



## Legislation Details (With Text)

**File #:** 15-00507      **Version:** 1      **Name:**

**Type:** Planning Case      **Status:** Passed

**File created:** 8/10/2015      **In control:** City Council

**On agenda:** 9/8/2015      **Final action:** 9/8/2015

**Title:** Appeal of the City Planning Commission approval of a Development Plan for the Bates Elementary School Student Housing project, located off Austin Bluffs Parkway and Stanton Street. (Quasi-Judicial)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A-Appeal letter for Bates Student Housing, 2. Figure 1 - DP drawings, 3. Figure 2 - Project Statement, 4. Figure 3 - Neighborhood pre-app comments, 5. Figure 4 - Neighborhood internal review comments, 6. Figure 5 - Zoning Ordinance, 7. Figure 6 - Bates Elementary School Property History - from District 11, 8. Figure 7 - applicant response to Neighborhood, 9. Figure 8 - Geologic Hazard report from CGS, 10. Figure 9 - Terracon response letter to CGS, 11. Figure 10 - CGS 2nd response letter, 12. Attachment C - Applicant CPC Presentation, 13. Attachment D - Citizen Presentation Part 1 - from CPC, 14. Attachment E - Citizens Presentation Part 2- from CPC, 15. Attachment F - Citizens Presentation Part 3- from CPC, 16. Attachment G - Citizens Presentation Part 4- from CPC, 17. Attachment H - Citizens Presentation Part 5 from CPC

Date	Ver.	Action By	Action	Result
9/8/2015	1	City Council	approved	Pass
8/25/2015	1	City Council	postpone to a date certain	Pass

### Bates Student Housing (Quasi-Judicial)

**From:**

Lonna Thelen, Principal Planner, Planning and Development Department

**Summary:**

This is an appeal of the City Planning Commission’s decision to approve the development plan for Bates Student Housing. The Bates Student Housing project is a proposal for a multi-family student housing project on a 5.8-acre site located at 702 Cragmor Road. The proposal would allow a 187-unit, 621 bedroom apartment complex with associated parking, fitness facilities, and entertainment area for users of the facility. The site is zoned SU (Special Use), which allows multi-family uses subject to an administrative approval of a development plan. In this case, due to significant neighborhood interest in the project, the Planning and Development Director referred the development plan to the Planning Commission for a hearing and action.

**Previous Council Action:**

None

**Background:**

The Bates Student Housing development plan would remove the existing Bates Elementary School

and build a 187-unit student housing project with a total of 621 bedrooms. Each unit will have 1, 2, 3 or 4 bedrooms (with their own attached bathroom) and a common kitchen and living space. The units will be rented by the bedroom. The site will also contain a fitness center, pool, and sports court for the residents. The student housing use is considered multi-family under the City Zoning Code and is a permitted use in the SU zone district with an approved development plan. The site is unplatted and will require platting prior to building permit approval. The vehicular access for the site is from Austin Bluffs Parkway with an emergency access on the west side to Stanton Street. All pedestrian access directs students toward Austin Bluffs Parkway and the traffic signal at Regent Circle for entrance to the campus of the University of Colorado at Colorado Springs. The pedestrian gates from the site to Cragmor Road and Stanton Street will be locked as emergency access only gates.

Please see the attached Planning Commission staff report for additional detailed analysis.

**Financial Implications:**

Not applicable.

**Board/Commission Recommendation:**

The Planning Commission voted 6-3 to approve the development plan for Bates Student Housing at its July 16, 2015 meeting.

**Stakeholder Process:**

A neighborhood meeting took place during the pre-application stage on March 5, 2015. The site was posted and 260 postcards were sent to property owners within a 1,000 foot buffer surrounding the project. No official documents had been submitted to the City at the time of the meeting. Approximately 160 people attended the meeting to learn about the initial concepts of the project and comments were received from the neighborhood following the meeting.

A second neighborhood meeting was held on May 19, 2015, during the internal review of the formal development plan application submittal. Approximately 90 people attended the meeting. The site was again posted and 298 postcards were sent to property owners within a 1,000 foot buffer and to neighbors who attended the first neighborhood meeting but did not receive a postcard at that time. The applicant explained in detail the proposal for the site and further comments were received from the neighborhood. The comments from the neighbors expressed concern for traffic, geologic hazards, compatibility, parking, and crime.

On July 7, 2015, City Chief of Staff Jeff Greene, Planning and Development Director Peter Wysocki, and Project Planner Lonna Thelen met with a number of key neighborhood representatives. The meeting was facilitated and hosted by the Council of Neighborhood Organizations at its office. The meeting was scheduled at the request of the Mayor who was contacted by a resident from the Cragmor neighborhood opposing the project. Topics discussed, among others, was the role, responsibility and authority of the Mayor pertaining to land use items.

The site was posted and postcards were mailed for the City Planning Commission meeting. The site will be posted and postcards mailed again prior to the City Council hearing.

**Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or

4. Refer the matter back to the City Planning Commission for further consideration.

**Proposed Motion:**

AR DP 15-00231 - DEVELOPMENT PLAN

Move to deny the appeal, upholding the Planning Commission's approval of the development plan for the Bates Student Housing project, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the conditions of approval and technical plan modifications listed in the City Planning Commission staff report.

No ordinance for this project.