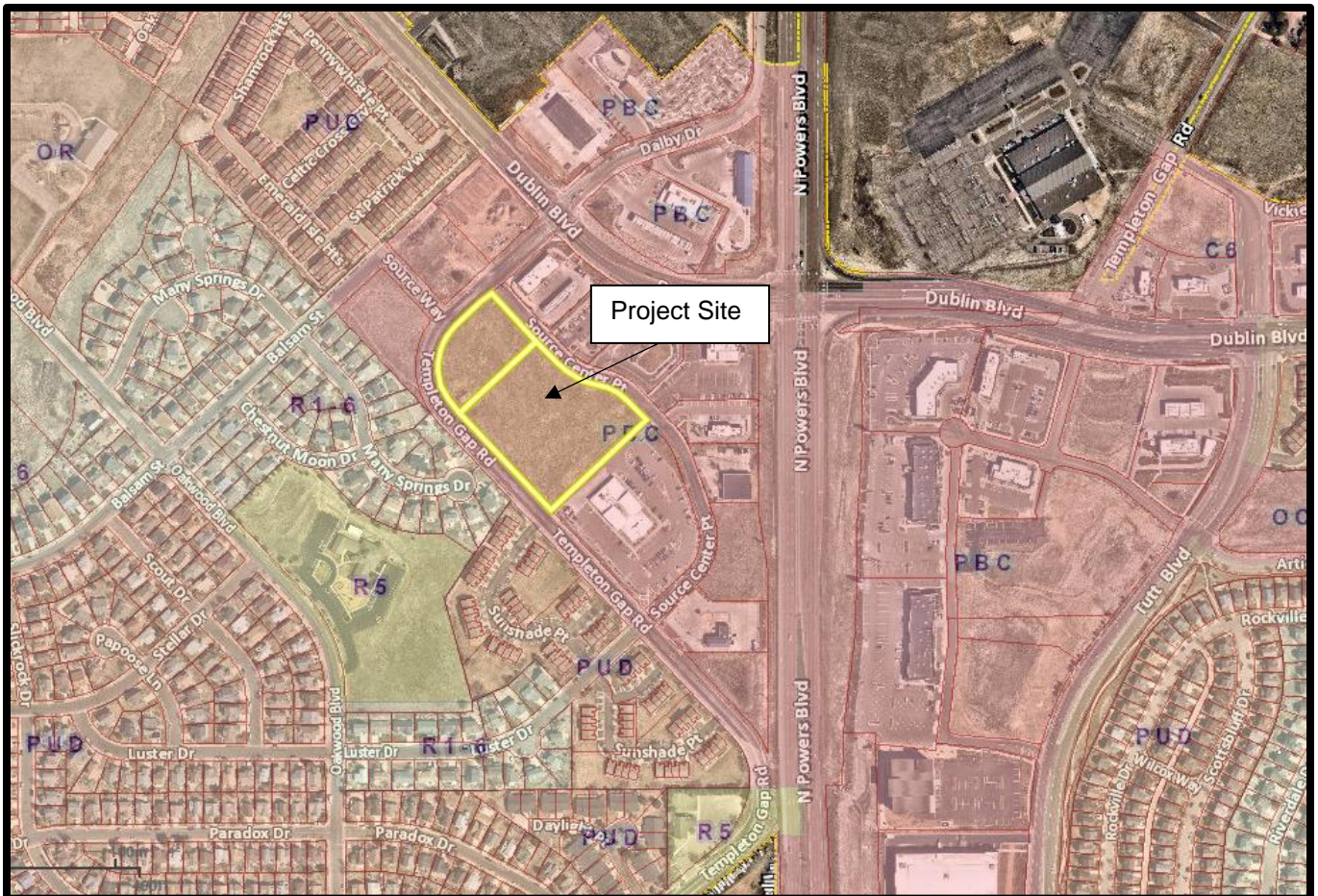


CITY PLANNING COMMISSION AGENDA
DECEMBER 17, 2020

STAFF: KATELYNN WINTZ

FILE NO(S):
CPC CU 20-00079 – QUASI-JUDICIAL
CPC NV 20-00080 – QUASI-JUDICIAL
CPC R 20-00162 – QUASI-JUDICIAL
CPC R 20-00163 – QUASI-JUDICIAL

PROJECT: DUBLIN SPRINGS INDEPENDENT LIVING
OWNER: LSP DUBLIN, LLC
DEVELOPER: LONE STAR PARTNERS, LLC
CONSULTANT: TERRA NOVA ENGINEERING



PROJECT SUMMARY:

1. Project Description: The project includes applications for a conditional use development plan, two administrative relief requests and non-use variance to construct a 149-unit, age-restricted, multi-family residential development, (herein referred to as Dublin Springs Independent Living”) consisting of one four-story apartment-style building with an integrated clubhouse and ancillary site improvements, on a PBC/AO (Planned Business Center, Airport Overlay) zoned property (**see “Conditional Use” attachment**). The subject properties are located at 6410 and 6450 Source Center Point and consists of 4.26 acres. The first administrative relief request proposes a 1% relief to allow a 45.3-foot maximum building height where a maximum building height of 45-feet is permitted per City Code Section 7.3.204. The second administrative relief request proposes a 14% relief to allow 204 off-street parking spaces where 237 are required per City Code Section 7.4.203. The non-use variance request proposes a 14.5-foot maximum height of roof ornamental features per City Code Section 7.4.102(C)(2).

A concurrent waiver of replat application is being reviewed administratively.

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 properties associated with this project are addressed as 6410 and 4650 Source Center Point.
2. Existing Zoning/Land Use: The property is zoned PBC/AO (Planned Business Center with an Airport Overlay) and is vacant.
3. Surrounding Zoning/Land Use:
North: PBC/AO (Planned Business Center with an Airport Overlay) and is commercially developed.
South: PUD/AO (Planned Unit Development with an Airport Overlay) and is residentially developed.
East: PBC/AO (Planned Business Center with an Airport Overlay) and is commercially developed.
West: PBC/R1-600/AO (Planned Business Center and Single-Family Residential with an Airport Overlay) and is partially vacant and residentially developed.
4. PlanCOS Vision: According the PlanCOS Vision Map (**see “PlanCOS Vision Map” attachment**), the project site is identified as a New/Developing Activity Center and adjacent to an Established Suburban Neighborhood.
5. Annexation: The property was annexed under the Dublin and Powers Annexation (May 26, 1998; Ordinance #98-103).
6. Master Plan/Designated Master Plan Land Use: This property is not part of an approved Master Plan.
7. Subdivision: The project site is platted as Lot 1 of Source One at Powers Filing Number 4 and Lot 2 of Source One at Powers Filing Number 3.
8. Zoning Enforcement Action: None.

9. Physical Characteristics: The site is vacant with moderate slopes across the site from northeast-southwest and has been over-lot graded.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included mailing of postcards to 386 property owners, on two occasions: during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. Public comment was received by staff (**see “Public Comment” attachment**). Interested residents cited concerns about increased traffic in the area & the proposed building height.

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

- City Traffic: During the review stage, City Traffic commented on elements of the proposed developments initial design that did not meet some standard traffic engineering review criteria including an inadequate driveway stem length, site access location and width. The applicant reconfigured portions of the site to comply with City Traffic’s requests.
- Enumerations: The parcels are currently addressed from Source Center Point. The design shows only one access point off of Templeton Gap Road, a new address from Templeton Gap Road will be required.
- City Landscape Architect: Two alternative compliance requests were submitted with the preliminary landscaping plans to allow alternative tree planting locations along Templeton Gap Road and a reduced landscape buffer along the eastern boundary of the site. The City Landscape Architect reviewed the alternative compliance requests and agreed with the provided alternative solutions as presented.
- City Parks: The new residential units trigger the Park and School Land Dedication Ordinance (PLDO). Fees in lieu of land dedication will be due at building permit for each unit.
- School District 11: No comments were received from the School District 11. Fees in lieu of dedication will be required at building permit for each unit.

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

1. Review Criteria / Design & Development Issues:

- a. Conditional Use Development Plan

The proposed Dublin Springs Independent Living Conditional Use Development Plan (**see “Conditional Use” attachment**) consists of an infill development proposal for a 149-unit, four-story multi-family residential development. Per the Project Statement (**see “Project Statement” attachment**), this development will be developed as a 55+ age-restricted residential development. The development will offer an integrated clubhouse and ancillary on-site improvements including a paved courtyard, a dog park, a pickleball court and a private detention pond. There is one primary access point off Templeton Gap Road. Guests visiting the apartment building have access to several guest parking spaces along a two-way drive aisle outside of the gates. Residents will have gated access to resident parking through a one-way drive aisle that loops around the building. A preliminary landscape plan was submitted illustrating a variety of trees and shrubs consistent with planting and landscape requirements; a final landscape and irrigation plan will be required within 90 days of building permit issuance. Two alternative compliance requests, one to reduce the eastern landscape buffer and one to allow alternative tree planting locations, were reviewed by the Landscape Architect. The proposed location of parking result in insufficient area to meet the required 15-foot landscape buffer area along the eastern property boundary. As part of the alternative compliance request, the applicant is proposing a 5.5-foot landscape buffer as well as installing a 3-foot retaining wall with additional plantings along the noted parking area. The applicant also proposes increasing the landscape buffer along the remaining portions of the required buffer. The

Landscape Design Manual states that required tree locations must be within 50-feet of the property boundary. The applicant is unable to meet the required tree location requirements due to the location of the detention pond. As part of the alternative compliance request, five of the twenty-seven required trees are proposed to be planted 70-feet from the property boundary.

The applicant's proposal is a good fit for the surrounding area as an infill, transitional development. The development provides a logical transition from the commercial development to the north to the residential uses on the south side of Templeton Gap Road. The commercial development on the north side of Source Center Point contains a mix of highly-trafficked drive-thru restaurants, a coffee shop, and a medical services center. Development of a multi-family residential development provides separation from the commercial uses for the existing residential development. Residents in the area do not have convenient access to alternate modes of transportation (i.e. Mountain Metro bus service, trails, or bike lanes) at this time, however, as a New/Developing Activity Center, it is expected that certain services will be expanded in the future to service this area.

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

b. Traffic

The City's traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the proposed conditional use development plan. Traffic did not request a traffic impact analysis be prepared for this development because the proposed use of age-restricted housing typically generates a very limited number of trips per day. The proposed development will generate much less daily traffic than a commercial or business development. Traffic confirms that the capacity and classification of Templeton Gap Road can accommodate the expected traffic generated for this site. Source Center Point is a private road and outside of City Traffic's purview; questions about capacity and traffic concerns should be directed to the managing owner's association. Roadway improvements to Templeton Gap Road are not required, but the applicant is responsible for installation of public sidewalks, curb and gutter along Templeton Gap Road.

The neighborhood comments received (**see "Public Comment" attachment**) noted concerns about traffic on nearby roadways and additional residential development contributing to traffic on the existing road network. Although the development will add to traffic on surrounding roads, Traffic believes the expected additional traffic will not overburden the current roadway design.

c. Drainage

The City's Water Resources Engineering Division of Public Works (herein referred to as "SWENT") has reviewed the conditional use development plan and accompanying final drainage report, prepared by Terra Nova Engineering, INC. SWENT has accepted the analysis and recommendations set forth in the approved report. Stormwater from the proposed project will be captured in an on-site private full spectrum detention facility. As designed, all proposed stormwater improvements were found to comply with the City Drainage Control Manual.

d. Non-Use Variance

The nonuse variance application requests relief to allow two ornamental features that measure 14.5-feet and 10.9-feet respectively, where up to 5 feet is permitted per City Code Section 7.4.102(C)(2) *General Standards*. (**see "Conditional Use" attachment**) The building has proposed a roof access elevator and roof access stairwell to provide residents a sitting area on the roof of the building. The provision of dedicated roof-top access points affords greater emergency response opportunities. Additionally, City Planning staff typically requests that multi-family developments provide 200 square feet of open space per unit. The project thoughtfully designed a site layout that will provide a paved courtyard, a dog park & one pickleball court with the open spaces available on site for residents. Providing the roof access

elevator and stairwell provides another unique opportunity for residents to engage in dedicated open space areas as alternate forms of passive recreation.

City Planning staff finds the request meets the three review criteria, per City Code Section 7.5.802(B), for a non-use variance to be granted:

- Extraordinary or exceptional physical conditions – The property location is uniquely positioned around developing areas within the Powers Boulevard corridor to the east. Granting the nonuse variance to allow the roof access elevators and stairwell provides a unique opportunity to provide residents a space to enjoy a beautiful viewshed without obstructing a view of any surrounding property.
- No reasonable use of the site – The provision of open space, though not a requirement of City Code, is a critical component of the multi-family review criteria. There are several recreation opportunities provided on-site; however, they do not meet the City's target of 200 square feet per unit. The granting of this nonuse variance, based on the finding that the location is uniquely situated to provide an amenity without impacting neighboring properties, will allow for a more reasonable use of the site that includes additional passive recreational activities.
- No adverse impact upon surrounding properties – The building is situated between existing commercial development to the north and residential development to the south. This building will visually buffer the surrounding residential properties from the adjacent commercial development. Based on the orientation of the building and location of the two ornamental features, it does not appear that the granting of this variance will have any adverse impacts to the surrounding properties.

City Planning staff finds the application to be consistent with the purpose of granting a non-use variance, as set forth by City Code Section 7.5.801 *Variances Purpose*.

e. Administrative Relief

The Administrative Relief application requests relief to allow a 1% increase in the maximum building height to allow a maximum building height of 45.3 feet where 45 feet is the maximum permitted per City Code Section 7.3.204 *Office, Commercial, Industrial and Special Purpose Zone District Development Standards*. **(see “Conditional Use” attachment)** Due to structural design considerations and to provide adequate mechanical separations, the first-floor ceiling height was raised which resulted in a slight increase in building height. The requested building height increase does not allow for additional dwelling units and is a function for building design consideration.

City Planning staff finds the application to be consistent with the purpose of the Conditional Uses, as set forth in City Code Section 7.5.1101 *Administrative Relief Purpose and Intent*.

f. Administrative Relief

The Administrative Relief application requests relief to allow a 14% reduction in the required parking off-street parking to allow 204 parking spaces where 237 spaces are required per City Code Section 7.4.203 *Parking Space Requirements by Use*. **(see “Conditional Use” attachment)** This development is age-restricted housing for resident's age 55 and over. City Code utilizes a separate parking calculation for elderly multi-family residential developments at 0.6 spaces per dwelling unit, but City Code Section 7.2.201 defines elderly as “a person over the age of sixty (60) years”. Based on the provided calculation only 90 parking spaces would be required for this development. Since the stated age-restriction in this community is 55 and over, this reduced parking calculation requirement does not apply, but the use of the site is similar in nature to the elderly residential use type for determining the required parking. While the provided parking is a

reduction to the number of required spaces, for the type of residents residing in this facility, the number of spaces provided exceeds the expected need.

City Planning staff finds the application to be consistent with the purpose of the Conditional Uses, as set forth in City Code Section 7.5.1101 *Administrative Relief Purpose and Intent*.

2. Conformance with the City Comprehensive Plan:

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

"Support infill and land use investment throughout the mature and developed areas of the city."

While the project area is considered part of the New/Developing Activity Center associated with Powers Boulevard, it abuts an identified Established Suburban Neighborhood. Development of multi-family residential supports the acknowledgement in Chapter 2 that a diversity of housing choices and an integrated mix of land uses, as provided in this development, are considered as common desired elements in a neighborhood that should be encouraged and supported.

3. Conformance with the Area's Master Plan:

The project site is not part of an approved master plan; therefore, staff did not consider conformance with an approved master plan. City Planning staff finds the Dublin Springs Independent Living project to be complimentary and supportive of the long-range vision for the immediate project area as a result of the surrounding land use patterns which show a mix of commercial and residential uses of varying densities (**see "Context Map" attachment**).

STAFF RECOMMENDATION:

CPC CU 20-00079 – Conditional Use Development Plan

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).

CPC NV 20-00080 – Nonuse Variance

Approve 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 complies with the non-use variance review criteria in City Code Section 7.5.802(B).

CPC R 20-00162 – Administrative Relief

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.

CPC R 20-00163 – Administrative Relief

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.