

**CITY OF COLORADO SPRINGS PLANNING COMMISSION
RECORD-OF-DECISION**

NEW BUSINESS CALENDAR

DATE: September 18, 2014
ITEM: 4.A-4.D
STAFF: Larry Larsen
FILE NO.: CPC A 13-00043, CPC MP 06-00069-A3MJ14, CPC PUZ 14-00043, and
CPC PUD 06-00108-A6MJ14
PROJECT: Dublin North Annexation 1D and Dublin North Phase 7

STAFF PRESENTATION

Mr. Larry Larsen presented PowerPoint slides (Exhibit A).

APPLICANT PRESENTATION

Mr. Bill Guman of Guman and Associates, appeared for questions.

Commissioner Donley inquired if the five-acre tract to the west will have access to Wexford Drive. Mr. Larsen stated there is no access unless provided by the applicant. Commissioner Donley observed that undeveloped area could end up with double-frontage lots or building a parallel street. Mr. Guman stated it is speculation at this point if the developer is the same and how it's developed in the future.

Commissioner Shonkwiler inquired of the sliver of land along the west side of the site that would prevent access to a public street. Mr. Guman stated that should the owner be the same developer and owner of that tract. Mr. Larsen read a statement from the plat that states the western tract, Tract S, is designated for future development. It is owned and maintained by the current applicant to provide future access to the west. Commissioner Shonkwiler inquired if the property west of Tract S is owned by the same applicant. Mr. Larsen stated no.

CITIZENS IN FAVOR

None

CITIZENS IN OPPOSITION

None

STAFF REQUESTED TO SPEAK

Mr. Larsen displayed a copy of the annexation plat identifying Tract S along Wexford Drive. Mr. Larsen suggested the possibility of moving the right-of-way to the westerly property line.

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Commissioner Donley suggested a full easement for Tract S or moving the right-of-way to the westerly property line.

APPLICANT REBUTTAL

Mr. Guman was in agreement if Commissioner Donley's suggestion would satisfy Planning Commission's concern. Phase 5 is a mirror image of the proposed change to avoid impeding access to a public street.

DECISION OF THE PLANNING COMMISSION

Commissioners Henninger, Smith and McDonald were in favor.

Commissioner Walkowski was in favor only if Commissioner Donley's suggestion was included in the motion.

Commissioner Donley found that all applications complied with the review criteria and Comprehensive Plan.

Moved by Commissioner Donley, seconded by Commissioner Walkowski, to approve **Item 4.A-File No. CPC A 13-00043**, the Dublin North 1D Annexation, based upon the finding that the annexation complies with the findings of City Code Section 7.6.203, subject to the following conditions of approval and technical modifications:

Technical Modifications on the Annexation:

1. Prior to setting the City Council's public hearing provide the City Attorney's, City Utilities, City Engineering, City Traffic, and Land Use Review's approval of the executed annexation agreement.
2. Provide City Utilities approval of the executed Special Warranty Deed transferring water rights to the City (which will require the Owner to obtain an inventory of the Owner's water rights appropriations for the property).
3. Provide the Bureau of Reclamation's approval for inclusion into the Southeastern Colorado Water Conservancy District to Land Use Review and City Utilities.
4. **Review of Tract S to provide easement for full use for the property to the west or moving the right-of-way to the westerly property line to be considered as part of the annexation agreement, if deemed necessary by staff.**

Motion carried 7-0 (Commissioner Phillips excused and Commissioner Ham absent).

Moved by Commissioner Donley, seconded by Commissioner Walkowski, to approve **Item 4.B-File No. CPC MP 06-00069-A3MJ14**, the Dublin North Master Plan Amendment upon the finding that the plan complies with the review criteria of City Code Section 7.5.408, subject to the following technical and informational modifications:

Technical Modifications on the Master Plan Amendment:

1. Show the proposed amendment on the existing approved Dublin North Master Plan. Include all updated plan sheets.

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2. Clearly “cloud” all areas of change associated with this amendment.
3. Show the Parks and Recreation’s approved neighborhood 3.5 acre park site.
4. Changes to the master plan will include:
 - a. Showing the City file number, “CPC MP 06-00069-A3MJ14”, in the lower right corner of each sheet;
 - b. On Sheet 1, update the Data Table regarding acreage;
 - c. On Sheet 1, update the Proposed Land Use Table;
 - d. On Sheet 1, add the Dublin North 1D Annexation to the Annexation Table;
 - e. On Sheet 1, update the park and school dedication statements;
 - f. On Sheet 2, add the Dublin North 1D legal description;
 - g. On Sheet 3, add any specific Dublin North 1D Notes, if applicable;
 - h. On Sheet 4, show the Dublin North 1D area and only include: “Dublin North 1D – Residential – 8.00 – 11.99 du / ac – 5.00 ac”;
 - i. On Sheet 4, show the neighborhood park site;
 - j. On Sheets 5 & 6, show the Dublin North 1D area and neighborhood park site.
 - k. On Sheet 1, update the amendment history box as provided in the 6/11/14 review letter.
 - l. **Inclusion of a full easement for Tract S for the property to the west or moving the right-of-way to the western boundary should be considered in the master plan, if deemed necessary by staff.**

Motion carried 6-1 (Commissioner Henninger opposed, Commissioner Phillips excused and Commissioner Ham absent).

Moved by Commissioner Donley, seconded by Commissioner Walkowski, to approve **Item 4.C-File No. CPC PUZ 14-00043**, the establishment of the PUD/AO (Planned Unit Development: Detached Single-Family Residential, maximum density 5.66 dwelling units per acre, maximum building height of 30 feet, with Airport Overlay) zone district, based upon the finding that the change complies with the zone change criteria found in City Code Section 7.5.603.B and the PUD establishment criteria found in City Code Section 7.3.603. Motion carried 7-0 (Commissioner Phillips excused and Commissioner Ham absent).

Moved by Commissioner Donley, seconded by Commissioner Walkowski, to approve **Item 4.D-File No. CPC PUD 06-108-A6MJ14**, the Dublin North Phase 7 PUD Development Plan Amendment based upon the finding that the plan complies with the PUD development plan review criteria in City Code Section 7.3.606, subject to the following technical and informational modifications:

Technical Modifications on the PUD Development Plan:

1. Provide City Real Estate Services approval that all required easements have been properly vacated.

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2. It is also noted that the property is part of the 'Future Inclusion Area' of the Dublin North Metropolitan District. A note should be added to specifically address whether it is intend to include this property in that district.
3. Vickie Lane must now be included, designed, and constructed from this project, west to Templeton Gap Road. Show Vickie Lane as part of this development plan on Sheets 1, 4, 7, 10, &11.
4. On Sheet 1, under General Notes, add the following note: "Any assignments of drainage basin credits must be in the name of the ownership as shown on the plat at time of submittal for recordation. Credit assignments must be submitted to the City, Engineering Review Stormwater Department and approved by the City Finance section prior to submittal of the plat for recordation."
5. On Sheet 1, under Site Data and Proposed Zoning, add the new ordinance number that will be provided for this Phase 7 area; maintain the previous ordinance number.
6. On Sheets 2, 5, 9, 12 & 14, remove the screening wall from Tract Q and show a sidewalk connection between the Donahue Drive and Edmondstown Drive intersection south to the Dublin sidewalk.
7. On Sheet 1, under Site Data, change 30 to 22 for the number of lots within Phase 7.
8. On Sheets 7, 8 & 9, modify plan to eliminate overlapping text.
9. **Inclusion of a full easement for Tract S for the property to the west or allow revision of the PUD development plan to move the right-of-way to the west so it is contiguous with the west property line.**

Motion carried 6-1 (Commissioner Henninger opposed, Commissioner Ham absent and Commissioner Phillips excused).

September 18, 2014
Date of Decision

Robert Shonkwiler
Planning Commission Chair

Dublin North 1D Annexation, Master Plan, Zone
Establishment & Development Plan

City Planning Commission
September 18, 2014

Larry Larsen, Senior Planner

Dublin North 1D Annexation, Master Plan, Zone
Establishment & Development Plan

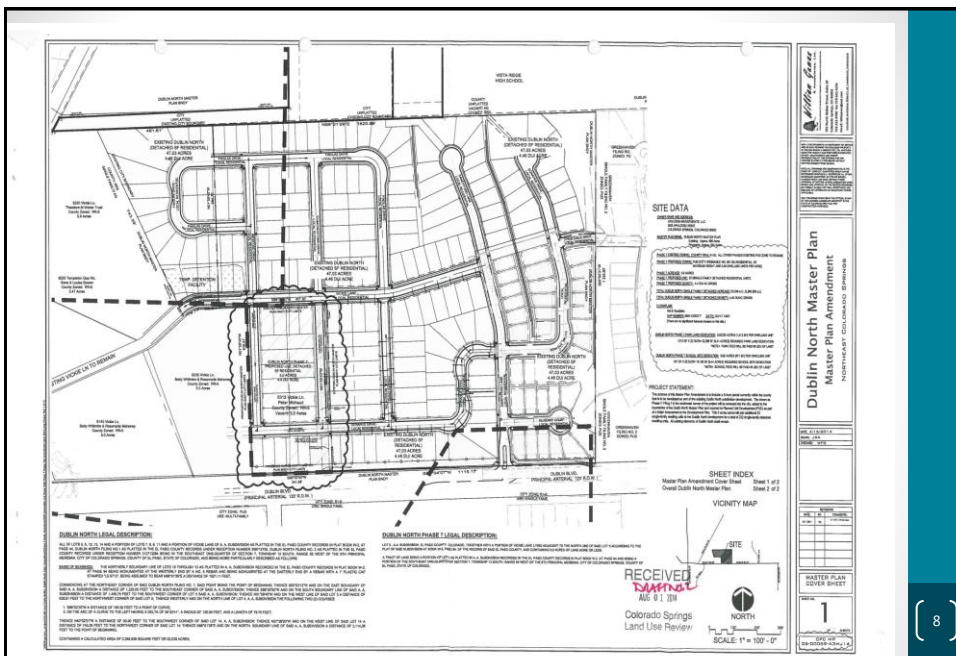
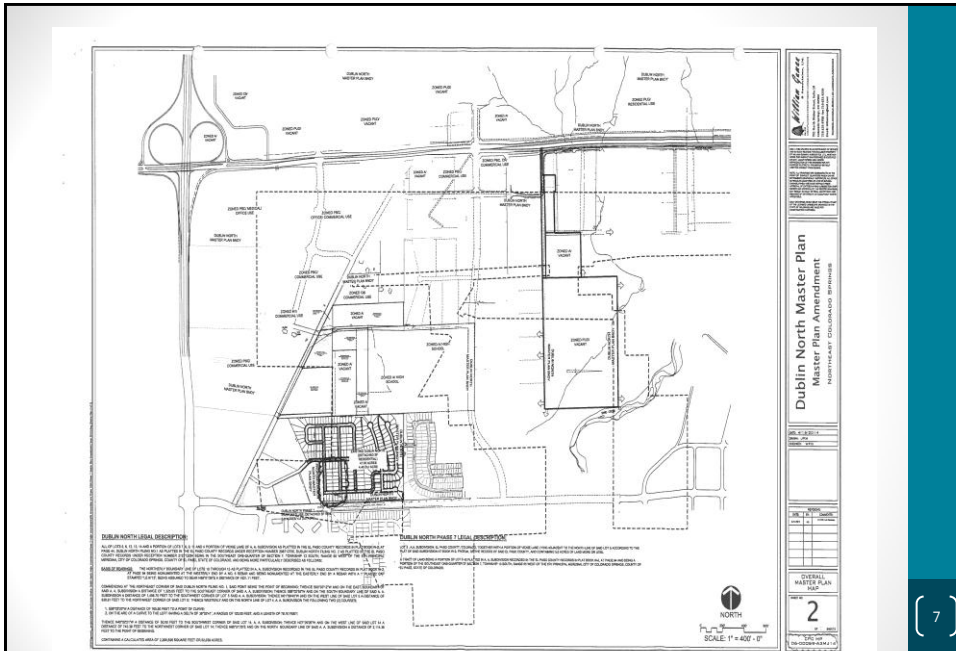
- ✓ Dublin North 1D Annexation (CPC A 13-00043);
- ✓ Dublin North Master Plan Amendment (CPC MP 06-00069-A3MJ14);
- ✓ Dublin North Phase 7 Establishment of Zoning to "PUD/AO" (Planned Unit Development with Airport Overlay) (CPC PUZ 14-00043); and
- ✓ Dublin North Phase 7 PUD Development Plan (CPC PUD 06-00108-A6MJ14).



Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

ANNEXATION AGREEMENT:

- ✓ Land Use per Master Plan: Single-Family Residential;
- ✓ Public Facilities:
 - ✓ Streets: Local and Vickie Lane Extension
 - ✓ Drainage; and
- ✓ Utilities and Water Rights.



Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

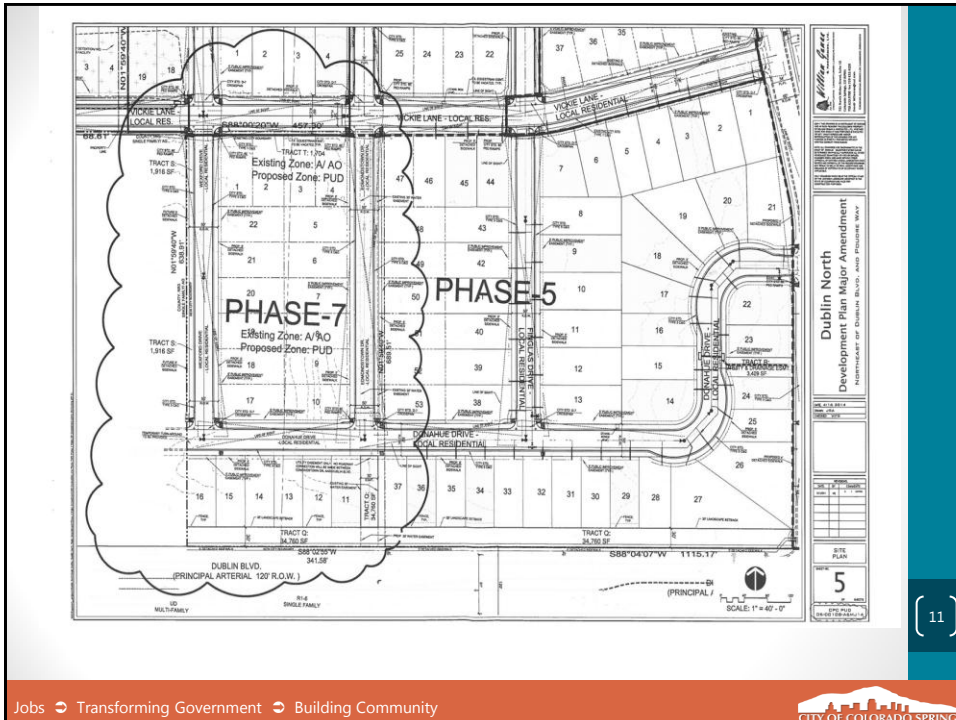
ZONE ESTABLISHMENT:

- ✓ "PUD/AO" Planned Unit Development with Airport Overlay (Residential Single-Family Detached, 5.66 Dwellings per Acre and 30' Maximum Building Height)

Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

DEVELOPMENT PLAN:

- ✓ 22 Single-Family Residential Lots
- ✓ Access: Existing Vickie Lane
- ✓ New Internal City streets.
- ✓ Landscaping



Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

DESIGN AND DEVELOPMENT ISSUES:

- ✓ Fiscal Impact Analysis
- ✓ Land Use Compatibility

Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

FINDINGS:

- ✓ Compliance with City Comprehensive Plan;
- ✓ Compliance with City Annexation Plan;
- ✓ Compliance with the Dublin North Master Plan, as proposed to be amended;
- ✓ Compliance with PUD zone district determination review criteria found in City Code Sections 7.5.603B. and 7.3.603; and
- ✓ Compliance with the PUD Development Plan review criteria found in City Code Section 7.3.606

Dublin North 1D Annexation, Master Plan, Zone Establishment & Development Plan

SUMMARY / RECOMMENDATION:

- ✓ Approve the Dublin North 1D Annexation;
- ✓ Approve the Dublin North Master Plan Amendment;
- ✓ Approve the zone district determination to "PUD/AO" Planned Unit Development / Airport Overlay; and
- ✓ Approve the Dublin North Phase 7 PUD Development Plan.

Dublin North 1D Annexation, Master Plan, Zone
Establishment & Development Plan

QUESTIONS?