



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes - Final Planning Commission

Thursday, August 15, 2019

8:30 AM

Council Chambers

1. Call to Order

- Present:** 7 - Vice Chair Scott Hente, Commissioner Jim Raughton, Commissioner James McMurray, Commissioner Alison Eubanks, Commissioner John Almy, Commissioner Marty Rickett and Commissioner Natalie Wilson
- Absent:** 2 - Chair Reggie Graham and Commissioner Rhonda McDonald

2. Approval of the Minutes

- A. [19-433](#) Minutes for the June 20, 2019 City Planning Commission Meeting

Presenter:

Reggie Graham, Chair, City Planning Commission

Motion by Raughton, seconded by McMurray, to approve the June 20, 2019 City Planning Commission Minutes.

The motion passed by a vote of 7-0-2-0

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

- Absent:** 2 - Chair Graham and Commissioner McDonald

3. Communications

Peter Wysocki - Director of Planning & Community Development

Mr. Wysocki gave an update on Accessory Dwelling Units.

4. CONSENT CALENDAR

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.)

Fountain Self Storage

- A. [CPC ZC](#)
[18-00083](#) Ordinance No. 19-64 amending the zoning map of the City of Colorado Springs pertaining to 4.77 acres located southwest of East

Fountain Boulevard and Alvarado Drive from OC/PBC/cr/AO (Office Complex and Planned Business Center with conditions of record and Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay).

(QUASI-JUDICIAL)

Related Files: CPC ZC 18-00083, and CPC DP 18-00084

Presenter:

Peter Wysocki, Director of Planning and Community Development
Rachel Teixeira, Planner II, Planning and Community Development

This Ordinance was referred to City Council on the Consent Calendar.

B. [CPC DP
18-00084](#)

A development plan for Fountain Self-Storage illustrating a mini-warehouse facility on 4.77 acres located southwest of East Fountain Boulevard and Alvarado Drive.

(QUASI-JUDICIAL)

Related Files: CPC ZC 18-00083, and CPC DP 18-00084

Presenter:

Peter Wysocki, Director of Planning and Community Development
Rachel Teixeira, Planner II, Planning and Community Development

This item was referred to City Council on the Consent Calendar.

C. [CPC SN
19-00083](#)

A street name change from Victor Place to North Powers Frontage Road for the northern portion of the public street that directionally stems northbound from Victor Place to its terminus.

(Quasi-Judicial)

Presenter:

Meggan Herington, Assistant Director of Planning, Planning and Community Development

This item was passed on the Consent Calendar.

The motion passed by a vote of 7-0-2-0

Approval of the Consent Agenda

Motion by Raughton, seconded by Rickett, 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 7-0-2-0

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

Absent: 2 - Chair Graham and Commissioner McDonald

Items Called Off Consent

5. UNFINISHED BUSINESS

CMRS Transit Mix

5.A. [AR CM2 18-00636](#) An appeal of the administrative denial of the Wahsatch Ave Transit Mix US-CO-5068 CMRS Development Plan for the installation of the 80' monopine tower with equipment shelter located at 444 East Costilla Street.

(Quasi-Judicial)

Presenter:

Rachel Teixeira, Planner II, Planning & Community Development

Motion by Raughton, seconded by McMurray, to Postpone AR CM2 18-00636 to the September 19, 2019 City Planning Commission Meeting.

The motion passed by a vote of 7:0:2:0

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

Absent: 2 - Chair Graham and Commissioner McDonald

6. NEW BUSINESS CALENDAR

Trailside at Cottonwood Creek

6.A. [CPC PUZ 19-000061](#) An ordinance amending the zoning map of the City of Colorado Springs relating to 15.67 acres located on the southwest corner of Woodmen Road and Austin Bluffs Parkway from OC/PBC/AO/SS (Office Complex and Planned Business Center with Airport and Streamside Overlay) to PUD/AO/SS (Planned Unit Development: Single-Family Residential, maximum density of 3.6 dwelling units per acre, 35-foot maximum building height with Airport and Streamside Overlay)

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00061, CPC CP 08-00142-A7MN19, CPC PUD 19-00063

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

Staff presentation:

Tasha Brackin, Senior Planner with the City, presented a PowerPoint with the scope and intent of the project.

The project included 3 applications:

- A zone change for 15.7 from Office Complex and Planned Business Center to Planned Unit Development
- A concept plan amendment changing the land use designation from commercial and medical office to single-family residential
- A development plan proposing 56 single-family lots

Applicant Presentation:

John Maynard, N.E.S. Inc., presented a PowerPoint with the scope and intent of the project.

Questions:

Commissioner Raughton asked for clarification of the street and will it be a private drive. Mr. Maynard said that was correct. It will be a private owned drive maintained by the homeowner's association.

Commissioner Wilson asked if since traffic and access was a concern, had they thought of connecting to Lee Vance Drive. Mr. Maynard explained that it was not physically possible to do that. It would not be feasible to do this project without a considerable amount of fill and retaining walls along Cottonwood Creek, which would preclude access from this development to the creek in order to make that access connection. That is why the applicant pursued the three quarter movement.

Commissioner Eubanks commented that Ms. Brackin stated the school district did not have an issue with the development; however, the packet included in email where the school district stated they think there will be a direct impact on the district and was requesting fees in lieu of land dedication based on current city code. Mr. Maynard answered that the school district's standard response for the conversion of non-residential land because they prefer the development be non-residential because of the tax base. Mr. Maynard said he had spoken to District 20, Don Smith, who said that would be the stand comment to alert elected and appointed officials that there is a concern when there is an unplanned number of new students. Mr. Maynard said he was told their bottom

line is they want fees rather than land.

Supporters:

None

Opponents:

Andrea Johnson, representing Newport Heights area, which is south of the development

Two main concerns:

- Traffic -
 - added vehicles to exit from Woodmen to Austin Bluffs will cause reduced speeds to access the site
 - Concerns with people flipping U-turns since there is no way west from this area
 - Huge impact on Austin Bluffs with an additional 100 cars
- Wildlife
 - Cottonwood Creek is a corridor for all the wildlife and will make an impact on wildlife
 - Problems with drainage and with more houses on the slant it will make it worse

Elizabeth Vanatta, Homeowner just north of Woodmen

- Questioned if the development would be detrimental to public interest, health, safety, convenience, and general welfare
 - Asked the Planning Commission not to accept hearsay from the applicant regarding the school district's concern and that they simply want fees
 - Traffic concerns and that traffic study is outdated and does not include the new development of Midtown Collections
 - Wildlife will be impacted due to the dense building
 - PlanCOS calls for reasonable densification and not explosive densification

Rebuttal:

Mike Rocha, SM Rocha, LLC., traffic and transportation consultants

- As it relates to speed on Woodmen eastbound traffic coming down the hill, cars stopping needing to make turns into the site and U-turns
 - Mr. Rocha acknowledged the traffic on Woodmen and traveling downhill past Lee Vance
 - Mr. Rocha said they worked very closely with City Traffic engineers and looked at alternatives but the Lee Vance access was not feasible due to the grade differentials
 - Mr. Rocha believed the three quarter movement allowing for

- people traveling westbound to turn left into the site is a better situation than forcing U-turn movement
- There are plans to add deceleration lanes that pull traffic from the main stream of traffic on Woodmen
 - There is an existing deceleration lane for the eastbound right turn that turns into the site
 - Proposing a deceleration lane within the median on Woodman for westbound left
 - With every development, there is an impact to traffic volume
 - The traffic study that was presented to the City was from November 2018 and while the study does not specifically state all developments by name, the study includes traffic generation from adjacent development as well. Both existing and future traffic is measured

Commissioner Almy stated he was concerned about rush hour traffic and the unique nature of our roads aligning with the solar disk. Around daylight savings time, the solar disk is in your windshield and we are asking traffic to do these risky maneuvers. Commissioner Almy said it appeared the analysis was based on averages and believed that worst case scenarios would be more viable. Commissioner Almy said he is curious what the accident statistics are during rush hour when the sun is hitting their windshields.

Mr. Rocha said they did not do an accident analysis at Austin Bluffs and Woodmen but felt it was a valid concern. The sight distance both vertically and horizontally is exceeded through the standard design practices. For the sunlight in the morning, there really isn't a way to truly account for that effect. In terms of analysis, the study does look at the worst case scenario, which is peak hours. The peak hours are based off the estimate of the daily traffic for the site.

Commissioner Almy said an equal split of East/West is not worst case, but worst case would be everybody goes in the worst direction, so you almost have to assume that something is not an average.

Mr. Rocha said the distribution for the site was based on location and not some natural operations of residential neighborhoods. Mr. Rocha said the study is used with everything that is needed to support residential which includes work traffic in the morning, in the evening, and going to visit retail.

Commissioner McMurray said he disliked the fact that Lee Vance was not going to be used. Commissioner McMurray asked for a better sense of what the technical constraints were.

Mr. Rocha said when the application was first started, we had firm direction

from City Traffic to go to Lee Vance. That was evaluated based on the current site application in play for the storage units. In order to get the roadway grade that would meet city design standards would require significant fill for that site. The City Traffic was provided detail and justification to show that it just was not feasible to make that connection to Lee Vance.

Commissioner Raughton asked if there was a plan for an acceleration lane onto Woodmen. Mr. Rocha said there is not one proposed at this time and believe that signalization of Woodman and Lee Vance will provide some gaps in traffic that will allow drivers a little bit more time to enter.

Mr. Rocha pointed out there are existing three quarter movement with left turns crossing the three lanes of traffic on Woodmen further west of the site.

Commissioner Hente asked for clarification that even though the traffic study did not specifically name Midtown Collections, that it was included in the projected traffic. Mr. Rocha said that was correct.

Commissioner Rickett asked if there was an increase in accidents at the other three quarter turns that were mentioned. Mr. Rocha said they did not do an accident analysis of those intersections.

John Maynard, N.E.S., said he visited the site mid-morning on a weekday and observed the traffic light at Lee Vance created gaps in traffic. Mr. Maynard made note that the site is 15 acres and nine of those acres are dedicated open space. Approximately five of those acres will be included in what is the Cottonwood Creek drainage corridor and left undisturbed, so there is a significant contribution to preservation of the wildlife corridor by this project.

Questions of Staff:

Commissioner McMurray asked for someone from City Traffic to comment on the City's process where Lee Vance is concerned.

Todd Frisbee, Division Manager for Traffic Engineering

Mr. Frisbee said the City asked the applicant to look at access to Lee Vance. Mr. Frisbee said Mr. Rocha came back to them with the study and from the geography point of view, the applicant couldn't make it work, so other options were explored. Commissioner McMurray asked about Lot G and if that was considered, and Mr. Frisbee said that he did not believe the applicants were the owners of that lot.

Commissioner Raughton said he has concerns about the standards the City uses with alley access to residential developments. Commissioner Raughton suggested that traffic engineers and planning review the standards because

there are so many companies within a development that he thinks are complicated by those very narrow right-of-ways. This development addresses this by having the homeowners' association maintain it. Commissioner Raughton wanted to know if the parking standards for these alley accesses have been analyzed for residential developments.

Mr. Frisbee said they have not specifically looked at that, and they have less traffic and is less of a concern.

Commissioner Raughton said he was more concerned with them being dedicated to the city for future maintenance. Mr. Frisbee said this was more of a planning question and that City Traffic would provide input, but these are evaluated on a case by case basis.

Commissioner Raughton asked Mr. Frisbee if he had a similar experience to acceleration lanes as described by Mr. Rocha that they are of marginal value.

Mr. Frisbee said he is always a little wary of acceleration lanes in an urban setting and that they work better on limited access road like Powers Boulevard where you don't have a lot of other access points. This would be a major arterial roadway and our standards don't require an acceleration lane. Sometimes the acceleration can be more of a safety hazard than a benefit.

Commissioner Raughton asked about triangular intersections and if this was considered. Mr. Frisbee said that was not considered primarily because the criteria did not require that.

Commissioner Almy asked why we are adding input directly and not at a light onto Woodmen when Woodmen has become a reasonable corridor for east/west traffic.

Mr. Frisbee said City Traffic has not received any complaints or concerns from the public or the police department with the other three quarter access points along Woodmen. So, with not a lot of homes, 55, and not a lot of traffic will be generated so the three quarter access is a safe, reasonable access to serve this development. Mr. Frisbee said Woodmen is a good east/west corridor and they want to preserve it, but also we have to recognize we are in an urban area. It is a matter of finding that balance between providing reasonable access and maintaining the flow.

Commissioner Rickett asked Mr. Frisbee if he agreed with the opinion that this site would reduce the traffic out of that area going from commercial to residential.

Mr. Frisbee responded that he reviewed the study and agreed with Mr. Rocha's evaluation of the site development and that residential is always much lower in traffic generation.

Commissioner Rickett asked if there would have been another option if it was a commercial site versus residential. Mr. Frisbee said he could not speculate as a commercial developer might have obtained additional property and pursued different access options. Mr. Frisbee said they had to go on what the area was being zoned for.

Commissioner Almy commented there was a lot of medical use in that area with very little medical centers. That would have been a good use for this site as a commercial property. Commissioner Almy asked if there was sufficient commercial property for medical support centers.

Meggan Herington, Assistant Director of Planning & Community Development Ms. Herington explained city code does not currently require the planning department to do a formal and official physical impact analysis with a zone change. From the perspective of the needs of the corridor and supporting the commercial and office use for the hospital, we rely on the applicants letting us know trends as well as the trends we know through our comprehensive look at land uses and where the city sits as far as the ratio of land uses. Ms. Herington added there is a good amount of commercial and office zoned property in this area that is available. At this point, there is no involvement with the budget department or a requirement for a Financial Impact Analysis with a zone change.

Commissioner Almy asked if the additional runoff was considered with changing soft scape, trees, and grass for the hardscape, which is building roads, etc... Ms. Herington responded that is all considered as part of the drainage reports that is submitted with the development plan. With the final plat, that all has to be taken into consideration, water quality and detention and the impacts of that.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Raughton said like all infill development this is complex. Commissioner Raughton said he believed this project is reducing the intensity of the potential development on this triangular site in that it is a limited number of residential units. Commissioner Raughton also expressed he liked the fact this private drive is a private responsibility and not the obligation of the city in the long term, and with that they have restricted both the parking, off street parking and all that in the homeowners' association.

Commissioner McMurray was in favor of the zone change and concept plan but

was not in favor of the development plan. Commissioner McMurray was not convinced the connection using Lee Vance was not fought for enough.

Commissioner Wilson said she was more inclined to keep the zoning as it already is and would not be in supporting the application.

Commissioner McMurray added that the sole criteria on the concept plan he could not justify was 7.5.501.E.4

Commissioner Almy, although in support, had reservations about the traffic flow pattern, however, it met the review criteria.

Commissioner Eubanks said her biggest issue was the traffic but after hearing from the traffic manager, she believed all options were considered, and this use would cut down traffic more than a commercial use. Commissioner Eubanks said ideally, people do not want their open space developed, but considering this is a residential area, this would be a good use for this space.

Motion by Raughton, seconded by Eubanks, to recommend approval to City Council the zone change of 15.67 acres from OC/PBC/AO/SS (Office complex and Planned Business Center with Airport Overlay and Streamside Overlay) to PUD/AO/SS (Planned Unit Development with Airport Overlay and Streamside Overlay), based upon the findings that the change of zone request complies with the review criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603 and the zone change criteria as set forth in Section 7.5.603.B with one technical modification:

1. correct graphic notations for consistency with the legal description.

The motion passed by a vote of 6:1:2:0

Aye: 6 - Vice Chair Hente, Commissioner Raughton, Commissioner McMurray, Commissioner Eubanks, Commissioner Almy and Commissioner Rickett

No: 1 - Commissioner Wilson

Absent: 2 - Chair Graham and Commissioner McDonald

- 6.B. [CPC CP 08-00142-A7 MN19](#) A minor concept plan amendment changing the land use designation of 15.67 acres from commercial and medical office to single-family residential, located at the southwest corner of Woodmen Road and Austin Bluffs Parkway.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00061, CPC CP 08-00142-A7MN19, CPC PUD 19-00063

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

Peter Wysocki, Planning & Community Development Director

See Item 6.A. (CPC PUZ 19-00061)

Motion by Eubanks, seconded by Raughton, to recommend approval to City Council the minor concept plan amendment, based upon the findings that the amended Concept Plan complies with the review criteria as set forth in City Code Section 7.5.501(E).

The motion passed by a vote of 6-1-2-0

Aye: 6 - Vice Chair Hente, Commissioner Raughton, Commissioner McMurray, Commissioner Eubanks, Commissioner Almy and Commissioner Rickett

No: 1 - Commissioner Wilson

Absent: 2 - Chair Graham and Commissioner McDonald

6.C. [CPC PUD 19-00063](#) The Trailside at Cottonwood Creek PUD Development Plan proposing 56 single-family lots on 15.67 acres with a maximum building height of 35-feet, located at the southwest corner of Woodmen Road and Austin Bluffs Parkway.

Related Files: CPC PUZ 19-00061, CPC CP 08-00142-A7MN19, CPC PUD 19-00063

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

See Item 6.A. (CPC PUZ 19-00061)

Motion by Eubanks, seconded by Rickett, to recommend approval to City Council the development plan for Trailside at Cottonwood Creek, based upon 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 7.5.502E, with the following technical modification:

1. Fill in notes on the cover page relating to the approved Geologic Hazard Report and the project and ordinance numbers.

The motion passed by a vote of 5-2-2-0

Aye: 5 - Vice Chair Hente, Commissioner Raughton, Commissioner Eubanks, Commissioner Almy and Commissioner Rickett

No: 2 - Commissioner McMurray and Commissioner Wilson

Absent: 2 - Chair Graham and Commissioner McDonald

Pony Park

6.D. [CPC PUZ 19-00006](#) Ordinance No. 19-68 amending the zoning map of the City of Colorado Springs relating to 4 acres located at the southwest corner

of Peterson Road and Pony Tracks Drive from R-1 6000/DF/AO (single-family residential with a design flexibility overlay and an airport overlay) to PUD/AO (single-family residential, maximum gross density of 9 dwelling units per acre with a 35-foot maximum building height with an Airport Overlay)

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00006, CPC PUD 19-00007

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

Staff presentation:

Hannah Van Nimwegen, Senior Planner, presented a PowerPoint with the scope and intent of this project. Ms. Van Nimwegen also shared additional public comments received with the commissioners.

Site Details:

- Zoned R1-6000/DF/AO
- 4 acres in size
- The site is undeveloped with no significant changes in grade
- Annexed in 1984 - Springs Ranch Addition, Colorado Springs Ranch Master Plan (1,327 acres)

Applications:

- Zone Change to PUD
 - Requesting a zone change from single-family residential to Planned Unit Development for small-lot single-family residential
- Development Plan
 - Illustrates proposed site layout

Applicant Presentation:

John Olson, Altitude Land Consultants, presented a PowerPoint with the scope and intent of the project.

Questions:

Commissioner Raughton asked if the internal streets were publicly dedicated. Ms. Van Nimwegen said they are all private roads and maintained by the homeowners' association.

Commissioner Wilson asked why a zone change was needed if the density of the proposed development was similar to the density of the neighbor.

Ms. Van Nimwegen said she met the PUD next to it and was comparing with the small lot PUD to the east of the development. Across Peterson Road, the existing small lot PUD is between eight and nine dwelling units per acre. The proposed site is proposing nine dwelling units per acre. They are a different subdivision design and look differently, but overall the number of units would be relatively the same density.

Commissioner Rickett asked if you used the flexibility if it would have been 30 lots from that. Ms. Van Nimwegen said with the design flexibility overlay, the estimation, including the required quarter acre drainage pond, would roughly have been 27 lots with existing zoning.

Commissioner Rickett asked if anyone reached out to District 49. Mr. Olson said they reached out a couple of times to District 49, not only through the City process, but discussed with District 49 the preexisting traffic problems with Remington Elementary and talked with them on circulation patterns on their site and better queuing to allow for more cars to park on the actual property. Pony Tracks Drive does not have on street parking currently. Mr. Olson explained it would be a disservice to have people queuing on Pony Tracks Drive because the children would have to cross Peterson Road.

Supporters:

None

Opponents:

Tony Daniele, lives in the neighborhood on Quarter Circle Road

Mr. Daniele's main concern was drainage. Mr. Daniele explained there was a drainage ditch at the bottom of the hill where he lives and he has seen the water reach three feet deep. Mr. Daniele wanted to know if that was looked at with the plans.

Joanne Springer, member of Cascade Springs Ranch HOA

Ms. Springer said the drainage needs to be considered because the lot slopes from south to north toward the Springs Ranch Park. All of the water that comes off this development will drain down Pony Tracks and into the park area.

- Developer said they would not be tying into the city storm drains
- Instead of a retention pond, they would be using a detention pond, which is subject only to evaporation and absorption, so there will be no direct drainage in the area
- The density of the homes will be stacked together instead of having front yards, backyards, and side yards
- Traffic impact, school impact, parking impact, drainage impact and

humanity impact is all a vital concern to the residents in the area

- When school is letting out, it is virtually impossible to get through as there is no parking for people to pick up their children

Questions:

Commissioner Almy asked if this area is on one of the correction lists for Colorado Springs storm water programs, since there appears to already be a problem with drainage in the area. Ms. Van Nimwegen said she is unsure at this time but would be following up to see if the area is on a list to get fixed.

Commissioner McMurray asked if it was possible to attach pedestrian enhancement on Peterson Road or Pony Tracks as part of the approval of the project. Commissioner McMurray said there should be something that could be done to reduce the peak traffic impacts. Commissioner McMurray said he disagrees with traffic engineering when it was said there was not much that could be done.

Ms. Meggan Herington, Assistant Director of Planning and Community Development, said the traffic study has to meet the City's review criteria, however, with the school there is a disconnect. The school does not come through any of the city reviews but asked Mr. Todd Frisbee, Division Manager for Traffic Engineering, to clarify.

Mr. Todd Frisbee said they do work with District 49, but since they are a state agency, the city does not have the authority to direct the school district. Mr. Frisbee said the other thing they looked at was the pedestrian facilities that are in the area, and there was not much else that could be done in terms of improving the pedestrian level of service.

- There is a centralized intersection with crossing bars
- Curb ramps on all the corners
- This project will add sidewalk connections to that intersection
- School flashers

Commissioner McMurray said he could think of several things to improve the traffic but did not know if something should be attached to the project.

Ms. Herington said unless there is something specific to add, that it would be very hard to put a condition on the approval that says to look at pedestrian improvement. Commissioner McMurray said he would not put a condition of approval on here, but said he specifically would have extended the median so they were protected medians, he would reduce crossing lanes by reducing turning radii and removing dedicated left and right hand turn lanes going onto Peterson. Commissioner McMurray said we are not creating vibrant neighborhoods with these types of neighborhood intersections.

Commissioner Raughton asked if some of the drainage from the street flow into the detention pond, or is it just for the development. (Inaudible Name), Civil Engineer for Pony Park, verified that they were not taking drainage from the streets, just from the site. Commissioner Raughton asked how deep the detention pond would be and if it could be used day to day as open space. The civil engineer said he believed it was six feet deep and that it would be a little too steep for kids, but there was a maintenance road that gives access.

Commissioner Almy mentioned a program called Safe Routes to School with matching funds to some degree and that we should address the school/pedestrian/parking concern as something that is already an existing neighborhood problem and not as one that is being exacerbated by the new development.

Commissioner Rickett asked the civil engineer if the hard surfaces, roads, alleys on the lot drain into the detention pond or do they drain onto the road services. The civil engineer said 95% of the site will be captured and conveyed to the detention pond.

Rebuttal:

John Olson said the drainage has been discussed heavily on this. The drainage criteria in the city has increased over the last couple of years and this project has gone through the full drainage report and has met the requirements of the city.

- Not tying into to the city's drainage because the nearest storm infrastructure is over a half mile away
- Have provided the capacity for detention for this project
- Unique to this lot is the soils allow for good infiltration
- Designed to the 100-year storm criteria
- Reducing the runoff by 7.4 cubic feet per second

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Raughton said this requires cooperation from neighbors and school districts of this space, as well as the developer. (inaudible). Overall, this project, in part because it maintains the private homeowner's association, are attempting to operate with a low impact development (inaudible). (Commissioner Raughton forgot to turn his mic on and most of his comments were inaudible). Commissioner Raughton did recommend approval.

Motion by Raughton, seconded by Eubanks, to recommend approval to City Council the zone change of 4 acres from R-1 6000/DF/AO (Single-Family Residential with a Design Flexibility Overlay and an Airport Overlay) to PUD (Planned Unit Development: Single-Family Residential with a maximum

height of 35 feet and a maximum gross density of 9 dwelling units per acre), based upon the findings that the change of zone request complies with the three (3) review criteria for granting a zone change as set forth in City Code Section 7.5.603(B) and the criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603.

The motion passed by a vote of 7-0-2-0

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

Absent: 2 - Chair Graham and Commissioner McDonald

- 6.E. [CPC PUD 19-00007](#) A development plan for the Pony Park Residences, a single-family residential development located southwest corner of Peterson Road and Pony Tracks Drive and consisting of 4 acres.

(QUASI-JUDICIAL)

Related Files: CPC PUZ 19-00006, CPC PUD 19-00007

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

See Item 6.D. (CPC PUZ 19-00006)

Motion by Rickett, seconded by Eubanks, to recommend approval to City Council the development plan for the Pony Park Residences, based upon 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 7.5.502E.

The motion passed by a vote of 7-0-2-0

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

Absent: 2 - Chair Graham and Commissioner McDonald

CMRS 535 Airport Creek

- 6.F. [CPC CM1 18-00100](#) A conditional use for a Commercial Mobile Radio Service (CMRS) installation of a 50-foot monopine cellular tower with enclosed equipment shelter located at 575 Airport Creek Point.

(Quasi-Judicial)

Presenter:

Rachel Teixeira, Planner II, Planning and Community Development

Staff presentation:

Rachel Teixeira, City Planner, presented a PowerPoint with the scope and intent of the project. Ms. Teixeira passed out seven additional comments from neighbors regarding the project that had been turned in after the completion of the staff report.

Applicant Presentation:

Bebb Francis, Attorney for Capital Telecom
Thomas Waniewski, Principal for Capital Telecom

Questions:

Commissioner Raughton asked if there were other locations within the site that were considered.

Commissioner Almy asked if the tower was going to be 5G compatible. Mr. Francis explained it is the antennas on the tower that would need modification for 5G and not the actual tower itself, so the tower is capable of handling modifications for 5G.

Commissioner Almy asked about the radiation patterns and power levels and if that provides the same coverage or will more need to be put in for 5G. Mr. Francis said it is still expected to have the same coverage pattern if not an increase.

Supporters:

None

Opponents:

Lawrence Stalla, Neighbor

Two concerns:

- Structure limit is 45-foot and the proposal is for a 50-foot tower
- Site plans did not reflect compliance with the 25-foot setback

Christine Caldwell, Neighbor

- Height - Doesn't understand why there was an exception being made for a 50-foot tower when the limit is 45-foot
- Appeal - Looks unsightly, artist's rendition shows it looking like a pine tree when there are not that many trees in that particular area
- Would like a better design for the tower like a clock tower
- Too close to the Stonecrest Townhomes and would like it to be a further distance
- Property values of those closest to the tower

Questions of Staff:

Commissioner Hente asked if there have been any other instances in the city where a variance was granted to allow a tower to go higher than 45-feet. Ms. Teixeira verified there have been about 13 requests throughout the city in the last five years asking for a variance in height and they were granted through the Planning Commission.

Rebuttal:

Rachel Teixeira, City Planner

Ms. Teixeira explained the applicant is only asking for a conditional use for the height of the tower. The site is zoned PBC and does allow by permitted use a cell tower. The setbacks meet the 25-foot requirement and is actually proposed to be 36-foot from the rear. Ms. Teixeira said if the applicant had not asked for the extra five feet over the limit, the application would have been approved administratively.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioners Almy and McMurray commented on changing the criteria to allow a higher height limit or to change it to where the structure height is decided by a coverage diagram.

Motion by Eubanks, seconded by Rickett, to approve the conditional use for the CMRS Airport Creek DN01471G Conditional Use Development Plan based upon the findings that conditional use development plan meets the review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the CMRS location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608.

The motion passed by a vote of 7-0-2-0

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

Absent: 2 - Chair Graham and Commissioner McDonald

7. Presentations/Updates**8. Adjourn**