



## Legislation Text

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**File #:** CPC PUZ 20-00053, **Version:** 3

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Ordinance No. 20-58 amending the zoning map of the City of Colorado Springs relating to 38.98 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from A/SS/AO (Agriculture with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and multi-family; 9.15 dwelling units per acre with Streamside and Airport Overlays).

(Quasi-Judicial)

Related file: CPC PUD 20-00054

**Presenter:**

Hannah Van Nimwegen, Senior Comprehensive Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

**Summary:**

Owner: Kinzler Trust

Developer: GK Development

Representative: N.E.S., Inc

Location: Generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection

The Cottages at Woodmen Heights project includes concurrent applications for a zone change and development plan for 38.98 acres. The zone change requests to rezone from A/SS/AO (Agriculture with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and multi-family; 9.15 dwelling units per acre with Streamside and Airport Overlays). The development plan (**see “development plan” attachment**) illustrates a total of 278 residential units; 202 for-lease cottages and 76 townhomes. The development plan also illustrates a relocation of the existing driving school from the eastern portion of the property to the western portion, as well as a single acre commercial pad site.

**Background:**

The subject property was annexed into the City of Colorado Springs in 2004, and the Woodmen Heights Master Plan was established at the same hearing. The subject site was designated for neighborhood commercial, office, and multi-family land uses with a density range of 8 to 11.99 dwelling units per acre on the original master plan. The subject site has not been amended since the master plan’s establishment in 2004. At the time of annexation, the A (Agriculture) holding zone was established and is the property’s present zone district.

The development plan illustrates a total of 278 residential units for a gross density of 9.14 dwelling units per acre (du/ac). There are two product types proposed, both are considered a form of multi-

family development. The property has two large easement encumbrances along the south property line; a 115-foot wide right-of-way easement and a 185-foot wide utility easement. These back-to-back easements create a 300-foot unbuildable buffer between the proposed development and the single-family residential lots to the south that are located within the county. While these two easements do restrict vertical structures, it does allow for some improvements. As illustrated on the development plan, a private full-spectrum detention pond is proposed within the 185-foot wide utility easement, and a row of surface parking is proposed adjacent to that pond.

202 of the units, the “cottages,” are spread across 101, two-unit buildings which appear as a two-family home or single-family home from the exterior. Like a typical multi-family apartment complex, though, each unit will be leased through an on-site leasing and management center. All 202 units, 101 cottage buildings, will also be platted on a single lot as a standard multi-family apartment building would. The required parcel area, parking, and open space were calculated using the R-5 (Multi-family Residential) zone district standards. The cottages portion of the development will contain a mix of studio, one bedroom, and two bedroom units. Parking was calculated using the standard multi-family residential formula that is based on the number of bedrooms in a unit and how many of those units are proposed in the development. For instance, this project contains 20 studio apartments triggering 1.1 on-site parking stalls per unit; 76, one bedroom apartments triggering 1.5 on-site parking stalls per unit; and 106, two bedroom apartments requiring 1.7 on-site parking stall per unit for a total of 325 required parking stalls and 399 are provided on-site. Of those, 14 accessible spaces are provided. Similar cottage-style, multi-family developments have been approved and are under construction in Colorado Springs.

The second residential product type are 21, three and four-unit townhomes for a total of 76 townhome units. This product type is located on the eastern side of the development closest to Sand Creek. Each unit will be platted on individual lots, however, because there are at least three attached units the product type fits within the “multi-family” definition as outlined in the zoning code. Parking for this portion of the development also was calculated using the standard multi-family residential formula that is based on the number of bedrooms in a unit. All the townhomes will be three bedroom units requiring two on-site parking stalls. 76 units required 152 parking spaces and 182 are proposed.

This plan proposes to relocate the existing driving school from the east side of the property to the west side of the property away from Sand Creek. Staff is supportive of this relocation which is further described in the Streamside Overlay section of this memo. Also proposed is a one-acre commercial site. The PUD zone outlines that PBC (Planned Business Center) land uses will be permitted on this property. A future application will be required by the City Planning department prior to construction of this pad site.

Two full spectrum detention ponds are a part of the plan-one is located to the south of the proposed development, and the second is located in the middle of the driving school’s track. Due to the project’s adjacency to Sand Creek, the Stormwater Engineering division required a channel analysis to evaluate whether channel improvements will be required. The review of this report or installation of any required channel improvements are not tied to the subject applications, but general note #18 discusses the requirement for the channel analysis and installation of any improvements recommended by the analysis.

There will be two primary points of access; a right-in/right-out intersection on Woodmen Road, and through Adventure Way which leads to the full-movement intersection of Black Forest and Woodmen

Roads as well as to Templeton Gap Road. Adventure Way is proposed to be realigned beginning at the western property line, but will remain a public road. All other drives in the development are to be owned and maintained privately.

Because of the Streamside Overlay's presence on the property, a geologic hazard report was required. A report was submitted, and per standard process, that report was forwarded to Colorado Geologic Survey (CGS) and City Engineering for review. The role of CGS is to provide comments and recommendations for City Engineering's consideration. City Engineering then has the ability to review those comments and the report and require what is necessary to mitigate any hazards or agree with any recommendations.

CGS issued a review letter to City Engineering on June 8, 2020. This review letter contained three recommendations. First, CGS recommends the development plan reflect the erosion control measures and engineered site drainage described within the geologic hazard report. City Engineering concurred and required a note to be added to the development plan (general note #25). Second, CGS recommended language for the required disclosure statement. City Engineering concurred and the disclosure statement was updated (general note #21).

The third recommendation is regarding shallow groundwater identified in the geologic hazard report. This report states the shallow groundwater may be caused by Sand Creek and/or other local shallow water tables. CGS's review letter states, "Both Sand Creek and unconfined aquifers can be expected to have seasonal variations causing fluctuations in the depth of the water table below the ground surface." Because there are unknowns regarding groundwater, the geologic hazard report recommends that mitigation measures be determined during site-specific geotechnical engineering investigations at the time of building permit. CGS, however, disagrees with this approach and recommends the applicant implement a "seasonal monitoring program" which would measure the depth of the ground water over a year-long period to measure the fluctuation of the subsurface groundwater levels between seasons. CGS also recommends that the monitoring program be completed prior to approval of the development plan. CGS stated in their review letter, "By not monitoring groundwater fluctuations, the risk posed to the development by the constraint of shallow groundwater has not been fully evaluated."

The applicant's geotechnical engineer responded the following to this recommendation: "The groundwater elevation [is] at approximately 8 to 9 feet below the ground surface within the buildable portions of the nearest lots. ... Shallow stiffened slab-on-grade foundations are anticipated for all structures within this development. Based on the proposed site grading information, and the typical practice of placing these stiffened floor slabs approximately 2 to 3 feet above the street elevation, it is anticipated that there will be a separation of approximately 8 to 10 feet between the current groundwater depths and the bottom of the proposed foundations, or approximately 10 to 12 feet between the current groundwater depths and the lowest floor elevation. Shallow groundwater conditions are not anticipated to pose a significant risk to the proposed foundations. We recommend that lot-specific subsurface soil investigations be performed for the proposed structures at (or near) the time of construction. The groundwater conditions encountered in these lot-specific investigations are anticipated to provide more 'up-to-date' and relevant information for use in determining if any additional mitigation measures are recommended."

Upon evaluating the information presented by both CGS and the applicant's geotechnical engineer, City Engineering determined that a seasonal groundwater monitoring program was not necessary

and that site specific investigations would be sufficient, stating, “the developer/builder is expected to follow the recommendations provided in the lot specific geotechnical/foundation report for each lot as it pertains to shallow groundwater.” A note was added to the development plan requiring these investigations (general note #26).

The property is zoned with a Streamside Overlay indicating the need to be sensitive to the land use adjacent to the stream and the amount of impervious surfaces. Currently, the driving school is located on the eastern portion of the site adjacent to the stream. The Streamside Overlay Design Manual establishes a land use hierarchy for desired uses adjacent to streams. Uses which are high in impervious surfaces, such as a driving school with a large asphalt track, ranks low on this hierarchy. Multi-family residential, however, ranks high on this hierarchy. Staff is supportive of its relocation to the western portion of the site for this reason. An analysis of the impervious surface area within the inner and outer buffer areas of the Streamside Overlay was required as part of the development plan package. This analysis indicates there will be no impervious surfaces within the inner buffer, and 9.1% of the area in the outer buffer will be impervious surfaces-far below the maximum allowed 25%. A portion of the toe of Sand Creek does exist on the subject site which will be dedicated to the City of Colorado Springs when the final subdivision plat is recorded as well.

This property is located along the Woodmen Road east of Black Forest Road which is a developing corridor. Similar higher-density residential projects have been approved nearby including two townhome developments to the north of the subject site across Woodmen Road. This property is also located west of the Marksheffel and Woodmen Road intersection which has been planned for commercial development on all four corners. This portion of Woodmen Road does not currently have bus service, but is located within a mile of the Black Forest Park-n-Ride which facilitates carpooling.

The City’s Comprehensive Plan, PlanCOS, identifies the area subject to the applications as a “newer developing neighborhood” on the Vision Map and fits within the Emerging Neighborhoods typology of the Vibrant Neighborhoods chapter. Recommendations for this typology include providing pedestrian connections to park and trail systems. This typology also states, “The goal of this neighborhood typology is to ensure the further application of amenities and best practices ... to enhance their livability and adaptability as they mature.” Staff believes the subject applications apply those recommendations by extending the pedestrian connection from the existing subdivision to the east and providing an open space tract for the use of both neighborhoods. The Vibrant Neighborhoods chapter of PlanCOS emphasizes the need to provide a diversity of housing types, styles, and price points. The Woodmen Heights development illustrates a range of housing product types which will both be for-lease and for-purchase.

**Previous Council Action:**

N/A

**Financial Implications:**

N/A

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

At the City Planning Commission meeting held on July 16, 2020, the project applications were pulled from the Consent Calendar by a member of the public who resides in one of the single-family dwellings located within El Paso County south of the subject site. Both staff and the applicant gave a brief presentation to introduce the applications into the record. The concerned citizen asked if the

naturally occurring pond on their property would be affected by the new stormwater infrastructure proposed. The citizen was concerned their pond, which is filled by stormwater runoff, would dry up. In response, city staff explained the single-family dwellings to the south of the subject site receive stormwater runoff from two directions-the northwest and northeast where this project is located. City Stormwater Engineering was able to confirm the citizen's property receives all its stormwater runoff from the northwest, and therefore, the stormwater infrastructure proposed would not alter the current runoff pattern. The citizen was satisfied with the response and had no other comment. The City Planning Commission then voted unanimously 7-0-2 (with Commissioners Eubanks and Raughton absent) to approve the project applications.

### **Stakeholder Process:**

The public notification process consisted of providing initial notice to the neighbors by placing a poster for the project on site and sending postcards to 73 property owners within 1,000 feet of the parcel's boundary. A few public comments were received during the initial review (**see "public comment" attachment**). Largely discussed are concerns regarding traffic congestion on Woodmen Road as well as the intersection of Woodmen and Black Forest Roads. Those concerns are addressed in more detail in the following report sections. The site was posted and public notification sent prior to the City Planning Commission hearing, and the City Council hearing.

The applications were sent to the standard internal and external agencies for review and all comments are addressed. Review agencies for this project include Colorado Springs Utilities, City Traffic Engineering, City Engineering, City Landscape, City Fire Department and Police/E-911.

- The Falcon School District 49 will require fees to be collected at building permit in lieu of land dedication.
- The subject applications were heard by the Airport Advisory Committee (AAC) on July 22, 2020 who had no objection to the proposal.
- City Traffic Engineering required a traffic impact study with the application package. This report concludes, "By Year 2040 and with the proposed development, analysis of future traffic conditions indicates that the addition of site-generated traffic is expected to create minimal negative impact to traffic operations for the existing and surrounding roadway system." Upon review of this report, City Traffic Engineering will require the developer to establish an eastbound deceleration lane on Woodmen Road for the right-in/right-out intersection with the development. City Traffic Engineering stated this can be accomplished by restriping the existing shoulder on Woodmen Road which will be the developer's responsibility.

### **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:**

CPC PUZ 20-00053

Approve the zoning map amendment relating to 38.98 acres from A/SS/AO (Agriculture with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and multi-family; 9.15 dwelling units per acre with Streamside and Airport

Overlays), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B), and the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603.

An ordinance amending the zoning map of the City of Colorado Springs relating to 38.98 acres generally located south of Woodmen Road and east of the Adventure Way and Nevada Lane intersection from A/SS/AO (Agriculture with Streamside and Airport Overlays) to PUD/SS/AO (Planned Unit Development: 45-foot maximum height; PBC land uses and multi-family; 9.15 dwelling units per acre with Streamside and Airport Overlays)