Flying Moose Corp. c/o Thomas Powell 770 Vondelpark Drive Chestnuts on the Creek - a Multifamily project Streamside Development Plan & Conditional Use requests

Michael Schultz, Principal Planner Planning Department City of Colorado Springs 30 South Nevada Avenue Colorado Springs, CO 80903

RE: Our Letter of Intent and Justification Statement

Dear Mr Schultz,

We are pleased to present our Streamside Development Plan request and a Conditional Use application for an 18-unit multifamily project located on the near NW side of the City at 770 Vondelpark Drive in the Holland Park neighborhood. We are calling our project Chestnuts on the Creek. We are also providing a variety of building, site and project information to illustrate how we would eventually develop such a project. We look forward to working with you and your collegues to help create a successful infill-housing development project.

Streamside Development Plan: we are submitting the requisite plans and information necessary to accomplish the streamside development plan and to address its corresponding streamside design guidelines and review criteria. We have included the following plans and information to do so.

- 1) A site plan & streamside development plan graphic,
- 2) A preliminary grading plan and a drainage report (with plans),
- 3) A utility plan and a public facilities plan,
- 4) A preliminary landscape plan and a photometric plan,
- 5) A land suitability grade analysis graphic,
- 6) Written summaries of the streamside criteria & land suitability analysis, and
- 7) A project summary and issues summary and other information as may be needed/requested.

We feel strongly that this vacant 41,405 sf site can become a much more productive, multifamily site with a building placement along Vondelpark Dr. We are providing an attractive contemporary designed building featuring 15, 2-bedroom, 2-bath apartments (five on each floor) and 3, 1-bedroom, 1-bath apartments (one on each floor.) The plan shows a clockwise vehicle flow or circulation around the site. We have bifurcated our 35-space parking lot (30

spaces required) to illustrate some parking behind the building and some parking to the east with a driveway connecting the two parking areas.

The site sits considerably above but reasonably close to South Douglas Creek which runs along the northside of the site. We have taken care to minimize grading and disturbance along the rear portion of our site. We have designed the site to avoid paving the vast majority of a narrow arc of the streamside outer buffer zone which runs across the rear-middle portion of our site. We have moved the building to a location forward on the site to avoid putting it near the outer buffer zone. (Please see the site plan.)

To help mitigate any grading and impervious surface, driveway or parking pavement, within the outer buffer zone, we have designated a row of seven northeast parking spaces near the property boundary to have a porous pavement surface. This should help with storm run-off mitigation. Also, to help address the restoration of any disturbance in the outer buffer zone, the landscape plan features a number of coniferous trees and other shrubs along the rear of the site and the use of a matching native grass seed mix to help incorporate this site into the larger streamside setting.

Conditional Use: since we are proposing a multifamily use within a C-6 zoned site, we are requesting a conditional use to ensure its compatability with the existing neighborhood. One requirement is that the values and qualities of the neighborhood surrounding the conditional use are not substantially injured. Two, that the conditional use is consistent with the intent and purposes of the zoning code to promote public health, safety and general welfare. Three, that the conditional use is consistent with the Comprehensive Plan.

Conditional use justification: we believe that we comfortably meet the three criteria. First, we are consistent with the new Comprehensive Plan. We are supported by the Goal VN-2: strive for a diversity of housing types, styles and price points that are distributed throughout our City.... and also Strategy VN-2.A-3: support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels. We feel that we are doing that here with multifamily housing in at least two different price points.

To help us accomplish these requirements, we met with our neighbors several months ago at the Trampoline World facility next door to our site. The meeting was reasonably well attended. None of the neighbors comments addressed the proposed use, except for a general concern that we should not be offering Section 8 housing (which we are planning to respect.) We received a variety of comments about the need for additional parking, mostly it seems, as a reaction to some occasional overflow event parking from the adjacent site. Unfortunately, we have no control over that site.

Parking concerns: even though our site plan at the time showed parking in excess of city requirements, we have created at least two (2) more parking spaces. We have also engaged in an on-going dialogue with our west neighbor about the possibility of a very informal and very

occasional use of temporary parking on the east side of the neighboring site, for any overflow guest parking here. To recap, we currently meet and now further exceed, our on-site parking requirements (30+5=35 spaces.)

We are consistent with the zoning code by promoting a nice mix of land uses and public health, safety and general welfare. Adding housing units on this vacant site, will add additional 'eyes on the street' and eyes looking at the nearby trail and creek open space. We are not proposing 18 MF units 10-12-15 miles away from downtown in a freshly sprawling manner. We are using an unused, infill site that is centrally located on the inner NW side. It is located comfortably between Fillmore St. and Garden of the Gods Rd. This is a site that is centrally located between several major employment centers and between westside open space and trails and more centrally located parks and trails.

If you have any questions, whatsover, please feel free to contact me at the address, phone number or email address listed below.

Respectfully Submitted,

Thomas Powell Flying Moose Corp. 7529 Tudor Road Colorado Springs, CO 80919 thomasnpowell@comcast.net 719-290-7639

PROJECT SUMMARY:

FROM: Thomas Powell, Flying Moose Corp.

TO: Planning Department

DATE: March 25, 2019

RE: Project Summary for the Streamside Development Plan

Location: 770 Vondelpark Drive is at the NW corner of Chestnut Drive (S. Douglas Creek is to the north.) We are proposing an 18-unit, three-story apartment building project on this unused vacant lot.

Streets: Vondelpark Drive is a 60' minor collector and Chestnut Drive is an 80' minor arterial. Chestnut Dr. has fairly recently been reconstructed following the May 2015 heavy rainstorms.

Property: is an irregularly-shaped 41,405 sf lot of less than one acre. The site falls slightly towards Chestnut Dr. and somewhat more to the rear (overlooking the creek). Beyond the site, the land falls much more steeply to the creek after extensive City work regrading the steep banks above the creek.

Site Plan: we are presenting a refined site plan illustrating an 18-unit multifamily 3-story building facing the creek with a building location towards the south side of the site. Our parking is split between two separate parking areas connected by a driveway that mostly avoids any encroachment into the outer buffer zone. The Site Plan also shows the streamside inner (30') and outer (60') buffer zone areas. (Please see the site plan graphic.)

Access & vehicle circulation: we have a shared access driveway (32' wide) on the westside of site that is normally not heavily used by the adjacent building. We are providing an informal clockwise circulation pattern around and through our site. Both points of access are on Vondelpark Drive.

Parking: The 18 apartments require 30 parking spaces with a handicap space. We've added 5 total guest spaces based on the recommendation of the Planning Dept. and the feedback we received at our neighborhood meeting. We've bifurcated our parking by placing some of it behind the building and some of it to the east of the building. To help reduce pavement and additional impervious surface near the creek, we are providing 7 porous pavement spaces. In addition, we have talked with our neighbor to the west about very informally and temporarily sharing some use of the parking spaces nearby as occasional overflow parking. So we are currently showing 30+5 spaces (2 handicap spaces), plus a few more off-site/adjacent parking spaces on a very informal and temporary basis - which is well above our code parking requirement.

Building setbacks: the front setback varies but is approx. 15 ft off Vondelpark Dr. (where 10' is required by code.) There is a 5' public sidewalk and a 4' parkway zone. In other words, the building is approx. 24' from the back of the curb. The setback from other portions of the building facade is even larger and is variable for added visual interest. The building setback from Chestnut Dr. is 148' which is considerably more than the 20' east setback requirement. There is no minimum rear or west side setback requirement - other than sufficient space for any landscape plantings.

Apartment units: there are four, 2-bedroom 2-bathroom apartments (~1090 gsf) that face the south with an oblique view of the front range on each floor. There are also 2 units facing the creek including a 1-bedroom/1-bath unit (~720 gsf) on each floor. So there are 6 units per floor. The building is oriented towards and opens onto the creek side of the site, which we believe is our more active/attractive portion of the site with bike racks and a few benches overlooking the creek.

Site amenities - well above the creek: we're providing 3 benches placed within a full, natural landscape plan overlooking the creek. Sinton trail access is 1/2 block away directly north across the creek along Chestnut Dr. The site is approx. 20'-30'+ (it varies) above the creek channel, so in most respects, this is a creek overlook site! A site corner dedication has already been provided to the City - it hosts a large electric utility box. A new 5' sidewalk will match and connect our Vondelpark frontage from the gymnastic building to the corner.

Other amenities - nearby: Sinton Trail runs along S. Douglas Creek and provides direct access under I-25 to Goose Gossage Park and the Pikes Peak Greenway just 4 blocks to the east. Mountain Metro bus service #14 provides transit service along Chestnut Dr. within easy walking distance roughly 300-400 ft from the east entrance of the building. (I-25 is located roughly a long block east of Chestnut Dr. and is accessed at Fillmore St. and at Garden of the Gods Rd.

Other amenities - not far away: The Garden of the Gods business/employment corridor (including the EPC Service Center), UCCS and University Village Shopping Center, No. Nevada & CyberSecurity Center, Penrose (Main) Hospital, and I-25 access both north and south with convenient access to Downtown and beyond.

Streamside buffer: we are showing a streamside inner (30') and outer buffer area (60') on the north side of the site. This has the general effect of moving our building further away from the stream. (In addition, the building placement next door blocks some or many rear site views to the front range.)

Floor plans: there are main floor, 2nd floor and 3rd floor plans with a typical apartment plan. Some floor plans are flipped. There is also a small basement for equipment/electrical purposes.

Building amenities: we have a main-floor common room/lounge in the NE corner, a 2nd-floor exercise room, and a top-floor open air balcony with nice views overlooking the creek. There's a

central elevator with twin stair cases - one inside and one outside of the building. Our two sets of stairs provide for safer emergency exit.

Issues Addressed in the Pre-application Meeting

Possible isolation of the adjacent building (Trampoline World): this is a comment we first heard at the pre-app meeting. Frankly, part of the issue here may be self-imposed - that the building itself is rather boxy in its shape and happens to be painted two rather bright colors. Beyond these obvious issues, there seems to be a concern about the isolation of a recreation building in the middle of a housing area. We assume this would not be an issue if the Celebrity golf site reopened. However, even if the 24+ acre site is redeveloped, the existing 'clubhouse' is located directly south and it would/could easily provide another recreational facility and use right nearby.

However, if we take a step back and look at the building from a functional perspective, it really serves as a informal neighborhood meeting place. In fact, we hosted our neighborhood meeting in one of the meeting rooms. It serves as a birthday party site, a celebration spot and a martial arts competition site - beyond a trampoline world site. From a functional use perspective, one might say that it's presence supports the surrounding neighborhood, even if it seems to be slightly isolated from other recreational uses.

Guest parking concerns: even though our site plan at the time of the pre-app showed parking in excess of city requirements (31 vs 30 required), we have created at least two (2) more parking spaces after the pre-app meeting. And we have created 2 more parking spaces after our neighborhood meeting. We have also engaged in an on-going dialogue with our west neighbor about the possibility of a very informal and very occasional use of temporary parking on the east side of the neighboring site, for any overflow guest parking here. To recap, we currently meet and now further exceed, our on-site parking requirements (30+5=35 spaces.)

Building location: the streamside buffer zones, the steeper grades just north of the site, the wonderful views of the front range and the contemporary site planning issues, inspired by the Congress of New Urbanism, all work in tandem to help us place the building right where it is currently located. Then, during our site visits, we have walked down and around to the Sinton Trail and we have tried to imagine how prominent or more massive the building might appear if it were pushed to the north side of the site. We think that the mass and scale of the building might overwhelm the creek and the trail below. From our perspective, there are five very good reasons to leave the building placement as is. Finally, this is not a typical streamside site. It is a creek overlook site with a retaining wall and a 6' chainlink fence separating the site from the creek. With all things considered, we are very comfortable with the current building placement

Land Suitability Analysis:

Summary of the existing features and constraints:

There are a variety of existing features and constraints on or very near the site. The site is located quite close to S. Douglas Creek (a Type II creek) and the north property line sits roughly 70'-100' south of the creek depending on exactly where one is located along the rear of the site. There is a certain amount of grade on-site, but by far, most of the steeper grades are located just off-site to the rear such that this site sits well-above and overlooks S. Douglas Creek.

First, the site itself is vacant except for numerous stands or clumps of trees none of which represent specimen trees. There is a row of volunteer trees, in a narrow thicket, near the west property boundary; another thicket of trees near the east property boundary and a loose collection of other clumps of trees across the site. (Please see the site graphic.)

Second, the existing grades are mostly mild to moderate grades on site. As one moves from the central west plateau or the middle of the site towards the north of the site, there is a mild grade (0-8% grade) falling to the north, shifting to a slightly more moderate grade (roughly 8-12% grade.) Then, as one reaches the rear (north) property line, the grade falls abruptly and more steeply and continues all of the way down to the creek channel. However, steep grades off of the rear of the site do not appear to be a natural feature but rather man-made creek restoration work after recent heavy rains. (Please see our land suitability analysis graphic.)

The steepness of the off-site grades and the revegetation of the hillside appear to be man-made features as a result of the City's restoration and mitigation efforts near the creek in this area after the May 2015 heavy rains which undermined Chestnut Dr. and led to its complete reconstruction. The altered condition is readily confirmed by the presence of large armoring boulders stacked along the south side of the creek (near or just outisde of the toe of the stream), a roughly 4'-8' tall, undulating height, concrete retaining wall and a 6' chain link fence all within the inner (30' wide) buffer zone. This is not a natural streamside setting.

There is also a lesser degree of grade moving east to west across the site. This is mostly a milder grade (0-8% grade) and a total of roughly 14' of climb across the approx. 330'+ E-W site dimension. To summarize, there is a gentle plateau area on site in the central west area with grades falling gradually to more moderately to the north and falling gradually to the east. (Please see the site topographic contour information and the land suitability - grade analysis.)

We are using as much of the existing or natural grade as is possible. Where we need to level out the site for driveway or parking purposes, for example, we are still incorporating some cross-grade (roughly on average 3%) to help balance the topography with established notions of personal safety. ADA imposes its own limitations on site grading. Consequently, we are

balancing existing grades, ADA requirements, preferred site planning approaches and drainage standards as we move forward.

Other nearby features - opportunities and constraints: The Trampoline World building is situated immediately to the west. It's proximity presents both opportunities and constraints. It is a brightly painted 2-3 story tall recreational facility which hosts a variety of events. It shares a common 32' wide point of access with this site and it provides a number of far less frequently used parking spaces adjacent to our site. The shared access is aligned across Vondelpark Dr. with the former Celebrity golf site to the south.

Given the opportunities for development and redevelopment nearby, we do not imagine that our neighbor to the west will be an isolated use. Also, we can imagine that the Trampoline World might host celebrations or meetings from our apartment building, just like it served as the site for our neighborhood meeting. Finally, we can envision some temporary amount of overflow guest parking if our site needs a few extra parking spaces. (Please see the neighborhood meeting summary.)

Analysis of mitigation of physical constraints on-site - or features nearby influencing such issues: The location of the Trampoline World building blocks some on-site amazing views towards the front range. It also blocks some views of Pikes Peak from the rear portion of our site. Consequently, we have been quite careful in our placement of the apartment building forward on the site to retain more of these fabulous views. We have also moved the building forward on the site in respect for the Congress for New Urbanism's long-standing philosophy which has been advocating for building placement forward and parking behind for *over 25 years*. Finally, we have also sought to provide a more comfortable separation between the rear off-site, steep slopes and the building location. However, we have also located the main entrance of the building to the north in a manner which faces the natural beauty of the creek. In our site plan we seem to have found the best of both worlds.

Our street, transit and trail network, includes Chestnut Dr., a N-S minor arterial, which provides good vehicular street access to Fillmore Ave. (south) and north to the Garden of the Gods Road. Vondelpark Dr. provides good collector street access west into the immediate Holland Park neighborhood. Meanwhile, Sinton Trail, as discussed below, is north of the site just across S. Douglas Creek and it provides good trail access both E-W, especially east towards Goose Gossage Park and the Pikes Peak Greenway Trail situated approximately 4 blocks to the east. Mountain Metro bus route 14 serves Downtown to Garden of the Gods Rd. on Chestnut Dr. with N & S bound stops within 350'.

To the south, there is a large 24+ acre, vacant former Celebrity Golf site located south across Vondelpark Dr. This provides another opportunity and possible constraint. However, the site has been vacant for a number of years and it is difficult to know what new use or mix of uses might end up on that site. Nevertheless, the empty 'clubhouse' building with its large vacant parking lot may serve as a potential recreational facility that could/would work well in tandem with the Trampoline World facility which is located to its north. Again, access to that site is aligned with our shared access drive.

To the north, S. Douglas Creek also presents a wonderful natural and recreational opportunity and a more recent and rather obvious constraint. We have already discussed the steep slopes just off-site and immediately north of our site. We have moved the building south and away from those steep slopes. However, we have also placed a few benches in our northern landscape area to provide beautiful and natural overlook opportunities for future residents. In addition, we have a northside 3rd floor, open air balcony with wonderful views towards the creek environment.

Given the retaining wall with its chainlink fence directly below our site, we do not anticipate much resident interaction with the *south side* of the creek. However, we do envision considerable interaction and use of the creekside environment along the north side of the stream which is much more easily accessed. Again, we don't mind the short walk around to the north side of the creek. (Please see the Streamside Design Guideline discussion below.)

To the east is Chestnut Dr and just beyond it to the northeast is a privacy-fenced vehicle storage and repair facility. While we can speculate about the compatibility of such a use in such close proximity to the creek, it seems well-established, well-fenced and fairly benign. To the southeast across Chestnut Dr. is an office building. There has been considerable construction and reconstruction further south along Chestnut Dr primarily associated with the relatively new crossover interchange at Fillmore and I-25. This includes hotel/motel use, service station and some additional convenience restaurant and retail uses. We should point out that there are other apartment buildings along Chestnut Dr. both to the south and further north within the Holland Park neighborhood.

Mitigation of constraints - conclusion: overall, we feel comfortable that we have a well-designed multifamily site plan project within this irregularly-shaped and moderately constrained site. To move this building further back into the site, would involve multiple and major complications. They include risks of building foundation proximity to steep slopes, loss of potential and priceless front range views and the introduction of inappropriate massing and scale of an 18-unit, 3-story building that may well appear to be looming over the restored creek area below. All in all, we are very comfortable with the current building placement. Once again, this is not a normal streamside site - it is a streamside overlook site. (Please see the PlanCOS support for MF use in this location.)

References: the consultant team used a wide variety of references in preparing this analysis. This includes, but was not limited to, the PlanCOS (2019), the Streamside Design Guidelines (2009), the Colorado Springs' Drainage Criteria Manual (2014), the Final Drainage Plan for Celebrity Golf, Filing No. 1, the SCS Soil Map for El Paso County, the 'Strategic Conservation Planning Using a Green Infrastructure Approach' manual by the Conservation Fund and offered by PPACG (2011), "Design with Nature" by Ian McHarg, "The Death and Life of Great American Cities", by Jane Jacobs, and the charter and publications of the Congress for New Urbanism.

Soils: The site soils consist of Razor-Midway Complex (75) per the USDA, NRCS web soil survey. The hydrologic group "D" was used to represent the soil types and determine the on site basin overland flow as both Razor and Midway soils are in this hydrologic group. Slopes range from about 3% to 25% on this site.

May 11, 2020

Planning Department

30 S. Nevada Avenue

Colorado Springs, CO 80903

Attention: Katelynn Wintz

RE: Chestnuts on the Creek

Dear Katelynn,

This letter is submitted as the official submittal of a request for administrative relief per code section 7.3.205.Q.1 for Chestnuts on the Creek. The owner wishes to develop the vacant lot at 770 Vondelpark Drive as an 18-unit, three-story apartment building. This request is to allow for 15% administrative relief for the front building setback on the 41,405 SF site; zoned C6 SS.

Approval of this administrative relief is justified in that the further the building and associated parking can be pushed towards the front of the site, the less they will encroach into the streamside outer buffer zone. The proposed development would make a positive use of the irregularly shaped and mlot, but the further the building is pushed back from the front property line, the more the site may overwhelm the creek and trail behind it. In addition, if relief is granted the proposed development can be kept away from the steep slopes at the back of the site. Placing the parking at the front of the lot and the building behind would not be in line with the owner's preference to follow the standards of the Congress for New Urbanism.

Our request of administrative relief should meet the following 'Review Criteria.' To quote from the Administrative Relief Application:

- 1. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief. The odd shape of the lot and the existence of the streamside buffer tend to force the building into the front setback.
- 2. The intent of this Zoning Code and the specific regulation in question is preserved. The intent of this Zoning Code will not be harmed by granting a minor administrative relief for this single property. Again, the site constraints make this site a special case.
- 3. The granting of the administrative relief will not result in an adverse impact on surrounding properties. Surrounding properties would be better served by the site staying out of the streamside buffer as much as possible.
- 4. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel. Administrative relief shall not be used to create or modify lots to the extent that they no longer meet the minimum lot size for the zone district in which they are located. The use of administrative relief is not being used to squeeze in any additional units to the apartments nor is it being used to meet a requirement for zoning reasons.

This administrative relief request is submitted for your review and approval. If you have any questions,
please contact me at 719-635-6422.

Sincerely,

Terra Nova Engineering, Inc.

John Fornander



Administrative Relief Application Requirements

REVIEW CRITERIA: Applications for Administrative Relief must meet all of the following criteria before an application can be approved.

- 1. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief.
- 2. The intent of this Zoning Code and the specific regulation in question is preserved.
- 3. The granting of the administrative relief will not result in an adverse impact on surrounding properties.
- 4. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.

 Administrative relief shall not be used to create or modify lots to the extent that they no longer meet the minimum lot size for the zone district in which they are located.

Code Section to be varied: 7, 3, 205, 0,	Request: Front setback of 17 (15%)	
Requirement: 20 Front Setback	Percentage of Relief: \\\ \sqrt{5\%}	
SUBMITTAL CHECKLIST: Any application for Administrative Reli	ef must contain the following items.	V
Applicant	2 1144111	Planner
General Development Application Form		
1 copy of a Project Statement identifying the following: 1. A clear description of the administrative relief re	quest- and	
1. A clear description of the administrative relief re 2. A Justification that addresses the four (4) review		
1 copy of a Site Plan showing all "Plan Contents" below		
A legal description of the proposed project		
All plans, documents, and reports uploaded to Dropbox fo	lder (Planner to send folder invite link through email)	
PLAN CONTENTS: The content of the site plan must include the	following information.	
Indication of standardized scale, both fractional and bar (i.e	. 1" = 20')	
North arrow		
Property lines and dimensions		
Size and location of all existing easements		
Existing and proposed structures and dimensions		
Setbacks of all existing and proposed structures from prope	erty lines	
Other improvements (i.e. driveways, parking areas, sidewall	ks, curblines, fences, etc.)	
Height of all existing and proposed structures. Provide a str	ucture elevation if request to applies to building height.	
Legend indicating the following information regarding the	project site:	
Name, address and phone number of applicant/owner	Δ	
Property address		
Lot size in square feet		
Square footage of each structure, both existing and pro	pposed	
Lot coverage of each structure, both existing and proper	osed and total amount of lot coverage	
Type, dimension and size of administrative relief for signage	e (if applicable)	
Elevation drawing of proposed sign for administrative relief	f for signage (if applicable)	
Number or existing and proposed off-street parking spaces	and parking ratio used (if applicable)	

