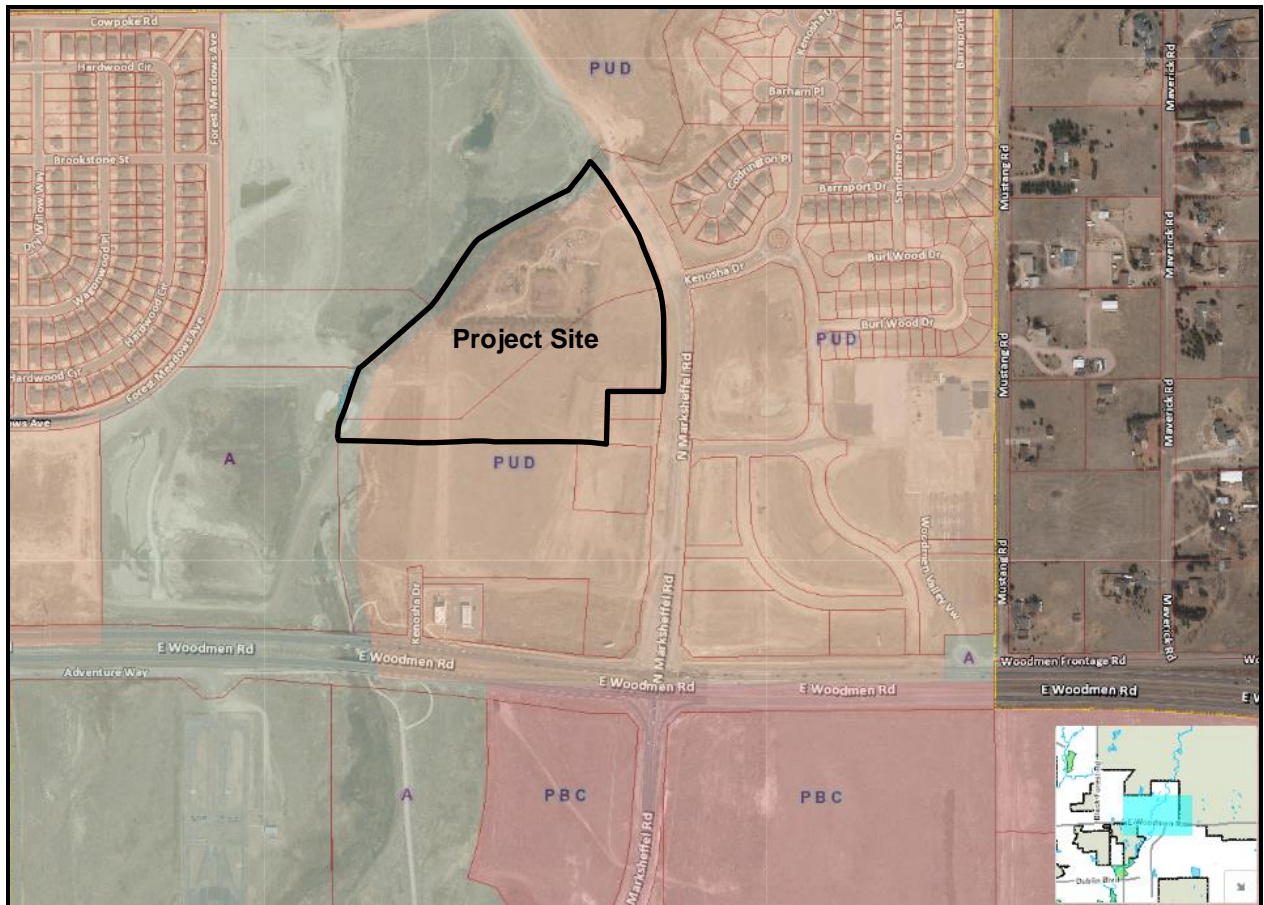


**CITY PLANNING COMMISSION AGENDA
September 19, 2019**

STAFF: DANIEL SEXTON

FILE NO(S):
CPC MPA 06-00206-A12MJ19 – LEGISLATIVE
CPC PUP 07-00100-A2MJ19 – QUASI-JUDICIAL
CPC PUZ 19-00011 – QUASI-JUDICIAL
CPC PUD 19-00013 – QUASI-JUDICIAL

PROJECT: NOOK AT SHILOH MESA
OWNER: COLA, LLC
DEVELOPER: COLA, LLC
CONSULTANT: THOMAS & THOMAS



PROJECT SUMMARY:

1. **Project Description:** The project includes concurrent applications for a major master plan amendment, major PUD (Planned Unit Development) concept plan amendment, PUD zone change, and PUD development plan for 20.93 acres of land to be developed with a small lot, single-family detached residential development (herein referred as “Nook at Shiloh Mesa”). The properties associated with this project are located northeast of the Marksheffel Road and Woodmen Road intersection. The Nook at Shiloh Mesa project will provide 91 single-family detached residential lots within the development, completing a visible segment of the Woodmen Heights Master Planned area.

The proposed major master plan amendment will change the master plan land use designation for the 20.93-acre project site, which is within the Woodmen Heights Master Planned area, from Multi-Family/Regional Commercial/Office to Single-Family Detached Residential with 4.35 dwelling units per acre. **(FIGURE 1)**

The requested amendment to the Woodmen Heights Commercial Center PUD Concept Plan proposes to update the current plan with respect to the site design, layout and land use for the Nook at Shiloh Mesa project. **(FIGURE 2)** In accordance with the City’s policies for concept plans, the project specific details are illustrated at a lesser level than a development plan.

The proposed rezone will change the subject properties from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlay) zone district. **(FIGURE 3)**

The submitted PUD development plan provides the framework for the future development of this site with a 91-lot small lot single-family detached residential development with a density of 4.35 dwelling units per acre and includes public and private improvements consisting of landscaping, private streets, utilities, open space, and channel improvements to Sand Creek. **(FIGURE 4)**

2. **Applicant’s Project Statement:** **(FIGURE 5)**
3. **Planning and Development Team’s Recommendation:** Staff recommends approval of the applications.

BACKGROUND:

1. **Site Address:** The project site is not current addressed, as it consists of unplatted and undeveloped parcels.
2. **Existing Zoning/Land Use:** The subject property is currently PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays), and is vacant.
3. **Surrounding Zoning/Land Use:** North: A (Agricultural) and PUD (Planned Unit Development: Single-Family Detached Residential, 3-5 dwelling units per acre and Multi-Family Attached Residential, 8-12 dwelling units per acre, and 30-foot maximum building height).

East: PUD/AO/SS (Planned Unit Development: Mixed-Use Development, 15.38 dwelling units per acre, and 45-foot maximum building height; with Airport and Streamside Overlays), and portions of this parcel are currently under development with single-family residential land uses.

South: PUD/AO/SS (Planned Unit Development: Multi-Family Attached, 15.99 dwelling units per acre and Community Commercial, 45-foot maximum building height; with Airport and Streamside Overlays), and largely vacant with one commercial parcel developed.

West: A (Agricultural with Airport and Streamside Overlays); and vacant.

4. PlanCOS Vision: According to the PlanCOS Vision Map, the project site is an identified Newer Developing Neighborhood and is proximate to a segment of Woodmen Road, which is a New/Developing corridor.
5. Annexation: The subject properties were annexed into the City on July 17, 2004, per the Woodmen Heights No. 3 Annexation Plat (Ord. 04-125).
6. Master Plan/Designated Master Plan Land Use: The Farm Master Plan identifies the 20.93-acre project site, which part of a larger 48-acre parcel, as Multi-Family/Regional Commercial/Office.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is currently vacant and has not been prepared for development.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to adjacent property owners with 1,000 feet of the site, which included the mailing of postcards to 90 property owners, on two occasions: during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above as well. A resident within the adjacent Shiloh Mesa residential development submitted written comments, which raised concerns regarding lack of buffering and loss of natural features (i.e. trees). City Planning staff explained to the resident that the project exceeds the landscape/buffering requirements of City Code Section 7.4.3 *Landscape Standards* and previous land use entitlements examine the presence of significant natural features, which only noted Sand Creek. **(FIGURE 6)** The adjacent segment of Sand Creek will be reconstructed with this project.

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. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, City Parks & Recreation, CONO, School District #49, Police and E-911, Real Estate Services, Woodmen Heights Metropolitan District #3, Woodmen Road Metropolitan District, and Colorado Springs Airport. With respect to the Colorado Springs Airport, the Airport Advisory Commission review the project on February 27, 2019 and recommended approval with no objections. Additionally, the project site lies outside of the two-mile notice buffer, so no military installations were notified.

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

1. Review Criteria / Design & Development Issues:
 - a. Application Summaries
 - i. Major Master Plan Amendment

The applicant is requesting a major amendment of the Woodmen Heights Master Plan to change the master plan land use designation of the 20.93-acre project site from Multi-Family/Regional Commercial/Office to Single-Family Detached Residential with 4.35 dwelling units per acre. **(FIGURE 1)** In accordance with City Code Section 7.5.403(C) *Amendments*, City Planning staff determined this major amendment application was necessary as the project included a change of master plan land use designation that currently includes both commercial and residential use types and there was the potential for impacts to the City's transportation system, utility infrastructure, and public facilities.

The applicant has proposed a Single-Family Detached Residential use, with a density of 4.35 dwelling units, which falls within the middle density range for the master plan residential land use classifications per City Code Section 7.5.406(A)(1) *Residential Land Use*. City Planning staff is unable to determine whether the proposed residential density is comparable to the current multi-family

residential use classification, as a density range was not previously established. Based on similar development projects of this type elsewhere in the City, such as the Midtown at Foothills Farm and Midtown at Cottonwood Creek projects, small lot single-family residential proposals have been found to afford a higher density and intensity of residential development in a detached configuration.

In terms of potential impacts to public facilities and infrastructure, the applicant's proposal was considered with respect to City Code Section 7.5.408 *Review Criteria*. To mitigate any effects to the City's transportation system and public facilities (i.e. parks, schools, and utilities), the applicant incorporated on- and off-site improvements, which are illustrated on the accompanying PUD development plan application. The applicant's proposed mitigation measures more specifically include the widening an adjacent segment of Marksheffel Road, extension of the regional trail system, and the payment of fees in lieu of park and school land dedications.

Per City Code Section 7.5.408(F) *Fiscal*, a Fiscal Impact Analysis (FIA) was prepared by the City's Finance Department. **(FIGURE 7)** The FIA determined that the proposed land use change would result in a negative cumulative cashflow for the City during the 10-year timeframe. A combination of factors contributed to this outcome, but the change in density significantly lowered population projections. As a result, there is an expected decrease in sales tax for the residential use and a sharp decrease in population driven metrics in miscellaneous revenue. Additionally, most City departments did not identify increases in the marginal costs of providing services to this amended development.

Based on the above analysis, City Planning staff is supportive of the requested application. The project will support the future creation of employment opportunities and maintain prospects for strengthening the Colorado Springs economy through the orderly growth of the area and larger Woodmen Road corridor, with the development of additional rooftops. The construction of additional rooftops will ultimately support the critical mass of dwelling units needed for the development of commercial uses. As such, staff finds that the application is consistent with the purpose for a master plan, as set forth in City Code Section 7.5.401.

ii. Major PUD Concept Plan Amendment

The applicant's requested major amendment of the Woodmen Heights Commercial Center PUD Concept Plan updates the current plan with respect to the site design, layout and land use for the Nook at Shiloh Mesa project. **(FIGURE 2)** More specifically, the amended plan sets forth the envisioned layout and roadway configuration for the northern portion of the planned area, which currently consists of a land use pattern with a mix of multi-family residential, office, and commercial buildings. The envisioned main access for the project is illustrated as the fourth leg of the Kenosha Drive and Marksheffel Road intersection. A secondary access is planned at the southern end of the project, which will connect to the future extension of Shiloh Mesa Drive. Additionally, the amended plan shows a future extension of the Sand Creek Tier I trail corridor for enhanced pedestrian circulation.

Based on information illustrated on the proposed plan amendment and analysis above, City Planning staff finds that the Nook at Shiloh Mesa project is consistent with the purpose for establishing a PUD concept plan, as set forth in City Code Section 7.3.601 and a concept plan, as set forth in City Code Section 7.5.501(A). Staff also notes that the project specific details for this amendment request are illustrated at a lesser level than a development plan, which is consistent with the City's current policy guidance for this type of application.

iii. PUD Zone Change

The proposed zone change application will rezone the 20.93-acre project site from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/SS/AO (Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlays). **(FIGURE 3)** In 2007, a zone change application was approved changing the entire area encompassed by the Woodmen Heights Commercial Center PUD Concept Plan from A (Agricultural) to the current PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) zone district. The applicant's requested change of zone sets the specific density, dimensional, and use controls for the development of the Nook at Shiloh Mesa project. This rezone is in conformance with the Woodmen Heights Master Plan as amended and meets the applicable City Code standards for a PUD zone change request.

As discussed above, City Planning staff finds the application request to be consistent with the purpose for establishing and developing a PUD zone district, as set forth in City Code Section 7.3.601, and a zone change request, as set forth in City Code Section 7.5.601.

iv. PUD Development Plan

The proposed PUD development plan for the Nook at Shiloh Mesa project **(FIGURE 4)** establishes the site design and layout for the development of a small lot single-family detached residential development consisting of 91 lots and public and private improvements, such as landscaping, streets, utilities, and open space. In accordance with the City's *Small Lot Planned Unit Development Review Criteria and Guidelines*, dated April 2005, the applicant utilized both green-way and parkway orientations for the layout of lots and architecturally distinct unit designs. The applicant incorporated pedestrian connections throughout the project to afford greater connectivity to the future extension of the Sand Creek Tier I trail corridor, guest parking areas, open space, and streets. Additionally, the applicant will be responsible for the construction of channel improvements within the adjacent segment of Sand Creek, which include in channel drop structures, bank stabilization improvements, and revegetation. As designed, all the proposed channel improvements will meet or exceed the streamside protection standards for development within the streamside overlay area, as stated under City Code Section 7.3.508(E) *Development Standards*. The development parameters discussed above and illustrated on the proposed Nook at Shiloh Mesa PUD development plan mitigate the higher density and intensity of the development.

Staff finds that the proposed plan is consistent with the purpose for a PUD development plan, as set forth in City Code Section 7.3.601, and a development plan, as set forth in City Code Section 7.5.502(A).

b. Traffic

The applicant is proposing to construct private streets for the internal roadway network for the project. No roadways currently exist within the project site, so the decision to develop the roadways as public or private rests with the applicant/developer. As private streets, the maintenance and ownership of these roads will be an obligation of the applicant/developer or neighborhood association. Per the annexation agreement for the Woodmen Heights No. 3 Annexation, which includes the project site, the applicant is also obligated to construct an adjacent segment of Marksheffel Road and contribute funds toward the construction of the nearby Sand Creek Bridge. Stipulations were added to the proposed plan reinforcing the applicant's obligation to construct or escrow funds for the future development of adjacent public roadway improvements.

The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the PUD development plan and accompanying Traffic Technical Memorandum, prepared by LSC Transportation Consultants, Inc. Traffic has accepted the analysis and recommendations set forth in the memorandum prepared by the applicant's consultant. As noted in the memorandum, the projected traffic volumes from the Nook at Shiloh Mesa project, with its development of the fourth leg of the Marksheffel Road/Kenosha Drive intersection, does meet the Four-Hour Volume Warrant (but not the Eight-Hour Volume Warrant) for a signal. While Traffic has determined that the signalization of the intersection is not necessary with this project, a stipulation was added to the plan requiring funds to be escrowed for a future signal project. Additionally, the project does not necessitate the development of the western leg of Shiloh Mesa Drive or signalization of the Shiloh Mesa Drive/Marksheffel Road intersection. The future build-out of the remaining portions of the Woodmen Heights Commercial Center development (South) and adjacent Shiloh Mesa Commercial development (East) may require improvements to this intersection. City Planning and Traffic will monitor the further build-out of this area to determine if roadway or intersection improvements are necessary.

c. Drainage

The City's Water Resources Engineering Division of Public Works (herein referenced as "WRED") has reviewed the PUD development plan and accompanying drainage report, prepared by M&S Civil Consultants, Inc. WRED has accepted the analysis and recommendations set forth in the drainage report prepared by applicant's consultant. As noted above, the Nook at Shiloh Mesa project will include the construction of channel improvements within the adjacent segment of Sand Creek, which include in channel drop structures, bank stabilization improvements, and revegetation. While the final channel design has yet to be approved by the U.S. Army Corps of Engineers, a general note was applied to the plan reinforcing the Applicant's obligation and timing for construction of channel improvement within the adjacent segment of Sand Creek. Subsequent City reviews and approvals may be necessary prior to the issuance of building permits within the development should the U.S. Army Corps of Engineers permit require changes to the PUD development plan or accompanying documents.

City Planning staff finds that the proposed development, as conditioned, addresses the applicable review criteria set forth in City Code. Staff also notes that the conversations had between WRED and the applicant, during the review of this project, have resulted in the establishment of a clear and logical plan for the sequential improvement of Sand Creek.

2. Conformance with the City Comprehensive Plan

Staff has evaluated the proposed applications 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 on the Plan's Vision map as a Newer Developing Neighborhood and is adjacent to a segment of Woodmen Road, which is a New/Developing corridor. Per the Vibrant Neighborhoods Framework map the project site is part of an area identified as a Newer Developing Neighborhood within the Woodmen Heights/Dublin North area. **(FIGURE 8)** The applicant's proposal is supportive of the Emerging Neighborhoods typology in Vibrant Neighborhoods chapter, which encourages a mixture of housing types proximate to commercial centers/corridors and new attractions and amenities for residents such as parks and expanded off-street trail options. By allowing the development of a less dense residential land use than the currently approved multi-family residential use, the project softens the transition of land uses in the area while still reinforcing the City's ability to encourage a greater mix of land use types and livable communities.

City Planning staff finds the Nook at Shiloh Mesa project 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 Woodmen Heights Master Planned area and is currently identified as Multi-Family/Regional Commercial/Office. While the applicant is requesting to change the master plan land use designation for the 20.93-acre project site to Single Family Detached Residential with 4.35 dwelling units per acre, the small lot PUD design affords higher density and intensity than a typical single-family detached residential development. City Planning staff finds that the Nook at Shiloh Mesa project as proposed is complimentary and supportive of the long-range vision for the Woodmen Heights Master Plan as amended.

STAFF RECOMMENDATION:

CPC MPA 06-00206-A12MJ19 – MAJOR MASTER PLAN AMENDMENT

Recommend approval to City Council the major master plan amendment for the Woodmen Heights Master Plan, based upon the findings that the request meets the review criteria for granting a major master plan amendment as set forth in City Code Section 7.5.408.

CPC PUP 07-00100-A2MJ19 – MAJOR PUD CONCEPT PLAN AMENDMENT

Recommend approval to City Council the major PUD concept plan amendment for the Woodmen Heights Commercial Center development, based upon the findings that the request meets the review criteria for granting a PUD concept plan, as set forth on City Code Section 7.3.605, and a concept plan, as set forth in City Code Section 7.5.501(E).

CPC PUZ 17-00071 – CHANGE OF ZONING TO PUD

Recommend approval to City Council the zone change from (PUD/AO/SS) Planned Unit Development with Airport and Streamside Overlay Zones to (PUD/SS/AO) Planned Unit Development: Small Lot Single-Family Detached Residential, 35-foot maximum building height, and 4.35 dwelling units per acre; with Streamside and Airport Overlay Zones, based upon the findings that the request meets the review criteria for the establishment and development of a PUD zone, as set forth in City Code Section 7.3.603, and zone change as set forth in City Code Section 7.5.603.

CPC PUD 17-00072 – PUD DEVELOPMENT PLAN

Recommend approval to City Council the PUD development plan for the Nook at Shiloh Mesa project, based upon the findings that the request meets the review criteria for granting a PUD development plan, as set forth on City Code Section 7.3.606, and a development plan, as set forth in City Code Section 7.5.502(E).