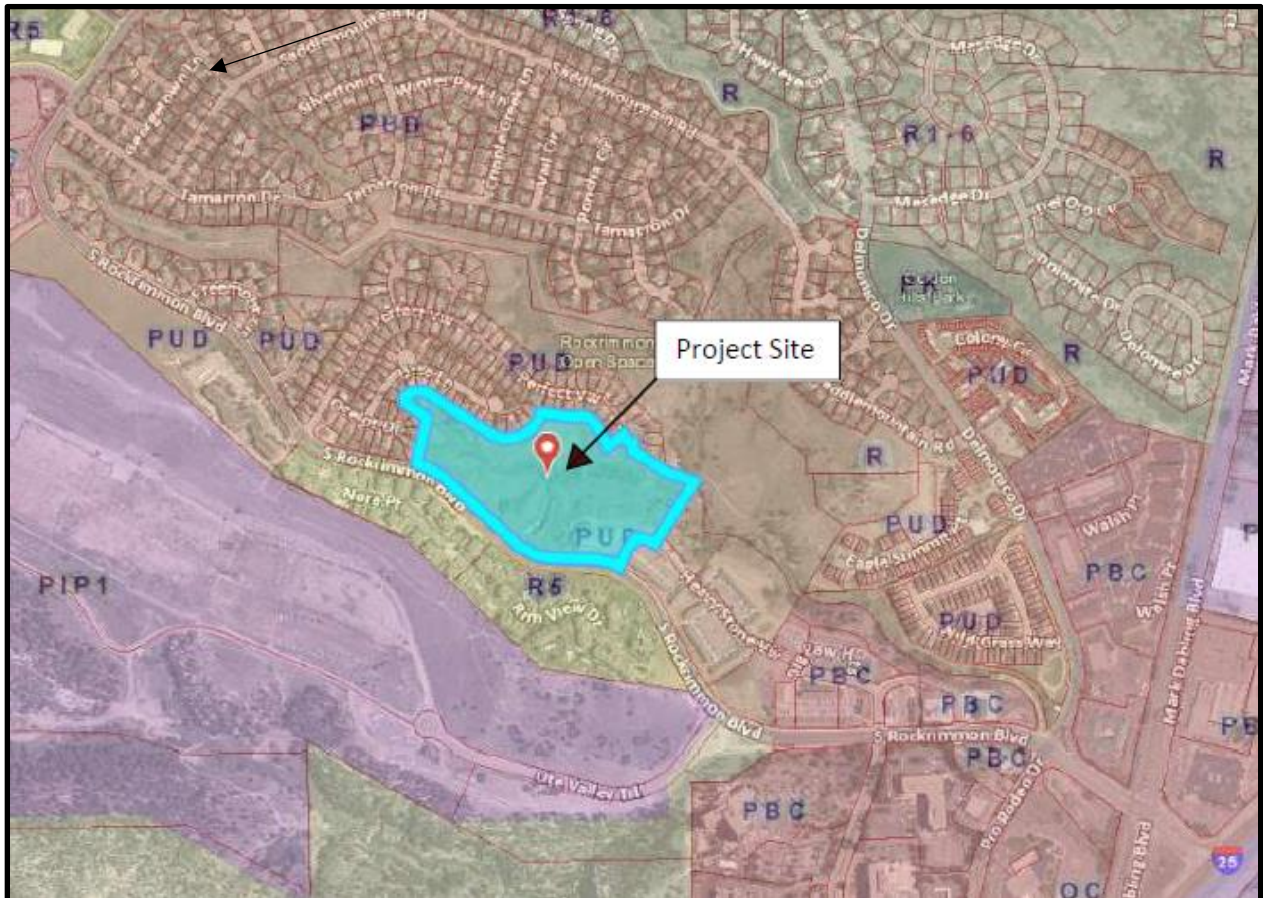


CITY PLANNING COMMISSION AGENDA
November 18, 2021

STAFF: Kerri Schott

FILE NO:
CPC PUD 20-00109 – QUASI-JUDICIAL

PROJECT: CREEKSIDE AT ROCKRIMMON
OWNER: PUEBLO BACK & TRUST COMPANY
DEVELOPER: PREMIER HOMES, INC.
CONSULTANT: DREXEL BARRELL & COMPANY



PROJECT SUMMARY:

1. Project Description: The project includes an application for a PUD development plan for 17.47 acres of vacant land located at 252 Heavy Stone View. The project (herein referred to as "Creekside at Rockrimmon") is zoned PUD/CR/SS/HS (Planned Unit Development with Condition of Record and Streamside and Hillside Overlays). This is a single-family detached residential development of 43 proposed lots with public and private street improvements. Due to geologic hazard concerns raised in 2008, the City Council applied a condition of record that all development plans be reviewed and approved by the City Planning Commission. **(see "PUD Development Plan" attachment)**.

Due to identified jurisdictional wetlands on-site, the Applicant re-designed many aspects of the previous proposal. The Army Corp of Engineers (ACOE) has agreed to the re-designed layout and Applicant has provided documentation regarding the ACOE final determination/permit. The staff report below now analyzes the re-designed project.

2. Applicant's Project Statement: **(see "Project Statement" attachment)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the Creekside at Rockrimmon PUD development plan based on the findings that the development plan meets the review criteria as set forth in City Code Sections 7.3.606 and 7.5.502.E.

BACKGROUND

1. Site Address: The property is addressed as 252 Heavy Stone View.
2. Existing Zoning/Land Use: The property is zoned PUD/CR/SS/HS (Planned Unit Development with Conditions of Record and Streamside and Hillside Overlays) and is vacant.
3. Surrounding Zoning/Land Use:
 - North and West: PUD/HS (Planned Unit Development with Hillside Overlay) and is residentially developed;
 - Northeast: PUD/SS/HS (Planning Unit Development with Streamside and Hillside Overlays) and consists of the Rockrimmon Open Space;
 - South: R5/HS (Multi-Family Residential with Hillside Overlay) and is residentially developed;
 - East: PUD/HS (Planned Unit Development with Hillside Overlay) is residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map, the project site is identified as an Established Suburban Neighborhood
5. Master Plan/Designated Master Plan Land Use: The project site is part of the Rockrimmon Master Plan and land use is identified for General Residential and is implemented.
6. Annexation: The property was annexed into the City under the Golden Cycle Addition #1 Annexation (April 1, 1966; ordinance unknown).
7. Subdivision: The subject property is platted as Lot 9 of Creekside at Rockrimmon Filing No. 1.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is currently vacant. The topography of the site is gently to moderate slopes ranging from 3%-30%. The terrain slopes to the east via a tributary of the North Rockrimmon Creek, which bisects the site. **(see "Physical Characteristics" attachment)**

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to the surrounding property owners within 1,000 feet of the site, which included mailing postcards to 228 neighboring property owners on three occasions: during the initial review, prior to a neighborhood meeting conducted virtually on October 19, 2020, and the initial City Planning Commission public hearing set for July 15, 2021. The hearing has been subsequently postponed from the initial July 15th, 2021 City Planning Commission hearing to the current November 18th, 2021 hearing date. The site was also posted during the three occasions noted above as well as one more posting for the November 18th Planning Commission hearing. City Planning staff initially received 22 comments in opposition to the project (see **“Public Comments” attachment**). Neighborhood concerns included how the proposed project would affect the wet areas on the site, traffic impacts on Rockrimmon Boulevard, geologic hazard risks and subsidence, trail connectivity to Rockrimmon open space and the effects on wildlife and property values. These items will be addressed in the review sections below in this report.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, City Fire, City Police, City Parks, CONO, District 20 and United States Airforce Academy. City staff has done their due diligence with this review and relied upon the above noted agencies to provide comments/approval based on their expertise. All comments received from the review agencies have been addressed. A few agency comments are referenced below and further described under “Analysis of Review Criteria” of this report.

- City Stormwater (SWENT): The final drainage report was reviewed and accepted by SWENT to be in compliance with the Drainage Criteria Manual (DCM). The proposed private detention facility will require an Inspection and Maintenance Plan. The proposed permanent Best Management Practice (BMP) will require a separate set of construction plans to be submitted to SWENT for review and approval.
- Traffic Engineering: there are two proposed access points to Creekside at Rockrimmon. A traffic study was submitted and City Traffic found that it more than adequately addressed traffic concerns and was in compliance with the Traffic Control Manual.
- United States Airforce Academy (USAFA): The site is near an active aircraft departure route for training cadets. USAFA asked to include a disclosure note on the final property plat maps and lease agreements to provide full disclosure of nearby training operations at any future time of sale or lease: USAFA also requested developers file an avigation easement to help protect USAFA’s flying mission and to include on the final property plat map.
- District 20: Academy District 20 is requesting fees in lieu of land dedication per the existing city code for all residential units in the proposed development
- PR&CS Department Trails and Open Space: The existing neighbors to the north would like to have continued access over to the Rockrimmon Open Space. A private tract of land for public access was proposed with gravel trail to meet these needs to provide an easy connection from the existing cul-de-sac.

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

1. Review Criteria / Design & Development Issues:

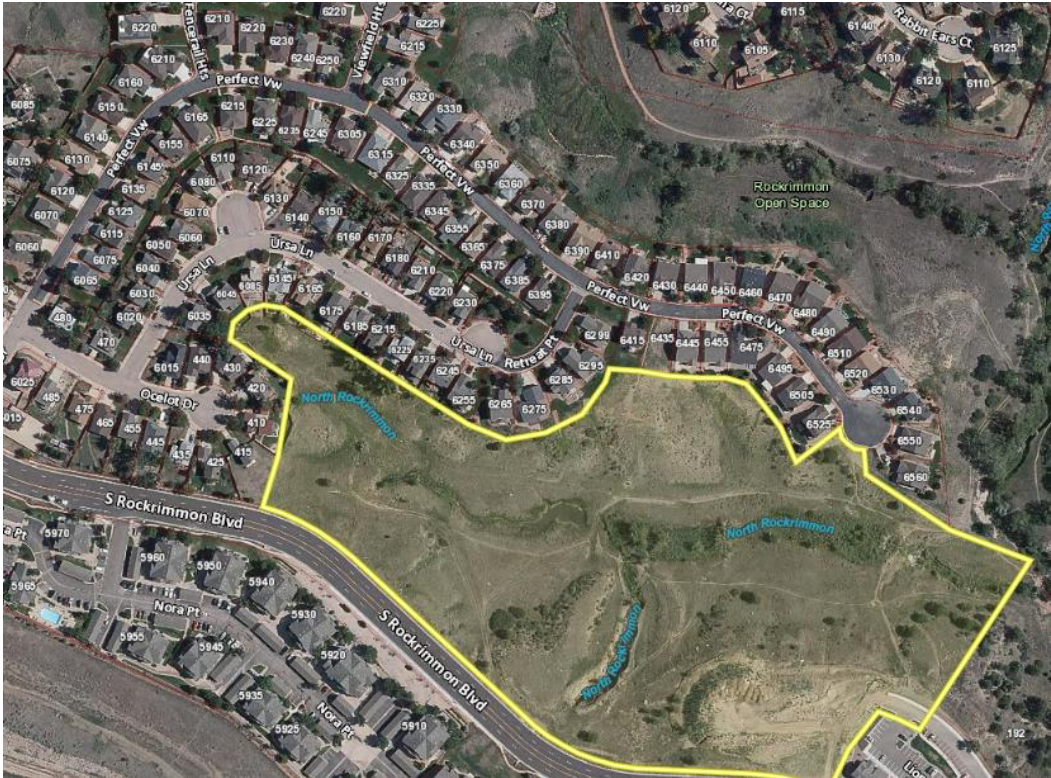
a. Background

The subject property was part of an original PUD zone change and concept plan, known as Creekside at Rockrimmon, that was reviewed and approved in 2008. It was envisioned for residential development consisting of 62 units. Over the years, the neighboring townhomes were built, and this site is the last piece to develop. The PUD zone district included a condition of record, that required all development plans to be reviewed and

approved by the City's Planning Commission. Due to identified jurisdictional wetlands on-site, the Applicant re-designed certain aspects of the original proposal in order to meet ACOE permitting requirements. The original project design would have impacted the identified wetland areas through the construction of a stormwater detention pond over the wetlands on the east edge of the site near the confluence with North Rockrimmon Creek. In order to reduce impacts to wetland areas, the following changes to the development plan were made: Cherry Faith Court was shortened, two lots were eliminated, the size of ten lots were reduced, and the stormwater detention pond was relocated. All agencies have re-reviewed the re-designed plans and support the revised project scope. City Planning staff's analysis below now considers the re-designed proposal.

b. PUD Development Plan

The proposed PUD development plan illustrates 43 single-family detached residential lots that are approximately 7,400 square feet in size. The site can be accessed either from a proposed private residential right of way that ties into South Rockrimmon Boulevard at the west end of the site or through the extension of Heavy Stone View to a connection with South Rockrimmon Boulevard near the southeast corner of the site. Public and private improvements include three private residential streets with 6-foot attached concrete sidewalks, a detention pond to include a 10-foot wide maintenance access, and trail connections to the existing cul-de-sac directly to the north and Rockrimmon Open Space. This proposed residential development is compatible with surrounding residential developments to the north and west that also include existing detached single-family homes on similar lot sizes and development standards, as shown in the table below.



PROPOSED DIMENSIONAL STANDARDS					
Development	Front setback	Side setback	Rear setback	Height (from existing grade)	Lot coverage
Saddle Ridge Fil 1	18'	5'	20'	35'	40%
Rockrimmon Vista Fil 1	20'	5'	20'	30'	40%
Proposed Creekside at Rockrimmon Fil 1	20'	5'	25'	35'	40%

Hillside and Streamside Overlay: The Hillside and Streamside Overlay zone districts were considered through staff's review of the project and specifically the submitted Land Suitability Analysis (LSA) prepared by Drexel Barrell & Company. From a hillside perspective, staff relied on the findings of the geologic hazard report to determine buildable areas on the property and took into consideration the existing vegetation and slopes greater than 25%. Staff found the proposal in compliance with the Hillside requirements and landscaping tracts were proposed to preserve specific areas. Staff found the project to be in compliance with the Streamside requirements as well. This project will maintain the natural landform of the streamside since the proposed grading impacts only a small area within the inner buffer. The project is within The North Rockrimmon Drainage Basin and bank stabilization is proposed through revegetation of the impacted portion of the streamside in accordance with City's Drainage Control Manual and Streamside Design Guidelines. The project contains 3.2% impervious surfaces within the overall buffer areas. Viable vegetation will be preserved and revegetation is proposed to return the streamside to a natural state, which will protect and the creek as a valuable amenity for the neighborhood.

Landscaping: A Final Landscaping Plan was submitted with this application, which complies with the City's landscaping standards as set forth in City Code Section 7.4.301. A 15-foot vegetative buffer consisting of evergreen trees with irrigated native seed mix were implemented between the proposed site and the adjacent student housing to the east. A 10-foot landscape setback is maintained along South Rockrimmon Boulevard and includes deciduous and evergreen trees with irrigated native seed mix and a 6-foot fence to provide screening. Three tracts are proposed within the development which serving as open space and will include a private detention pond. Ownership and maintenance of these larger tracts will be the responsibility of the homeowners association.

The above discussed development parameters and supportive land use, mitigates the impacts of this infill development and reinforce why this project will be compatible with the surrounding neighborhood (see "**Context Map**" attachment). City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing PUD development plan, as set forth in City Code Section 7.3.601, and a concept plan, as set forth in City Code Section 7.5.502.

c. Traffic

The Applicant contracted Drexel Barrell and Company to develop a traffic impact study, which was reviewed by the City's Traffic Engineering Division of Public Works (City Traffic Engineering). City Traffic Engineering accepted this traffic study and found it to be in compliance with the City's Traffic Control Manual. Overall, City Traffic Engineering's assessment of the project is in favor of residential development. There are two proposed access points to Creekside at Rockrimmon. The east side of the development will tie into the Heavy Stone View, an existing street that connects with multi-family residential development, which leads to the intersection of South Rockrimmon Boulevard and Red Ash Point. The western entrance to the site has a proposed "Stop" controlled intersection

with South Rockrimmon Boulevard approximately 750 feet east of Fence Post Drive. The proposed intersection for the western access offers left and right turn movements onto South Rockrimmon Boulevard. Using ITE rates, Drexel Barrell and Company determined that the development is anticipated to generate about 425 daily trips. City Traffic Engineering and the Division of the Fire Marshal ensured that the development had adequate traffic and safety infrastructure to meet the needs of current and new residents. Pikes Peak Regional Office of Emergency Management works diligently with Traffic, Fire and Colorado Springs Police Department to create the safest and most effective emergency evacuation plans (**see “Emergency Evacuation Letter” attachment**). City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

d. Drainage

The City’s Stormwater Enterprise of Public Works has reviewed the PUD development plan and accompanying final drainage report, prepared by Drexel Barrell and Company. The site lies within the North Rockrimmon Drainage Basin and discharges into North Rockrimmon Creek. Historic flows from a property to the south and one property to the west will be captured and routed through this site and discharged into the drainage to the east of the site. A private on-site full spectrum extended detention basin is proposed in the center of the project site just south of Cherryfaith Court. The proposed stormwater facility has been designed to limit the release of storm runoff and mitigate the impacts of identified open waters area per ACOE. It was found that the proposed development will not negatively impact the downstream and surrounding developments. SWENT has accepted the analysis and recommendations set forth in the report and as designed, all proposed stormwater improvements were found to comply with the City’s Drainage Control Manual.

e. Wetlands

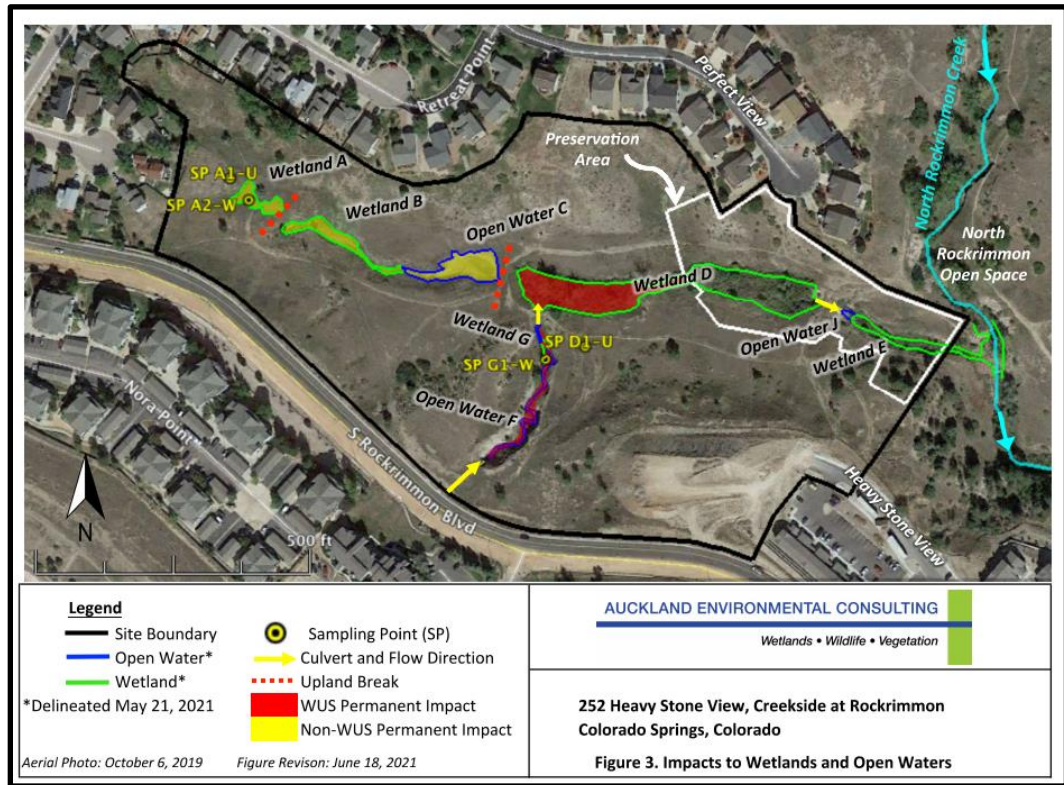
During the project’s review it was identified that may or may not have Waters of the US (WUS). City Planning staff thus requested that prior to Development Plan approval, the Applicant must complete ACOE coordination and permitting for the WUS. The Applicant provided a wetland analysis, prepared by Auckland Environmental Consulting, which was used by ACOE as part of permitting process and confirmed the jurisdictional evaluation of WUS. Based on this information, the Applicant redesigned the project to minimize impacts to WUS (**see “Auckland Environmental Analysis for ACOE” attachment**). This environmental analysis was also included in the final drainage report.

Per the environmental analysis and ACOE permitting, the direct permanent impacts to WUS is 0.36 acres and is further identified in the section below. (**see “Wetland Mapping” attachment** for all identified wetland areas and open water areas described below).

- 0.32 acres of moderate quality palustrine shrub scrub wetlands that would be mitigated through purchase of a minimum of 0.72 credits from Maria Lake Wetland Mitigation Bank. This area is identified as Wetland D and Wetland G . The majority of the direct impacts would be to Wetland D caused by grading of slopes for lots and construction of the stormwater detention pond
- 0.04 acre of open water within a deep stormwater runoff gully that would be mitigated by new stormwater management designed to sustain downstream wetlands. This area is identified as Open Water F.

Additional permanent impacts to 0.13 acres of wetlands and 0.14 acres of seasonal pond were determined non jurisdictional by ACOE due to no surface connection to WUS. The project also includes multiple measures to minimize indirect WUS impacts; such as, approximately 2.2 acres on the west side of the site that will be preserved as open space

and 0.35 acres of wetlands (Illustrated below as part of Wetland D, all of Wetland E and all of Open Water J).



Because permanent impacts to WUS is less than 0.5 acres, the project has been reviewed by ACOE under the Nationwide Permit Number 29 (NWP 29) for Residential Development. The final determination letter by ACOE confirms that the current proposal is in accordance with all ACOE requirements regarding the jurisdictional wetlands (see “NWP 29 Verification” and “Approved Jurisdictional Determination” attachments).

f. Geologic Hazards

The City’s Engineering Development Review Division (EDRD) of Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey (CGS), has reviewed the PUD development plan and accompanying geological hazard investigation report, prepared by Entech July 16, 2021. (see “CGS Final Review Letter Geohazard” attachment) The reviewing agencies have accepted the analysis and recommendations set forth in the report prepared by the applicant’s consultant and found it met City criteria. While Entech’s report did not directly recommend or require site-specific geologic hazard report for the individual lots, it referenced recommendations from a previous subsidence report and evaluation prepared by CTL Thompson, Inc. The recommendations will not prevent movement from subsidence, but only decrease the potential of damage. The City’s standard geologic hazard disclosure statement has been added to the plans and further identifies the documented geologic hazards (unstable and potentially unstable slopes, areas of seasonal shallow groundwater and ponding water, floodplains, artificial fill, undermined areas and expansive soils) on the project site. A note was also added to the development plan stating that subsidence insurance is recommend in all undermined areas. Upon approval for this project, City staff is prepared to execute the provided report.

g. Neighborhood Concerns

During the application's review, City Planning staff received concerns raised by the neighborhood were related to how the proposed project would affect the wet areas on the site, traffic impact on Rockrimmon Boulevard, geologic hazard risks and subsidence, trail connectivity to Rockrimmon open space and existing neighborhoods and the effects on wildlife and property values. Below, staff briefly speak to each item raise:

- *Effects on Wet Areas:* As discussed in the Drainage and Wetlands subsections of this report, SWENT has reviewed and accepted the final drainage report and found the report to be in compliance with City's Drainage Control Manual. The Applicant worked with ACOE to obtain the appropriate federal permits for the identified jurisdictional wetland areas on-site. City staff confirmed that the Applicant's proposed development design and layout is consistent with the NWP 29 permit issued by the ACOE.
- *Geologic Hazard Risks:* As discussed in the Geologic Hazards subsection of this report, the project site was evaluated for potential geologic hazards and mitigation measures were recommended. City Planning staff required the Applicant to add a notes to the plans referencing the geologic hazards analysis conducted for the project and a statement recommending that subsidence insurance be obtained for all undermined areas per the findings of the approved geologic hazard report. Based on Entech's findings, there are no areas that are not recommended to be built on and the City and Colorado Geologic Survey accepted the geologic hazard report.
- *Buffering and Connectivity:* Per the proposed landscape plans, several tracts of open space that serve as a buffer to neighboring residential communities. Additionally, the Applicant has proposed a network of sidewalks and trails that create links between the new development and surrounding neighborhoods and open space (i.e. Rockrimmon open Space).
- *Traffic:* The potential traffic impacts from the project were analyzed per the submitted traffic study submitted by the Applicant. City Traffic Engineering determined the study to be acceptable and deemed that the existing roadways provided more than adequate access and capacity. The provided traffic study was also found to be in compliance with the City's Traffic Control Manual.
- Wildlife and property values are not regulated by City Code; however as part of ACOE permitting of wetland areas, it was determined that there are no impacts to federally listed threatened and endangered species.

Staff finds that the request for the PUD development plan is in conformance with the City Code 7.5.501(E) and 7.3.605 standards and criteria for a concept plan and a PUD concept plan.

2. Conformance with the City Comprehensive Plan:

Staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to the PlanCOS Vision Map, the project site is identified as an Established Suburban Neighborhood (**see "Plan COS Vibrant Neighborhood Map" attachment**).

Plan COS Chapter 2, Vibrant Neighborhoods, Goal VN-2: "*Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs*". Provision of newly constructed residential units is a direct response to the market needs for housing in the City, and the allowance of a PUD zone

district that allows for customizable design standards benefits this goal.

Plan COS Chapter 3, Policy VN-3.A: *“Preserve and enhance the physical elements that define a neighborhood’s character”*. Proposed landscaping tracts maintain viable vegetation and slopes to help preserve some of the natural landscape.

Plan COS Chapter 3, Policy SC-3.B: *“Design stormwater infrastructure as an integral and connected part of new development and redeveloping areas and preserve or incorporate naturalistic stream profiles and features where feasible.”* A full spectrum detention pond is proposed as part of Tract B to provide on-site treatment of stormwater and will protect water quality to include a maintenance road/trail and revegetation will return the area to a more natural setting while providing a preserved open space.

Plan COS Chapter 4, Embrace Sustainability, Goal TE-4: *“Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”* The proposed development is consistent with the development surrounding the property and is complimentary of the established surrounding uses.

City Planning Staff finds that the project is in substantial conformance and balances the intent of PlanCOS and its guidance.

3. Conformance with the Area’s Master Plan:

The project site is part of the Creekside at Rockrimmon master planned area, which is identified for residential uses. City Planning staff finds that the Applicant’s development plan is complimentary and supports the land use pattern for the area and is in general conformance with the Creekside at Rockrimmon Master Plan (see **“Context Map” attachment**). Through staff’s review of the PUD development plan and consideration of the review criteria for establishing a PUD development plan, as set forth in City Code Section 7.3.606, and the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E), the overall area impacts of the project were analyzed.

STAFF RECOMMENDATION:

CPC PUD 20-00109 Approve the PUD Development Plan for the Creekside at Rockrimmon project, based on the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.606, and the development plan review criteria as set forth in Section 7.5.502.E.