



## Legislation Text

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**File #:** CPC PUP 08-00147-A2MJ21, **Version:** 2

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A Major Amendment to a Planned Unit Development Concept Plan for the Patriot Park Commercial project located between Space Center Drive and North Powers Boulevard.

(Quasi-Judicial)

Related File: CPC PUZ 21-00167

**Presenter:**

Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Summary:**

Owner: Patriot Park Investment, LLC c/o T17, LLC  
Developer: Springs Land Ventures, LLC  
Representative: NES Colorado, Inc.  
Location: located between Space Center Drive and North Powers Boulevard

The project includes applications for a PUD zone change and PUD concept plan major amendment for 18.272 acres of land located between Space Center Drive and North Powers Boulevard. The project is herein referred to as "Patriot Park Commercial". The zone change request would change the current zoning from PUD/AO (Planned Unit Development for Office and Commercial land uses, a maximum building height of 98-feet, and maximum gross floor area of 297,000 square feet; with Airport Overlay) to PUD/AO (Planned Unit Development for Multi-Family Residential, Industrial, and Commercial land uses, maximum building height of 65-feet, and residential density of 25-35 du/ac and 90,000 square feet of industrial/commercial space; with Airport Overlay). The proposed concept plan amendment illustrates changes to the envisioned land uses for 18.272-acres from office/commercial to multi-family residential and non-residential uses.

**Background:**

The Applicant submitted PUD zone change request proposes to rezone the project site from PUD/AO (Planned Unit Development for Office and Commercial land uses, a maximum building height of 98-feet, and maximum gross floor area of 297,000 square feet; with Airport Overlay) to PUD/AO (Planned Unit Development for Multi-Family Residential, Industrial, and Commercial land uses, maximum building height of 65-feet, and residential density of 25-35 du/ac and 90,000 square feet of industrial/commercial space; with Airport Overlay). The Applicant has proposed a maximum building height (65 feet) and residential density (25-35 du/ac) and commercial intensity (90,000 square feet) that will govern the future build-out of the project area. These development standards are comparable with the established development parameters for the surrounding area, which contain a mix of multi-family residential and commercial/office uses.

The proposed mix of uses will provide an affective transition and buffer between are established uses nearby and Powers Boulevard and will contribute to the sense of place for the larger area. Together, the proposed dimensional standards and land use controls mitigate the project's impacts and meets the applicable City Code standards for a zone change request. City Planning staff finds the application to be consistent with the purpose for a PUD zone change request, as set forth in City Code Section 7.3.601 and purpose for a zone change request, as set forth in City Code Section 7.5.601.

The Applicant's amended PUD Concept Plan for the Patriot Park Commercial project illustrates the layout for a mix of residential and commercial uses and ancillary site improvements for the 18.272-acre project site. The proposed layout of the project area envisions the proposed residential use (10.19 acres) located to the north and the industrial/commercial flex use space (6.78 acres) to the south, with both land use areas being flanked to the west by Space Center Drive and Powers Boulevard to the east. The placement of uses takes into account the development pattern for adjacent properties and the exist slopes to ensure adequate drainage. More specifically, the proposed multi-family residential use was positioned to afford reasonable separation and buffering from the already developed office buildings to the north and south. The Applicant's proposed a maximum building height of 65-feet is more representative of the surrounding area and would also mitigate any negative impacts associated with developing in proximity to the City's airport.

In terms of pedestrian and vehicular circulation, the Applicant has not proposed any changes to the previously envisioned travel patterns on-site. Since residential uses were not previously envisioned within the larger Patriot Park development, the proposed residential use will trigger compliance with the City's current Parkland Dedication ordinance, which results in an obligation of 3.77 acres. The Applicant has agreed to satisfy the obligation by paying fees-in-lieu of land dedication. A remitting of fees trigger has been added to reinforce the plan obligation through future development plan and final plat applications. All public and private improvements will be finalized through future development plan submittals.

As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff find this to be true because of the proximity this project will have to surrounding commercial development, which consist of a mix of commercial and office uses, and how the proposed uses can be both compatible and supportive of the nearby developing portions of the Commercial Aeronautical Zone (CAZ). The CAZ was established as a floating zone over properties with adjacency or businesses specifically engaging in a variety of aeronautical activities. The project site and general area are also serviced by Mountain Metro bus service (Route 23), which supports mobility options and the development of a greater mix of uses.

The above discussed development parameters and envisioned supportive land uses reinforce why this project is a good infill development and how it will be compatible with the surrounding neighborhood and CAZ. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing 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.

The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the proposed PUD concept plan and accompanying Traffic Generation Analysis, prepared by SM Rocha, LLC. Traffic has determined that the analysis adequately analyzes the traffic generation potential of the proposed uses and effectively compared the previous land use assumptions to

consider potential impacts to the adjacent roadways. Based on Traffic's review of the provided analysis and previously accepted Patriot Park Traffic Generation Analysis, no negative impacts to traffic operations were found. However, public improvement triggers were applied to the amended plan that reinforce the need for future roadway improvements along Space Center Drive, which should improve traffic flow and the overall functionality of the roadway. City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the amended PUD concept plan and accompanying drainage letter for the previously approved Master Development Drainage Plan report, prepared by Gallow & Company. SWENT has accepted the analysis and recommendations set forth in the letter. Stormwater from the future project will be captured and directed into an on-site full spectrum water quality and detention facility. As designed, all proposed stormwater improvements were found to comply with the City Drainage Control Manual. The Applicant will be required to submit a final drainage report with each future development plan and final subdivision plat applications.

The project applications have been evaluated 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 as a Future Neighborhood. The Patriot Park Commercial project is consistent with one of the core values of PlanCOS, which reinforces the importance of encouraging the infill development proposals. One of the "Big Ideas" in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled "Reclaim Neighborhood Space", which has goal VN-3 that states:

*"Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs."*

To do this, PlanCOS suggests, *"New development should focus on safe connections into and within these neighborhoods"*.

A "Big Idea" from Chapter 4, entitled "Embrace Sustainability", has Goal TE-4 that states:

*"Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas."*

A policy for this goal further reinforces that development should *"Prioritize development within the existing City boundaries and built environment (not in the periphery)."*

Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project's land uses, location and site development standards meet the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this project and its associated applications to be in substantial conformance with PlanCOS and its guidance.

The project supports the City's Strategic plan goals of building community and collaborative relationships and provides a platform for the building neighborhoods and communities through the infill development of vacant underutilized parcels with a mix of commercial, industrial and multi-family

residential uses. The project will further development and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

City Council previously took action on this property when the property was rezoned in 2008.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on January 20, 2022, the project applications were heard under the Items Called Off Consent portion of the hearing. City Planning staff and Applicant provided presentations to Planning Commission to explain the project scope. The adjacent property owner who pulled the project applications for discuss noted that they were concerned about traffic, land use transition, development design and security. The Planning Commission discussed extensively the concerns raised. While Commissioner Rickett supported that project he explained prior to the vote that he would not be supporting the project because he agreed with some of the concerns raised by the adjacent property owner. Planning Director Peter Wysocki encouraged Commissioner Rickett to further explain his objections within the context of the review criteria set forth in City Code, however, Commissioner Rickett did not. He Planning Commission ultimately voted 7-1-1 (Commissioner Rickett vote no and Commissioner Eubanks was absent) to approve the project applications.

**Stakeholder Process:**

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 169 property owners on three occasions: during the internal review and prior to the Planning Commission and City Council hearings. The site was also posted during the three occasions noted above. City Planning staff received one written comment for the project, which focused on traffic and land use compatibility concerns.

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. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 11, Police, and E-911. All comments received from the review agencies have been addressed. As an infill project, City Planning staff notes that the following review agency provided project specific comments:

- City Traffic - The City's Traffic Engineering Division reviewed and accepted the proposed site design and layout, and the accompanying Traffic Impact study for the project. The submitted study assessed current and projected traffic volumes based on the proposed land uses along Centennial Boulevard and West Fillmore Street, and concluded there to be adequate roadway capacity. The Applicant will be required to install public improvements along West Fillmore Street to make the identified access points functionally compliant with the City's Traffic Control Manual.
- City Stormwater Enterprise - The City's Stormwater Enterprise Division (SWENT) reviewed

and accepted the proposed site design/layout and addendum letter for the Master Development Drainage Plan (MDDP) report for the project. SWENT found that the letter and companion MDDP utilized and complied with the City's Drainage Control Manual and Criteria. Future development plan and final subdivision plat applications will further evaluate the design and siting for stormwater improvements.

- School District 11 - No comments were received from the School District 11. As such, City Planning staff will require the payment of fees in lieu of land dedication for the new residential units.

**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:**

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Approve a Major Amendment to the PUD Concept Plan for the Patriot Park Commercial project, based upon the findings that the plan meets the review criteria for establishing a PUD concept plan, as set forth in City Code Section 7.3.605, and the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E).

N/A