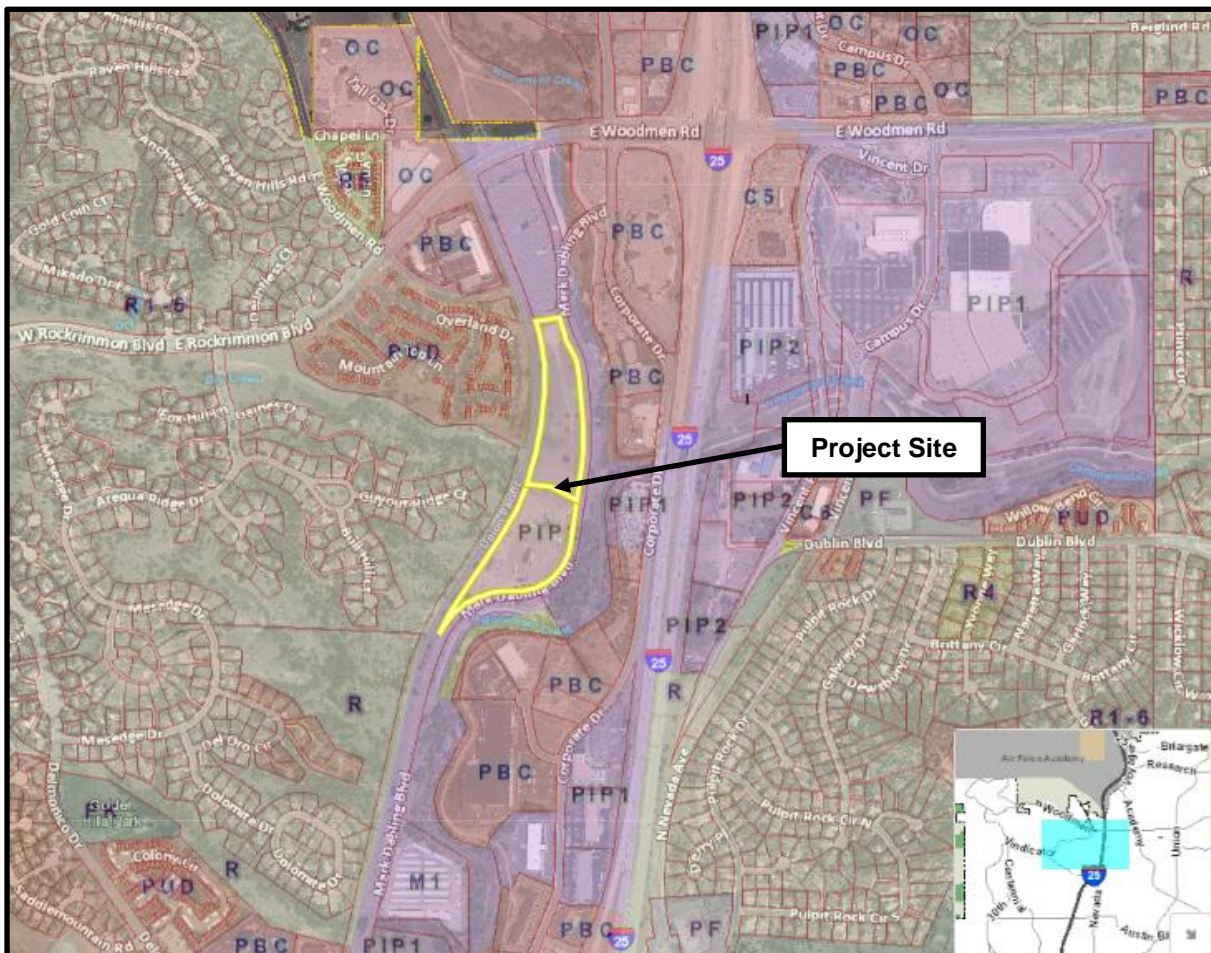


CITY PLANNING COMMISSION AGENDA
July 15, 2021

STAFF: DANIEL SEXTON

FILE NOS:
CPC ZC 21-00029 – QUASI-JUDICIAL
CPC CP 21-00030 – QUASI-JUDICIAL

PROJECT: MARK DABLING COTTAGES
OWNER: 123 CASCADE ASSOCIATES, LLC
DEVELOPER: BCC MANAGEMENT, LLC
CONSULTANT: BUCHER DESIGN STUDIO



PROJECT SUMMARY:

1. Project Description: The project includes applications for a zone change and concept plan for 12.78 acres of land located at 6550 and 6650 Mark Dabling Boulevard. The project is herein referred to as "Mark Dabling Cottages". The zone change request would change the current zoning from PIP-2/cr/SS/HS (Planned Industrial Park with Conditions of Record and Streamside and Hillside Overlays) to R-5/SS/HS (Multi-Family Residential with Streamside and Hillside Overlays). (**see "Zone Change" attachment**) The proposed concept plan illustrates the envisioned development parameters for a multi-family residential development. (**see "Concept Plan" attachment**)
2. Applicant's Project Statement: (**see "Project Statement" attachment**)
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the application as proposed.

BACKGROUND:

1. Site Address: The properties associated with this project is addressed as 6550 and 6650 Mark Dabling Boulevard.
2. Existing Zoning/Land Use: The properties are zoned PIP-2/cr/SS/HS (Planned Industrial Park with Conditions of Record and Streamside and Hillside Overlays) and are vacant.
3. Surrounding Zoning/Land Use:
North: PIP-2/cr/SS/HS (Planned Industrial Park with Conditions of Record and Streamside and Hillside Overlays) and commercially developed with a private parking lot.
East: PIP-1/PBC/SS/HS (Planned Industrial Park and Planned Business Center with Streamside and Hillside Overlays) and is commercially developed.
South: PIP-2/cr/R-5/SS/SS (Planned Industrial Park and Multi-Family Residential with Conditions of Record and Streamside and Hillside Overlays) and is commercially developed.
West: PUD/R1-6000 (Planned Unit Development and Single-Family Residential) and is residentially developed.
4. PlanCOS Vision: According to the PlanCOS Vision Map (**see "PlanCOS Vision Map" attachment**), the project site is identified as an Established Suburban Neighborhood.
5. Annexation: The property was annexed into the City under the Golden Cycle Addition #1 plat (April 1, 1966; ordinance unknown).
6. Master Plan/Designated Master Plan Land Use: The project site is part of the Rockrimmon Master Plan. This master planned area has been deemed implemented, so a master plan amendment application was not required for this proposal.
7. Subdivision: The project properties are platted as Lots 1 and 2 of Corporate Centre Filing No. 3.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The project site is vacant and slopes down to the east towards Monument Creek.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 234 property owners on three occasions: during the internal review and prior to a neighborhood and the Planning Commission hearing. The site was also posted during the three occasions noted above. City Planning staff received comments both in-favor and opposed to the project during the internal review and at the neighborhood meeting. (**see "Public Comments" attachment**) The comments in opposition to the project applications raised concerns regard traffic, emergency evacuation, geologic hazards, and the site's

proximity to the adjacent Burlington Northern Santa Fe (BNSF) Railroad line. Elsewhere within this report, City Planning staff discuss each of these items in greater detail.

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 Burlington Northern Santa Fe Railroad, Colorado Springs Utilities, Colorado Geological Survey, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 20, Police, and E-911. All comments received from the review agencies have been addressed. As an infill project within an established neighborhood, City Planning staff notes that the following review agency provided project specific comments:

- Colorado Geological Survey (CGS) – CGS Survey reviewed and accepted the proposed concept plan and accompanying geological hazard report. CGS raised questions regarding historic subsurface mining activities, proximity to the flood hazard zones associated with Dry Creek and Monument Creek. This reviewer requested that standard notes be applied to the entitlement documents to acknowledge the geological hazard analysis and documented hazards on the site. Future development plan and final subdivision plat applications will require a more detailed geological hazard analysis. **(see “CGS Letter” attachment)**
- Burlington Northern Santa Fe (BNSF) Railroad – BNSF reviewed and provided general comments on the proposed concept plan. **(see “BNSF Comments” attachment)** A series of standard access and construction notes were applied to the entitlement documents in response to BNSF’s comments.
- Academy District 20 (D20) – D20 reviewed the project applications and raised concerns about the development of additional residential units in the area, as D20’s long range planning had not accounted for the development of residential units in this area. While D20 is generally opposed to the project for the reason stated above, the district requested fees in lieu of land dedication for the anticipated residential units.

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

1. Review Criteria / Design & Development Issues:

a. Application Summary:

i. Zone Change

The Applicant has requested a change of zone to rezone the project site from PIP-2/cr/SS/HS (Planned Industrial Park with Conditions of Record and Streamside and Hillside Overlays) to R-5/SS/HS (Multi-Family Residential with Streamside and Hillside Overlays). **(see “Zone Change” attachment)** Per City Code Section 7.3.103 *Permitted, Conditional and Accessory Uses*, the envisioned multi-family residential use is a permissible use in the R-5 (Multi-Family Residential) zone. The project will also comply with all applicable development standards as set for in City Code Section 7.3.104 *Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Development Standards*. City Planning staff notes that the Applicant has proposed project specific standards that are less intensive than the proposed zone district and surrounding developments. A side-by-side comparison of development standard is provided below.

Standard	R1-6000	PUD	R-5	Proposed
Max. Bldg. Height	30 feet	35 feet	45 feet	20 feet
Building Setbacks				
Front	25 feet	15 feet (Public ROWs)	20 feet	25 feet
Side	5 feet	12 feet (separation)	5 feet	25 feet
Rear	25 feet	20 feet	25 feet	25 feet
Max. Lot Coverage	30%-45%	n/a	40%	23%

City Planning staff finds the application to be consistent with the purpose for a zone change request, as set forth in City Code Section 7.5.601.

ii. Concept Plan

The Applicant's proposed concept plan for the Mark Dabling Cottages project (**see "Concept Plan" attachment**) illustrates the envisioned development of a multi-family residential use on two vacant parcels. As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff finds this to be true because the proposed multi-family use functions as a transitional land use between the less dense single-family attached and detached residential units to the west and the commercial and industrial uses to the south and east. The Applicant's self-imposed development standards, which are discussed above, are more restrictive and, thus, in conformance with the established controls, set forth in City Code Section 7.3.104 *Agricultural, Residential, Special Use and Traditional Neighborhood Development Zone District Standards*.

From a site design and layout perspective, the Applicant has set forth a conceptual development configuration that accounts for numerous site constraints (i.e. Hillside and Streamside requirements, geological hazards, proximity to the BNSF rail line, Wildland-Urban Interface, etc.). Discussion of these site constraints is provided later in this staff report. Access to the project site is proposed off Mark Dabling Boulevard with full-movement ingress and egress drives at four (4) locations. Public improvements (i.e. sidewalks, curb and gutter) are anticipated along Mark Dabling Boulevard as well, with final alignments being determined under subsequent land use applications. The envisioned on and off-site pedestrian and vehicular improvements will afford greater connectivity for future residents to access the surrounding area. To mitigate noise from the adjacent BNSF rail line, the Applicant will be conducting a noise mitigation analysis to determine the appropriate sound mitigation measures to install along the entire western boundary of the project. (**see "Noise Analysis Memo" attachment**)

In terms of the Hillside Overlay zone requirements, as set forth in City Code Section 7.3.504 *HS - Hillside Area Overlay*, the Applicant analyzed the site's physical characteristics and features to assess potential hazards that may impact development. A geologic hazard report was completed for the project site, which noted expansive soils, historic subsurface mining activities and the proximity to the flood hazard zones associated with Dry Creek and Monument Creek as the most significant hazards. The Applicant intends to avoid or limit development within known hazardous areas. City Planning staff will further evaluate the development with regards to the documented hazards as part of the future development plan application submittal, which will require a hillside site plan.

The project site is adjacent to Dry Creek and Monument Creek, which are subject to the Streamside Overlay zone requirements, as set forth in City Code Section 7.3.503 *SS – Streamside Overlay Zone*. The intent of the Streamside zone is to "... *guide the development and maintenance of the property adjacent to these stream corridors in a manner that is compatible with the environmental conditions, constraints and character of these areas*". City Planning staff reviewed and accepted the Applicant's streamside site plan drawing and land suitability analysis, which affirmed the inner and outer buffers for each creek and stipulates certain project design parameters and development constraints. Moving forward, the future development plan application submittal will further refine how the project complies with the above referenced requirements to enhance and improve the creeks.

As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff find this to be true because the envisioned land use is a good transitional use for the area and the development standards will mitigate any on- or off-site impacts the project may have on the surrounding neighborhood. City Planning staff finds that the

proposed plan, as stipulated, is in conformance with the purpose for establishing a concept plan, as set forth in City Code Section 7.5.501.

b. Geological Hazards

The City's Engineering Development Review Division (EDR) of Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey (CGS), has reviewed the proposed concept plan and accompanying geological hazard report, prepared by the Rocky Mountain Group, for the project. **(see "CGS Letter" attachment)** The reviewing agencies have accepted the analysis and recommendations set forth in the report prepared by the Applicant's consultant. The documented geological hazards and engineering geological conditions on the project site included expansive soils, historic subsurface mining activities and the proximity to the flood hazard zones associated with Dry Creek and Monument Creek as the most significant hazards. A future development plan application will require a more detailed geological hazard analysis. Upon approval for the Mark Dabling Cottages project, City staff is prepared to execute the provided letter.

c. Drainage

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the concept plan and accompanying preliminary drainage letter, prepared by Catamount Engineering. SWENT has accepted the analysis and recommendations set forth in the preliminary report. The Applicant will be required to submit a final drainage report with the subsequent development plan application. That future final drainage report will determine the design and placement of all stormwater improvements and ensure their compliance with the City's Drainage Control Manual.

City Planning staff finds that the proposed project addresses all the applicable review criteria set forth in City Code.

2. Conformance with the City Comprehensive Plan:

The project applications have been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified as an Established Suburban Neighborhood. **(see "PlanCOS Vision Map" attachment)** In the context of these key elements, which capture the essence of the "Big Ideas" and goals set forth throughout PlanCOS, the Mark Dabling Cottages project reinforces the positive change that can occur when infill and redevelopment is encouraged.

One of the big ideas in Chapter 3, entitled "*Embrace Creative Infill, Adaptation, and Land Use Change*", has Goal UP-2 that states:

"Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market."

A policy for this goal further speaks to "*Supporting infill and land use investment throughout the mature and developed areas of the city.*"

In Chapter 4, the "*Embrace Sustainability*" big idea, has Goal TE-4 stating:

"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."

Together, the above referenced big ideas reinforce a core value of PlanCOS, which supports adaptive and responsive land use change. On balance with this perspective, City Planning staff has determined that the project's land use, location and site design meet the overall intent of this idea.

For the reasons provided in this overall staff report, City Planning staff finds that this redevelopment proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

3. Conformance with the Area's Master Plan:

The project site is part of the Rockrimmon master planned area and was identified for commercial/industrial land uses. Since the Rockrimmon Master Plan has been deemed "Implemented", a concurrent master plan amendment application was not required. According to City Code Section 7.5.402(B)(2), a master plan can be deemed implemented when 85% or more of the planned area is built-out. Furthermore, City Code Section 7.5.603(B)(3) states, "*Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.*" City Planning staff finds that the Mark Dabling Cottages project to be complimentary and supportive of the long-range vision for the Rockrimmon Master Plan. (see "**Context Map**" attachment) Through staff's review of the proposed concept plan and the review criteria for authorizing said plan, as set forth in City Code Section 7.5.501(E), the overall area impacts of the project were analyzed.

STAFF RECOMMENDATION:

CPC ZC 21-00029 – Zone Change from PIP-2/cr/SS/HS to R-5/SS/HS

Recommend approval to City Council the zone change for 12.78 acres of land from Planned Industrial Park with Conditions of Record and Streamside and Hillside Overlays (PIP-2/cr/SS/HS) to Multi-Family Residential with Streamside and Hillside Overlays Planned Business Center with Streamside Overlay (R-5/SS/HS), based upon the findings that the review criteria for a change of zone, as set forth in City Code Section 7.5.603.

CPC CP 21-00030 – Concept Plan

Recommend approval to City Council a Concept Plan for the Mark Dabling Cottages project, based upon the findings that the amended plan meets the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E).