

CITY PLANNING COMMISSION AGENDA

STAFF: RACHEL TEIXEIRA

FILE NO:

CPC DP 15-00142 – QUASI-JUDICIAL

PROJECT: MAGNOLIA APARTMENT COMPLEX
APPLICANT: LAND PATTERNS INC.
OWNER: CHALLENGER HOMES



PROJECT SUMMARY:

1. Project Description: This project includes an application for a development plan for a 2.756-acre site located at the northwest corner of Westmoreland Road and North Hancock Avenue within the Cragmor neighborhood.

The applicant is requesting approval for a 54-unit apartment complex intended as student housing known as the Magnolia Apartment Complex. The property is zoned R-5 (Multi-Family Residential) and apartments is an allowed use within this zone district. **(FIGURE 1)**

Because of the contentious nature of this project and other recent student housing projects in the Cragmor neighborhood (Bates Student Housing), staff has referred this normally administrative application to City Planning Commission for review.

2. Applicant's Project Statement: **(FIGURE 2)**

3. Planning and Development Department's Recommendation: Staff recommends approval of the application with technical and/or informational plan modifications.

BACKGROUND:

1. Site Address(es): To be determined.
2. Existing Zoning/Land Use: R5 (Multi-Family Residential)/eight vacant parcels to be combined into one lot.
3. Surrounding Zoning/Land Use: North: R2/Duplexes
South: PUD & R5/Single-Family Residential
East: R-1 6000/Single-Family Residential
West: R5/Multi-Family Residential
4. Comprehensive Plan/Designated 2020 Land Use: General Density Residential
5. Annexation: Crestmoor Park Addition, September 1969
6. Master Plan: Not Applicable
7. Subdivision: This has eight (8) platted parcels. A minor subdivision waiver will be reviewed administratively.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The vacant, 2.756-acre site with some existing trees slopes from the north to the south property lines. The lowest point of the site is at the southwest corner adjacent to Westmoreland Road. The site increases in elevation roughly 30 feet up to the northeast corner of North Hancock Avenue and Magnolia Street.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Prior to the submittal, a neighborhood meeting was held on December 1, 2015. Over 40 property owners and neighbors were present to learn about the initial concepts of the development. City Planning Staff noticed 256 property owners within a 1,000 foot buffer. No official documents had been submitted to the City at the time of the meeting.

Comments from the neighbors were provided at the neighborhood meeting which included the following concerns: the size of the buildings, number of units, incompatible land use (student housing), safety of neighborhood, traffic, parking, drainage, mining subsidence, noise and trash. Written comments were also received after the meeting and forwarded to the applicant. **(FIGURE 3)**

Standard public notification and posting process was used during the internal review of the formal development plan application submittal. Staff expanded the buffer notification distance to include a wider neighborhood range of Cragmor residents, since many expressed their interest in the student housing project at the December neighborhood meeting. This time notification went to 328 property owners over a 1,000 foot buffer distance. City planning staff received written correspondence noting concerns and opposition to the project. **(FIGURE 4)**

Revised plans were submitted to City Planning Staff on April 7, 2016. Staff e-mailed copies of the revised development plan, the review letter and the written response from the applicant, to the Cragmor neighbors who provided written response to the project, and also to the President of the Cragmor Neighborhood Association.

A special meeting was then scheduled for April 14, 2016 and held at the City Planning and Community Development Department and included a small working group of neighborhood representatives of Cragmor, Challenger Homes and their consultants. **(FIGURE 5)** The meeting allowed the neighbors and the President of Cragmor Neighborhood Association to discuss and identify the key issues with the applicant and their consultants. The applicant provided a response to those key issues discussed at the meeting and a copy was forwarded via e-mail to those neighborhood representatives present at the meeting. **(FIGURE 6)**

The property will be posted and mailing notification sent prior to the May 19th City Planning Commission meeting.

The development plan application was sent to the standard internal and external agencies for review and comment. Review agencies for this project included Colorado Springs Utilities, Traffic Engineering, City Engineering, Fire Prevention, Enumerations, Floodplain, Landscape Architect, Parks, U.S. Postal Service, Real Estate Services, and Colorado Geological Survey (CGS). All review comments have been addressed except for comments from the Planning Department, City Engineering and Colorado Springs Utilities which are minor informational modifications to the development plan.

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

1. **Review Criteria / Design & Development Issues:**

Background

The project originally proposed a 40-unit apartment complex for student housing on four (4) lots encompassing 1.34 acres located southwest of Magnolia Street and North Hancock Avenue. The development included underground parking and common open space. The request was later withdrawn by the applicant in February of 2015 due to mining subsidence issues and to look at redesigning the project to incorporate a larger acreage.

In August of 2015, the applicant met with staff and proposed a new design for the Magnolia Apartment Complex. This is the project/design currently being considered. The project is to build 54 units of student housing with dedicated common open space and drainage area on eight (8) lots consisting of 2.756 acres. The waiver of replat application is being processed separately as an administrative review.

The site includes 3 separate buildings; Building #1 has a total building area of 39,505 square feet, Buildings #2 and #3 both have a total building area of 16,227 square feet. The plan indicates that there is to be 54 two and three-bedroom units averaging 1,100 square feet with common spaces. The building heights vary due to the grade change of the site; the maximum building height for Building #1 is 29'-2" and for Buildings #2 and #3 are 33'-4". The plans meet the R5 development standards of the zone district including a 20 foot setback on Magnolia Street, North Hancock Avenue, and Westmoreland Road, and 5 foot side yard setbacks. The lot coverage is 20% for the building area.

Two entrances provide access into the parking lot off of Magnolia Street and Westmoreland Road. There is an attached six-foot sidewalk along the three street frontages and internal pedestrian access within the parking lot and around the buildings. Currently there is only one surface mounted bike storage adjacent to the parking lot area. The applicant has indicated that more bike racks will be added to the site to allow for students and residents of the site to utilize their bikes, instead of driving their vehicles.

The site plan reflects the 144 total parking spaces within the parking lot area. The requirement is for a total of 142 parking spaces based on the 1 parking space per bedroom for student housing. The break-down is based on the twenty, two (2)-bedroom units equaling 40 parking spaces and thirty-four, three (3)-bedroom units equaling 102 parking spaces. The development plan also illustrates a dedicated common open space area centrally located between the three building and a water quality pond in the southwest corner of the site.

The applicant has provided the required reports including the preliminary drainage report, traffic impact analysis report, and the mine subsidence investigation. The traffic report was later modified on April 25, 2016, to supplement the data from the original report, dated March 21, 2016, and provide additional traffic count for comparison purposes and additional trip generation information. City Engineering provided comments in response to Colorado Geologic Survey review pertaining to the Mine Subsidence Investigation Report.

DESIGN AND DEVELOPMENT ISSUES:

The student housing project complies with the R5 zone district development standards, including land use type (multi-family - student housing), setbacks, lot coverage and height. There is a diversity of

residential land uses in this neighborhood including, single-family (attached and detached) and multi-family residential. The student housing will be compatible with the mix of residential uses and the proposed density falls within the approved allowable density level for the R5 zone district.

The bulk of the buildings have been lowered to minimize the impacts of the surrounding views of the neighborhood. The original plan submitted to the City in 2014 was a 4-story single building with underground parking on the site.

In response to the neighbors' objections, the applicant re-evaluated the project and purchased the remaining four adjacent properties to the west, the main building was lowered to 2.5 stories in height and the other two buildings are at 3 stories per page ten of **FIGURE 1**. Parking was pushed to the west side of the site and the building heights reduced to minimize the visibility from the uphill portion of the neighborhood. The landscaping added to the site provides buffering from views of the buildings, parking lot and water quality pond. The photometric plan shows LED full cut-off fixtures and lighting is limited beyond the property as illustrated on page 11 of **FIGURE 1**. On-building lighting is limited to wall sconces at the breezeway entrances.

Traffic and Parking:

The project follows the standards of the Colorado Springs Policies, Standards and Guidelines for public right-of-way layout and street design, and also the street right-of-way and pavement mat criteria. There are no changes being made to the streets, only two new access points for the property. One new curb cut is at the northwest corner of the site along Magnolia Street and the other is centrally located on the south side off of Westmoreland Road. No access off of North Hancock Avenue due to the grade change and the location of the buildings on the east side of the site.

The parking lot area provides adequate parking for the residents of the property. The requirement is for a total of 142 parking spaces based on one parking space per bedroom and the site plan reflects the 144 total parking spaces. Currently the site plan depicts only one surface mounted bike storage adjacent to the parking lot area. The applicant has indicated that more bike racks will be added to the site to allow for students and residents of the site to utilize their bikes, instead of driving their vehicles. There are provisions made for the access and movement of handicapped persons and parking of vehicles for the handicapped as shown on Sheets 1, 2, and 3 of **FIGURE 1**. The parking lot is intended to be parked by permit for residents only with guests utilizing on-street parking.

The project includes landscaping within the parking lot areas to reduce the area of asphalt, and around the water quality pond to provide a visual buffer. Landscaped areas are also adjacent to the attached six foot sidewalk surrounding the three street fronts and around the three buildings and common open space.

A traffic study was provided by the applicant and reviewed by City Traffic Engineering. Traffic Engineering agreed with the Traffic Impact Analysis (TIA) findings and recommendations. The neighbors questioned the data and requested another study be done with a true analysis of the neighborhood. The applicant has provided an updated traffic letter showing the counts on a different day as well as analysis of the traffic patterns based on several scenarios. Traffic Engineering has not provided their comments on the updated TIA.

Geologic Hazard/Mining:

The reports were submitted to City Engineering and Colorado Geologic Survey for review and comment. City Engineering provided the following comments in response to CGS (**FIGURE 7**) 1. The CTL Thompson and the RMG geologic hazard reports have not been finalized and need to include the responses to the applicable CGS review letter for each report. These reports should include a signed planning application for Geologic Hazard Reports, 2. Standard Geologic Hazard Disclosure Statements for both reports should be included on the development plan, and 3. A note should be added to the development plan that states: "The site is subject to the geologic hazard of potential subsidence due to abandoned underground mining activity. The foundations should be

designed and reinforced to span a minimum unsupported distance of 25 feet under design loads.” These comments from Engineering Development Review have been added as technical and/or informational plan modifications to the development plan.

Drainage:

The pond provided in the southwest corner of the site is only for water quality, not a detention area. There are downstream inlets to the west of the site which then lead into the Templeton Gap Drainage basin. These downstream inlets have been sized for this development per the applicants’ civil engineer. This area is landscaped with native seed consisting of a blend of low-growing grasses that are low maintenance and will handle seasonal inundation in the area, and the screening includes seven, six foot (6”) Blue Spruce trees.

Neighborhood Key Issues:

The remaining neighborhood concerns not addressed within the Development Plan review criteria are noted here. The applicant provided a response to the key issues discussed at the ‘working group’ meeting with the neighbors and the President of Cragmor Neighborhood Association. No pets are allowed and the leases are to be structured to limit disturbing behavior and to keep the premises clean. Disturbances are first to be reported to the on-site manager to make the decision of notifying authorities. The applicant has agreed to reduce the size of the balconies; 40 square foot balconies for the two-bedrooms, and 58 square foot balconies for the three-bedroom units. In addition, recycling is to be provided for the residents.

Staff finds that the Magnolia Apartment Complex Development Plan is consistent with the review criteria and standards found in City Code Section 7.5.502.E.

2. Conformance with the City Comprehensive Plan:

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City’s infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Objective N 2: Enhance Neighborhoods

Preserve and enhance existing and established neighborhoods and support developing and redeveloping neighborhoods. While neighborhoods change over time, there are certain fundamental characteristics of most neighborhoods, such as natural features and landscaping, building and street patterns, historic and cultural features, parks, open space and schools, which need to be preserved in order to maintain their character. At the same time, there are new and developing residential areas that need to be supported so that they emerge as well-functioning neighborhoods.

Policy N 201: Protect Established and Stable Neighborhoods

Protect the character of established and stable neighborhoods through neighborhood planning, assistance to neighborhood organizations, and supportive regulatory actions.

Objective LU 5: Develop Cohesive Residential Areas: Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city’s transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.

Policy LU 501: Plan Residential Areas to Integrate Neighborhoods into the Wider Subarea and Citywide Pattern: Plan, design, develop, and redevelop residential areas to integrate several neighborhoods into the citywide pattern of activity centers, street networks, environmental constraints, parks and open space, school locations and other public facilities and services.

Strategy LU 501a: Link Neighborhood Layout and Design to a Larger Residential Area: In master plans and in community planning areas, layout and design individual neighborhoods to form a coherent residential area.

The property is designated as general residential on the City's 2020 Land Use Map and the proposed apartment complex conforms under the 2020 Land Use Map and Master Plan Matrix. The comprehensive plan supports infill projects that complement the surrounding neighborhood and make use of the existing City infrastructure within the City of Colorado Springs Comprehensive Plan in accord with Section 7.1.107.B.

3. Conformance with the Area's Master Plan:
No master plan exists for this property.

STAFF RECOMMENDATION:

CPC DP 15-00142 – DEVELOPMENT PLAN

Approve the Magnolia Apartment Complex development plan based upon the findings that the development plan complies with the review criteria as set forth in City Code Section 7.5.502.E, subject to the following technical and/or informational plan modifications:

Technical and Informational Modifications to the PUD Development Plan:

1. Add the file number "CPC DP 15-00142" in the lower right corner of the following Sheets 4 of 10, 5 of 10, 10 and 10, and PP-1 (Photometric Site Plan).
2. Provide the additional location(s) of the 'Surface Mounted Bicycle Storage' on Sheet DP-1.
3. Provide the changes to the development plan reflecting the reduction in size of the balconies and add a note to Sheet DP-1.
4. Modify the dimension for the sidewalk along Westmoreland Road to be a six (6) foot wide attached instead of a five (5) foot wide attached.
5. Both the CTL Thompson and the RMG geologic hazard reports have not been finalized including the responses to the applicable CGS review letter for each report. These reports should include a signed planning application for Geologic Hazards Reports.
6. Add the standard Geologic Hazard Disclosure statements for both reports to the development plan.
7. Add a note to the development plan on Sheet DP-1 that states: "This site is subject to the geologic hazard of potential subsidence due to abandoned underground mining activity. The foundations should be designed and reinforced to span a minimum unsupported distance of 25 feet under design loads."
8. Revise the landscaping plan on Sheet LS-6 since there are two (2) trees, a Prince of Wales Juniper and a Dwarf Fragrant Sumac, on top of the existing 12,500 u/g electric line in North Hancock Avenue.
9. Illustrate the existing public 12,500 U/G electric kv line in the retaining wall detail on Sheet LS-6. It is not clear what the distance between the G-Grid and the electric line, and on your drawing it shows a distance between 9' to 12', not sure if this will impact the electric line or not.