the sake of consistency, this will keep up consistent with that park master plan. Commissioner Hente said he would not support this motion

but will support the original motion that coincides with the Planning Department's recommendation.

Mr. Wysocki said if the motion is made to 7.5 acres, with staff providing on the record today that the best policy decision is 5.5 acres, part of the motion should include the reasons why 7.5 is seen as preferred acreage. Stating just to follow Parks Board's recommendation is not sufficient Nexus or proportionality to the recommended motion.

Commissioner Rickett said if the goal is to get to 5.5 acres of park per 1000 people, there is only one of the eight areas in Colorado Springs that has that. None of the other areas have 5.5 acres per 1000. Therefore, we have been on a 7.5 acre per 1000 ordinance for years. In the new development areas, we are getting close to five acres now per 1000. If the goal truly is to get to 5.5 acres per 1000, you must maintain the 7.5 acres to get the combination of dedicated land to make that happen.

Mr. Wysocki said he appreciated the comment, but he did not think that it was necessarily an issue of the standard per 1000. It is how the PLDO has been administered. We are establishing very clear criteria through the ordinance and the subsequently through the criteria manual that will guide us to make those decisions that are more equitable and recognize those neighborhood park geographic areas that are underserved, and it will be the priority to bring those up to the level of standard. Mr. Wysocki said he recognized and heard Commissioner Rickett's comments, but he also believed that is not an issue of the standard itself. It's basically how we have in the past administered, and the proposed ordinance rectifies and provides much more objective criteria on how to expand in lieu fees.

Commissioner Rickett said he agreed that there is huge improvement in the ordinance. He said he was in total agreement that the new ordinance has got items in place that will help, but just didn't know based on the past that it is going to get us there. Commissioner Rickett said he still stood by the 7.5.

A vote was taken on the ordinance with the 7.5 acres per 1000 residents and it failed by a vote of 1:7:1:0.

Commissioner Slattery made a motion for the original motion and Commissioner Eubanks seconded the motion. Commissioner Slattery reiterated her previous comments and respected the work that went into finding the amount of acreage and it has a lot of evidence to support both the Nexus and rough proportionality.

Commissioner Wilson reiterated what everyone else has said as well. She said she believed the 5.5 is more objective and logical and in line with the rough proportionality.

Mr. Wysocki clarified some information that was in the agenda packet for the commissioners. He explained that what was attached to the staff report was

Exhibit A, which was a schedule based on the appraisal of land. The fee schedule is based on 5.5 acres per 1000. Exhibit B was based on the same of per acre value of land. However, the fee schedule itself calculated in lieu fee based on 7.5 acres. Mr. Wysocki said he just wanted to be clear that when he stated the valuation of land, the appraisal of land, is the same and is consistent whether you applied to 7.5 standard or the 5.5 standard. When you do the arithmetic, Exhibit B is reflective of 7.5. He just wanted to make sure everyone was okay with that on the record, because he didn't want to be misrepresenting the exhibits.

Commissioner Hente thanked Mr. Wysocki for that clarification. Commissioner Rickett commented that basically, it is good either way if they go to 7.4, that's in there and if they go to 5.5, it's in there.

Mr. Wysocki said that was correct and said it is just the sum that would be different, but the value of land is the same.

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to recommend approval to City Council an ordinance repealing and reordaining Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to park land dedication with the following amendment:

Change 5.5 acres per one thousand people to 7.5 acres per thousand people.

The motion failed by a vote of 1:7:1:0

Aye: 1 - Commissioner Rickett

No: 7 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

Motion by Commissioner Slattery, seconded by Commissioner Eubanks, to recommend approval to City Council an ordinance repealing and reordaining Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to park land dedication. The motion passed by a vote of 7:1:0:1

Aye: 7 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Almy and Commissioner Eubanks

No: 1 - Commissioner Rickett

Absent: 1 - Chair Graham

- 5.B.** [20-679](#) A Resolution Adopting the Neighborhood Park Geographic Service Areas Map

(Legislative)

Peter Wysocki, Director of Planning and Community Development
Britt Haley, Parks Development Manager/TOPS Program Manager
Chris Lieber, N.E.S., Inc.

See Item 5.A (CPC CA 19-00135)

Motion by Commissioner Rickett, seconded by Commissioner Eubanks, to recommend approval to the City Council the Neighborhood Park Geographic Service Areas map associated with the Park Land Dedication requirements of City Code as illustrated in Attachment 1. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

- 5.C. [20-680](#) A Resolution Establishing the Fee Schedule Associated with the Park Land Dedication Requirements of the City Code of Colorado Springs.

(Legislative)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Britt Haley, Parks Development Manager/TOPS Program Manager
Chris Lieber, N.E.S. Inc.

See Item 5.A (CPC CA 19-00135)

Motion by Commissioner Slattery, seconded by Commissioner Raughton, to recommend approval to the City Council the park land fee schedule associated with the Park Land Dedication requirements of City Code as illustrated in Exhibit A and Exhibit B. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

6. NEW BUSINESS CALENDAR

Dublin Springs Independent Living

- 6.A. [CPC CU 20-00079](#) A Conditional Use Development Plan for Dublin Springs Independent Living, a 149-unit age-restricted multi-family residential apartment project located at 6410 and 6450 Source Center Point.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

Staff presentation:

Katelynn Wintz, City Planning, presented a PowerPoint with the scope and intent of this project.

Applicant Presentation:

Jeff Barbles with Lone Star Partners presented a PowerPoint with the scope and intent of this project.

Dane Frank, consultant, touched on the traffic for this area.

Questions:

Commissioner Rickett commented that the traffic is very congested in this area and he wanted the public to understand the other possible commercial developments that could go on this site like and the traffic ramifications that could happen.

Commissioner Raughton asked why there was the age restriction of 55 plus if the average population would be 70 plus and said if the age restriction was 60, there would not be parking issues that exacerbate some of the traffic flow problems.

Mr. Barbles said this is the only category that you can discriminate in residential real estate nationally. Mr. Barbles said they would love to set the age higher, but they were not allowed to.

Commissioner Raughton asked what City Code defines as elderly, and Ms. Wintz explained that city code defines an elderly population as 60 plus, and as it related to parking, there is a section that would allow for a reduced parking requirement for residences of 60 plus.

Commissioner Raughton said then our city ordinance was out of line with the national standard. Mr. Ben Bolinger, Senior Attorney for the City, explained the Federal Fair Housing Act prohibits discrimination on the basis of familial status and age has been worked into that category. There is a loophole for 55 plus communities that does not necessarily affect parking requirements at the city. It may be a separate requirement that requires a different analysis, but the developer is correct, the exemption under federal law is for 55 plus.

Commissioner Raughton asked about the three-inch pipe variant and that it was an administrative review. Mr. Wysocki explained that it was administrative, but if

the project has to be reviewed by the Planning Commission or City Council, those applications are bundled together to be viewed by the highest authority.

Commissioner Hente asked if meals would be served, and Mr. Burbles explained there would be a coffee café like Starbucks, but meals would not be served, as it is an independent living residence.

Commissioner Rickett said he thought this was probably about the best development that could happen for this location as far as the number of trips. Commissioner Rickett said this location is really horrible when it comes to traffic and wanted to know what the city plans were for this location since there will be more areas being developed, which adds more traffic.

Mr. Todd Frisbie, City Traffic Engineering, said the spacing at this intersection is not ideal. The intersection was approved in the past and we are stuck dealing with it. One of spacing problems is on Source Center Point that serves the fast food restaurants. One thing that could be explored would be to restrict that private road access to a right in and right out, but coordination would be needed with the business owners.

Commissioner Rickett requested that the city take a serious look at this area in general to help alleviate the traffic congestion.

Commissioner McMurray asked staff to go over the perimeter of the site and how people access the property from different directions. Ms. Wintz went over the site map.

Commissioner Almy wanted to know why the applicants did not come in with a design that met City Code and asked what the rationale was in city code setting the building height at 45-foot plus an extra 5-feet for ornamental features.

Ms. Wintz explained the variance was asked for on the proposal to have a community gathering space on the roof, which staff believed would benefit the residents.

Mr. Wysocki said there was no rationale for the 45-foot maximum building height other than the code was written a long time ago and was what was probably agreed upon by a committee at the time.

Commissioner Rickett said he was struggling with the additional height of up to 14.5 feet

Commissioner McMurray and Commissioner Raughton both agree that the area does need a traffic study by the city to try to correct some of this congestion, as

it is very serious.

Supporters:

None

Opponents:

Alan (inaudible last), lives in the area

- Traffic is horrendous in this area, especially at the noon hour or rush hour in the evening
- The left turn lane from Dublin onto Templeton Gap holds 6 cars and it is routinely maxed out beyond six cars making traffic back up
- A traffic solution is absolutely needed here
- Has a concern about the 14-foot additional on the top of the building
 - Does not want an observation deck to look out across their homes

Jeannie English, resident in the area

- Agreed with previous speaker
- Sits at the traffic lights to go left and it takes at least two to three cycles to get through
- Sent in video showing the bumper to bumper traffic during the evening
- Does not want a building towering over her home
- Requested a traffic analysis to be completed
- Completely against the 149-unit with less than ideal parking

John Dykstra, resident in the family homes south of the development

- Believes the scale of this building is excessive and will dominate the neighborhood
- They will be able to look in people's backyards and people's bedrooms
- Other buildings in the area are single story

Rebuttal:

Mr. Barbles said the other option is building an office building, which would not require even having this conversation. The footprint of that building will be much bigger than this one, with a parking lot underneath. Mr. Barbles asked if the problem was the elevator for the seniors to have a viewing area. He said he was confused by that.

Commissioner Hente said that would be clarified during the motions and the discussion of the Commissioners.

Additional Questions:

Commissioner Rickett said he is still struggling with the additional ornamental height. He said he likes the feature, but this is right adjacent to a residential area. The code is 45-feet and it's being pushed to 50 feet for the ornamental ends and then another 11-feet to get the stair tower and elevator up to the observation deck. Commissioner Rickett wanted to know if this would still move forward without that observation deck.

Mr. Barbles said esthetically, you won't be able to see it from the ground because it is in the middle of the roofline. Also, the deck is not at the edge of the building and it is for seniors to go out and look at Pikes Peak. It's just an amenity. Mr. Barbles said he would have to talk to his partners on the feasibility of building it with or without.

Commissioner Rickett asked Mr. Frisbee what the possibility of having a traffic study done and improvement of this intersection. Commissioner Rickett wanted the public to know that the commission is here to interpret the code of the city of Colorado Springs and render decisions based on those codes. However, Commissioner Rickett wanted to know what the possibility of a commitment from traffic to work on this traffic area.

Mr. Frisbee explained a traffic study was not required for this development, but Ms. Wintz did forward the video that was submitted so he could review it. Mr. Frisbee said it is a good possibility that traffic engineering can collect some data and do some analysis to see what could possibly be done to improve safety and traffic flow at the intersection.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Slattery said she was also questioning the lack of a traffic study and wanted that on the record. She said she agreed with some of the neighborhood comments about the height and being so close to single-family homes. Commissioner Slattery wondered if the developer with all the ornamental features, as well as the building itself exceeding height requirements, studied a pro forma on a three level structure that makes business sense to put together and with a reduction in the number of units, it would also clear up some of the parking problems and still keep a similar footprint. Commissioner Slattery said in this current proposal, she would be voting against this project.

Mr. Barbles said that three stories and 30% less units would not be feasible for them to build, as they have investors they have to give a return to and having 30% less units would kill the project. He said if that was the case, they would have to move forward with an office building.

Commissioner McMurray said overall he did not have a huge number of concerns about most of the fundamentals of the project, and that it was probably an improvement over many of the potential projects that could be built that would not even have to go before the Planning Commission.

Commissioner McMurray asked if all three of the criteria listed for a nonuse variance had to be met in order to grant the nonuse variance. Mr. Ben Bolinger, City Attorney's office, said when reading Section 7.5.802 of the nonuse variance, Section B reads that the following criteria **must be** met in order for any nonuse variance to be granted. Mr. Bolinger said he reads that as being mandatory.

Commissioner McMurray said he does not question the fundamentals and thinks this is a better option than the alternatives allowed at this site and wanted to know if the other commissioners would agree to hold off on a recommendation until some of these issues were satisfied. The traffic issues are a big concern and concerns of privacy for about seven or eight homes that could be directly impacted adversely. Commissioner McMurray suggested there might be potential landscaping improvements on the Templeton Gap right-of-way in terms of street trees that would bring the type of screening you'd need from a design standpoint. Commissioner McMurray wanted to know if that was something they could do to hold off on the recommendation until some of these concerns were resolved.

Commissioner Almy said he agreed with most that you can't blame the sins of that area for traffic on this project. He said the project looks pretty attractive and would not be a bad place to live, but he was hung up with the fact that the nonuse variance criteria were not met. The reference in our packets implies that there are no other possible uses for this plot of land other than what is being talked about now. Admittedly, the code is outdated, but it is still the code. Commissioner Almy said this project does not meet the nonuse variance criteria and he will not be voting in favor of that part of the project.

Commissioner Raughton said he thought this project was an improvement over the use by right that could be built there. Given the fact that Mr. Frisbie has agreed that there was a need for a traffic study and that the city will undertake that study, he believed the issues or the context in which the project was occurring, those adjacent commercial uses are generating the marginal traffic friction that makes it so hazardous. Commissioner Raughton said he would be supportive of this project with those commitments from the city that we are going to undertake some analysis of what is happening in these intersections around this project.

Commissioner Rickett said for the nonuse variance, he was concurring with Commissioner Almy. One of them is physical conditions of the property shall not be general conditions to the neighborhood or surrounding properties. Commissioner Rickett said he could not think of any other tall structure in that area and exceeding what is allowed on the property was what he was having issues with. He agreed this was a great use of the land and the project itself. He said he believed where there are residents that look up to see what this is zoned, and then we vary off of that zoning condition, he has a problem with it.

Commissioner McMurray said this was going to be a very frustrated no vote for him. He believed in the big picture that this was a good project and a better project than we will get with the by rights options. Given the interpretation of Section 7.5.802.B, this project unfortunately does not meet the first two criteria for nonuse variances. There are not extraordinary or exceptional physical conditions that don't exist elsewhere that won't allow other reasonable uses. He believed the project meets the third criteria in that it would not have a significant or adverse impact on the neighborhood.

Commissioner Hente said it seemed to him that this has not been very conducive to allow a nonuse variance for height when the neighborhood has had to deal with this very same issue for many years. Commissioner Hente said he liked Commissioner Raughton's ideas about getting some additional traffic studies done in that area and agreed that this project would be less of a traffic generator than many of the other items that we would never even see. However, he did not feel that this is the right time, or the right project in the right neighborhood to allow that nonuse variance to go through.

Commissioner Rickett said he looked at 7.5.802.E.1.a., as well as 7.5.802.B, and said in a couple of places in the code that it wasn't going to fly for the height.

Mr. Wysocki made a point of clarification and said he did not want to prejudge the vote, but it sounded like there might be support for the conditional use development plan, as presented, and there would not be support for the nonuse variance for the ornamental feature, but there were no issues with the administrative relief. Mr. Wysocki said if there is a no vote on the nonuse height variance, that essentially means the applicant will need to redesign the building to eliminate that part of the building that was not approved.

Commissioner McMurray asked for clarification on whether it was all right to vote yes on one application and no on another.

Mr. Wysocki explained that the motion for the conditional use development plan could include a technical modification to reduce the height of the ornamental feature to meet city code.

Mr. Bolinger said since the most controversial issue seemed to be the nonuse variance, that we could take that motion first. If the variance fails, then the motion to approve the conditional use need to be made with the technical modification that the ornamental feature be reduced to meet code requirements. Also, the developer should have the chance to say if he does not want the development plan to be approved without that.

Mr. Barbles said the rooftop viewing would be nice to have for the residents but was not detrimental to it. The feasibility of removing a floor is a non-starter.

Commissioner Almy said he believed the height of the building does damage to the adjoining neighbors in the residential area. This is quite a big difference in height between it and the commercial uses that are all single-story.

Commissioner Rickett agreed with Commissioner Almy, but said unfortunately, the property is already zoned for 45-feet, and people purchasing the land have the right to build a 45-foot structure with a 5-foot for ornamental structures per City Code.

Commissioner McMurray echoed Commissioner Rickett's statement and added the balcony feature being removed somewhat mitigates the height. Commissioner McMurray wanted to attach an additional condition for landscapes improvements along Templeton Gap in the form of street trees.

Commissioner Slattery said she agreed with Commissioners Rickett and McMurray that the property by right is allowed the 45-feet, and multi-family continues to be a need. Commissioner Slattery said she would vote to approve this because the property has a right to 45-feet per code and that is what the commissioners are to enforce.

Commissioner Almy said he tries not to be inconsistent with his previous voting record on these things where zoning allows this type of use. He stated that looking at the commercial use in his area, the business use is typically a nine to five operation where in the evenings, the abutting neighbors would have some more privacy. Commissioner Almy said those are further thoughts on his original idea not to support this.

Commissioner Rickett added he understood Commissioner Almy's objection due to this was originally zoned PBC, which is Planned Business Center. Commissioner Rickett said this development would actually create less traffic with no more additional height than what it would have been in the PBC zone.

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to approve the conditional use development plan for Dublin Springs Independent Living, based upon the findings that the request complies with

the findings for authorizing a conditional use, as set forth in City Code Section 7.5.704, and the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E) with the following technical modifications:

Remove or reduce the size of the two ornamental features to meet the permitted height in City Code Section 7.4.102(C)(2). The motion passed by a vote of 7:1:0:1

Aye: 7 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett and Commissioner Eubanks

No: 1 - Commissioner Almy

Absent: 1 - Chair Graham

6.B. [CPC NV 20-00080](#) A Nonuse Variance from City Code Section 7.4.102(C).2 allowing two ornamental features with a maximum height of 14.5-feet where up to 5-feet is permitted, located at 6410 and 6450 Source Center Point.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

See Item 6.A. (CPC CU 20-00079)

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to deny the nonuse variance request from City Code Section 7.4.102(C)(2) allowing two ornamental features 14.5-feet and 10.9-feet in height where up to 5-feet is permitted, based upon the findings that the request does not comply with the non-use variance review criteria in City Code Section 7.5.802(B). The motion passed by a vote of 7:1:1:0

Aye: 7 - Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 1 - Commissioner Raughton

Absent: 1 - Chair Graham

6.C. [CPC R 20-00162](#) An Administrative Relief request to allow a maximum building height of 45.3-feet where 45-feet is permitted, located at 6410 and 6450 Source Center Point.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

See Item 6.A. (CPC CU 20-00079)

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to approve the administrative relief request from City Code Section 7.3.204 allowing a 45.3-foot maximum building height where 45-feet is permitted, based upon the findings that the request complies with the administrative relief criteria set forth in City Code Section 7.5.1101. The motion passed by a vote of 7:1:0:1

Aye: 7 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 1 - Commissioner Slattery

Absent: 1 - Chair Graham

6.D. [CPC R 20-00163](#) An Administrative Relief request to allow 204 parking spaces where 237 parking spaces are required, located at 6410 and 6450 Source Center Point.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development

See Item 6.A. (CPC CU 20-00079)

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to approve the administrative relief request from City Code Section 7.4.203 allowing 204 parking spaces where 237 are required, based upon the findings that the request complies with the administrative relief criteria set forth in City Code Section 7.5.1101. The motion passed by a vote of 7:1:1:0

Aye: 7 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 1 - Commissioner Slattery

Absent: 1 - Chair Graham

Overlook at Centennial and Fillmore

6.E. [CPC MPA 04-00043-A6 MJ20](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a Major Master Plan amendment to the Hills Properties Master Plan, changing the land use designation from Office and Hospital to Residential and Open Space.

(Legislative)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Staff presentation:

Daniel Sexton, City Planning, presented a PowerPoint with the scope and intent of this project.

CPC MPA 04-00043-A6MJ20

A Major Master Plan Amendment to the Hill Property Master Plan, changing 43.1 acres from Office and Hospital to Residential and Open Space. (Quasi-Judicial)

CPC PUZ 20-00119

A PUD Zone Change for the Overlook at Centennial & Fillmore project changing 43.1 acres of land from PUD (Planned Unit Development) to PUD (Planned Unit Development: Residential and Open Space uses; Maximum Density of 15-24.99 Dwelling Units Per Acre; Maximum Building Height of 75 Feet).

(Quasi-Judicial)

CPC PUP 20-00120

A PUD Concept Plan for the Overlook at Centennial & Fillmore project illustrating the development framework for 43.1 acres of land with a mixture of residential uses. (Quasi-Judicial)

Site Details:

- 43.1 acres
- Zoned PUD (Planned Unit Development) for hospital, office, commercial uses
 - **Zoning:**
 - **Existing:** PUD (Planned Unit Development)
 - **Proposed:** PUD (Planned Unit Development)
- The project site is part of the Hill Properties master planned area and was envisioned for office and hospital uses
- The project site is vacant and slopes down significantly to the east toward Fillmore Ridge Heights
 - **Land Use:**
 - **Existing:** Vacant
 - **Proposed:** Multi-Family Residential and Open Space
 - **Bldg. Height:**
 - **Existing:** 165'
 - **Proposed:** 75'
 - **Density:**
 - **Existing:** Not Allowed
 - **Proposed:** 15-24.99 DU/AC

Applicant Presentation:

Chris Lieber, N.E.S, and Robert Place, Evergreen Development, presented a

PowerPoint with the scope and intent of this project.

- The property is part of the Hill Properties Master Plan, approved by the City on October 2014 (CPC MPA 04-00493-A1MN14).
- The Master Plan was updated and approved in June 2017, as part of the Penrose St. Francis Hospital campus project approved by the City (CPC MPA 04-00043-A3MN17).
- Centura Health, formerly Penrose-St. Francis Hospital, received original approval from the City Council in December 2015 to rezone the 51.05 acres to allow: 200-foot height maximum and 1,032,000 square feet of hospital, office, medical office and commercial space.
- In 2017, Centura Health requested to rezone the 51.05 original acres and 27.79 acres (the former asphalt batch plant located southeast of the original site) to one 78.84-acre PUD zone district to allow: a maximum building height of 165 feet, a maximum gross building floor area of 1,850,000 square feet (1,550,000 square feet of hospital, 200,000 square feet of office/medical office and 100,000 square feet of commercial). The City approval is reflected in Ordinance 17-54.

Surrounding Land Uses

- North: Residential
 - Camelback Point Apartments
 - Holland Park West Subdivision
- East: Industrial
- Fillmore Heights Industrial Park
 - South:
 - Vacant
 - Former Asphalt Batch Plant
 - West:
 - Grandview Commons (Office and Commercial)

Access

- Access to the Site will be off Centennial Boulevard. All three access points are proposed to be full movement.
- A traffic analysis prepared by SM Rocha dated October 2020
- The southern access point will align with Grand Market Point. Will serve both the proposed residential development and future land use(s) to the south.
- Center access will align with private driveway that serves the office development to the west.
- Northern access point.

Public Park

- 18.7 acres of Public Park to be conveyed to the City of Colorado Springs Parks and Recreation Department
- Provides park, trail and open space connections for both existing and future residents

Land Development Code Compliance

- **Conformance with Master Plan Amendment Criteria (Section 7.5.408)**
 - Consistent with the Goals, Strategies, and Polices of the PlanCOS as the project proposes residential development that will provide infill development that compliments surrounding residential and commercial uses.
 - Residential development exists adjacent to this area consisting of apartments and single-family residential.

Zone Change Criteria (Section 7.5.603. B)

- The rezone from PUD to PUD to allow for residential development is consistent with existing development patterns in this part of the City and compatible to the existing neighborhood commercial uses in the area.
- **PUD Concept Plan Review Criteria (Section 7.3.605)**
 - The land use pattern is like the adjacent land uses to the north which include a mix of residential (apartments and single-family residents).
 - The proposed Project will be compatible neighboring use and will provide additional housing choices in the area.
 - The PUD Concept Plan provides a development pattern that supports the need for attainable housing within the City of Colorado Springs and the surrounding area. The majority of this area has been vacant for many years.

Questions:

Commissioner Rickett said a future detention area sits right adjacent to a wicked slope with commercial properties at the bottom of it. Is there a concern that that detention could overflow and harm those structures below? And what would be the process to make sure that doesn't happen?

Mr. Lieber said that had been looked at extensively from a geohazards perspective, as well as a civil engineering perspective. The actual outfall for that, and that stormwater, essentially would run down along the southeast boundary of the site. That has been something that's been planned for quite some time, and all this fits with that overall stormwater infrastructure. That will all be along the south boundary of the site across the edge of the public park space, and down to the light industrial that you see on the far-right hand side of the slide, which is partially addressed also in the geohazard report.

Commissioner Rickett asked if a signal is required would there be some input from the developer? Mr. Lieber explained that currently, the responsibility of the developer is to contribute to the signalization at Grand Market Point. Mr. Lieber said they did not anticipate that the city would support a traffic light north of Grand Market Point because of the proximity and there simply isn't the allowable stacking and queuing. What the traffic study shows is that with the 24.99 dwelling units per acre, those traffic movements will continue to function without

a signal. Mr. Lieber said he just wanted to make clear that traffic signals are not required at either of those two locations.

Commissioner Rickett asked City Traffic Engineering to add their input. Mr. Zaker Alazzeah, City Traffic Engineering, said they do agree with the traffic study that was done for these access points and it does support not warranting a signal. The reasoning is most of the traffic will be coming from the south and will be utilizing the full movement access that is currently signalized. Zaker discussed some of the anticipated roadway and signal improvements expected as a result of this proposal.

Mr. Alazzeah said that if in the future if there are any issues with these northern full movement accesses, they can be restricted to a three-quarter movement as the right in, right out, left in. Commissioner Rickett said, in lieu of a signal, it will be a three-quarter versus the full. Mr. Alazzeah said yes, if it becomes an issue in the future.

Public Comment

None

DISCUSSION AND DECISION OF PLANNING COMMISSION:

N/A

Motion by Commissioner Rickett, seconded by Commissioner Almy, to recommend approval to City Council the major master plan amendment to the Hills Properties Master Plan, based upon the findings that the request meets the review criteria for amending a plan, as set forth in City Code Section 7.5.408. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

- 6.F. [CPC PUZ 20-00119](#) Ordinance No. 21-18 amending the zoning map of the City of Colorado Springs relating to 42.784 acres from Planned Unit Development: Hospital, Office, Medical Office, and General Commercial to Planned Unit Development: Residential and Open Space; Density of 15-24.99 Dwelling Units Per Acre; Maximum Building Height of 75 Feet

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

See Item 6.E. (CPC MPA 04-00043-A6MJ20)

Motion by Commissioner Rickett, seconded by Commissioner Almy, to recommend approval to City Council the zone change for 43.1 acres of land from Planned Unit Development (PUD) to Planned Unit Development, based upon the findings that the PUD zone change meets the criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a change of zone, as set forth in City Code Section 7.5.603. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

6.G. [CPC PUP 20-00120](#)

A PUD Concept Plan for the Overlook at Centennial & Fillmore project illustrating the framework for a mixed use development, located northeast of the Centennial Boulevard and Fillmore Street intersection.

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A6MJ20, CPC PUZ 20-00119, and CPC PUP 20-00120

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

See Item 6.E. (CPC MPA 04-00043-A6MJ20)

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend approval to City Council a PUD concept plan for the Overlook at Centennial & Fillmore project, based upon the findings that the PUD concept plan meets the review criteria for establishing a PUD concept plan, as set forth in City Code 7.3.605, and meets the review criteria for establishing a concept plan, as set forth in City Code 7.5.501(E). The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Commissioner Wilson, Vice Chair Hente, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Chair Graham

7. PRESENTATIONS/UPDATES - None

8. Adjourn