



# **CITY PLANNING COMMISSION AGENDA**

**THURSDAY, March 19, 2015  
8:30 A.M.**

**CITY HALL COUNCIL CHAMBERS  
107 NORTH NEVADA AVENUE  
COLORADO SPRINGS, CO 80903**

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# CITY PLANNING COMMISSION MEETING PROCEDURES

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## **MEETING ORDER:**

The City Planning Commission will hold its regular meeting on **Thursday, March 19, 2015 at 8:30 a.m.** in the City Hall Council Chambers at 107 North Nevada Avenue, Colorado Springs, Colorado.

The Consent Calendar will be acted upon as a whole unless a specific item is called up for discussion by a Planning Commissioner, a City staff member, or a citizen wishing to address the Planning Commission.

When an item is presented to the Planning Commission the following order shall be used:

- City staff presents the item with a recommendation;
- The applicant or the representative of the applicant makes a presentation;
- Supporters of the request are heard;
- Opponents of the item will be heard;
- The applicant has the right of rebuttal;
- Questions from the Commission may be directed at any time to the applicant, staff or public to clarify evidence presented in the hearing.

## **VIEW LIVE MEETINGS:**

To inquire of current items being discussed during the meeting, please contact the Planning & Development Team at 719-385-5905, tune into local cable channel 18 or live video stream at [www.springsgov.com](http://www.springsgov.com).

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# CITY PLANNING COMMISSION

## COMPREHENSIVE PLAN AND REVIEW CRITERIA

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### **COMPREHENSIVE PLAN:**

The City Planning Commission uses the Comprehensive Plan as a guide in all land use matters. The Plan is available for review in the Land Use Review Office, located at 30 S. Nevada Avenue, Suite 105. The following lists the elements of the Comprehensive Plan:

- Introduction and Background
- Land Use
- Neighborhood
- Transportation
- Natural Environment
- Community Character and Appearance
- 2020 Land Use Map
- Implementation

The Comprehensive Plan contains a land use map known as the 2020 Land Use Map. This map represents a framework for future city growth through the year 2020, and is intended to be used with the Comprehensive Plan's goals, policies, objectives and strategies. It illustrates a desired pattern of growth in conformance with Comprehensive Plan policies, and should be used as a guide in city land use decisions. The Comprehensive Plan, including the Land Use Map, may be amended from time to time as an update to city policies.

### **APPLICATION REVIEW CRITERIA:**

Each application that comes before the Planning Commission is reviewed using the applicable criteria located in the *Appendix* of the Planning Commission Agenda.

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## **CITY PLANNING COMMISSION APPEAL INSTRUCTIONS**

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In accordance with Chapter 7, Article 5, Part 906 (B) (1) of the City Code, “Any person may appeal to the City Council any action of the Planning Commission or an FBZ Review Board or Historic Preservation Board in relation to this Zoning Code, where the action was adverse to the person by filing with the City Clerk a written notice of appeal. The notice of appeal shall be filed with the City Clerk no later than ten (10) days after the action from which appeal is taken, and shall briefly state the grounds upon which the appeal is based.”

Accordingly, any appeal relating to this Planning Commission meeting must be submitted to the City Clerk (located at 30 S. Nevada Avenue, Colorado Springs, CO 80903) by:

**Monday, March 30, 2015**

A **\$176** application fee and a justification letter specifying your specific grounds of appeal shall be required. The appeal letter should address specific City Code requirements that were not adequately addressed by the Planning Commission. City Council may elect to limit discussion at the appeal hearing to the matters set forth in your appeal letter.

## CITY PLANNING COMMISSION MEETING AGENDA THURSDAY, March 19, 2015

1. Approval of the Record of Decision (minutes) for the January 15 and February 19 , 2015 City Planning Commission Meetings
2. Communications
3. Consent Calendar (Items A.1-C.2) .....Page 8
4. New Business Calendar (Items 4.A – 5) .....Page 53  
 Appendix – Review Criteria.....Page 120

<b>CONSENT CALENDAR</b>		
<b>ITEM NO.</b>	<b>PROJECT DESCRIPTION</b>	<b>PAGE NO.</b>
<p><b>ITEM.: A.1</b>            CPC PUP 09-00017-A3MN14            (Quasi-Judicial)</p> <p><b>ITEM.: A.2</b>            CPC PUZ 15-00010            (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>            6207200018,            6207200029</p> <p><b>PLANNER:</b>            Katie Carleo</p>	<p>A request by Executive Consulting Engineers Inc., on behalf of Randy Scholl, and Northgate Properties LLC for approval of the following development applications:</p> <ol style="list-style-type: none"> <li>1. A minor amendment to the Copper Ridge at Northgate Concept Plan. The amendment joins previously approved Shops at Colorado Grand Hotel Concept Plan and Copper Ridge Concept Plan. The site consists of 199 acres located Southwest of Northgate Blvd. and Voyager Pkwy.</li> <li>2. A change of zoning from A/PBC/PUD/( Agriculture, Planned Business Center, Planned Unit Development) to PUD (Planned Unit Development) commercial development with 65 foot maximum building height. The site consists of 15.42 acres located Southwest of Northgate Blvd. and Bass Pro Drive.</li> </ol>	8
<p><b>ITEM.: B.1</b>            CPC MP 06-00219-A4MN14            (Quasi-Judicial)</p> <p><b>ITEM.: B.2</b>            CPC PUZ 14-00153            (Quasi-Judicial)</p> <p><b>ITEM.: B.3</b>            CPC PUD 14-00157            (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>            6209300007</p> <p><b>PLANNER:</b>            Meggan Herington</p>	<p>A request by NES, Inc. on Behalf of Pulpit Rock Investments, LLC for approval of the following development applications:</p> <ol style="list-style-type: none"> <li>1. A minor amendment to the Flying Horse Master Plan. The amendment will convert the land use of Parcel #36 from Office to Residential 3.5 – 7.99 dwelling units per acre. The amendment will also remove the designation of a future traffic signal at the intersection of Diamond Rock Road and North Gate Boulevard.</li> <li>2. A rezoning from A (Agricultural) to PUD (Planned Unit Development; Residential, 3.5 – 7.99 dwelling units per acre, 30 foot maximum building height).</li> <li>3. The Flying Horse Parcel #36 Molise Development Plan. For 40 new residential lots for single- family attached units (duplexes) at an overall density of 3.8 dwelling units per acre with landscape tracts and public roads.</li> </ol> <p>The property consists of 10.5 acres and is located at the Southeast corner of Ravenswood Drive and Flying Horse Club Drive.</p>	15

<p><b>ITEM.: C.1</b>          CPC PUZ 14-00151          (Quasi-Judicial)</p> <p><b>ITEM.: C.2</b>          CPC PUD 14-00152          (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>          6303406009</p> <p><b>PLANNER:</b>          Meggan Herington</p>	<p>A request by Classic Consulting Engineers on behalf of Matt Craddock for approval of the following development applications:</p> <ol style="list-style-type: none"> <li>1. A rezone from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: Single-family residential, attached, 5.5 dwelling units per acre, 35 foot maximum building height).</li> <li>2. The Lexington Crossing at Briargate Development Plan. The Development Plan illustrates 40 new residential lots for single-family attached units (duplexes) with public roads and landscape tracts.</li> </ol> <p>The property consists of 7.21 acres and is located North of Lexington Drive, West of Bordeaux and South of Meadow Ridge Drive.</p>	<p>32</p>
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## NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p><b>TEM.: 4.A</b>            CPC ZC 14-00141            (Quasi-Judicial)</p> <p><b>ITEM.: 4.B</b>            CPC CP 13-00108-A1MN14            (Quasi-Judicial)</p> <p><b>ITEM.: 4.C</b>            CPC DP 14-00143            (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>            6324401082</p> <p><b>PLANNER:</b>            Lonna Thelen</p>	<p>A request by Vedula Residential on behalf of Barnes Center Inc. for approval of the following development applications:</p> <ol style="list-style-type: none"> <li>1. A zone change to rezone the property from A/AO (Agriculture with Airport Overlay) to R-5/AO (Multi-Family with Airport Overlay).</li> <li>2. A concept plan amendment to change the alignment of Integrity Center Point, change the configuration of the lots, and add open space and a drainage tract.</li> <li>3. A development plan for a 272 unit apartment complex.</li> </ol> <p>The subject property consists of 14.43 acres and is located Northwest of Barnes and Powers along Integrity Center Point.</p>	<p>53</p>

<p><b>ITEM NO.:</b> 5 CPC CU 14-00148 (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b> 6318305065</p> <p><b>PLANNER:</b> Lonna Thelen</p>	<p>A request by NES, Inc. on behalf of Pueblo Bank and Trust and Pannunzio Inc., for a conditional use to allow multi-family in a PBC (Planned Business Center) zone district for Creekside at Rockrimmon. The property is zoned PBC/CR/HS/SS (Planned Business Center with Conditions of Record with Hillside and Streamside overlay).</p> <p>The property consists of 4.92 acres, and is located at 52 &amp; 112 Heavy Stone View.</p>	<p>96</p>
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# CONSENT CALENDAR

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CITY PLANNING COMMISSION AGENDA

ITEM NO.: A.1 – A.2

STAFF: KATIE CARLEO

FILE NO(S):

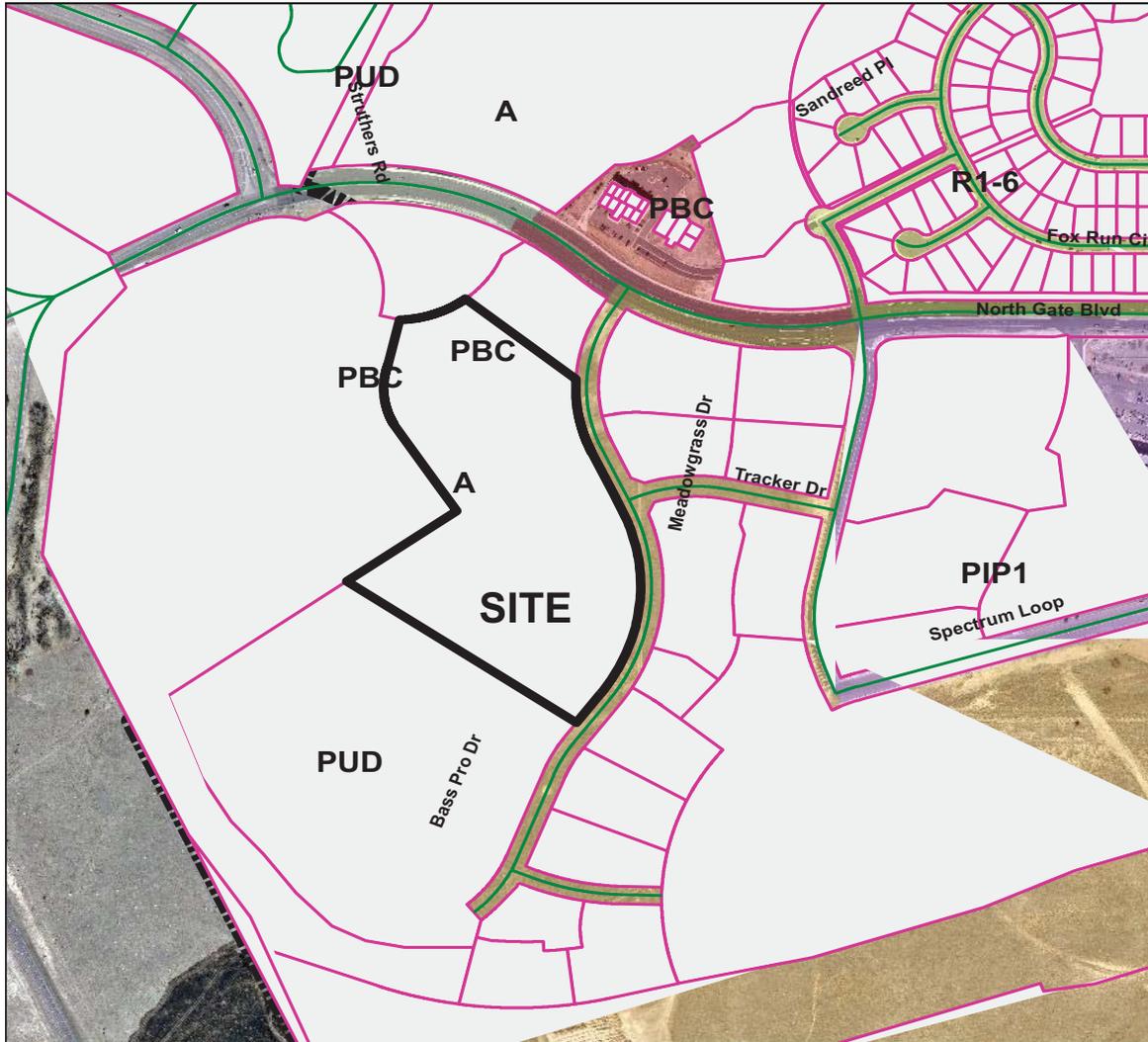
CPC PUP 09-00017-A3MN14 – QUASI-JUDICIAL

CPC PUZ 15-00010 – QUASI-JUDICIAL

**PROJECT:** POLARIS POINTE ZONE CHANGE

**APPLICANT:** EXECUTIVE CONSULTING ENGINEERS, INC.

**OWNER:** RANDAL SCHOLL



### **PROJECT SUMMARY:**

1. Project Description: This project includes concurrent applications for a concept plan amendment for Copper Ridge at Northgate and a rezone of 15.42 acres, located near the southwest corner of Northgate Blvd and Bass Pro Dr. The property will be rezoned from A/PBC/PUD (Agriculture, Planned Business Center, and Planned Unit Development) to PUD (Planned Unit Development; Commercial uses, maximum building height 65-feet) in order to allow commercial development at this location.

The proposed PUD zone is consistent with the previously established PUD zone for the associated Copper Ridge at Northgate concept plan. The concept plan amendment illustrates the area to be added and rezoned maintaining a 65-foot max building height commercial project that is proposed for mixed use, hotel and waterpark. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications with conditions of approval and technical modifications.

### **BACKGROUND:**

1. Site Address: No address have been assigned to date
2. Existing Zoning/Land Use: The 15.42 acre site is currently zoned A/PBC/PUD (Agriculture, Planned Business Center, and Planned Unit Development) / the site is currently vacant.
3. Surrounding Zoning/Land Use: North: PBC (Future Commercial) and Northgate Open Space  
South: PUD / Bass Pro Shops  
East: PUD / Vacant but planned for future commercial  
West: Unincorporated El Pas County / Western Museum of Mining and Industry.
4. Comprehensive Plan/Designated 2020 Land Use: This property is designated as Employment Center
5. Annexation The property was annexed in 1985 as part of the Northgate Annexation #4
6. Master Plan/Designated Master Plan Land Use: This property is within the Northgate Master Plan and is designated as "Community Commercial and Regional Commercial"
7. Subdivision: This property is not yet platted
8. Zoning Enforcement Action: None
9. Physical Characteristics: The subject property is vacant. It is surrounded by commercial development as part of the Copper Ridge at Northgate concept plan.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public process included posting the site and sending postcards to 21 property owners within 500 feet of the subject property, notifying them of the application submittal and public hearing.

Staff also sent the plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, CDOT, and the US Air Force Academy. All comments received from the review agencies have been addressed except for those mentioned as conditions of this approval or technical modifications.

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

1. Review Criteria / Design & Development Issues:

#### Background:

The Copper Ridge at Northgate Concept Plan, located southwest of Northgate Blvd and Voyager Parkway was originally approved in 2009 with 192 acres zoned PUD (Planned Unit

Development); commercial, with 65-foot maximum building height (except for areas B-4 and B-5, commercial, 120-foot max building height).

The Shops at Colorado Grand Hotel, located southwest of Northgate Blvd and Bass Pro Dr. was originally approved in 2000 with 7 acres zoned PBC (Planned Business Center); commercial, retail and hotel. This plan was amended in 2014 updating the current road configurations.

The proposed application for concept plan amendment would join these two previously approved plans and create one concept plan that would govern the entire area. This should simplify planning efforts for this area going forward.

#### Rezone from A/PBC/PUD to PUD

The request is to rezone 15.42 acres from the current A/PBC/PUD (Agriculture, Planned Business Center, Planned Unit Development) to PUD (Planned Unit Development; Commercial, max building height 65-feet) in order to establish a cohesive zoning for the concept plan area. The intent is to transition the property from its current zoning to the established PUD zoning with the same 65-foot max building height for purposed mixed-use, hotel and waterpark development. One issue that is driving the need for the zone change is that the developer is proposing to construct a new hotel and waterpark development in an area that currently straddles the boundary between the existing PBC zone and the adjacent PUD zone. While the proposed project could be permitted in either zone, when establishing a platted lot, only one base zone district shall apply pursuant to City Code Section 7.2.105.

Staff finds the zone change is in conformance with the City Code criteria for establishing a PUD zone set forth in Section 7.3.603 and 7.5.603.B.

#### Concept Plan Amendment

This concept plan illustrates joining previously approved Shops at Colorado Grand Hotel Concept Plan and Copper Ridge at Northgate Concept Plan into a single plan now named Polaris Pointe at Northgate. Previously approved zoning restrictions for Copper Ridge will remain for the entire PUD concept plan area. The planned use of the site will remain mixed-use commercial and will maintain a 65-foot max building height; building setbacks are conceptually shown on plan.

All required parking will be provided on-site. Overall access to the various sites has been determined and approved by the City with previous reviews. One point of access off Voyager Parkway is still in consideration and will require CDOT approval. The City and CDOT are working together to review this proposed access.

Staff finds the concept plan is in conformance with the City Code criteria for concept plan approval.

#### 2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map designates this property as an Employment Center. Employment Centers are defined as activity centers that are major concentrations of employment supported by a mix of uses that meet the needs of employees and visitors, such as restaurants, lodging, child care, higher density residential, and educational facilities.

#### **Strategy LU 102b: Promote Cooperative Planning within the Potential Urban Growth Area**

Promote cooperative planning within the Potential Urban Growth Area to provide adequate urban services and infrastructure.

#### **Policy LU 201: Promote a Focused, Consolidated Land Use Pattern**

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

**Strategy LU 302e: Incorporate Mixed-use Activity Center Principles into the Design of New and Redeveloping Employment and Commercial Centers**

Design and develop commercial and employment centers as activity centers that include a range of integrated uses, such as retail, concentrated office, research and development, institutional, entertainment, and civic activities

**Policy LU 701: Plan and Develop New Commercial Areas as Activity Centers**

Plan and develop new commercial areas as regional centers, commercial centers, community activity centers, or neighborhood centers according to their function, size, location, intensity, and mix of uses.

**Strategy LU 701a: Locate New Commercial Uses in Activity Centers**

Locate new commercial (retail, office, services etc.) development in identified regional centers, commercial centers, and community, or neighborhood activity centers. Prohibit strip commercial development along new major roadways.

**Policy CCA 401: Support Mixed Land Uses**

The City will encourage design that supports mixed land uses and promotes compatibility, accessibility, and appropriate transitions between uses that vary in intensity and scale.

**Policy CCA 601: New Development Will Be Compatible with the Surrounding Area** New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

***It is the finding of Staff that the Polaris Pointe zone change and concept plan amendment substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.***

3. Conformance with the Area's Master Plan:

This property is part of the Northgate Master Plan. The changes purposed are consistent with the Master Plan as this area is designated Community Commercial and Regional Commercial. The mix of commercial uses supports this designation.

***It is the finding of Staff that the proposal is in compliance with the Northgate Master Plan.***

**STAFF RECOMMENDATION:**

**ITEM NO.: A.1 CPC PUP 09-00017-A3MN14 – POLARIS POINTE AT NORTHGATE CONCEPT PLAN**

**Approve** the Polaris Pointe Concept Plan Amendment based upon the findings that the concept plan meets the review criteria as set forth in City Code Section 7.5.501.E., subject to compliance with the following conditions and technical plan modifications.

Conditions of Approval on Concept Plan Amendment:

1. Approval of a Coordinated Sign Plan Amendment for Polaris Pointe at Northgate per the City Sign Specialist.

Technical and Informational Modifications to the Concept Plan Amendment:

1. Reflect the private access to Voyager Parkway as determined by CDOT.

**ITEM NO.: A.2 CPC PUZ 15-00010 – CHANGE OF ZONE**

**Approve** the change of zoning district from A/PBC/PUD (Agriculture, Planned Business Center, Planned Unit Development) to PUD (Planned Unit Development) Commercial, max building height 65-feet based upon the findings that the zone change complies with the review criteria outlined in City Code Sections 7.5.603.B and development of a PUD zone as set forth in City Code Section 7.3.603.





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## Project Statement for Copper Ridge at Northgate PUD Concept Plan

### **Purpose:**

Requesting for an approval of Zoning Change from Planned Business Center and Agricultural to Planned Unit Development, commercial (PUD-commercial) and approval of minor amendment to the approved Copper Ridge at Northgate PUD Concept Plan.

### **Project Location and Description:**

The proposed project is located in a portion of the Section 7, Township 12 South, Range 66 West of the 6<sup>th</sup> Principle Meridian in the City of Colorado Springs, County of El Paso in State of Colorado.

Proposed Concept Plan is for Colorado Grand Hotel and Water Park. The site is bordered by to be platted with a new Kneaders Bakery and Café restaurant and future fast-foot restaurant parcels to the north, an existing collector street, Bass Pro Drive to the east, an existing Bass Pro Shops to the south and an existing Mining Museum site to the west.

The 5.84 acre portion of proposed project was previously approved under, "Shops at Colorado Grand Hotel Concept Plan, City File Number: CPC CP 00-00297-A1MJ14, dated December 3, 2014. This portion is zoned as Planned Business Center (PBC). 0.678 acre portion of proposed project is currently zoned as Agricultural. This parcel was annexed into City per "Northgate Annexation Plat No. 7, Annexation Agreement, dated April 1, 2009 and per recommendation of the City Planner at the time, the annexed portion of 0.678 acre was zoned as "Agricultural" and remained till today date.

Other remaining portion, approximately 9.58 acres of proposed hotel and water park development uses were previously approved under "Copper Ridge at Northgate PUD Concept Plan", City File number: CPC PUP 09-00017-A1MN13, last approval date of October 13, 2013. This portion is also included for the Zone Change with other two parcels.

With submittal of this application, we are requesting for approval of the Zone Change from PBC, A and PUD, commercial parcels totaling of 15.42 acres into one Planned Unit Development, commercial under one ordinance and for an approval of Minor Amendment to the approved "Copper Ridge at Northgate PUD Concept Plan". We are also requesting previously approved "Shops at Colorado Grand Hotel Concept Plan" area will be incorporated into and will join with new name, "Polaris Pointe at Northgate PUD Concept Plan" as one cohesive concept plan for the area.

### **Project Justification:**

Proposed hotel and water park uses are permitted use under PBC zoning and under PUD commercial zoning as outlined on approved Copper Ridge at Northgate PUD Concept Plan (City File number CPC PUP 09-00017-A1MN13). With recommendation and direction from City of Colorado Springs Land Use Review Department, we have been requested to re-zone all three different zoned parcels into one zoning as Planned Unit Development, Commercial.

Zoning Change and the Minor Amendment changes do not have the detrimental effect on the general health, welfare and safety or convenience of persons residing or working in the neighborhood of proposed change areas.

The proposed uses including the density, ranges of building areas permit adequate light and air both on and off site. Proposed changes are within approved PUD commercial area and are appropriate to the surrounding neighborhood and the community. All proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas remained unchanged from previously approved PUD Concept Plans.

Proposed changes do not overburden the capacities of existing streets, utilities, parks, schools and other public facilities.

These changes does conform with all requirements of PUD, commercial, the Subdivision Code and with all applicable elements of the Comprehensive plan.

On behalf of Northgate Properties, LLC, Executive Consulting Engineers, Inc. is pleased to submit proposed minor amendment changes to approved Copper Ridge at Northgate PUD Concept Plan, and we do not foresee any issues with the Minor Amendment submittal.

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# CONSENT CALENDAR

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## CITY PLANNING COMMISSION AGENDA

ITEMS: B.1- B.3

STAFF: MEGGAN HERINGTON

FILE NO(S):

CPC MP 06-00219-A4MN14 – QUASI-JUDICIAL

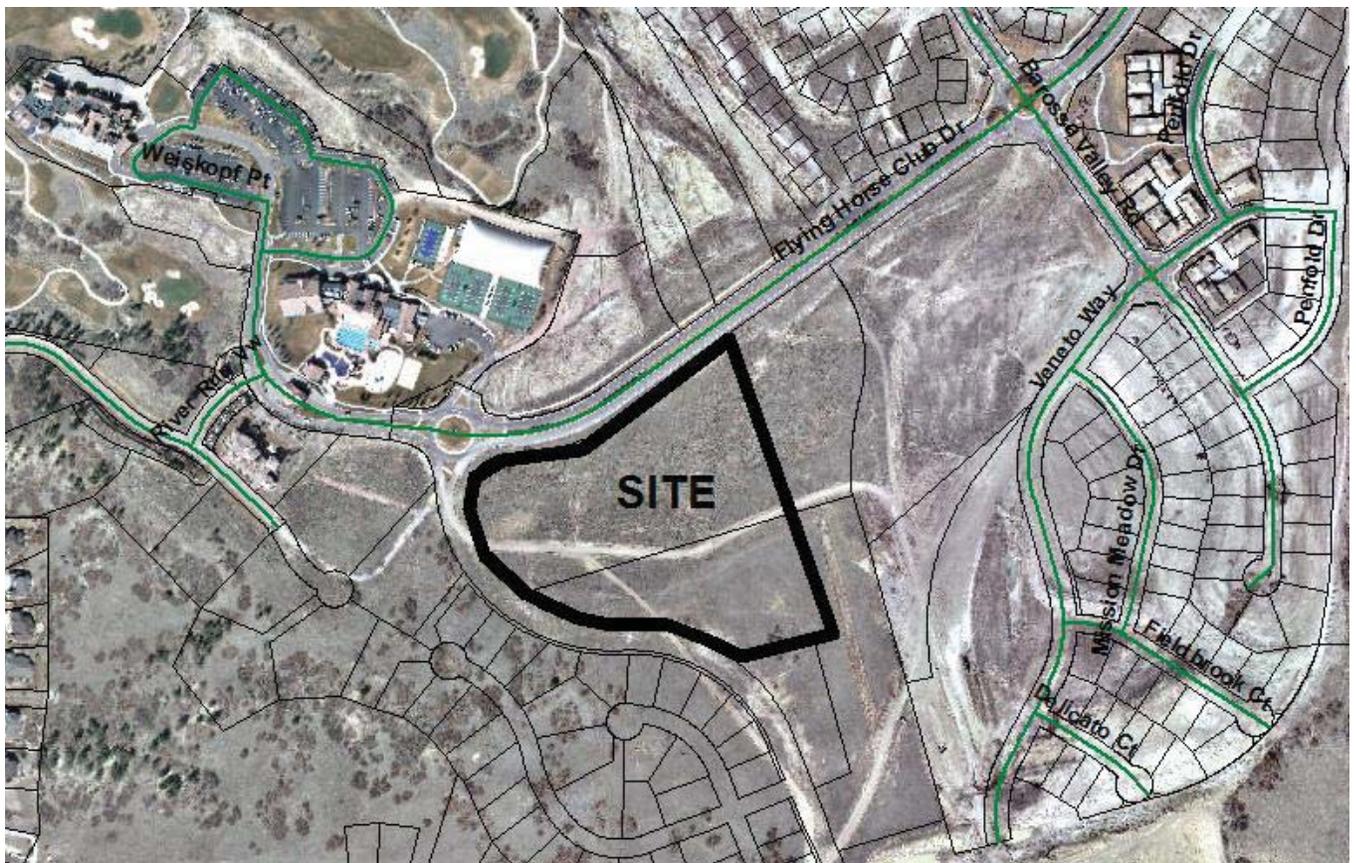
CPC PUZ 14-00153 – QUASI-JUDICIAL

CPC PUD 14-00157 – QUASI-JUDICIAL

**PROJECT:** FLYING HORSE PARCEL NUMBER 36 - MOLISE

**APPLICANT:** NES, INC.

**OWNER:** PULPIT ROCK INVESTMENTS, LLC



### PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a minor amendment to the Flying Horse Master Plan, PUD zone change and PUD development

plan for a 10.5-acre site located south of Flying Horse Club Drive, east of Ravenswood Drive and west of future Powers Boulevard in the Flying Horse community.

The master plan amendment focuses on two areas; it changes the land use of Parcel 36 from Office to Residential, 3.5 – 8 dwelling units per acre, and removes the planned traffic signal at Diamond Rock Road and North Gate Boulevard.

The rezone will change 10.5 acres described as Parcel 36 from A (Agricultural) to PUD (Planned Unit Development). The PUD development plan for the site shows a single-family, paired patio home (duplex) development consisting of 40 lots, open space/landscape tracts, and public roads. **(FIGURE 1)**

Staff is administratively reviewing a final plat within this development. Flying Horse No. 36 Molise Filing No. 1 will create 40 single-family lots, tracts, easements and public roads.

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

#### **BACKGROUND:**

1. Site Address: The site is not currently addressed. It is located south of Flying Horse Club Drive, east of Ravenswood Drive and west of future Powers Boulevard.
2. Existing Zoning/Land Use: The 10.5 acres is vacant
3. Surrounding Zoning/Land Use:  
North: A (Agricultural)/ Club at Flying Horse  
South: PUD/Developing Single Family Residential  
East: A/Future Powers Boulevard  
West: PUD/Developing Single Family Residential
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: The property was annexed in January 2004 as a part of the Flying Horse Ranch Addition.
6. Master Plan/Designated Master Plan Land Use: The current Flying Horse Master Plan designates the property as Office and the master plan amendment associated with this request proposes to change the use to Residential 3.5 - 8 Dwelling Units per Acre.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant with no significant vegetation.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public process included posting the site and sending postcards to 119 property owners within 1,000 feet of Parcel 36 and the intersection of Diamond Rock Road and North Gate Boulevard. The site will be posted and postcards mailed prior to the Planning Commission's public hearing.

A neighborhood meeting was held on January 8, 2015 and was attended by approximately 5 neighbors. Those in attendance were Flying Horse residents. Staff did not receive any follow up correspondence from the neighbors.

The applications were sent to the standard internal and external agencies for review and comment. All review comments have been addressed. Review agencies for this project included

Colorado Springs Utilities, City Traffic, City Engineering, City Fire Dept. and Police/E-911, City Real Estate Services as well as School District 20, Air Force Academy, Regional Building, Floodplain and Enumerations.

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

1. Review Criteria / Design & Development Issues:

Flying Horse Master Plan Amendment

The minor amendment to the Flying Horse Master Plan proposes to change the use of Parcel 36 from Office to Residential, 3.5 – 8 Dwelling Units per Acre. This residential use and density type is similar to other uses and densities within flying horse, specifically to the north and east of this site along Flying Horse Club Drive. The paired patio home concept has been very successful in Flying Horse and the developer wishes to establish a new neighborhood for this product. Even after adoption of the proposed change, there continues to be areas of planned office uses to the north and east of Flying Horse Club Drive.

The other change to the master plan is removal of the planned signal at Diamond Road and North Gate Boulevard. An updated traffic study shows that this signal will not meet signal warrants. There is a planned signal directly to the east at the intersection of Old North Gate Road and North Gate Boulevard and newly installed signals at Silverton Road and North Gate Boulevard, and Roller Coaster Road and North Gate Boulevard. Those existing and proposed signals will control traffic along North Gate Boulevard, thus determining that the Diamond Rock signal is not required. The traffic study and signal removal has been reviewed and approved by the City Traffic Engineer.

Staff finds the amendment request meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408.

PUD (Planned Unit Development) Rezone

The proposal will rezone 10.5 acres from A (Agricultural) to PUD (Planned Unit Development). The property was zoned A with annexation into the City in 2004. The A zone is considered a holding zone until the property is ready for development. The PUD is a customized zone district that sets the specific use, density and height for the property. The Flying Horse Parcel Number 36 PUD will allow single-family paired patio home development at a gross density of 3.80 dwelling units per acre and a maximum building height of 30 feet.

The rezone is in conformance with the amended Master Plan and meets City Code standards and criteria for a PUD rezone request.

PUD Residential Development Plan

The development plan covers 10.5 acres. The development plan illustrates 40 lots to accommodate paired patio home units along with landscape areas and public roads.

This new neighborhood will be known as Molise. The lots range in size from a minimum of 4,927 square feet to a maximum of 16,649 square feet. The site is accessed by a new loop road (Villa Creek Circle) off of Ravenswood Drive.

Internal open space facilitates pedestrian connectivity throughout the development as well as connection to the larger Flying Horse trail system.

Staff finds that the plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605 and the development plan review criteria as set forth in Section 7.5.502.E.

2. Conformance with the City Comprehensive Plan

Comprehensive Plan 2020 Land Use Map: General Residential  
Comprehensive Plan Goals and Objectives: General Residential  
Objective LU 5: Develop Cohesive Residential Areas  
Objective LU 6: Meet the Housing Needs of All Segments of the Community  
Objective N 1: Focus On neighborhoods  
Objective N3: Vary Neighborhood Patterns  
Objective CCA 6: Fit New Development into the Character of the Surrounding Area

It is the finding of Staff that the Flying Horse Parcel Number 36 will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:

City Code Chapter 7, Article 5 outlines criteria for administration of, and procedures related to, the amendment of master plans. This Article recognizes the need for master plan flexibility and that long term planning and consistency must be balanced with the need to amend plans as conditions change. The intent is to permit changes to a master plan that conform to contemporary standards and current codes, policies and plans.

Section 7.5.403(C)(2) guides the master plan amendment process and outlines criteria for when a minor master plan amendment is acceptable. A minor master plan amendment is a request for a change that:

- Will have slight impact on the City's infrastructure and facilities,
- Is generally less than fifty acres and would not increase trip generation off the parcel by more than ten percent (10%), and
- A change from one land use category to another may be considered if the impact of the requested change remained minimal.

This property is part of the Flying Horse Master Plan and currently shown as office. This minor amendment to the Flying Horse Master Plan proposes to change the land use for this particular area to residential. It is expected that this change of use will be of similar intensity and meets the review criteria found within Section 7.5.408 for granting a minor master plan amendment.

It is the finding of Staff that the Flying Horse Parcel Number 36 project and North Gate Boulevard signal removal substantially conforms to and is in compliance with the Flying Horse Master Plan as proposed to be amended.

**STAFF RECOMMENDATION:**

**Item No.: B.1 CPC MP 06-00219-A4MN14 – Minor Master Plan Amendment**

**Approve** the amendment to the Flying Horse Master Plan, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408.

**Item No.: B.2 CPC PUZ 14-00153 – Change of Zoning to PUD**

**Approve** the zone change from A (Agriculture) to PUD (Planned Unit Development: Attached Single-Family Residential, 30 Feet Maximum Building Height, and 3.80 Dwelling Units per Acre), 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 the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

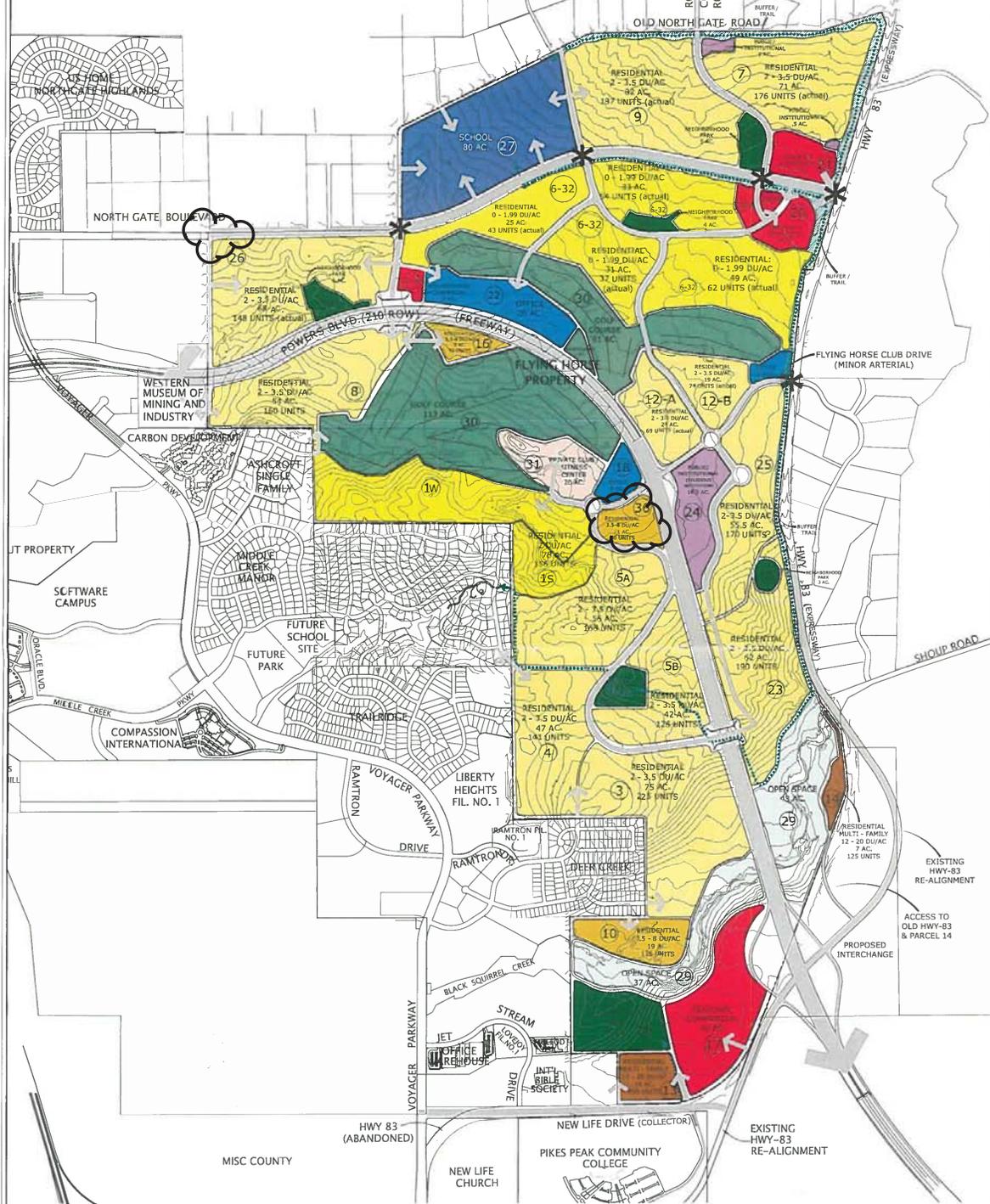
**Item No.: B.3 CPC PUD 14-00157 – Flying Horse Parcel Number 36 Development Plan**

**Approve** the PUD Development Plan for Flying Horse Parcel Number 36, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E.

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**AMENDMENT #12**  
**(Parcel 36/ Traffic Signal)**  
 12/23/2014

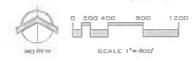


**FLYING HORSE**

**LEGEND / LANDUSE TABLE:**

<b>R-2</b> 216 ACRES RESIDENTIAL: 0 - 1.99 DU/AC - 352 UNITS	<b>C</b> 76.5 ACRES COMMERCIAL	<b>OS</b> 80 ACRES OPEN SPACE	<b>P/I</b> 22 ACRES PUBLIC / INSTITUTIONAL
<b>R2-3.5</b> 655.5 ACRES RESIDENTIAL: 2 - 3.5 DU/AC - 1834 UNITS	<b>C/R</b> 20 ACRES PRIVATE CLUB / FITNESS CENTER	<b>GC</b> 197 ACRES GOLF COURSE	<b>73</b> PARCEL NUMBER
<b>R3.5-8</b> 39 ACRES RESIDENTIAL: 3.5 - 8 DU/AC - 210 UNITS	<b>O</b> 38.4 ACRES OFFICE	<b>ROW</b> 77 ACRES POWERS BLVD.	
<b>R12-20</b> 21 ACRES RESIDENTIAL: 12 - 20 DU/AC - 375 UNITS	<b>S</b> 80 ACRES SCHOOL		

NOTE: ON AND OFF RAMPS ARE ANTICIPATED AT POWERS BLVD. AND FLYING HORSE CLUB DR. IN THE VICINITY OF PARCEL NUMBERS 18, 36, 12A AND 24.



DESIGNER: A. TULLIS	PROJECT: 06-00219-A3M12
DRAWN: J. DEWITT	SHEET: 01 OF 02
CHECKED: J. DEWITT	DATE: 03/19/15
APPROVED: J. DEWITT	

TOTAL ACRES = 1,593  
 TOTAL RESIDENTIAL DWELLING UNITS = 2771

**FIGURE 1**

Project: C:\Users\jgibson\Documents\CAD\CAD\2014\150415\CPC\150415\CPC.dwg (1) 2/26/2015 04:57:07 PM User: jgibson



**Owner:**  
 Chase Development, Fling Horse LLC  
 6355 Converse Blvd, Suite 100  
 Colorado Springs, CO 80903

**Applicant:**  
 N.E.S., Inc.  
 619 N. Cascade Ave., Suite 200  
 Colorado Springs, CO 80903

**Site Data:**

Schedule Number: 6209300009  
 Total Area: 10,528 Acres  
 Gross Density: 3.80 DU/AC  
 Minimum Lot Size: 4,937 S.F.  
 Minimum Lot Width: 45' S.F.  
 Average Lot Size: 7,654 S.F.

Existing Zoning: DC  
 Proposed Zoning: RPD  
 Requested Land Use: Multi-Unit Single-Family Attached  
 Master Plan: Fling Horse Master Plan  
 Development Schedule: 2015

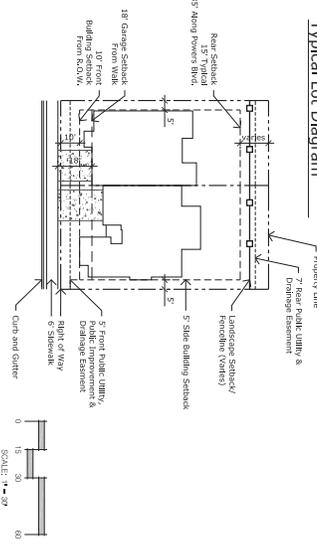
**Dimensional Requirements:**

Setbacks (see Typical Lot Diagram)

Front: 10' Minimum from R.O.W.  
 Side: 10' from base of structure to garage opening  
 Rear: 5' Minimum  
 15' Minimum along Powers Blvd.  
 35' Minimum

Building Height: 30' Maximum

**Typical Lot Diagram**



**Legal Description:**

A PORTION OF LAND LOCATED IN SECTION 12, TOWNSHIP 12 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASED UPON:

THE EXISTING BOUNDARY OF TRACT 1 AS PLATTED IN PLATS BOOKS NO. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**General Notes:**

1. ALL TRACTS OUTSIDE THE PLATTED LOTS WILL BE FOR PUBLIC IMPROVEMENTS, PUBLIC AND PRIVATE UTILITIES, MAIL BOXES, DRIVEWAYS, STORMWATER, SEWER, AND OTHER NECESSARY UTILITIES AND SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
2. AREAS NOT WITHIN A DESIGNATED FLOODPLAIN, BUT WHICH ARE WITHIN THE FLOODPLAIN OF A NEARBY WATERWAY, SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
5. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
7. ON ALL LOTS, BUILDING FOOTPRINTS SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
8. THE 600' BUFFER ZONE SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
9. THE 600' BUFFER ZONE SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
10. THE 600' BUFFER ZONE SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
11. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
12. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
13. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
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18. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
19. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.
20. ALL UTILITIES SHALL BE MAINTAINED BY THE PLANNING BOARD, POLICE, FIRE, AND PUBLIC WORKS DEPARTMENT.

**Tract Table**

Tract	Size (S.F.)	Use	Ownership	Reference
Tract A	20,279 SF	Offices, Retail, Open Space	OHSA	HOA
Tract B	5,233 SF	Open Space, Park, Open Space	OHSA	HOA
Tract C	6,244 SF	Open Space, Park, Open Space	OHSA	HOA
Tract D	2,342 SF	Open Space, Landscaping	OHSA	HOA
Tract E	2,342 SF	Open Space, Landscaping	OHSA	HOA
Tract F	28,488 SF	Open Space, Landscaping	OHSA	HOA
Tract G	7,251 SF	Open Space, Landscaping	OHSA	HOA

**Sheet Index**

- Sheet 1: Development Plan
- Sheet 2: Preliminary Utility Plan
- Sheet 3: Preliminary Landscaping Plan
- Sheet 4: Preliminary Utility Plan
- Sheet 5: Landscaping Plan

**Land Planning**  
 Landscape Architecture  
 Urban Design

**NES**

N.E.S., Inc.  
 619 N. Cascade Avenue, Suite 200  
 Colorado Springs, CO 80903  
 Tel: 719.471.0273  
 Fax: 719.471.0257  
 www.neslandscape.com

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**FIGURE 1**

**MOLISE**

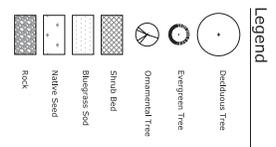
**FLING HORSE**  
**PARCEL 36**

**1**  
 OF 5

**CPC PUD 14-00157**







<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>Deciduous Tree</li> <li>Evergreen Tree</li> <li>Ornamental Tree</li> <li>Shrubs Bed</li> <li>Bluegrass Seed</li> <li>Native Seed</li> <li>Rock</li> </ul>		<p><b>N.E.S. Inc.</b>          619 N. Cascade Avenue, Suite 200          Colorado Springs, CO 80903          T: 719.471.0073          Fax: 719.471.0057          www.nescsolutions.com          © 2012, All Rights Reserved.</p>	<p><b>LAND PLANNING</b>          Landscape          Architecture          Urban Design</p> <p><b>NES</b></p>
<p><b>MOLISE</b>          FLYING HORSE          PARCEL 36</p>			
<p>DATE: 02/19/15          PROJECT: PRELIMINARY PLAN          DRAWN BY: K. S. CHAMBERLAIN</p>		<p>13/20/2014          K. S. CHAMBERLAIN</p>	
<p>SCALE: 1" = 40'</p>		<p>TRACT B, NO. 5          FLYING HORSE NO. 1423          SECTION 10</p>	
<p>Preliminary          Landscape Plan</p>		<p>4          OF 5</p>	
<p>CPC PUD 14-00157</p>		<p>FIGURE 1</p>	





6385 Corporate Drive, Suite 101 (719)785-0790  
Colorado Springs, Colorado 80919 (719) 785-0799(Fax)

JOB NO. 1171.05-01  
DECEMBER 2, 2014  
PAGE 1 OF 2

**LEGAL DESCRIPTION: PARCEL 36**

A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE EASTERLY BOUNDARY OF TRACT B AS PLATTED IN FLYING HORSE NO. 5 MILAN FILING NO. 1 RECORDED UNDER RECEPTION NO. 214713423, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A NO. 5 REBAR AND 1 1/2 INCH ALUMINUM CAP STAMPED "CCES LLC PLS 30118" IS ASSUMED TO BEAR S15°48'12"E, A DISTANCE OF 387.34 FEET;

COMMENCING AT THE NORTHEASTERLY CORNER OF TRACT B AS PLATTED IN FLYING HORSE NO. 5 MILAN FILING NO. 1, RECORDED UNDER RECEPTION NO. 214713423, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S74°00'00"W, ON THE NORTHERLY BOUNDARY OF SAID TRACT B, A DISTANCE OF 225.86 FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT B, SAID POINT BEING A POINT ON CURVE ON THE EASTERLY RIGHT OF WAY LINE OF RAVENSWOOD DRIVE AS PLATTED IN SAID FLYING HORSE NO. 5 MILAN FILING NO. 1;

THENCE ON THE EASTERLY RIGHT OF WAY LINE OF SAID RAVENSWOOD DRIVE THE FOLLOWING (5) FIVE COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S35°34'03"W, HAVING A DELTA OF 38°30'49", A RADIUS OF 483.50 FEET AND A DISTANCE OF 325.00 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 63°17'43", A RADIUS OF 416.50 FEET AND A DISTANCE OF 460.11 FEET TO A POINT OF COMPOUND CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 25°21'59", A RADIUS OF 287.50 FEET AND A DISTANCE OF 127.28 FEET TO A POINT OF COMPOUND CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 20°17'04", A RADIUS OF 100.00 FEET AND A DISTANCE OF 35.40 FEET TO A POINT OF TANGENT;
5. N16°00'00"E, A DISTANCE OF 25.91 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF FLYING HORSE CLUB DRIVE AS PLATTED IN FLYING HORSE CLUB DRIVE FILING NO. 1, RECORDED UNDER RECEPTION NO. 206712333;

THENCE ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID FLYING HORSE CLUB DRIVE, THE FOLLOWING (3) THREE COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S73°04'42"E, HAVING A DELTA OF 72°36'50", A RADIUS OF 100.00 FEET AND A DISTANCE OF 126.73 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 35°02'07", A RADIUS OF 558.00 FEET AND A DISTANCE OF 341.21 FEET TO A POINT OF TANGENT;
3. N54°30'00"E, A DISTANCE OF 268.86 FEET;

THENCE S35°30'00"E, A DISTANCE OF 58.73 FEET TO A POINT OF CURVE;

JOB NO. 1171.05-01  
DECEMBER 2, 2014  
PAGE 2 OF 2

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 13°07'02", A  
RADIUS OF 819.00 FEET AND A DISTANCE OF 187.50 FEET TO A POINT OF TANGENT;  
THENCE S22°22'58"E, A DISTANCE OF 191.19 FEET;  
THENCE S15°48'12"E, A DISTANCE OF 374.46 FEET TO THE POINT OF BEGINNING;  
CONTAINING A CALCULATED AREA OF 10.528 ACRES.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF  
COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS  
PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY  
KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING,  
ENGINEERS AND SURVEYORS, LLC.

DE 02, 2014  
DATE

## PROJECT STATEMENT – FLYING HORSE PARCEL #36

### Master Plan Amendment Zone Change Development Plan Final Plat

December 2014

Flying Horse Parcel #36 is located along the west side of the proposed Powers Boulevard, south of Flying Horse Club Drive. This parcel is currently designated for Office on the Flying Horse Master Plan and zoned Office Complex (OC). This application will include a master plan amendment, zone change, development plan and final plat.

#### Master Plan Amendment

The proposed master plan amendment will convert the land use of Parcel #36 from O (Office) to Residential 3.5 – 8 du/ac, allowing for a maximum of 88 units. 40 units is noted on the master plan as this reflects the actual units per the development plan. The increase of 40 units overall is more than offset by parcels that have been developed well below the units designated on the master plan, but still within the density range.

A second item included in the master plan amendment is the removal of the designation of a traffic signal at the intersection of Diamond Rock Road and North Gate Boulevard. The traffic analysis demonstrates that this intersection will not meet warrants and therefore no signal is needed.

#### Zone Change

Accompanying the Master Plan Amend is a proposed zone change, from OC to PUD. The PUD zone will support the residential use proposed for the site and will define the dimensional standards for Parcel #36 as shown on the development plan.

#### Zone Change Review Criteria

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare. *The requested Zone Change would be in conformance with and implements the Flying Horse Master Plan as amended, and therefore has been*

***determined to be in the public interest. Major infrastructure to serve this area is in place, or will be put in place with the development of this parcel.***

2. The proposal is consistent with the goals and policies of the Comprehensive Plan. ***This review criterion is met because the Zone Change will implement the Flying Horse Master Plan, a component of the Comprehensive Plan.***
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended to be considered consistent with a zone change request. ***This requested Zone Change is in conformance with the proposed amendment to the Flying Horse Master Plan.***

### **Development Plan**

The 10.5 acre parcel lies southwest of the future Powers Boulevard and Flying Horse Club Drive. Access to this site will be achieved via one point of access off of Ravenswood Drive, south of the Flying Horse Drive/Ravenswood Drive intersection. All lots will be served from a single loop road within the subdivision. The loop road will be consistent with City standards for a minor residential street.

The lots range in size from approximately 4900 s.f. to 16,600 s.f. with an average size of approximately 7,600 s.f. All lots will receive access from the internal loop road. The proposed product for this site will be single family attached units (duplex) that will share a common wall on a lot line. Open space will be provided on individual lots as well landscaped tracts within the development. A mail kiosk is located within Tract C to serve this neighborhood. Pedestrian connectivity is provided through Tract A at the northwest corner of the site to offer pedestrian access to the clubhouse facilities as well as external walks and trails.

A concrete wall will be located along the eastern landscape setback to provide buffering from the future Powers Boulevard that will include landscaping. A 3 rail fence will surround the rest of the property with openings at the entry drive and the pedestrian access at Tract A. Landscape setbacks are provided around the perimeter of the property in accordance with landscape code requirements for double frontage lots.

### **Development Plan Review Criteria**

1. Will the project design be harmonious with the surrounding land uses and neighborhood? ***This parcel provides a transition in lot size from the larger Toscano lots to the west. The higher density single family attached product creates an effective transition from the more intensive uses lying to the east and north of this parcel.***

2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities? ***The proposed single family land use is similar to single family land use in adjacent subdivisions. The proposed density is consistent with the Flying Horse Master Plan (as amended); this density was anticipated for this parcel, and infrastructure has been planned accordingly.***
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties? ***Structures will be of similar size, height and bulk as adjacent residential properties.***
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development? ***The only potential site impact will be from Powers Boulevard noise, which is discussed in detail above and covered by an environmental evaluation enclosed with this application.***
5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption? ***There are a limited number of access opportunities for this portion of Flying Horse. Access to the north is limited to a collector connection (Ravenswood Drive) to Flying Horse Club Drive. Access to the west is limited to a residential street connection to Stone Crossing. There is no access permitted to Powers Boulevard to the east, however, a collector street connection to the east of Powers will be provided. Access to the south is limited to a collector connection to Deer Creek, which is beyond the limits of this Plan. The street system is described in detail in the Project Statement above.***
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? ***Yes. Access to Highway 83 via Flying Horse Club Drive will be provided in the first phase. This access also will provide access to the Club at Flying Horse, the social and recreational hub of the development.***
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic? ***Yes. This neighborhood will be served by a single loop access road with one point of access onto Ravenswood Drive.***

8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? ***Parking will be provided on each lot in garages and driveways and on-street parking will be available as well.***
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design? ***Individual homes will be designed specifically for any handicapped purchasers.***
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? ***The street system is designed to provide access to individual home sites. Driveway length is governed by City regulations.***
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles? ***The primary pedestrian system is the sidewalk system, which is compliant with City Subdivision design standards. Access is provided to the pedestrian network throughout Flying Horse.***
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? ***There are no significant natural features on this site.***

## **Final Plat**

A final plat is included with this application that encompasses the entire 10.5 acre parcel defining lots, rights of way, and tracts.

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# CONSENT CALENDAR

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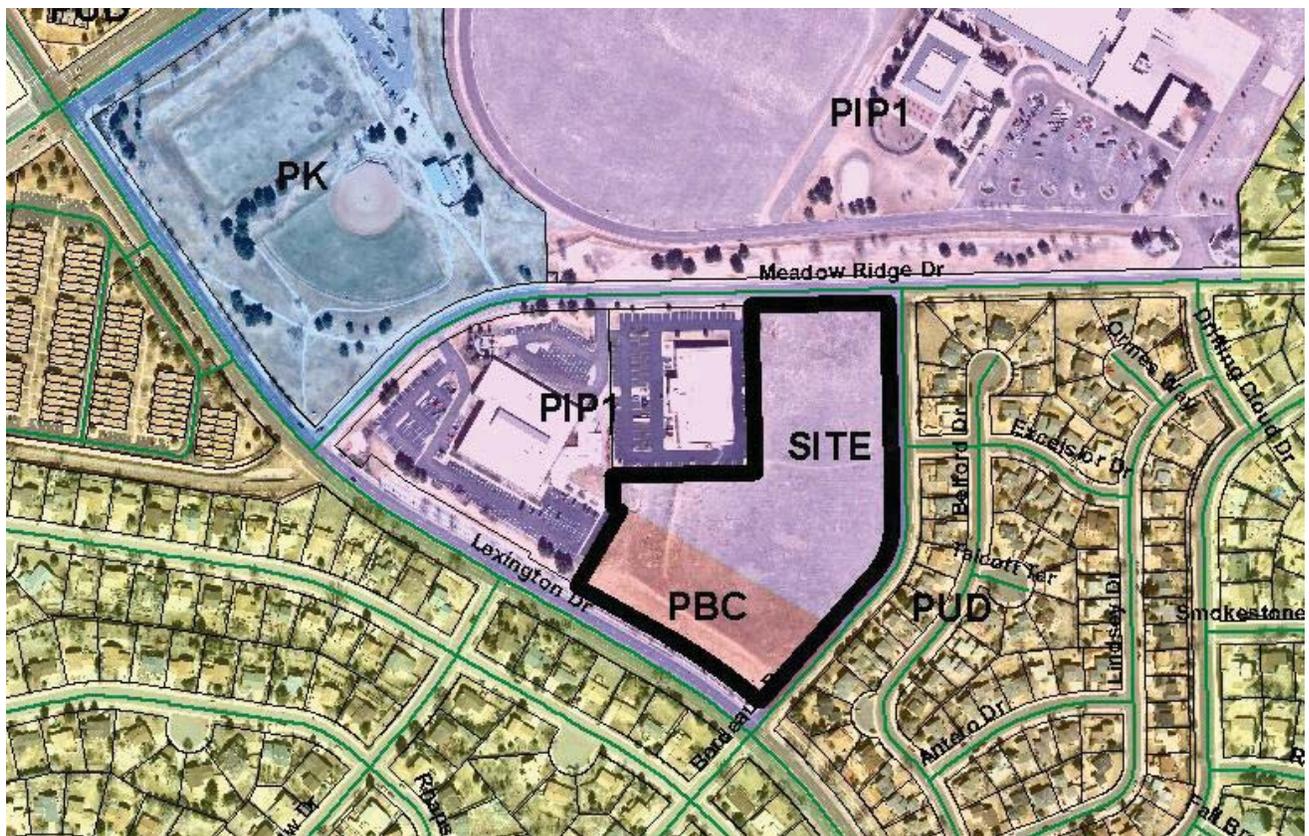
## CITY PLANNING COMMISSION AGENDA

ITEM NOS C.1, C.2

STAFF: MEGGAN HERINGTON

FILE NO(S):  
CPC PUZ 14-00151- QUASI-JUDICIAL  
CPC PUD 14-00152 - QUASI-JUDICIAL

**PROJECT:** LEXINGTON CROSSING AT BRIARGATE  
**APPLICANT:** CLASSIC CONSULTING ENGINEERS AND SURVEYORS  
**OWNER:** MATT CRADDOCK



### PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for PUD rezoning and a development plan for 7.21 acres located south of Meadow Ridge Drive, north of Lexington Drive and west of Bordeaux Drive.

The property will be rezoned from PIP-1 (Planned Industrial Park) and PBC (Planned Business Center) to PUD (Single-family residential, attached, 5.5 dwelling units per acre, 35 foot maximum building height) in order to allow the property to develop as 40 paired patio home (duplex) units.

The associated development plan illustrates the layout for the 40 individual lots, open space and landscape tracts, and public roads. **(FIGURE 1)**

Staff is administratively reviewing a final subdivision plat to create the 40 lots from the original 7.21 acres.

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends approval of the applications with technical modifications.

#### **BACKGROUND:**

1. Site Address: The property is currently addressed as 7825 Lexington Drive.
2. Existing Zoning/Land Use: The 7.21 acre site is currently zoned PIP-1 and PBC and is vacant.
3. Surrounding Zoning/Land Use: North: PIP-1/Checks Unlimited Campus  
South: R1-6/Developed Single Family Residential  
East: PUD/Developed Single Family Residential  
West: PIP-1/Office, Skate America (currently in the process of being rezoned to PBC)
4. Comprehensive Plan/Designated 2020 Land Use: This property is designated as Employment Center.
5. Annexation: The property was annexed in 1978 as part of Briargate Addition #2.
6. Master Plan/Designated Master Plan Land Use: This property is within the Briargate Master Plan which is designated as "Implemented". When a property is in the implemented area, a master plan amendment is not required.
7. Subdivision: The property is currently Lot 2 Cipher Data Products Filing No. 3.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant with no significant vegetation or topography.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public process included posting the site and sending postcards to 109 property owners within 500 feet, notifying them of the application submittal and neighborhood meeting, as well as the public hearing.

A neighborhood meeting was held on January 20, 2015. There were approximately 6 neighbors in attendance. The main concern voiced was existing traffic on Bordeaux Drive. Staff will be working with the neighbors to discuss traffic calming possibilities not directly related to this project. No written opposition was received.

Staff also sent the plans 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 Parks, City Fire, City Finance, Police and E-911 and the US Air Force Academy.

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

1. Review Criteria / Design & Development Issues:  
Rezone from PIP-1 and PBC to PUD  
The existing zoning for the site is split between PIP-1 and PBC and was previously to be developed as office-warehouse and a commercial center along Lexington Drive. The owner now wishes to develop the site as single-family residential, attached (duplexes). The PUD zone district

will allow this duplex product at a density of 5.5 dwelling units per acre with a 35 foot maximum building height.

Staff finds that the zone change request is in conformance with the City Code criteria for rezoning and the criteria for establishment of a PUD.

#### PUD Development Plan

The PUD development plan illustrates 40 individual lots, one for each paired unit, along with open space and landscape tracts. Fencing and landscaping will be utilized to buffer the property from the industrially zoned property to the west. It should be noted that the property immediately northwest of the site is in the process of being rezoned to PBC (Planned Business Center).

Access to the site is provided by a public road extension of Excelsior Drive as well as two new public roads; Union Jack Way and Redcoat Lane.

Staff finds that the PUD development plan is in conformance with the City Code criteria for PUD development plan approval.

#### 2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map designates this property as an Employment Center. Employment Centers are defined as activity centers that are major concentrations of employment supported by a mix of uses that meet the needs of employees and visitors, such as restaurants, lodging, child care, higher density residential, and educational facilities.

#### **Policy LU 201: Promote a Focused, Consolidated Land Use Pattern**

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

#### **Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.**

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

#### **Policy LU 301: Promote a Mixed Land Use Pattern**

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

#### **Strategy LU 302c: Promote Compatibility between Land Uses of Differing Intensities**

Design and develop mixed land uses to ensure compatibility and appropriate transitions between land uses that vary in intensity and scale.

#### **Objective CCA 6: Fit New Development into the Character of the Surrounding Area**

Often the overall character of a new development is not realized until the project is completed. This can lead to unintended impacts and incompatible development. Applicants for new developments need to clearly identify how their projects will fit into the character of the surrounding area and the community as a whole with respect to height, scale, bulk, massing, roof forms, signage, overall site design, pedestrian and vehicular access, and relation to the public right-of-way.

**Policy CCA 601: New Development Will Be Compatible with the Surrounding Area** New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

***It is the finding of the Land Use Review Division that the Lexington Crossing at Briargate PUD zone change and PUD development plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.***

3. Conformance with the Area's Master Plan:

The property is in the Briargate Master Plan. However, this specific master plan designates a large area as "Implemented". In the implemented area of the master plan, an amendment to the plan is not required with a change of land use.

**STAFF RECOMMENDATION:**

**ITEM NO.: C.1 CPC PUZ 14-00151 – CHANGE OF ZONE TO PUD**

**Approve** the change of zone district from PIP-1 (Planned Industrial Park) and PBC (Planned Business Center) to PUD (Planned Unit Development: single-family residential, attached, 5.5 dwelling units per acre, 35 foot maximum building height), 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 the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

**ITEM NO.: C.2 CPC PUD 14-00152 – LEXINGTON CROSSING AT BRIARGATE PUD DEVELOPMENT PLAN**

**Approve** the Lexington Crossing at Briargate PUD Development Plan, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E with the following Technical Modifications:

1. Add file number CPC PUD 14-00152 to the bottom right corner of all plan pages.
2. Obtain verification from CSU that trees can be located within the Lexington Landscape Setback, which overlaps with a 10' Utility easement.

# LEXINGTON CROSSING AT BRIARGATE FILING NO. 1

## CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

### DEVELOPMENT PLAN

TITLE SHEET  
 FEBRUARY 2015

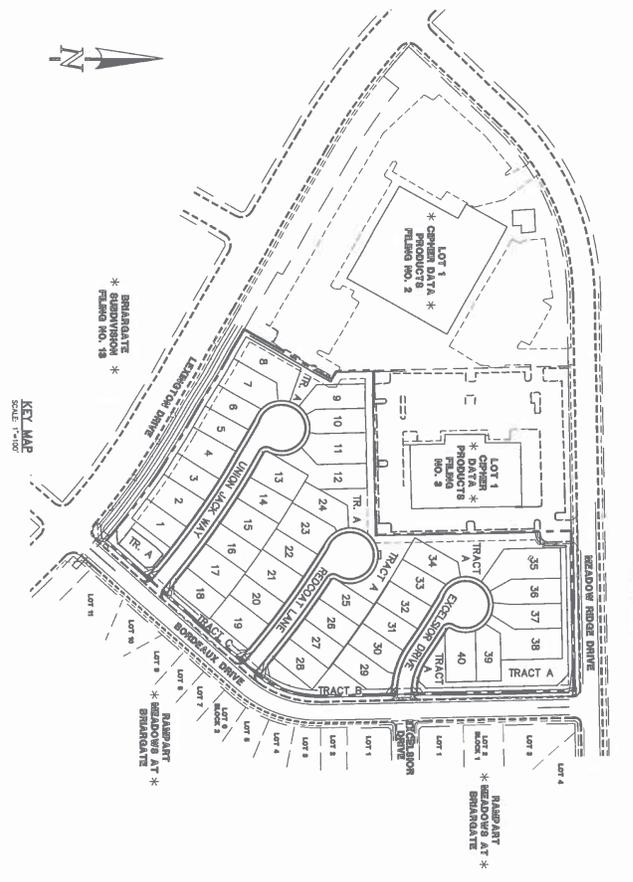
**LEGAL DESCRIPTION**  
 LOT 2, CERRIL DATA PRODUCTS PLING NO. 3 AS RECORDED AT RECEPTION NO. 99072697 OF THE RECORDS OF EL PASO COUNTY, COLORADO,  
 CONTAINING AN AREA OF 7.214 ACRES.



**SHEET INDEX**

COVER SHEET	SHEET 1 OF 9
DEVELOPMENT PLAN	SHEET 2 OF 9
PRELIMINARY GRADING & EROSION CONTROL PLAN	SHEET 3 OF 9
PRELIMINARY UTILITY & PUBLIC FACILITIES PLAN	SHEET 4 OF 9
DEVELOPMENT PLAN DETAIL SHEET	SHEET 5 OF 9
BUILDING ELEVATIONS SHEET	SHEET 6 OF 9
TYPICAL UNIT LAYOUT	SHEET 7 OF 9
PRELIMINARY LANDSCAPE NOTES & SITE CALC	SHEET 8 OF 9
PRELIMINARY LANDSCAPE PLAN	SHEET 9 OF 9

- GENERAL NOTES:**
- 1) TRACT A, B, AND C ARE COMMON AREA FOR THE PURPOSE OF OPEN SPACE. THE DEVELOPMENT PLAN IS SUBJECT TO THE RECORDS OF THE CITY OF COLORADO SPRINGS, COLORADO, RECORDED AT RECEPTION NO. 99072697 OF THE RECORDS OF EL PASO COUNTY, COLORADO, CONTAINING AN AREA OF 7.214 ACRES.
  - 2) THERE SHALL BE NO DIRECT VEHICULAR ACCESS FROM LOTS TO MEADOW RIDGE DRIVE, BRIARGATE DRIVE OR LEXINGTON DRIVE.
  - 3) THE DEVELOPMENT QUALITY FUND LOCATED WITHIN TRACT A IS PRIVATE AND SHALL BE MAINTAINED BY THE LEXINGTON CROSSING AT BRIARGATE PROPERTY OWNERS ASSOCIATION, PRIOR TO BUILDING PERMIT.
  - 4) FINANCIAL ASSURANCES FOR PUBLIC STREET IMPROVEMENTS WILL NEED TO BE POSTED.
  - 5) NO STRUCTURES SHALL BE ALLOWED IN THE VISIBILITY TRIANGLES.
  - 6) ALL PROPOSED STREETS ARE PUBLIC AND WILL BE PAVED WITH ASPHALT.
  - 7) THE LEXINGTON CROSSING AT BRIARGATE PROPERTY OWNERS ASSOCIATION WILL MAINTAIN ALL OF THE SURFACE AREAS, INCLUDING WEED CONTROL, FOR ALL PRIVATE OPEN SPACE WITHIN THE LEXINGTON CROSSING AT BRIARGATE DEVELOPMENT.
  - 8) WATERLOO MOOR SHELTER LOCATION IS PROVIDED ON AT THE END OF REDOBT LAKE. SEE SHEET PROVIDED ON SHEET 9.
  - 9) THE CITY ENGINEERING DEPARTMENT CONSTRUCTION OF MANHOLE BASEMENTS WHERE REQUIRED SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE THE LOCATION OF ALL MANHOLES AND THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE THE LOCATION OF ALL MANHOLES AND THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE THE LOCATION OF ALL MANHOLES.
  - 10) SHARED ACCESS WITH LOT 1, CERRIL DATA PRODUCTS PLING NO. 3, MEADOW RIDGE DRIVE MAY NOT BE DISCONTINUED WITHOUT WRITTEN PERMISSION FROM OWNER OF SAID LOT.



**SITE DATA:**

**APPLICANT:** CLASSIC CONSULTING ENGINEERS & SURVEYORS  
 COLORADO SPRINGS, COLORADO 80919  
 MR. KYLE CAMPBELL P.E. (719) 788-0790

**DEVELOPER:** CLASSIC COMMUNITIES  
 6355 CORPORATE DRIVE SUITE 500  
 DENVER, COLORADO 80231  
 MR. JIM BOLLTON (719) 592-4333

**OWNER:** MANAGERMENT INVESTMENTS LLC  
 5176 GRANDVIEW COMMERCIAL REAL ESTATE, LLC  
 10000 W. WOODLAND AVENUE SUITE 200  
 COLORADO SPRINGS, CO 80903  
 MR. MATTHEW GRANDDOCK, CDM (719) 630-2233

**TAX SCHEDULE NO.:** 83834-05-439  
**ADDRESS:** 7828 LEXINGTON DRIVE  
**CORNER LOTS:** 7.21 AC.  
**PROPOSED DENSITY:** 5.3 DU/AC  
**EXISTING LAND USE:** RESIDENTIAL  
**PROPOSED LAND USE:** RESIDENTIAL  
**PROPOSED ZONING:** R-100  
**MASTER PLAN:** BRIARGATE MASTER PLAN  
**DEVELOPMENT PLAN SCHEDULE:** EBRN SPRINGS 2015 - NO PHASING

**PROPOSED BUILDING DATA:**

**MAXIMUM BUILDING HEIGHT:** 35'  
**DEVELOPMENT SETBACKS:**  
 10' MINIMUM LANDSCAPE/BUILDING SETBACK ALONG BRIARGATE DRIVE AND MEADOW RIDGE DRIVE  
 WESTERN BOUNDARY SETBACK ALONG WESTERN BOUNDARY  
 20' MINIMUM LANDSCAPE/BUILDING SETBACK ALONG LEXINGTON DRIVE

**UNIT SETBACKS:**

SIDE	5' MINIMUM (DOES NOT APPLY ALONG COMMON WALL)
FRONT	12' MINIMUM (ALONG DRIVE SITE PUBLIC STREETS)
REAR	7' MINIMUM

**FLOODPLAIN STATEMENT:**  
 NO PORTION OF THIS SITE DEVELOPMENT PLAN, LEXINGTON CROSSING AT BRIARGATE, IS IN A FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 0501000200R, EFFECTIVE DATE MARCH 17, 1997.

**TRAFFIC / ENGINEERING NOTES:**

1. INSTALLATION OF SIGNAGE & MARKING SIGNAGE DESIGN/INSTALLATION SHALL BE THE RESPONSIBILITY OF THE DEVELOPER.
2. ALL STREET NAME SPACES TO MEET CURRENT CITY STANDARDS.
3. THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE A SAFETY HAZARD OR EXISTING EXCESSIVE DEVIATION ALONG THE DRIVEWAY AND RECALLED AT ON-SITE MEETING CAN BE SET BY THE CITY ENGINEERING DEPARTMENT. THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE THE LOCATION OF ALL MANHOLES AND THE CITY ENGINEERING DEPARTMENT SHALL PROVIDE THE LOCATION OF ALL MANHOLES.

CPC DP 14-00152

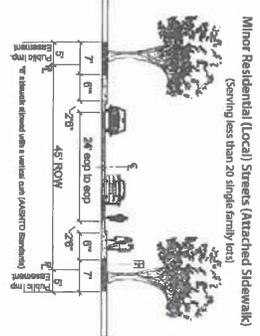
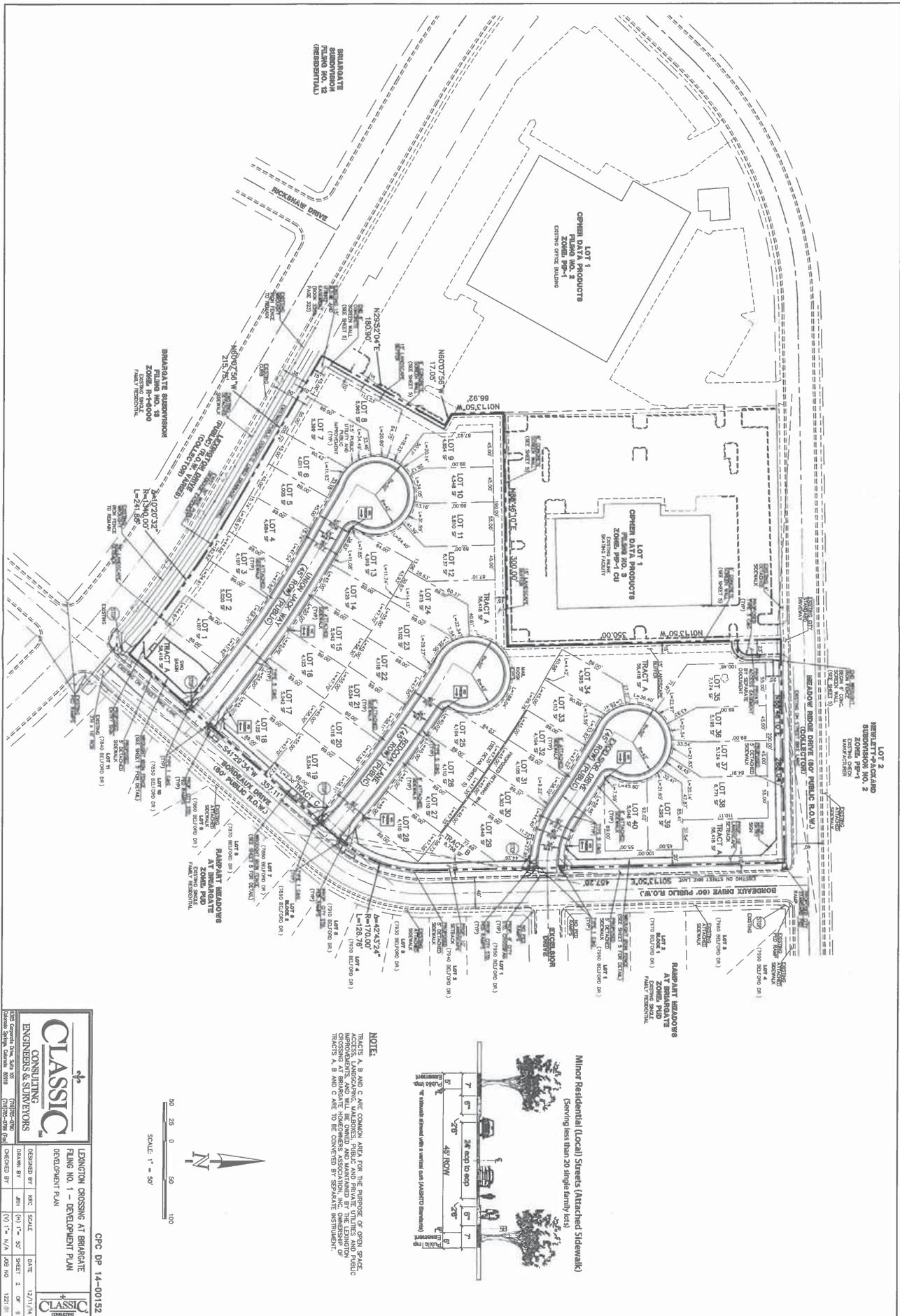
LEXINGTON CROSSING AT BRIARGATE  
 FILING NO. 1 - DEVELOPMENT PLAN  
 TITLE SHEET

**CLASSIC**  
 CONSULTING ENGINEERS & SURVEYORS

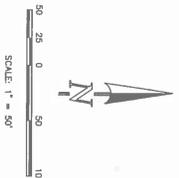
1400 Corporate Blvd., Suite 500  
 Colorado Springs, Colorado 80909  
 (719) 592-5096  
 Fax: (719) 592-5098

DESIGNED BY	KEH	SCALE	DATE
DRAWN BY	KEH	(0) 1" = 1/4" A/S	12/21/14
CHECKED BY	WJ	1/4" = 1/4" A/S	01/09/15
		1/4" = 1/4" A/S	02/10/15

FIGURE 1



**NOTE:**  
 TRACTS A, B AND C ARE COMMON AREA FOR THE PURPOSE OF OPEN SPACE ACCESS UNLESS OTHERWISE INDICATED. PUBLIC UTILITIES AND PUBLIC CROSSING AT BRINAGATE HOMEOWNERS ASSOCIATION, INC. OWNERSHIP OF TRACTS A, B AND C ARE TO BE CONVEYED BY SEPARATE INSTRUMENT.



**CLASSIC**  
 CONSULTING  
 ENGINEERS & SURVEYORS

DESIGNED BY: KRC SCALE: DATE: 12/17/14  
 DRAWN BY: RHI (0' 1" = 50' SHEET 2 OF 8  
 CHECKED BY: VJ 1" = 1/4" JOB NO. 12113

LENDING CROSSING AT BRINAGATE  
 PLANNING NO. 1 - DEVELOPMENT PLAN

CPC DP 14-00152

FIGURE 1

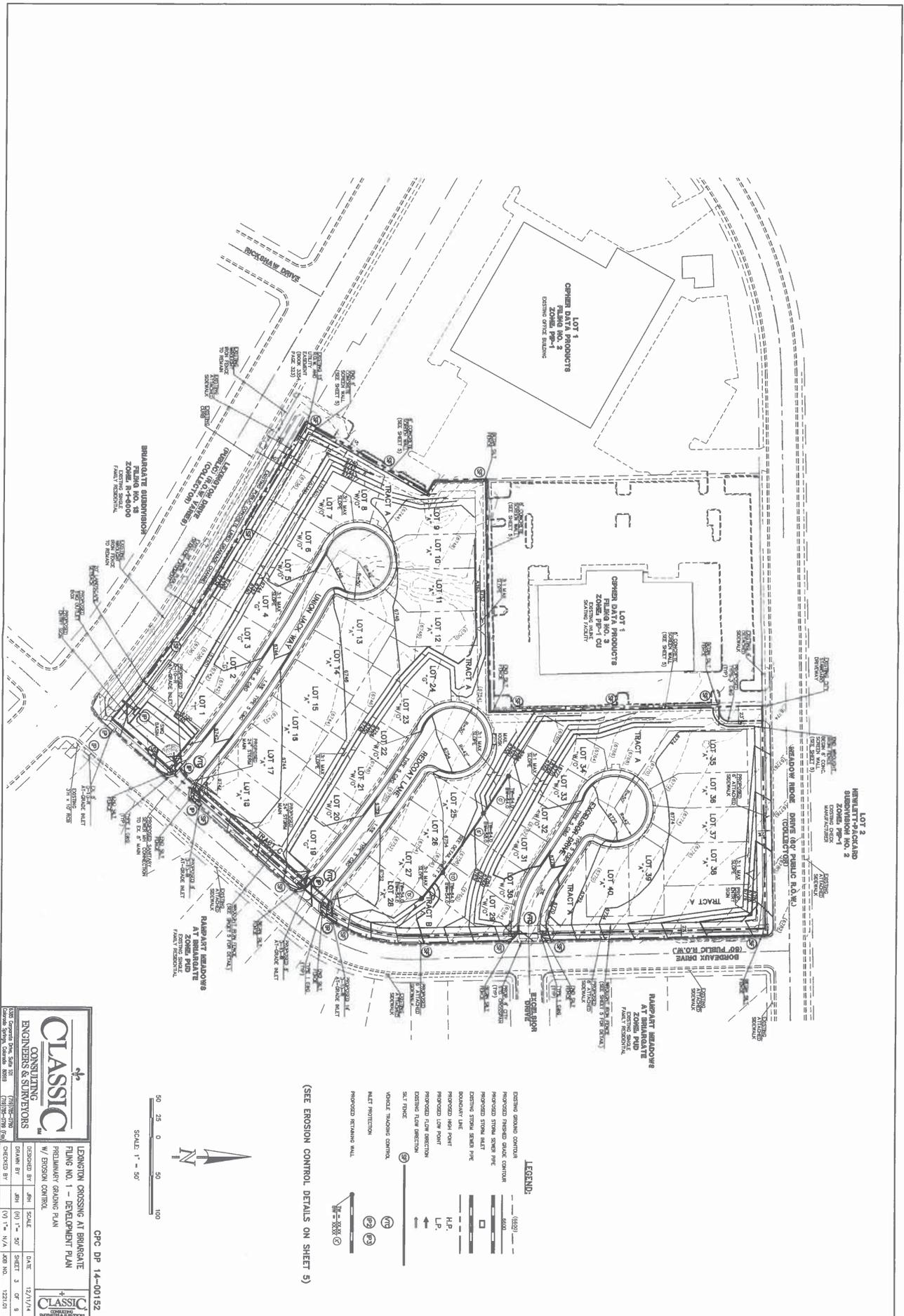


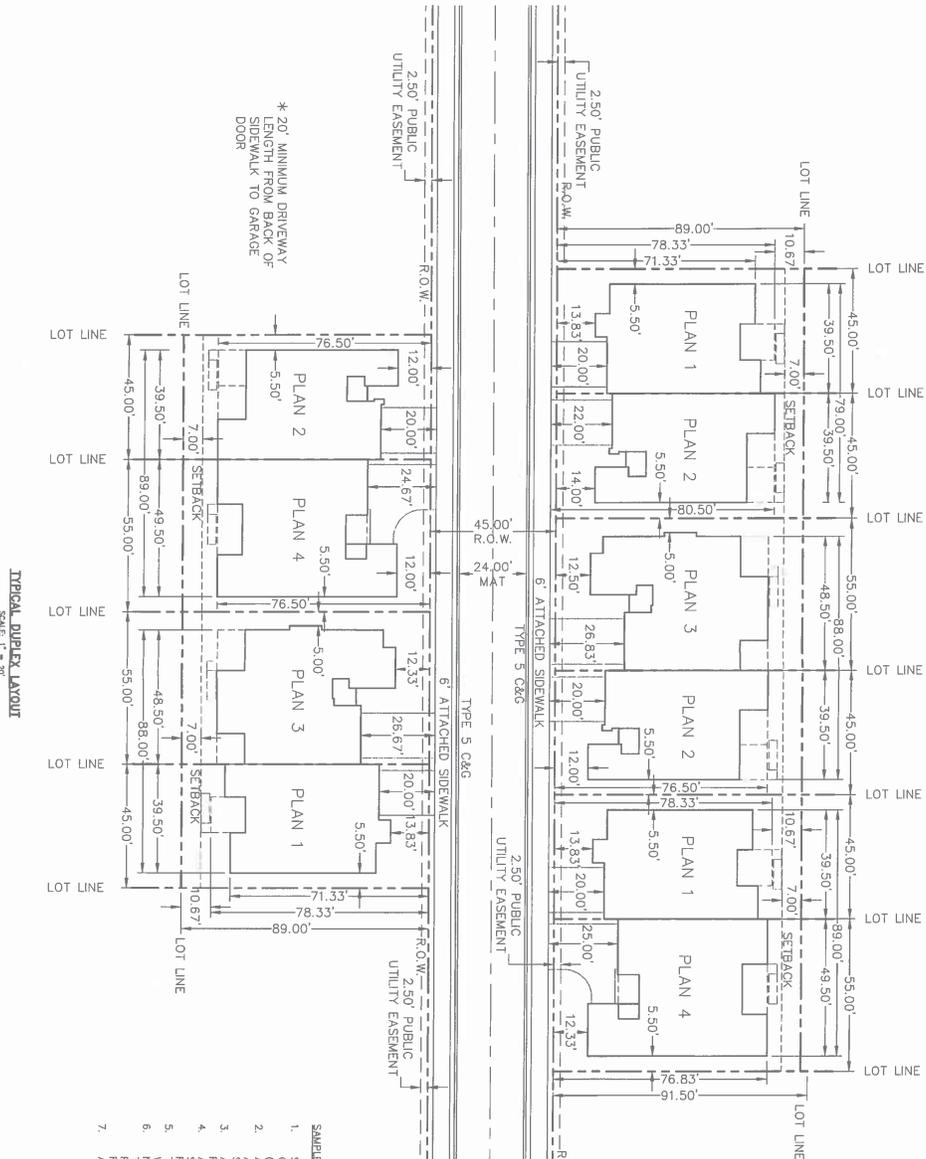
FIGURE 1







11/21/2013 10:26:09 AM C:\SHP\127\127101487.dwg, 2/12/2015, 6:36:32 AM, HP 7300, p1



TYPICAL DUPLEX LAYOUT  
 SCALE: 1" = 30'

- SAMPLE FOOTPRINTS GENERAL NOTES:**
1. SAMPLE FOOTPRINTS SHOWN HERE ARE FOR GENERAL REPRESENTATIVE PURPOSE ONLY. ACTUAL SITE PLANS WILL BE SUBMITTED AND APPROVED BY CITY D.R.E. (ZONING) PRIOR TO ANY BUILDING PERMIT FOR ANY SPECIFIC LOT.
  2. DIMENSIONS SHOWN ARE FOR THE BUILDING AREA OF EACH DUPLEX PAIR LOTS THAN WHAT IS SPECIFICALLY SHOWN BY THESE SAMPLE FOOTPRINTS.
  3. SAMPLE BUILDING FOOTPRINTS MAY BE PLACED AS MIRRORED (LEFT TO RIGHT) RATHER THAN SHOWN AS SHOWN IN THIS PLAN.
  4. ACTUAL EXTERIOR PATIOS AND ELEVATED FRAMED DECKS MAY BE LARGER OR SMALLER THAN WHAT IS SHOWN BY THESE SAMPLE FOOTPRINTS, AS LONG AS THEY REMAIN WITHIN THE SETBACKS AND DIMENSIONS SHOWN IN THIS PLAN.
  5. THE BUILDER RESERVES THE RIGHT TO CHANGE PLAN NUMBER DESIGNATIONS FROM WHAT IS SHOWN ON THESE SAMPLE FOOTPRINTS. AT ANY TIME, WITHOUT NOTIFICATION, THE BUILDER MAY CHANGE THE PLAN NUMBER DESIGNATIONS FROM WHAT IS SHOWN ON THESE SAMPLE FOOTPRINTS. THIS IS FROM THE DATE OF THESE SAMPLE FOOTPRINTS MAY BE ADDED TO OR MODIFIED PLAN, AS LONG AS THEY REMAIN WITHIN THE SETBACKS AND DIMENSIONS SHOWN IN THIS PLAN.
  6. THESE SAMPLE FOOTPRINTS MAY BE ADDED TO OR MODIFIED PLAN, AS LONG AS THEY REMAIN WITHIN THE SETBACKS AND DIMENSIONS SHOWN IN THIS PLAN.
  7. ALL DIMENSIONS TO INCLUDE EITHER A 2 OR 3 SHW ATTACHED SIDEWALK.

**CLASSIC**  
 CONSULTING  
 ENGINEERS & SURVEYORS

1221 10th Street, Suite 200  
 Victoria, British Columbia V8W 2E2  
 Phone: 250-383-7373  
 Fax: 250-383-7374  
 Website: www.classic-engineers.com

DESIGNED BY	JSH	SCALE	DATE
DRAWN BY	JSH	(0) 1" = N/A	12/17/14
CHECKED BY	(V) 1" = N/A	SHEET	7 OF 9
		JOB NO.	1221.01

LENINGTON CROSSING AT BIRMGATE  
 FLING NO. 1 - DEVELOPMENT PLAN  
 TYPICAL UNIT LAYOUT

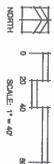
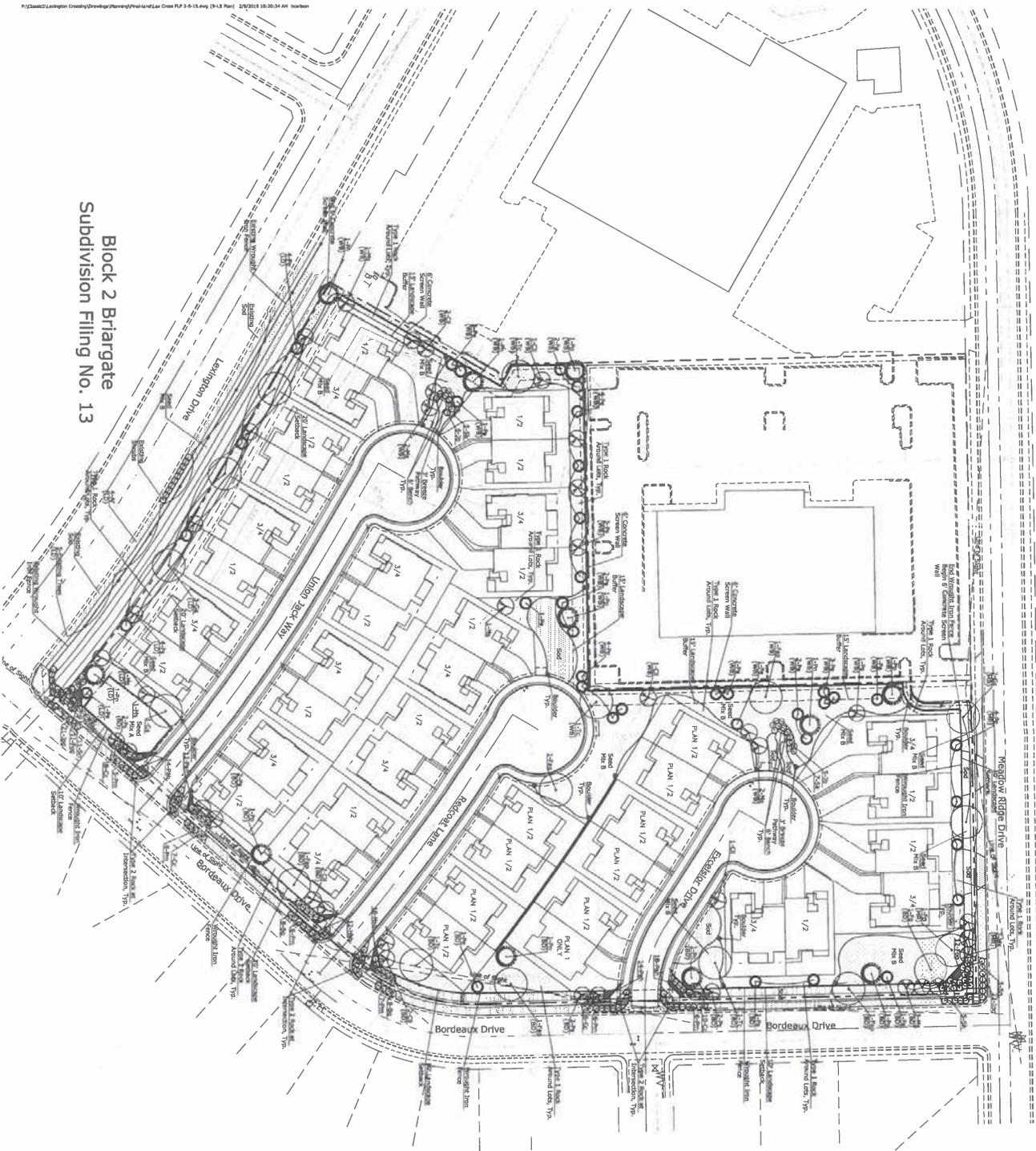
CPC DP 14-00152

FIGURE 1



P:\Client\2\Lexington Crossing\Drawings\Plan\Final\Final\Site Plan 14-00152.dwg (2-13 Plan) 2/9/2015 10:20:34 AM Isotrace

Block 2 Briargate  
 Subdivision Filing No. 13



<p>619 N. Cascade Avenue, Suite 200          Colorado Springs, CO 80903          Tel: 719.441.0073          Fax: 719.441.4499          www.neslandscape.com          © 2015, All Rights Reserved.</p>	<p><b>NES</b>          Landscape Architecture          Urban Design</p>	<p>Final Landscape Architectural Plan</p>	<p>Lexington Crossing</p>	<p>DATE: 02/09/2015          TIME: 10:20:34 AM          PROJECT: 14-00152          DRAWING: 14-00152-09</p>	<p>9          OF 9</p>	<p>CPC-PUD 14-00152</p>
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FIGURE 1



6385 Corporate Drive, Suite 101 (719)785-0790  
Colorado Springs, Colorado 80919 (719) 785-0799(Fax)

JOB NO. 1171.05-01  
DECEMBER 2, 2014  
PAGE 1 OF 2

**LEGAL DESCRIPTION: PARCEL 36**

A PARCEL OF LAND LOCATED IN SECTION 9, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE EASTERLY BOUNDARY OF TRACT B AS PLATTED IN FLYING HORSE NO. 5 MILAN FILING NO. 1 RECORDED UNDER RECEPTION NO. 214713423, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A NO. 5 REBAR AND 1 ½ INCH ALUMINUM CAP STAMPED "CCES LLC PLS 30118" IS ASSUMED TO BEAR S15°48'12"E, A DISTANCE OF 387.34 FEET;

COMMENCING AT THE NORTHEASTERLY CORNER OF TRACT B AS PLATTED IN FLYING HORSE NO. 5 MILAN FILING NO. 1, RECORDED UNDER RECEPTION NO. 214713423, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S74°00'00"W, ON THE NORTHERLY BOUNDARY OF SAID TRACT B, A DISTANCE OF 225.86 FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT B, SAID POINT BEING A POINT ON CURVE ON THE EASTERLY RIGHT OF WAY LINE OF RAVENSWOOD DRIVE AS PLATTED IN SAID FLYING HORSE NO. 5 MILAN FILING NO. 1;

THENCE ON THE EASTERLY RIGHT OF WAY LINE OF SAID RAVENSWOOD DRIVE THE FOLLOWING (5) FIVE COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S35°34'03"W, HAVING A DELTA OF 38°30'49", A RADIUS OF 483.50 FEET AND A DISTANCE OF 325.00 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 63°17'43", A RADIUS OF 416.50 FEET AND A DISTANCE OF 460.11 FEET TO A POINT OF COMPOUND CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 25°21'59", A RADIUS OF 287.50 FEET AND A DISTANCE OF 127.28 FEET TO A POINT OF COMPOUND CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 20°17'04", A RADIUS OF 100.00 FEET AND A DISTANCE OF 35.40 FEET TO A POINT OF TANGENT;
5. N16°00'00"E, A DISTANCE OF 25.91 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF FLYING HORSE CLUB DRIVE AS PLATTED IN FLYING HORSE CLUB DRIVE FILING NO. 1, RECORDED UNDER RECEPTION NO. 206712333;

THENCE ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID FLYING HORSE CLUB DRIVE, THE FOLLOWING (3) THREE COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S73°04'42"E, HAVING A DELTA OF 72°36'50", A RADIUS OF 100.00 FEET AND A DISTANCE OF 126.73 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 35°02'07", A RADIUS OF 558.00 FEET AND A DISTANCE OF 341.21 FEET TO A POINT OF TANGENT;
3. N54°30'00"E, A DISTANCE OF 268.86 FEET;

THENCE S35°30'00"E, A DISTANCE OF 58.73 FEET TO A POINT OF CURVE;

JOB NO. 1171.05-01  
DECEMBER 2, 2014  
PAGE 2 OF 2

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 13°07'02", A  
RADIUS OF 819.00 FEET AND A DISTANCE OF 187.50 FEET TO A POINT OF TANGENT;  
THENCE S22°22'58"E, A DISTANCE OF 191.19 FEET;  
THENCE S15°48'12"E, A DISTANCE OF 374.46 FEET TO THE POINT OF BEGINNING;  
CONTAINING A CALCULATED AREA OF 10.528 ACRES.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF  
COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS  
PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY  
KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING,  
ENGINEERS AND SURVEYORS, LLC.

DE 02, 2014  
DATE

## LEXINGTON CROSSING AT BRIARGATE

### PROJECT JUSTIFICATION

DECEMBER 2014

#### LOCATION

Lexington Crossing at Briargate is located northwest of the intersection of Lexington Drive and Bordeaux Drive, in northern Colorado Springs. The legal description of the site is Lot 2, Cipher Data Products Filing No. 3. The site comprises approximately 7.21 acres of industrially and commercially zoned vacant land. To the west is an roller skating rink and offices, to the north is a direct mail check printing company and the Ford Frick Park, to the south is single family residential zoned R 1-6 (6,000 s.f. minimum lot size) and to the east is a smaller lot PUD zoned single-family area. Further to the west is a PUD zoned town home development.



## REQUEST

Classic Homes requests approval of the following applications:

1. A Rezone from PIP1 (Planned Industrial Park) and PBC (Planned Business Center) to PUD (Planned Unit Development).
2. A Development Plan for a 40 unit attached single-family project on 7.21 acres.

## PROJECT JUSTIFICATION

### REZONE

It is proposed to rezone the property from PIP1/PBC to PUD. The PUD zoning will be for attached dwelling units with a maximum density of 5.5 dwellings per acre and a maximum height of 35 feet.

#### Zone Change Criteria (Section 7.5.603):

**1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.**

The proposed residential use is harmonious with the surrounding land uses and neighborhood. It will provide an appropriate transition and buffer between the lower density residential to the south and east and the industrially zoned property to the north and west. The use and bulk of the proposed attached single-family duplex homes are compatible with the adjacent residential properties.

**2. The proposal is consistent with the goals and policies of the Comprehensive Plan.**

The property is part of a larger area designated as an employment center on the 2020 Land Use Map. All but the subject site are developed for employment purposes, with the exception of the adjacent skating rink, which is a conditional use in the PIP1 zone. The original intent for this area, as proposed in the Briargate Master Plan, was for research and development uses. The market for such uses has declined over the past decade and there are few PIP1 uses that would be compatible with the adjacent residential development.

Conversely, the redevelopment of this property with attached single-family units is consistent with several objectives and policies of the Comprehensive Plan. It will encourage infill and redevelopment appropriate to the character and context of the existing residential neighborhood, as set out in Objective LU 4. The proposed attached single-family homes will provide a transition between the employment uses to the west and north and the lower density residential uses to the east and south, consistent with Strategy LU 502e. The product proposed by Classic Homes is unique to this part of Briargate and will provide greater choice in density, type, style, and cost of housing within the neighborhood, in accordance with Policy LU 601.

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**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.

**Strategy LU 502e: Locate Higher Density Housing as a Transition and Buffer to Residential Areas**

Locate higher density housing in relation to activity centers and gradually decrease the density of that housing as a transition and buffer to the surrounding residential areas.

**Policy LU 601: Assure Provision of Housing Choices**

Distribute housing throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area.

**3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.**

The site is part of the Implemented portion of the Briargate Master Plan, in which it is identified for Research and Development uses. As the Master Plan is implemented, consistency with it is not required under this Zone Change criteria.

**DEVELOPMENT PLAN**

The Development Plan is for a 40 unit single-family attached development, with a maximum density of 5.5 dwellings per acre and a maximum height of 35 feet. Access will be off Bordeaux Drive, via 3 short cul-de-sacs with a small amenity area at the end of each. Each unit has a two car garage and parking for at least 2 cars on the driveway. A storm water quality pond will be provided to the south of the site, which will drain into the existing concrete drainage channel running along the southeast boundary of the property.

A 6-foot concrete slot wall and a 15-foot landscape buffer will be installed along the western boundary of the site to provide a screen to the adjacent industrially zoned property. The required landscape setbacks are provided along the adjacent streets and the existing street trees along Lexington will be supplemented. Landscaping will also be provided in the common areas and at the main entrance points to the development.

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**Development Plan Review Criteria (Section 7.5.502):**

**1. Will the project design be harmonious with the surrounding land uses and neighborhood?**

The proposed residential use is harmonious with the surrounding land uses and neighborhood. It will provide an appropriate transition and buffer between the lower density residential to the south and east and the industrially zoned property to the north and west.

**2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?**

The proposed attached single-family units will be compatible with the surrounding residential neighborhood. It is a small development of only 40 units, which will not overburden public facilities. The impact on existing streets and utilities will be substantially less than would be the case if the site were developed for permitted uses under the existing industrial and commercial zoning.

**3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?**

The use and bulk of the structures are compatible with the adjacent residential properties and do not require specific siting to minimize impact on nearby neighbors. The existing residential areas are separated from the proposed development by streets and the 6-foot high cedar paneled fence that border these neighborhoods.

**4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off site negative influences and to buffer adjacent properties from negative influences that may be created by the proposed development?**

The required 15-foot buffer and 6-foot high opaque is provided between the proposed residential use and the existing industrially zoned properties to the west to ensure compatibility between the adjacent uses.

**5. Will vehicular access from the project to streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?**

The streets surrounding the subject site were designed to accommodate the land uses identified in the Briargate Master Plan, which for this property was Research & Development. The attached trip generation comparison shows that the proposed 40 attached single-family units will generate less trips than would be the case with the master planned uses.

**6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?**

Three short cul-de-sacs are proposed, which provide safe and convenient access to the property.

**7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?**

The three accesses to the property are cul-de-sacs, which by their nature do not allow through traffic.

**8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?**

Each unit has a two car garage and parking for at least 2 cars on the driveway. This meets the parking requirements set out in the Zoning Code.

**9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?**

At grade garage and driveway parking is provided for each unit, which can accommodate handicapped persons. ADA compliant crossing facilities will be provided at each of the three access points to the development. The internal sidewalks are uninterrupted and all homes and amenity areas will be accessible to handicapped persons.

**10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?**

The provision of three short cul-de-sacs minimizes the area devoted to asphalt and facilitates the inclusion of open space amenity areas in the development.

**11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?**

The largest cul-de-sac in the development serves only 18 lots. The vehicular and pedestrian volumes will be low and do not require functional separation. The sidewalks within the development will be attached, which meets the requirement of the minor residential street cross-section for streets serving less than 20 single family lots.

**12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design?**

There are no significant natural features in the property.

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# NEW BUSINESS CALENDAR

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## CITY PLANNING COMMISSION AGENDA

ITEM NO.: 4.A-4.C

STAFF: Lonna Thelen

FILE NO(S):

A. - CPC ZC 14-00141 – QUASI-JUDICIAL

B. - CPC CP 13-00108-A1MN14 – QUASI-JUDICIAL

C. - CPC DP 14-00143 – QUASI-JUDICIAL

**PROJECT:** BARNES CENTER APARTMENTS FILING NO. 1

**APPLICANT:** VENDURA RESIDENTIAL

**OWNER:** BARNES CENTER INC AND CYPRESS PARTNERS LTD



### **PROJECT SUMMARY:**

1. Project Description: This project includes concurrent applications for a zone change, a concept plan amendment and a development plan for a 14.4-acre site located north of Barnes Road and west of Powers Boulevard. The applicant is requesting a zone change from A/AO (Agriculture with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay). In addition, the applicant is proposing a concept plan amendment to show the extension of Integrity Center Point to the property and a development plan for the property. **(FIGURE 1 AND FIGURE 2)** A final plat is being processed administratively for one lot. Concept plan amendments and development plans are normally reviewed administratively. But because they were filed concurrently with a zone change application – which requires Planning Commission and City Council action – City Code requires that all concurrently filed applications to be reviewed by the highest review authority.
2. Applicant's Project Statement: **(FIGURE 3)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

### **BACKGROUND:**

1. Site Address: To be determined at plat recordation
2. Existing Zoning/Land Use: A / vacant
3. Surrounding Zoning/Land Use: North: A / single-family  
South: PBC / vacant  
East: R-1-6000 / Powers Boulevard  
West: A and County zoning / single-family
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: High Chaparral, 1985
6. Master Plan/Designated Master Plan Land Use: High Chaparral Master Plan / Multi-family
7. Subdivision: not platted
8. Zoning Enforcement Action: none
9. Physical Characteristics: The site is primarily grasses with steep slopes from the east to the west. The high point is adjacent to Powers Boulevard on the northeast side of the site. Currently there is a berm and existing trees along the east property line.

**STAKEHOLDER PROCESS AND INVOLVEMENT**: A neighborhood meeting was held on October 8, 2014. 13 people attended this meeting. For internal review, the public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to 69 property owners within 500 feet. Comments from multiple neighbors were received. **(FIGURE 4)** The concerns presented by the neighborhood include compatibility of the apartments with the existing land uses, traffic generated by the apartments, noise from Powers, drainage concerns, aquifer concerns, and concerns about access to Integrity Center Point. The site will be posted and postcards mailed prior to the Planning Commission's public hearing.

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

1. Review Criteria / Design & Development Issues:  
The High Chaparral Master plan **(FIGURE 5)** that was approved in 2014 shows this area as residential 12-24.99 dwelling units per acre. The proposed project includes a zone change to R-5 (multi-family residential) and a development plan for a 272 unit apartment complex. This proposed project is in compliance with the approved High Chaparral Master plan as the proposed density is 18.8 dwelling units per acre. The project includes 12 apartment buildings, 3 buildings that have garages on the first floor and apartments on the second floor, and a 2-story club house with an outdoor pool and spa.

Multi-family residential is considered a transitional use from commercial uses to single-family residential uses. The proposed apartment complex is providing a transition from the Powers Boulevard corridor to single-family, as well as, providing a transition from commercial to single-

family. A sound wall and a berm have been designed along the east property line to buffer the residents of the apartment complex from Powers. The height of the apartment complex structures, the grade difference from the site to the properties to the west and north, Integrity Center Point right-of-way along with the landscaping adjacent to it, the 6' cedar fence proposed along the northern property line, and the detention pond will provide buffers to the large lot single-family lots to the west and north. There are many local examples where apartment complexes are across the street from single-family homes. A sound wall has been installed along Powers to ensure residents have a buffer from Powers traffic. In addition, the windows on the eastern-most building will have dual pane windows with a sound transmission class rating of 27-29 or higher. The buildings will act as a noise buffer to the properties to the west and are significantly taller than the existing berm along Powers Boulevard.

The site is accessible from Barnes Road by going north on Integrity Center Point. A signal will be installed at Barnes and Integrity Center Point prior to the opening of the apartment complex. Integrity Center Point will continue north to access the property master planned for commercial, but will not connect with Chaparral Road or allow the properties west of the site to access Integrity Center Point. The master plan was designed to keep the commercial and high density residential traffic separated from the single-family residential traffic on Chaparral Road.

Integrity Center Point is planned to be built to the apartment complex entrance, but will not be fully constructed from the apartment complex entrance northward to the adjacent property. The property to the north is master planned as commercial and the access for this commercial property, in accordance with the master plan, is from Integrity Center Point. The ultimate need for the building of Integrity Center Point will depend on how and when the property to the north develops. The developer will be responsible for grading the roadway and installing the curb, gutter, and sidewalk along the east side of Integrity Center Point north of the apartment complex entrance. An easement will be provided to the property owner to the north for construction and use of Integrity Center Point. If the property to the north develops with a commercial land use, the property owner to the north will be responsible for construction of Integrity Center Point north of the apartment complex. The curb and gutter on the west side of the road, any required retaining walls and the pavement mat will be the responsibility of the property owner to the north.

El Paso County was asked to review this project because a four lot enclave is adjacent to a portion of this development. Their response noted that the project did a good job of buffering the adjacent single-family land use. **(FIGURE 6)** In addition, contact was made with State Water Resources engineer to ensure there was no adverse impact to the neighboring El Paso County property owner's well. **(FIGURE 7)** The State reported that they did not see an adverse impact at this time.

The proposed concept plan and zone change for the property are in conformance with the Master Plan and the necessary review criteria for the concept plan and zone change.

2. Conformance with the City Comprehensive Plan:

*Objective LU 2: Develop A Land Use Pattern That Preserves the City's Natural Environment, Livability, And Sense of Community*

A focused pattern of development makes more efficient use of land and natural and financial resources than scattered, "leap frog" development. In contrast to dispersed patterns of development, a consolidated pattern helps to decrease traffic congestion and facilitates the ability of the City to provide needed services and public facilities, such as street maintenance, public transit, police and fire protection, and emergency services.

A more focused land use pattern should be planned to better protect open spaces and natural resources, deliver public facilities and services more effectively, provide a greater range of options for housing in neighborhoods, preserve the unique character of the community, and make available a greater range of choices in modes of transportation.

*Strategy LU 203b: Concentrate and Mix Uses*

Concentrate and mix activities and uses in and around defined centers in order to create more diversity and synergy between uses, combine destinations, support more effective transit service, and provide viable pedestrian and bicycle access and circulation.

*Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.*

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

*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.

The City Comprehensive Plan supports mixed residential and commercial uses as well as encouraging infill development. This site has never been developed while the properties in all directions have been developed. Residential development of the area according to the development plan will provide a mix of land uses that can utilize the existing and proposed shopping and possibly employment of the surrounding neighborhood.

3. Conformance with the Area's Master Plan:

The Master Plan for this area is the High Chaparral Master Plan. The site under review is designated as residential 12-24 dwelling units per acre in the High Chaparral Master Plan. The proposed project is consistent with the master plan designation for the site.

**STAFF RECOMMENDATION:**

**Item No.: 4.A CPC ZC 14-00141 – ZONE CHANGE**

**Approve** the zone change from A/AO (Agriculture with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay) for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B,

**Item No.: 4.B CPC CP 13-00108-A1MN14 – CONCEPT PLAN**

**Approve** the concept plan amendment for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E.

**Item No.:4.C CPC DP 14-00143 – DEVELOPMENT PLAN**

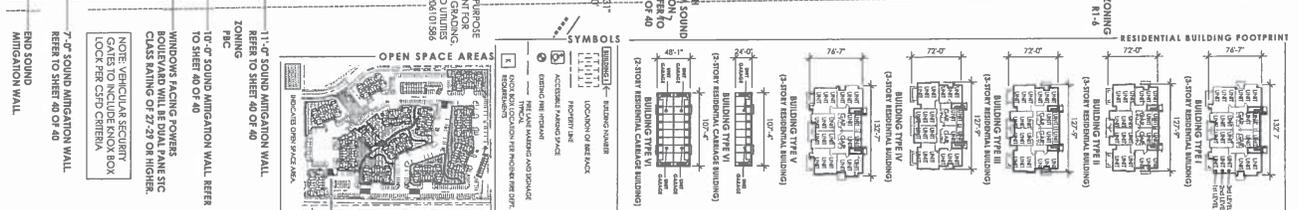
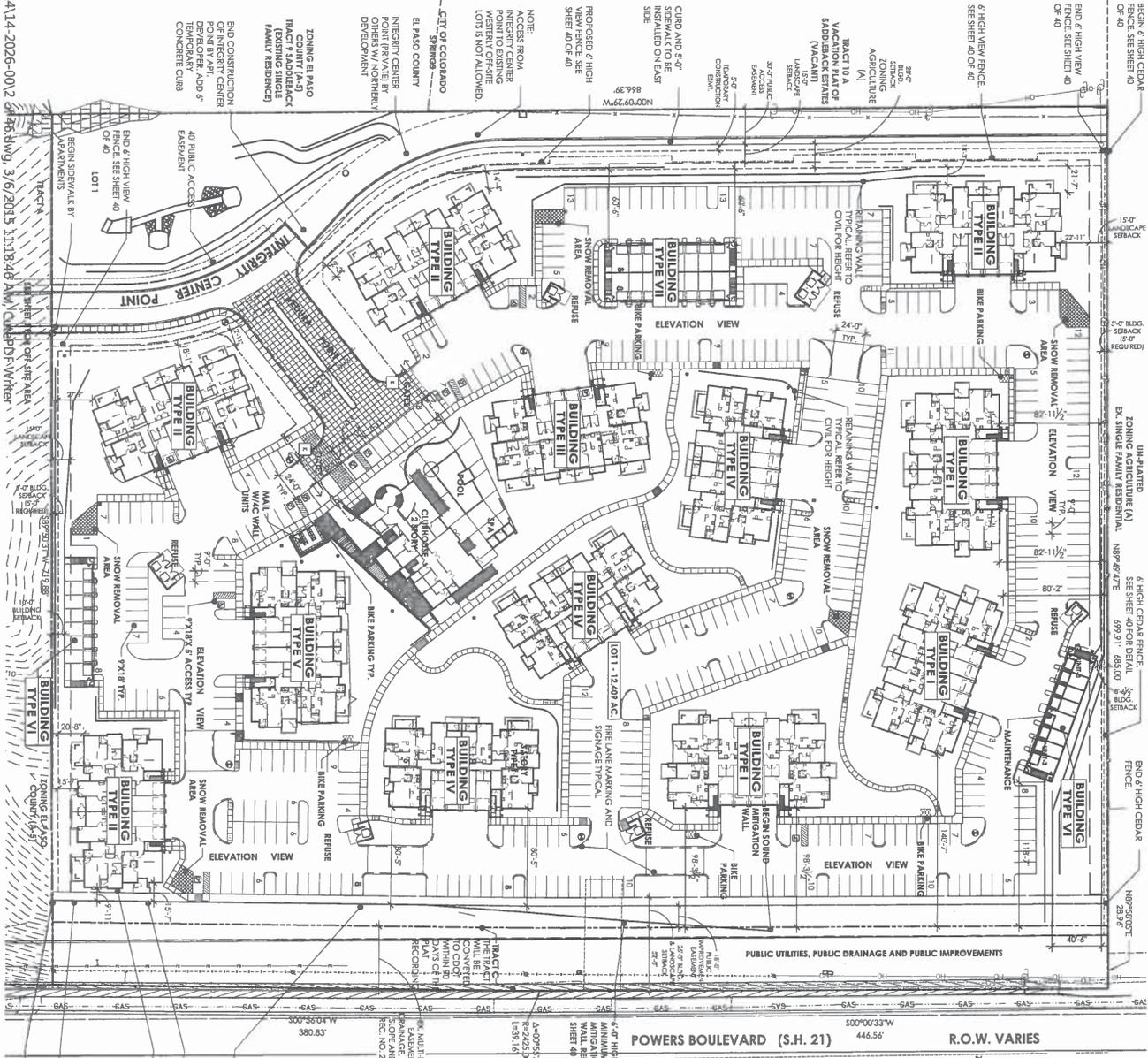
**Approve** the development plan for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan

1. Include the ordinance number under general data on page 1 for the ordinance created for the R-5 zone district.
2. Label the elevations of the existing contours on the grading plans.
3. Label the proposed 50' public utility easement on Integrity Center Point as also being for drainage.

4. Clarify the note on sheet 12 regarding the relocation of the proposed temporary SWQ pond to make it permanent. It is not clear where the removal of the future public ROW and the adjacent development are located or where the pond is proposed to be relocated.
5. Show a barricade on Integrity Center Point north of the access into the apartment complex to prevent people from driving on the graded roadway. Make the barricade larger than 6" in height.
6. Move the escrow note that is on page 20 to page 1.

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**PROJECT INFORMATION:**

PROJECT: 2-STORY CLUSTER/STAYING OFFICE 3-STORY CLUSTER WITH OVER GARAGES, BEDROOM UNIT CONCEPT OF STUDIO, 1 BEDROOM AND 2 BEDROOM UNITS.

GENERAL SITE DATA:

NET LOT 1	15.833 AC
NET LOT 2	15.833 AC
NET LOT 3	15.833 AC
NET LOT 4	15.833 AC
NET LOT 5	15.833 AC
NET LOT 6	15.833 AC
NET LOT 7	15.833 AC
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**SYMBOLS:**

- 1. BUILDING FOOTPRINT
- 2. OPEN SPACE AREAS
- 3. LOT COVERAGE
- 4. ACCESSIBLE GARAGE
- 5. ACCESSIBLE PARKING
- 6. ACCESSIBLE DRIVEWAY
- 7. ACCESSIBLE WALKWAY
- 8. ACCESSIBLE BIKEWAY
- 9. ACCESSIBLE RAMP
- 10. ACCESSIBLE CURB CUT
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**LOT COVERAGE:**

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LOT 100	100%

**CONCEPTUAL SITE PLAN:**

**CLIENT:** VEDURA REAL ESTATE, 6720 N. SCOTTSDALE ROAD, #109, SCOTTSDALE, CO 80223, (480) 922-9201

**PROJECT:** NO. 14-2026-00 Barnes Center Apartments Filing No. 1 Colorado Springs, CO

**CONTACT:** TODD & ASSOCIATES, INC. 4019 North 44th Street, Phoenix, AZ 85018, (602) 952-8995, www.toddsassoc.com, Copyright 2014 Todd & Associates, Inc.

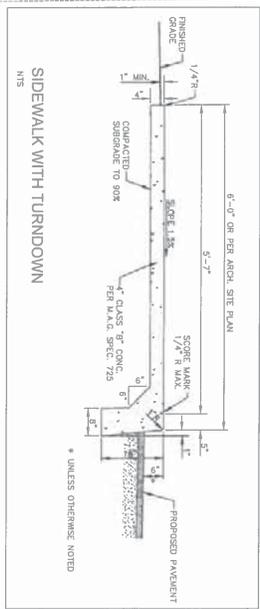
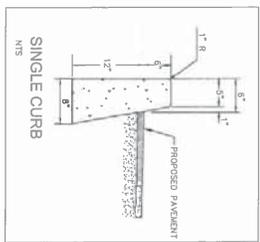
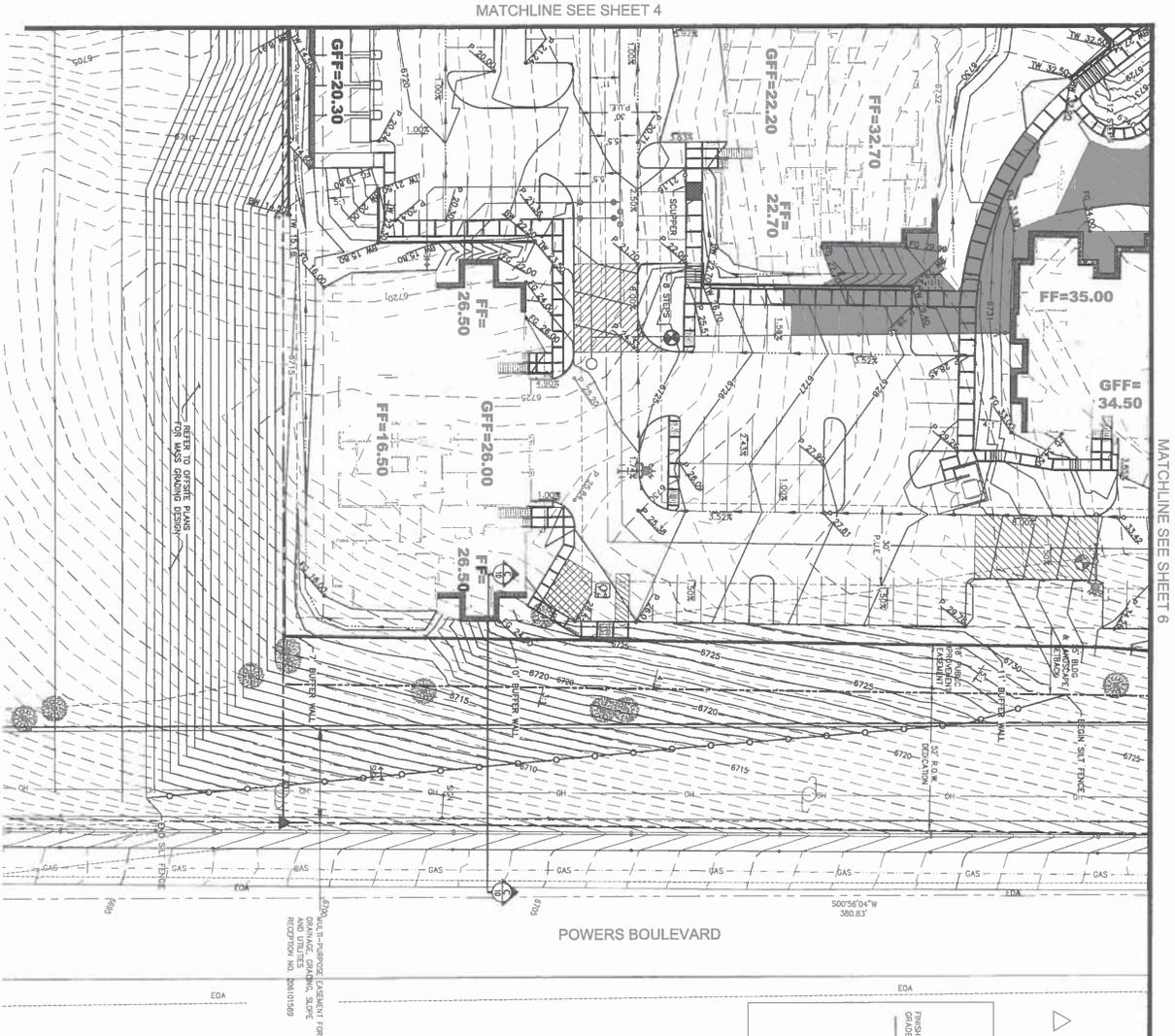
**DATE:** 12-15-14

**SCALE:** 1" = 40'-0"

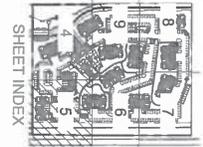
**DEVELOPMENT PLAN (ON-SITE):** 2 of 46 CPC DP 14-00143

FIGURE 1





- LEGEND**
- ROW/PROPERTY LINE
  - EXISTING GROUND CONTOUR
  - PROPOSED FINISHED GRADE CONTOUR
  - PROPOSED STORM DRAIN PRE
  - PROPOSED STORM DRAIN INLET
  - STORM DRAIN INLET PROTECTION
  - SILT FENCE
  - SECURITY FENCE
  - PROPOSED RETAINING WALL
  - RAISED STEPMARK
  - DEPRESSED FOOTING



**DATE**  
 03-09-15  
 Proj: Mgr/LK  
 Dwn: By: DW

**CONTACT**

**SEAL**

**CLIENT**

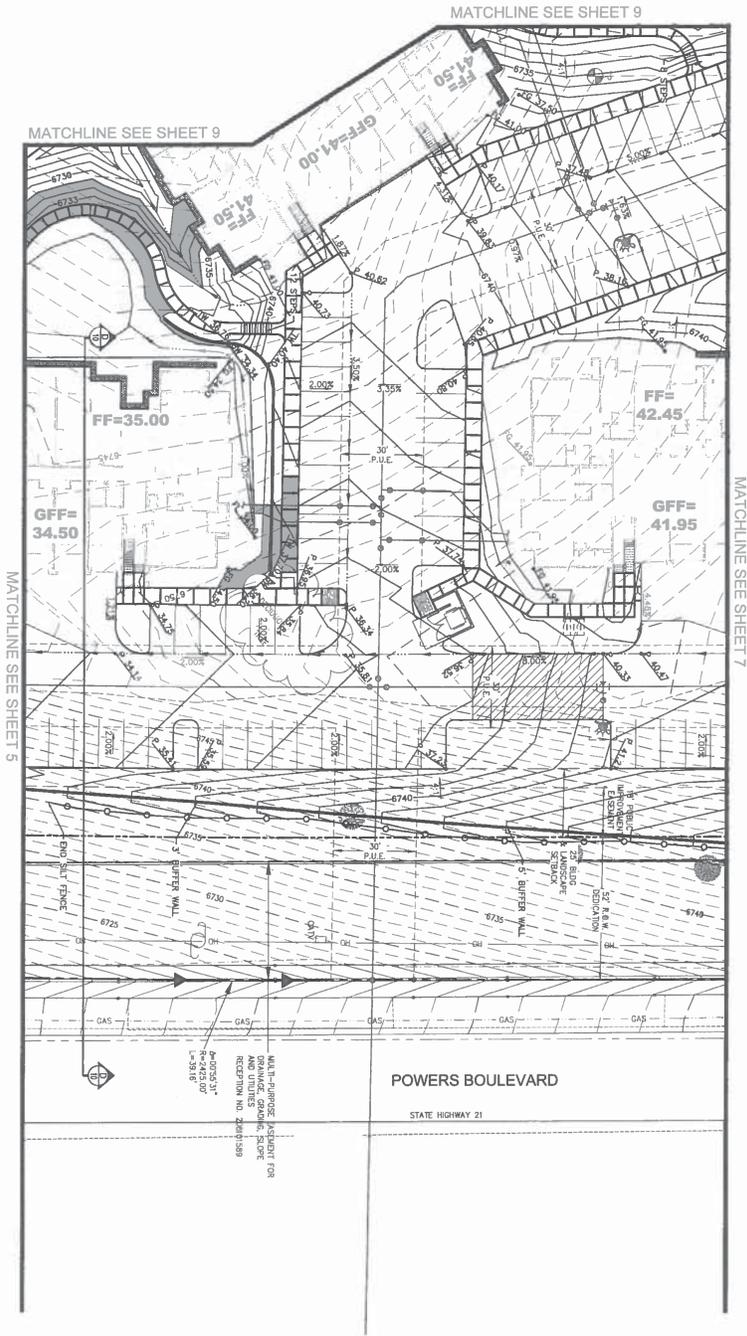
**PROJECT**

**TODD & ASSOCIATES, INC.**  
 Civil/Structural/Concrete Design  
 Architecture Planning  
 4019 North 44th Street  
 Phoenix, AZ 85018  
 602-932-8280 602-932-8959  
 www.toddsassoc.com  
 10000 W. A 38502  
 360-292-4092 360-705-0844  
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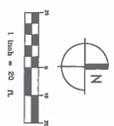
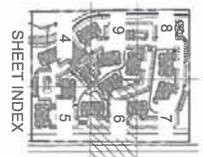
**VEDURTA**  
 RESIDENTIAL  
 4720 N. SCOTTSDALE ROAD #109  
 SCOTTSDALE, AZ 85253  
 (480) 922-9200 P  
 (480) 922-9200 I

**NO. 14-2026-00**  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

**FIGURE 1**



- LEGEND**
- ROW/PROPERTY LINE
  - - - EXISTING GROUND CONTOUR
  - PROPOSED FINISHED GRADE CONTOUR
  - PROPOSED STORM DRAIN PIPE
  - PROPOSED STORM DRAIN INLET
  - STORM DRAIN INLET PROTECTION
  - SILT FENCE
  - SECURITY FENCE
  - PROPOSED RETAINING WALL
  - RAISED STEPMALL
  - DEFERRED PAVING



**DATE**  
 03-09-15  
 Proj Mgr: TK  
 Dwn By: DW



7221 N. WILSON, SUITE 1212  
 DENVER, COLORADO 80238  
 TEL: (303) 755-8800  
 WWW.KLANDENGINEERS.COM

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 (480) 922-2001

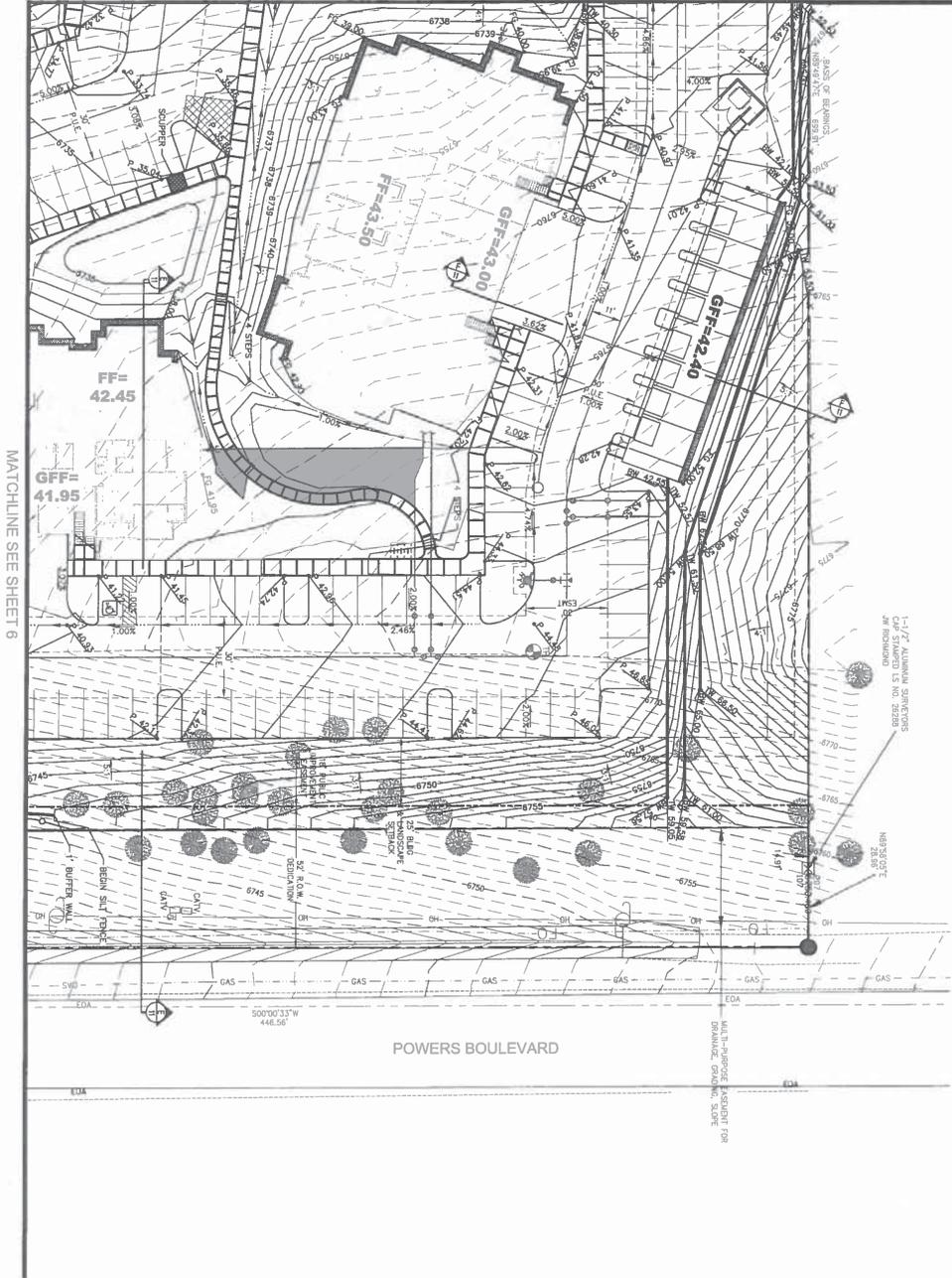
**PROJECT**

NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

DEVELOPMENT PLAN  
 SUBMITTAL  
 PRELIMINARY  
 GRADING WITH  
 EROSION CONTROL  
**6 of 46**  
 CPC DP 14-00143

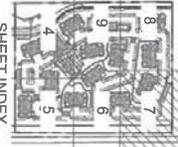
**FIGURE 1**

MATCHLINE SEE SHEET 8



MATCHLINE SEE SHEET 6

- LEGEND**
- ROW/PROPERTY LINE
  - - - EXISTING GROUND CONTOUR
  - PROPOSED FINISHED GRADE CONTOUR
  - PROPOSED STORM DRAIN PIPE
  - PROPOSED STORM DRAIN INLET
  - STORM DRAIN INLET PROTECTION
  - SILT FENCE
  - SECURITY FENCE
  - PROPOSED RETAINING WALL
  - RAISED STEPMALL
  - DEFERRED FOOTING



SHEET INDEX

**DATE**

03-09-15  
 Proj Mgr: JK  
 Dwn By: DW

**CONTACT**

**TODD & ASSOCIATES, INC.**  
 Civil/Utility - Civil Design  
 Architecture Planning  
 Landscape Architecture  
 1801 W. BOY DIVE NW  
 DENVER, CO 80202  
 Phone: (303) 733-8800  
 Fax: (303) 733-8801  
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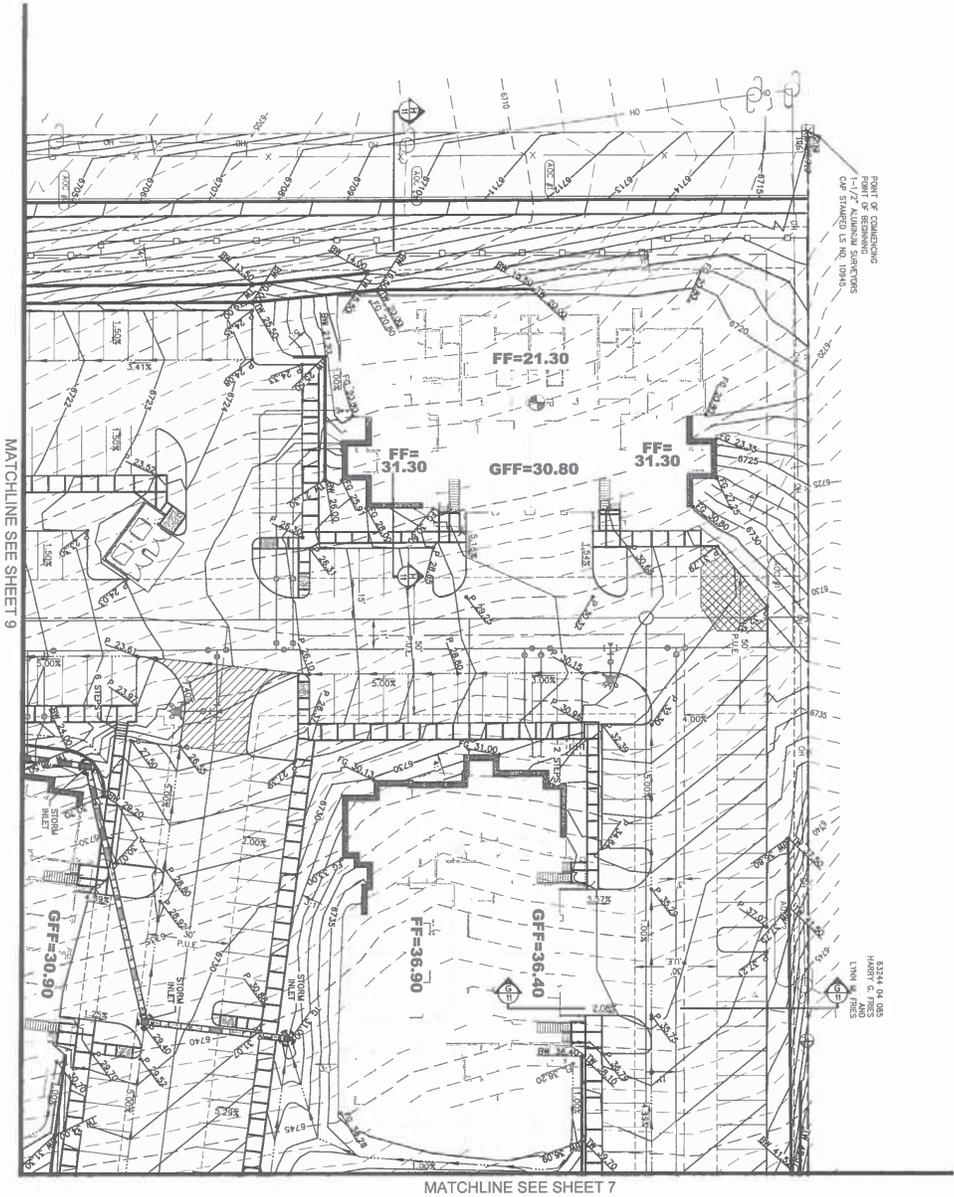
**VEDURA RESIDENTIAL**  
 6720 N. SCOTSDALE ROAD, #109  
 DENVER, CO 80221  
 (303) 752-9300  
 (303) 752-9301

**PROJECT**

NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

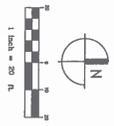
DEVELOPMENT PLAN  
 SUBMITTAL  
 PRELIMINARY  
 GRADING WITH  
 EROSION CONTROL  
**7 of 46**  
 CPC DP 14-00143

FIGURE 1

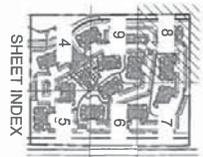


POINT OF COMMENCEMENT  
 POINT OF BEGINNING  
 1/2" = 20' 0"

SECTION 04.085  
 HUBERT C. FREED  
 LINA M. FREED



- LEGEND**
- ROW/PROPERTY LINE
  - - - EXISTING GRADING CONTOUR
  - - - PROPOSED FINISHED GRADE CONTOUR
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  - SECURITY FENCE
  - PROPOSED RETAINING WALL
  - ROADED STORMWALL
  - DEEPENED FOOTING



SHEET INDEX

**DATE**  
 03-09-15  
 Proj: 14-00143  
 Dwn By: DW



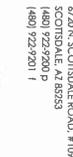
7227 N. MILLS LANE, SUITE 217  
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 TEL: (480) 933-1833  
 FAX: (480) 933-1833  
 WWW.KLANDCIVIL.COM

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**SEAL**



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 6720 N. SCOTTSDALE ROAD, #109  
 SCOTTSDALE, ARIZONA 85253  
 (480) 922-9200 P  
 (480) 922-9201 F

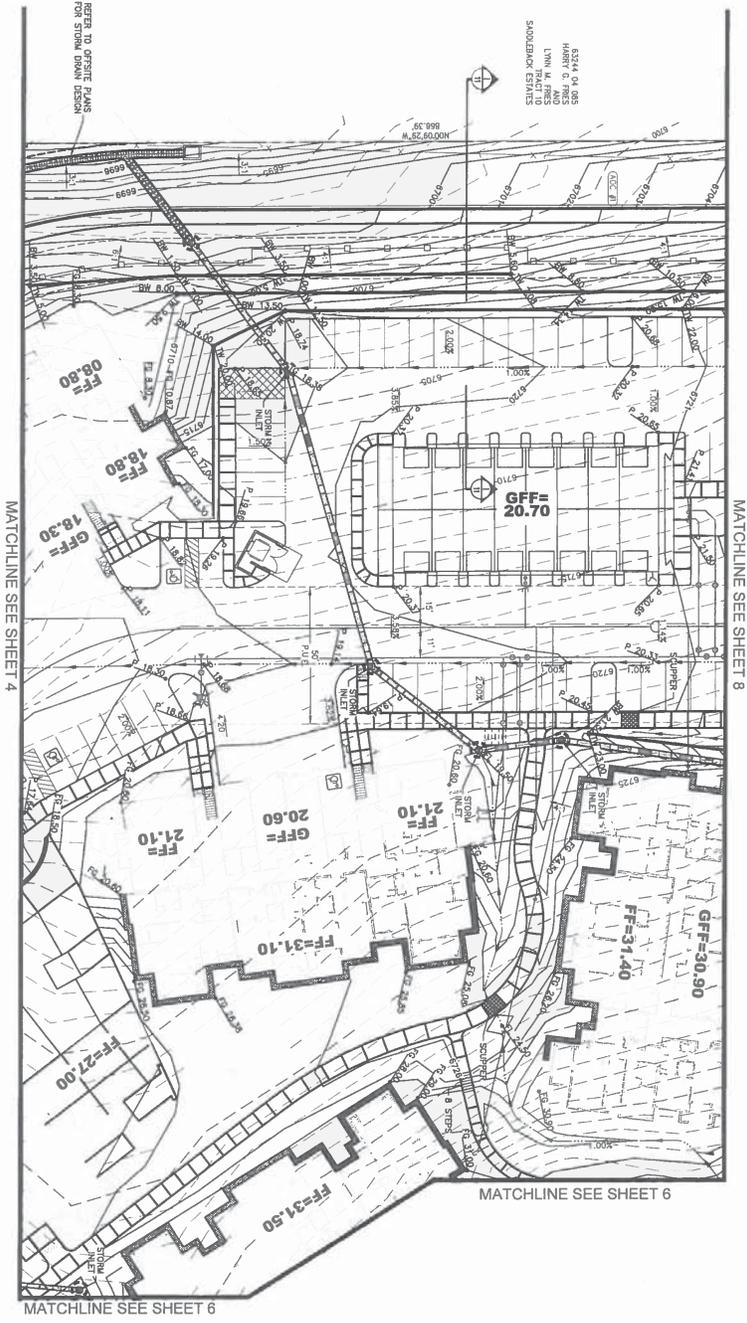
**PROJECT**

NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

DEVELOPMENT PLAN  
 SUBMITTAL  
 PRELIMINARY  
 GRADING WITH  
 EROSION CONTROL  
**8 of 46**

CPC DP 14-00143

FIGURE 1



5324 G. DR.  
 HARRY C. PARRS  
 LINA M. PARRS  
 CIVIL ENGINEERS

REFER TO OFFICE PLANS  
 FOR STORM DRAIN DESIGN

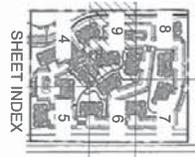
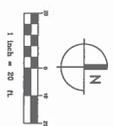
MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 8

MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 6

- LEGEND**
- ROW/PROPERTY LINE
  - EXISTING GROUND CONTOUR
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  - PROPOSED STORM DRAIN INLET
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  - SILENT FENCE
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  - RAISED STEPMARK
  - DEPRESSED FOOTING



PROJECT  
 NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

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 (480) 922-9201 f

SEAL  
  
 HARRY C. PARRS  
 LICENSE NO. 12884  
 STATE OF COLORADO  
 CIVIL ENGINEERING

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 www.toddassoc.com  
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 Atlanta, GA 30329  
 340-292-4092 340-705-0944  
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DATE  
**03-09-15**  
 Proj Mgr./LK  
 Dwn By: DW

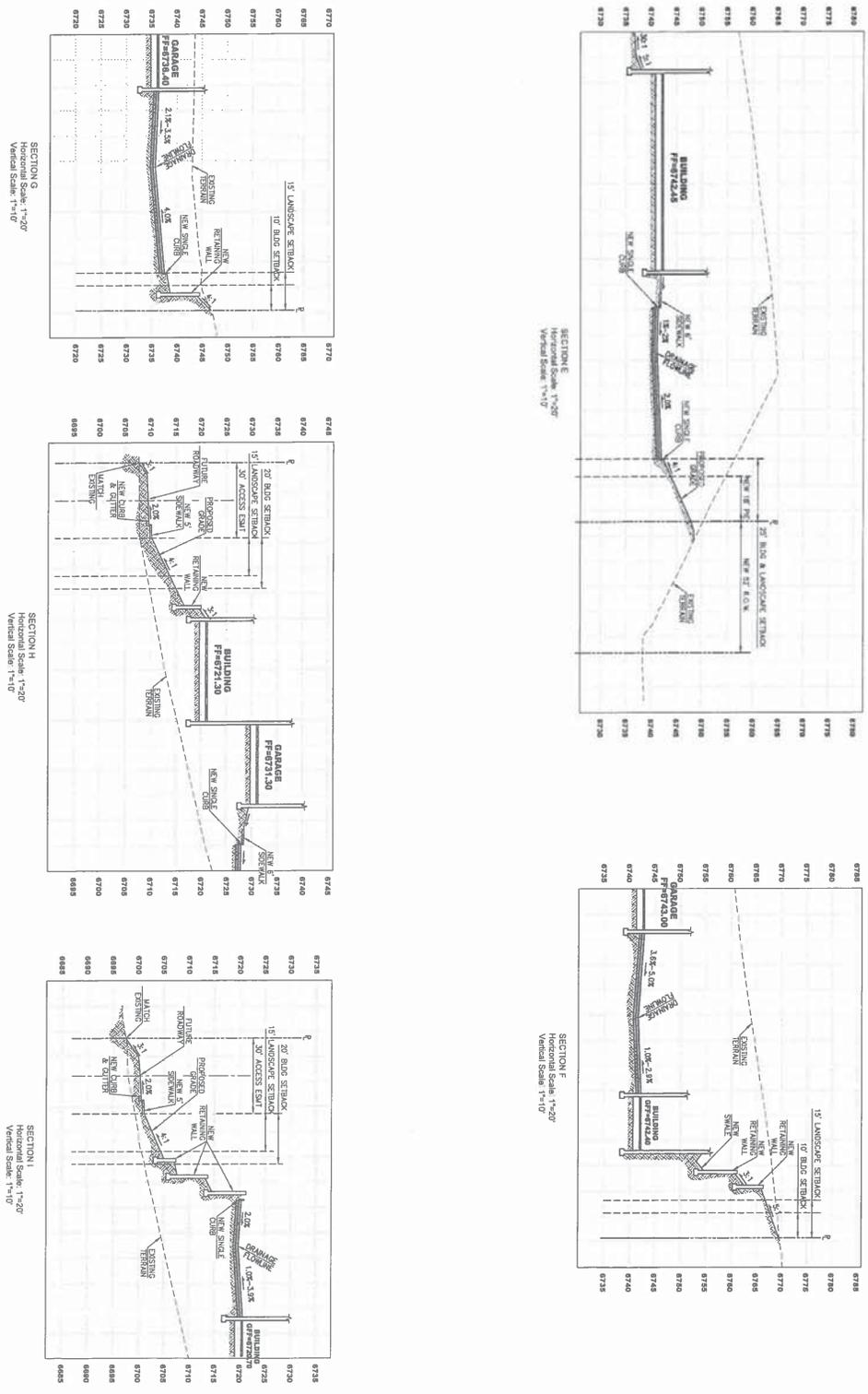
DATA  
  
**KLAND**  
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 7727 N. 110th St., Suite 212  
 Phoenix, Arizona 85028  
 Tel: (480) 949-1813  
 Fax: (480) 949-1815  
 www.klandeng.com

DEVELOPMENT PLAN  
 SUBMITTAL  
 PRELIMINARY  
 GRADING WITH  
 EROSION CONTROL  
**9 of 46**

CPC DP 14-00143

FIGURE 1





**PROJECT** NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**  
 Colorado Springs, CO

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**DATE** 03-09-15  
**DATE** 03-09-15  
**DATE** 03-09-15  
 For Mr. LK  
 DWN BY: DW

**DATA**  
  
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 2221 N. 1st St., Suite 210  
 Phoenix, AZ 85010  
 Tel: (602) 944-1415  
 Fax: (602) 944-1415  
 www.kiland.com  
**CIVIL ENGINEERS**

**CROSS SECTIONS**  
**11 of 46**  
 CPC DP 14-00143

**DEVELOPMENT PLAN**  
**SUBMITTAL**

**FIGURE 1**



- KEYNOTES**
- 4.1 HARD PLANK SIDING
  - 4.2 METAL ROOF
  - 4.3 INSULATED CEILING ROOF
  - 4.4 WINDOWS PER PLAN
  - 4.7 STONE VENER
  - 4.9 METAL RAILING
  - 4.10 INSULATED GARAGE DOOR
  - 4.11 CONCRETE STAIRS

- GENERAL NOTES**
1. PAINT ALL VENTS, FLASHING, JOIST, MANTELS TO MATCH UNAN.
  2. VERIFY ALL FINISHES WITH OWNER PRIOR TO APPLICATION.
  3. VERIFY ALL FINISHES WITH OWNER PRIOR TO APPLICATION.
  4. ALL PAINT COLOR CHANGES TO REMAIN ON ELEVATIONS & OWNER PRIOR TO APPLICATION.
  5. ROOMING SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
  6. WINDOW SILLING SHALL BE INSTALLED TO REMAIN ON INSIDE CORNERS ONLY.
  7. COORDINATE WITH MECHANICAL FOR ALL VENTING THROUGH ROOF.
  8. EXTERIOR DOOR AND FRAME COLORES TO MATCH UNAN.

**COLOR SCHEDULE**

CODE	LOCATION	MANUFACTURER	COLOR
A	Trim Color	White	SW 7008
B	Trim Color	White	SW 7008
C	Trim Color	White	SW 7008
D	Hard Siding	Hard Siding	SW 7008
E	Hard Siding	Hard Siding	SW 7008
F	Trim Color	White	SW 7008

**SYMBOLS**

A EXTERIOR COLOR CALL OUT

**PROJECT**  
 NO. 14-2026-00  
**Barnes Center  
 Apartments  
 Filing No. 1**

Colorado Springs, CO

**CLIENT**  
**VEDURA  
 RESIDENTIAL**  
 6720 N. Sutherland Rd., #107  
 Scottsdale, AZ 85225  
 480.222.2201 |



**CONTACT**

**TODD & ASSOCIATES, INC.**  
 4019 North 44th Street  
 Phoenix, AZ 85018  
 602.932.8280 602.932.8995  
 www.toddsai.com

**DATA**

12-15-14  
 Development PLAN  
 Submittal

Proj Mgr: AJ  
 Drawn By: cmf  
 Rev. Date Description:  
 <<<<<<

**EXTERIOR ELEVATIONS  
 - BUILDING TYPE II**

**25 of 46**  
 CPT DP 14-00143

**FIGURE 1**



BUILDING III - NORTH ELEVATION



BUILDING III - EAST ELEVATION

- KEYNOTES**
- 4.1 HARD PLANK SIDING
  - 4.2 METAL ROOF
  - 4.3 METAL SPIRAL ROOF
  - 4.4 METAL SPIRAL PLAN
  - 4.7 STONE VENEER
  - 4.9 METAL RAILING
  - 4.10 INSULATED GARAGE DOOR
  - 4.11 CONCRETE STAIRS

- GENERAL NOTES**
1. PAINT ALL VENTS, FLASHING, MISC. MATERIALS TO MATCH ADJACENT BUILDING COLOR UNDO APPLICATION
  2. VIBRANT ALL COLOR SELECTIONS WITH COLORED METAL FINISHES WITH CHANGES FROM TO MATCH UNDO
  3. ALL PAINT COLOR CHANGES TO REMAINANCE WITHIN MANUFACTURER'S SPECIFICATIONS
  4. INSIDE CORNERS ONLY
  5. WINDOW ACTUATOR'S SPECIFICATIONS
  6. PROVIDE SEALANT AT ALL RUBBER PENETRATIONS ON INSIDE CORNER ONLY
  7. COORDINATE WITH MECHANICAL FOR ALL SPRING FLOOR AND PANEL COLORS TO MATCH UNDO

**COLOR SCHEDULE**

CODE	LOCATION	MANUFACTURER	COLOR
A	Body Color	Benjamin Moore	SW 7500
B	Body Color	Benjamin Moore	OC 2100
C	Body Color	Benjamin Moore	OC 2200
D	Body Color	Benjamin Moore	OC 2300
E	Body Color	Benjamin Moore	OC 2400
F	Body Color	Benjamin Moore	OC 2500
G	Body Color	Benjamin Moore	OC 2600
H	Body Color	Benjamin Moore	OC 2700
I	Body Color	Benjamin Moore	OC 2800
J	Body Color	Benjamin Moore	OC 2900
K	Body Color	Benjamin Moore	OC 3000
L	Body Color	Benjamin Moore	OC 3100
M	Body Color	Benjamin Moore	OC 3200
N	Body Color	Benjamin Moore	OC 3300
O	Body Color	Benjamin Moore	OC 3400
P	Body Color	Benjamin Moore	OC 3500
Q	Body Color	Benjamin Moore	OC 3600
R	Body Color	Benjamin Moore	OC 3700
S	Body Color	Benjamin Moore	OC 3800

**SYMBOLS**

A GARBAGE COLOR OUT OF

**PROJECT**  
 NO. 14-2026-00  
**Barnes Center Apartments**  
**Filing No. 1**

Colorado Springs, CO  
**VEDURA**  
 RESIDENTIAL  
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 Scottsdale, AZ 85253  
 602.222.2011



**CONTACT**  
  
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 Architecture - Planning  
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 12-15-14  
 DEVELOPMENT PLAN  
 SUBMITTAL  
 Proj Mgr AJ  
 Dwn By: cmf  
 Rev: 02/04/2014

**EXTERIOR ELEVATIONS**  
 - BUILDING TYPE III

**26 of 46**  
 CPT DP 14-001.43





**BARNES CENTER APARTMENTS FILING NO. 1  
PROJECT STATEMENT  
December 15, 2014**

**Minor Conceptual Amendment  
Zone Change  
Development Plan  
Final Plat**

**Description:**

The Barnes Center Apartments Filing No. 1 is a proposed Multi-Family Development of 272 Units located at the northwest corner of the intersection of Barnes Road and Powers Boulevard. The current zoning is 'A' Agriculture and is located within the High Chaparral Master Plan Area. The proposed 13.409 acre residential community includes 12 3-story buildings (22 units per building) with 4 attached car garages. The proposed community includes 5 different residential buildings for the future tenants to choose from as well as 79 car garages. In order to acknowledge the Southwesterly sloping topography, the building layout and orientation allows for 'stepping' the building down the existing terrain, effectively creating a tiered design – generally conforming to the existing slope of the topography. There are 2 carriage units and a 2-story walk-out clubhouse / leasing which includes fitness, clubroom and a heated pool / spa.

The site is bounded by:

- South: Vacant Land / Existing Commercial / Barnes Road
- West: Vacant Approved Commercial Land Zoned A-1 in El Paso County
- North: Existing Single Family Residential Approved for Commercial per the High Chaparral Master Plan
- East: Powers Boulevard (S.H. 21)

One private driveway is proposed to access the site and per prior coordination with CSFD, this was determined to be acceptable. Integrity Center Point (private street) will be extended to the north property line to access this property.

A summary of the proposed land use review actions are:

1. Minor Conceptual Amendment to reflect Integrity Center Point realignment and creation of westerly open space where retail had been approved.
2. Zone Change to change the zoning from 'A' Agricultural to R-5.
3. Development Plan to reflect the proposed residential community units which is a permitted use in the R-5 Zone District. R-5 Zone District Development Standards were utilized in this community design.
4. Final Plat to create one lot and tracts reflected on the Development Plan.

Project Statement (14-2026-00)  
December 15, 2014  
Page 2

**Justification:**

With this vacant land situated between approved (but undeveloped) commercial property to the north, El Paso County vacant land / single-family to the west, and existing and future approved commercial to the south, this proposal continues the previously established transitional use of the multi-family residential between lesser and more intense uses. Utilization of existing utility and transportation infrastructure along Integrity Center Point will also support the efforts of promoting well-planned in-fill development. Conformance to the previously established R-5 Zoning design parameters was also carefully adhered to.

**Issues List:**

Per the Pre-application and LDTC process, the following issues (and how they were addressed) are summarized below:

1. 45' Building Height Limitation: Utilizing the City's methodology of building height calculations, the 45' maximum building height is adhered to.
2. Neighborhood Meeting Required: A neighborhood meeting was conducted on October 8, 2014 and a subsequent meeting will be held following Staff review of the submittal documents.
3. Required 5' Minimum Setback adjacent to existing single-family residential: Per the R-5 Zoning, a minimum 5' building setback is required along the common boundary next to the existing single-family residential. The proposed plan reflects the following:
  - a. West = 20'
  - b. North = 5'
  - c. South = 10'
  - d. East = 25'
4. The required 15' landscape setback per R-5 Zoning has been maintained. The proposed plan reflects:
  - a. West = 15'
  - b. North = 15'
  - c. South = 15'
  - d. East = 25'
5. The North 2-story Carriage Unit has a 8'-6" building setback which falls within the landscape setback but is over the 5'-0" minimum building setback for R-5.
6. The south 2-story Carriage Unit has a 10'-0" building setback due to adjusting the site to provide a 52' ROW, 25' building setback along Powers Boulevard.

Project Statement (14-2026-00)  
December 15, 2014  
Page 3

7. Sound mitigation along Powers Boulevard will consist of a combination of 6' high berming and concrete wall.

We respectfully request your favorable consideration of all items listed above.

## Thelen, Lonna

---

**From:** BEAN <beanline@comcast.net>  
**Sent:** Friday, January 02, 2015 3:32 PM  
**To:** Thelen, Lonna  
**Cc:** Sheryl Glasgow; hfriesco@hotmail.com; kevin.shirin@bigfishacademy.net  
**Subject:** Comments on CPC DP 14-00143

Lonna,

Thanks for the opportunity to provide comments on the subject plan.

Though we are not able to fully appreciate such comprehensive drawings without a dialogue with the engineers, we do have several serious concerns. I'll divide those concerns from two angles, first as a potential future developer and second as a current resident.

Future developer of our tract 9 viewpoint:

- 1) There is no access to the proposed road from tract 9, seriously impacting any future use of the property.
- 2) There is no documented access to the sewage and drainage system, seriously impacting any future use of the property.
- 3) The proposed detention pond adjacent to tract 9 is above the current grade of tract 9, making it impossible to have any basements throughout a great deal of tract 9 without serious risk of flood.

Current resident of tract 9 viewpoint:

- 1) There is no lower density housing buffering provided between the apartments and the five acre agricultural estates as was discussed with City Council.
- 2) There is no documentation of sound abatement being provided.
- 3) We discussed the developers' providing a 3-D rendering of the apartments at the meeting at the nearby church awhile back. Will that be provided soon?

John and Terry Cline  
719-638-0337

## Thelen, Lonna

---

**From:** BEAN <beanline@comcast.net>  
**Sent:** Tuesday, February 17, 2015 12:13 PM  
**To:** Thelen, Lonna; Harry Fries; Sheryl Glasgow; kevin.shirin@bigfishacademy.net  
**Cc:** Nina Ruiz  
**Subject:** Re: Re-review for Barnes Center Apartments

Lonna,

Thank you for the opportunity to comment again.

Here is how I responded to your request for comments previously:

*Lonna,*

*Thanks for the opportunity to provide comments on the subject plan.*

*Though we are not able to fully appreciate such comprehensive drawings without a dialogue with the engineers, we do have several serious concerns. I'll divide those concerns from two angles, first as a potential future developer and second as a current resident.*

*Future developer of our tract 9 viewpoint:*

- 1) There is no access to the proposed road from tract 9, seriously impacting any future use of the property.*
- 2) There is no documented access to the sewage and drainage system, seriously impacting any future use of the property.*
- 3) The proposed detention pond adjacent to tract 9 is above the current grade of tract 9, making it impossible to have any basements throughout a great deal of tract 9 without serious risk of flood.*

*Current resident of tract 9 viewpoint:*

- 1) There is no lower density housing buffering provided between the apartments and the five acre agricultural estates as was discussed with City Council.*
- 2) There is no documentation of sound abatement being provided.*
- 3) We discussed the developers' providing a 3-D rendering of the apartments at the meeting at the nearby church awhile back. Will that be provided soon?*

*John and Terry Cline  
719-638-0337*

Here is the resultant developer's response:

*Mr. Cline's concerns are about future developing his property while at the same time being a current owner. The City had previously requested having lower density residential traffic not be allowed on Integrity Center Point, as his property is already provided public access off of Chaparral Rd. We are not aware of any requirement to provide access to utilities as they can all be acquired via Chaparral Rd (with typical extensions) once his property is annexed. In addition, we have also buffered his home with additional setbacks in the form of shifting the approved commercial land uses to the east side of the road adjacent to his property and the creation of a newly proposed Open Space along his easterly boundary, in addition to locating an extensive water quality pond adjacent to his property.*

My attempt to match the developer response to my concerns:

- 1) There is no access to the proposed road from tract 9, seriously impacting any future use of the property.*

*The City had previously requested having lower density residential traffic not be allowed on Integrity Center Point, as his property is already provided public access off of Chaparral Rd.*

Unacceptable, the original plan had a public road along the property line and the natural drainage with access to property on both sides. This access to Integrity Point can be provided while not allowing traffic from new construction to enter onto Chaparral Rd. There has been no good reason given to deny this access either by the City or the developer.

*2) There is no documented access to the sewage and drainage system, seriously impacting any future use of the property.*

*We are not aware of any requirement to provide access to utilities as they can all be acquired via Chaparral Rd (with typical extensions) once his property is annexed.*

Unacceptable, unless the city has a proposal on how to defy the law of gravity, there is no way to drain my property to Chaparral Rd.

*3) The proposed detention pond adjacent to tract 9 is above the current grade of tract 9, making it impossible to have any basements throughout a great deal of tract 9 without serious risk of flood.*

NOT ADDRESSED

*1) There is no lower density housing buffering provided between the apartments and the five acre agricultural estates as was discussed with City Council.*

*In addition, we have also buffered his home with additional setbacks in the form of shifting the approved commercial land uses to the east side of the road adjacent to his property and the creation of a newly proposed Open Space along his easterly boundary, in addition to locating an extensive water quality pond adjacent to his property.*

Unacceptable, we specifically discussed buffering via lower density housing adjacent to our properties as has been afforded to other citizens in Colorado Springs. Is it now the City's position that this is no longer a requirement?

*2) There is no documentation of sound abatement being provided.*

NOT ADDRESSED

*3) We discussed the developers' providing a 3-D rendering of the apartments at the meeting at the nearby church awhile back. Will that be provided soon?*

NOT ADDRESSED

Subsequently I asked you about my concern about contact with the State geological survey? Have they been contacted as required by Colorado State law? What did they say?

It appears you have had several meetings with the developer. It seems odd to me that you would not have a meeting with the developer and the neighbors together in the same room to discuss these concerns, before taking this to the city planning commission, particularly since many of our concerns were simply dismissed by the contractor.

What is the role of the county in this effort given the development's adjacency to unincorporated properties?

----- Original Message -----

**From:** [Thelen, Lonna](#)

**To:** [Harry Fries](#) ; [Sheryl Glasgow](#) ; [kevin.shirin@bigfishacademy.net](mailto:kevin.shirin@bigfishacademy.net) ; [BEAN](#)

**Sent:** Tuesday, February 17, 2015 10:27 AM

**Subject:** Re-review for Barnes Center Apartments

Good morning,

I have received a resubmittal for the Barnes Center Apartments. If there are not major remaining issues, this item will be placed on the March 19 City Planning Commission agenda. You will receive a postcard letting you know if they are on that agenda.

Please provide me with any additional comments by February 27, 2015. There will be one additional email with the second half of the DP. It was too large to send in one email.

Thanks,

Lonna

*Lonna Thelen, AICP, LEED AP BD+C*

Principal Planner

Land Use Review

City of Colorado Springs

30 S Nevada, Suite 155

Colorado Springs, CO 80903

(719) 385-5383



Before printing, please consider the environment

Lonna Thelen, reviewing planner  
City of Colorado Springs Planning & Development  
[lthelen@springsgov.com](mailto:lthelen@springsgov.com)  
10-20-14

RE FILE NO.: FILE NO 14-50

Ms. Thelen,

Pursuant to 7.3.101 of the Colorado Springs Land Development Code, the PURPOSE of the Land Development Code includes:

3. Achieve a compatible land use relationship with the surrounding area which will protect residential neighborhoods from excessive noise, illumination, smoke, and odor. "It is the intent and purpose of this zoning code to protect property values, to preserve neighborhoods and to protect private property from adjacent nuisances such as noise, excessive traffic, incompatibility of uses, inappropriate design of buildings and visual obstruction." The addition of 272 apartments will destroy our close knit neighborhood. Our land will be open to trespassing, litter, dumping, loud noise, and possibly, crime. This is not logical growth to this neighborhood and in our opinion the worst choice that could happen. When we first purchased our home and acreage in 1998, the property in question was master planned for residential single housing. We are AGAINST apartments or multi housing of any type which will certainly make a mockery of the "Intent and Purpose of the Zone Code," the initial statement. Please do not side with someone who just wants to sell the property.

While the property is now master planned for R-5. There are many permitted uses for R-5 zoning besides apartments. They include:

"Single-family detached dwelling on an individual lot,"  
"Two-family dwelling on an individual lot,"  
"Multiple detached single-family dwellings on an individual lot,"  
" Multiple two-family dwellings on an individual lot,"  
"Multi-family dwelling," and more.

The standard in Colorado Springs has always been and should be to incrementally build from the least dense to the highest density, not abruptly place highly populated apartments next to single family homes on 5 acres. Throughout this city, apartment complexes are separated by homes, townhomes and major thoroughfares. Placing the least dense agricultural zoning next to the most dense apartment complex of 272 dwellings on just 14.3 acres is NOT a compatible land use. And the surrounding property owners do not want to live next to apartments where apartment dwellers are oriented to look into our backyards from apartments built on the steep hill behind us! Inappropriately, Lonna Thelen assumed in her original proposal that our property would eventually be annexed and rezoned to multi-housing as has been suggested for the future. She then uses this assumption to explain why the multi housing application is appropriate here. We want you to know that is certainly not in our plans as we will live here for the rest of our lives (30 years) and then plan for one of our children to move their family onto our 5 acres. We are a rural community surrounded by the city and we do not want you to permit an ill-fitting and unsuitable use on that acreage which if fully against 7.2.102: Intent and Purpose of Zoning Code.

Owners should provide a CURRENT and FINAL COMPLETED Traffic Engineer's Report and Engineer's Drainage Report for all properties and intersections contiguous to Barnes Center, including Integrity Center Point at Barnes Rd intersection and Chaparral Rd & Barnes Rd intersection for satisfactory improvements to provide for health, safety and welfare of residents and resident's private property, due to proposed increased use density & increased traffic. Developer and City will construct and maintain all drainage improvement required due to this proposed project including upstream mitigation for future development.

Please see attached pictures for examples of my points.

Sheryl Glasgow  
4515 Chaparral Road  
Colorado Springs, CO 80917



**FIGURE 4**



**FIGURE 4**



FIGURE 4



**FIGURE 4**

## Thelen, Lonna

---

**From:** Sheryl Glasgow <turfmastersheryl@live.com>  
**Sent:** Tuesday, February 24, 2015 1:09 PM  
**To:** Thelen, Lonna  
**Subject:** RE: remaining documents for resubmittal  
**Attachments:** Dust from Barnes Center.JPG

Hi Lonna,

I do not see any answers to my questions regarding the height of the buildings (over the allowed height), etc..

Excerpts from my Jan 7 letter that were not answered:

On Page One of the 40 page of the Barnes Center Apartments Development Plan, the building height allotted is 45'. Ms. Thelen states, "That district allows a 45' height with the ability to go 5' higher if the roof is a pitched or gable roof, see code section in my previous email." The height of buildings designated as II, III, IV and V are over that allotted height, generally 53' tall.

**Has a variance been applied for?**

Noise is also of great concern. Powers Boulevard has gone from 6,000 vehicles when we moved in, in 1998 to now 90,000 vehicles a day, including ambulances, fire engines, and big semi trucks and police cars. The proposed apartments proposal will take down the bluff that gives us needed noise control. The apartment buildings and fences cannot provide the same level of noise control the bluff provides now. This added to an additional 784 occupants with 432 parking spaces along with the noise of garbage trucks, snow plows and moving trucks is unacceptable to the surrounding properties. John Olive claims the city does not have the water pressure needed to build that high. I know for a fact a booster pump can easily be installed to correct that problem; is it cheaper to take down the bluff, a natural land formation? **Powers is rated at 85 decibels, what will the decibels be once the bluff is lowered to 6 feet with a 6' fence? The decibel rate needs to be determined before the plan is considered for approval.**

As reported by Entech Engineering, Inc. on March 4, 2005 in a Preliminary Subsurface Soil Investigation submitted to the city, it states:

According to the proposed preliminary grading plan, the ridgeline along the eastern portion of the site is to be cut down along Powers Blvd with extensive fill provided.

Clayey soils and claystone on-site are highly to very highly expansive to **collapsible**.

Bedrock was encountered at depths ranging from 2 to 12 feet in Test Boring Nos. 2 through 8.

**Blasting may be necessary** in areas of shallow bedrock in order to obtain proposed cuts. **The developer has previously said no blasting or explosives will be used to excavate this property., has this been included in the written plans?**

Drainage systems will be required where the existing drainage flows onto the site to prevent these waters from following the drainage area beneath the fill.

Geologic conditions on-site can be mitigated through proper engineering designs and construction practices, including soil replacement with non-expansive structural fill compacted at 90%. **A Subsurface Soil investigation should be provided. If slopes are not properly constructed proposed grading and concept plans could create unstable conditions. Has a Subsurface Soil investigation been provided?**

Health: The EPA has determined inhalable coarse particles between 2.5 and 10 micrometers can be emitted directly from construction activities. Particle pollution contain microscopic solids that are so small they can get deep into the lungs and cause serious health problems. People with heart or lung diseases (asthma) are most likely to be affected by particle pollution exposure. I have acute Asthma and I have been admitted to the hospital twice in the past 3 years for a severe attack. Dust highly contributes to my attacks and extreme precautions must be taken to protect my health. **Dust mitigation to meet EPA regulations is a legal requirement.**

I am attaching a picture of the work they are currently doing at Barnes Center. You can see the dust that comes from digging out rock and floats to the west. It is not the exhaust of machinery, This dust will greatly affect my health because I have asthma. I want the EPA involved analyzing the dust particles to protect me. If you need a letter from my doctor, I will be happy to supply one.



Owners should provide a **CURRENT and FINAL COMPLETED Traffic Engineer's Report and Engineer's Drainage Report** for all properties and intersections contiguous to Barnes Center Apartments, including Integrity Center Point at Barnes Rd intersection and Chaparral Rd & Barnes Rd intersection for satisfactory improvements to provide for health, safety and welfare of residents and resident's private property, due to proposed increased use density & increased traffic. Numerous accidents happen weekly when cars turn left from Integrity Point onto Barnes Road.

The proposed drainage includes a retention or detention pond. What will protect our properties from run off during a heavy rain storm if the detention pond is higher than the easterly slopes of our properties? Having attended the class with requirements of storm water pond maintenance, it is inevitable that a large area of standing water will result after a rain storm. This is a

desirable environment for mosquitoes, which carry West Nile Virus. **Will the owners be required to apply mosquito dunks (per label requirements) each time there is standing water in the storm water pond area?**

The City should maintain all drainage improvement required on this property due to this proposed project including upstream mitigation for future development. It has been previously stated the drain pipe will be 66" in diameter. **Is this included in the specs of the plans? It must be as that was determined in previous hearings to be the size of drainage pipe necessary.**

Since these answers were not provided by the applicant, can you please answer them for me?

Thank you,

Sheryl

**Sheryl Glasgow  
4515 Chaparral Road  
Colorado Springs, CO 80917**

Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please virus check all attachments to prevent widespread contamination and Corruption of files and operating systems. The unauthorized access, use, disclosure, or distribution of this email may constitute a violation of the Federal Electronic Communications Privacy Act of 1986 and similar state laws. This communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions

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From: Lthelen@springsgov.com  
To: hfriesco@hotmail.com; turfmastersheryl@live.com; kevin.shirin@bigfishacademy.net;  
beanline@comcast.net  
Subject: remaining documents for resubmittal  
Date: Tue, 17 Feb 2015 17:28:17 +0000

This email contains the final document of the resubmittal.

Thanks,  
Lonna

*Lonna Thelen, AICP, LEED AP BD+C*

Principal Planner  
Land Use Review  
City of Colorado Springs  
30 S Nevada, Suite 155  
Colorado Springs, CO 80903  
(719) 385-5383



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***TO: Lonna Thelen. Review Planner      January 15, 2015***  
***City of Colorado Springs***  
***Dept. of Planning & Development***

***From: Harry & Lynn Fries***  
***4709 Chaparral Road***  
***Colorado Springs, CO 80917***

***Subject: The Development Plan: CPC DP 14-00143 for a***  
***272 unit apartment complex that borders our***  
***Single family residence.***

***We have read and whole heartedly agree with the January 7, 2015 Memorandum that our neighbor, Sheryl Glasgow, has presented to you and support her views. For the sake of brevity we do not want to repeat all of the issues that Sheryl has already presented to you.***

***Our Major concern is : what is the best and appropriate use of this property ? Our neighborhood believes that your department should be looking at the existing 5 acre single family community and trying to blend in a project of substantially less density. ie: Town homes, muliti-family dwellings, single-family or two family dwellings on an individual lots.***

***This apartment Project, CDC DP14-00143, as presented appears to be incompatible and a contradiction of the intent of the Co. Land Development Code 7.3.101 and Code 7.3.102,***

***If this project is to be approved we would like to request that of our additional concerns about the proposed High Density Apartment project be addressed by the Planning Commission.***

**There is no 'Appropriate Buffer Zone'! This project is planning to build an 8 unit Garage Apartment ( Type VI) building within 4 Feet of my property line !**

**(Note: Specifically the most northern building on their Development Plan.)**

**#1. We request that this planned Type VI building be relocated at least 30-40 feet from our property line.**

**There is a need for appropriate and effective privacy, noise and traffic pollution barriers. There is also a need for retaining walls to retain the soil on our property. (NOTE: Specifically the north east corner of their project, there will be a significant gradient difference of approximately 60 feet, creating a severe slope difference.)**

**#2. To address the aforementioned barriers we request that in addition to providing retaining walls that an 8 foot block fence for privacy and protection from the apartments to be installed surrounding the entire project from Powers Blvd to the west end of the a joining properties (north boundary line) and along the West side of the planned private road.**

**There is a need for appropriate landscaping on all the sloping land. (note: Specifically at the north east corner of their development plan, CPC DP 14-00143).**

**#3. We request that there be a specific landscaping proposal included in their development plans.**

**#4. We request that the, CDC DP 14-00143, Development Plans adhere to the height restrictions set in the code of 45 feet.**

**#5. We request that we be apprised of the private road easements.**

to WHOM it may Concern:

This is Regarding the PROPOSED  
Build Site At Integrity Center Point  
& Barnes Rd:

I Am NOT In FAVOR of this Building.  
it would only Bring Crime, more traffic  
Lower our property values.

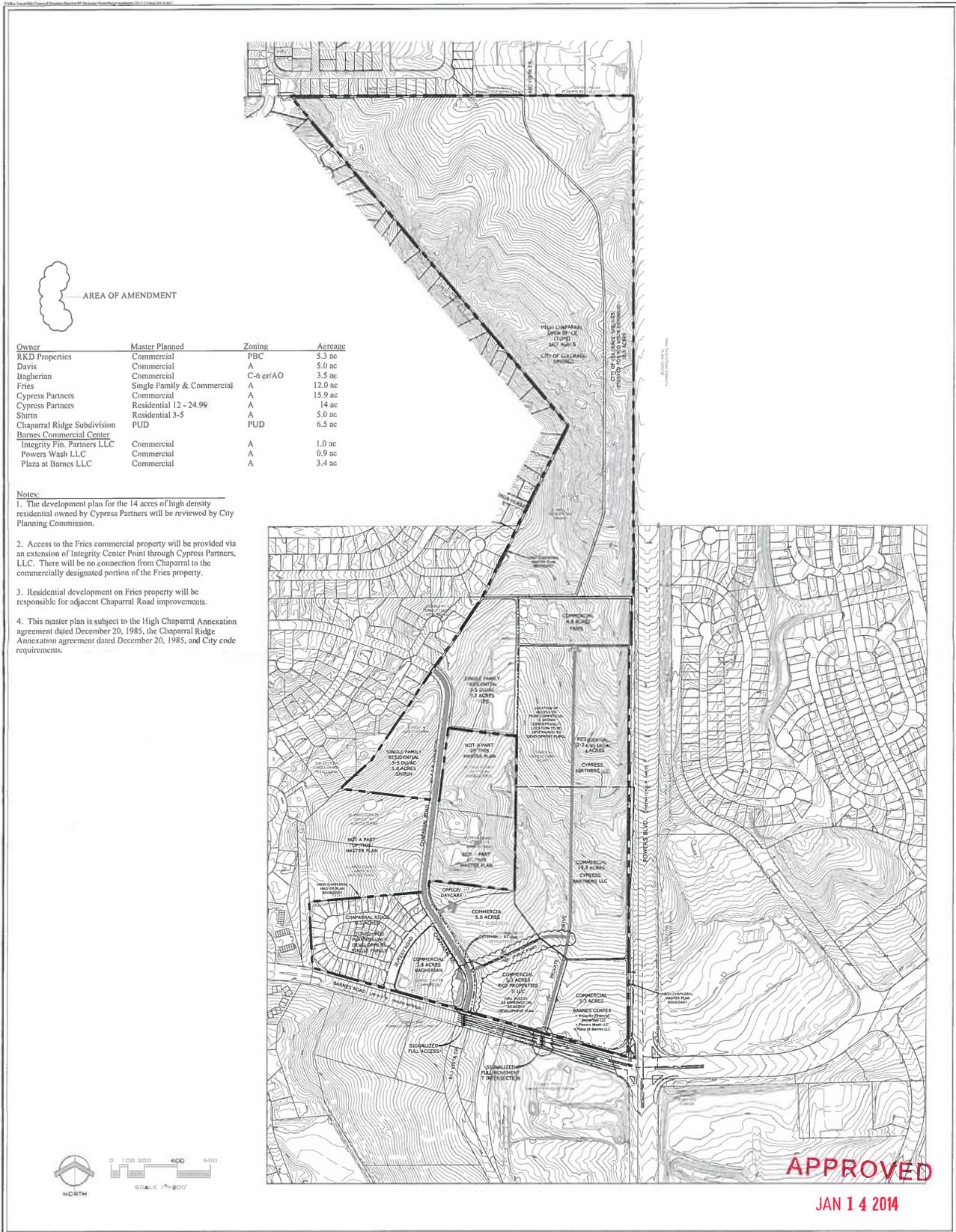
Do not need APARTMENTS At this  
LOCATION.

Concerned Property  
Owner

Robert & Gene  
Pettit

5509 Jennifer Ln

C/S CO 80917



**APPROVED**  
 JAN 14 2014

**URBAN DESIGN  
 LAND PLANNING  
 & LANDSCAPE  
 ARCHITECTURE**

**NES**

305 South Tejon Street  
 Colorado Springs, CO 80905  
 Tel: 719.520.0800  
 Fax: 719.521.0202

**HIGH CHAPARRAL  
 MASTER PLAN**

DATE: 12/08/13 DRAWN: DCD CHECKED: TWD	DATE: 01/14/14 BY: JRM CHECKED: JRM	DATE: 01/14/14 BY: JRM CHECKED: JRM	DATE: 01/14/14 BY: JRM CHECKED: JRM												
<b>MASTER PLAN AMENDMENT</b>															
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**FIGURE 5**



COMMISSIONERS:  
DENNIS HISEY (CHAIR)  
AMY LATHEN (VICE-CHAIR)

DEVELOPMENT SERVICES DEPARTMENT  
MAX L. ROTHSCHILD P.E. DIRECTOR

SALLIE CLARK  
DARRYL GLENN  
PEGGY LITTLETON

February 2, 2015

City of Colorado Springs  
Attn: Lonna Thelen

Subject: Barnes Center Apartments

Dear Mrs. Thelen:

The purpose of this letter is to provide you with review comments from the El Paso County Development Services Department regarding the annexation referral as referenced above. Please note that the following comments were produced by the El Paso County Development Services Department, including the Planning Division and Engineering Division.

## **EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT**

### **Planning Division**

1. The adjacent property to the west is currently within Unincorporated El Paso County and is zoned A-5 (Agricultural). This zone district is agricultural in nature and requires a minimum lot size of 5 acres. It is very difficult to site commercial/multifamily adjacent to agricultural property. The applicant has attempted to mitigate impacts to the adjacent property owners by leaving a large tract of open space and proposing thick vegetation within the tract. Please add a plat note that specifically prevents development in this area.
2. When the commercial area is developed El Paso County will need to review again.

### **Engineering Division**

DSD Engineering reviews plans and reports to ensure general conformance with El Paso County standards and criteria. The project engineer is responsible for compliance with all applicable criteria, including other governmental regulations. Notwithstanding anything depicted in the plan in words or graphic representation, all design and construction related to roads, storm drainage, and erosion control shall conform to the standards and requirements of the most recent version of the relevant adopted El Paso County standards, including the Land Development Code (LDC), the Engineering Criteria Manual (ECM), the Drainage Criteria Manual (DCM), and the Drainage Criteria Manual Volume 2. Any deviations from regulations and standards must be requested in writing and approved by the ECM Administrator. Any modifications necessary to meet overlooked criteria after-the-fact will be the developer's responsibility to rectify.

The following are Engineering Division comments regarding the submitted documents for the subject application. A written response to all comments is required for review of the re-submittal.

1. DSD-Engineering has no comments to the drainage report. Stormwater routing design is designed to be within the City's jurisdiction.

2. This project is anticipated to have minimal impact to the County's transportation/traffic network. The roadways in the vicinity of the project are within the City's jurisdiction.
3. Tract 7 Saddleback Estates on page 3 is part of the City. Adjust the Incorporated City boundary accordingly.
4. Section cut A (page 4) does not match Section A profile (page 10).

Please contact me if you would like to schedule a meeting with myself or the multi-disciplinary team to discuss the above comments. If you have any questions feel free to contact me at (719) 520-6313.

Sincerely,

Nina Ruiz, Project Manager II  
El Paso County Development Services Department

cc: Gilbert LaForce, Engineer II  
File: OAR-15-004

## Thelen, Lonna

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**From:** Foy - DNR, Caleb <caleb.foy@state.co.us>  
**Sent:** Wednesday, February 18, 2015 2:07 PM  
**To:** Thelen, Lonna  
**Cc:** Doug Hollister - DNR  
**Subject:** Re: High Chaparral - Barnes & Powers Colorado Springs

Good Afternoon Lonna,

According to our records, it appears the well located at 4625 Chaparral Rd is registered under well permit no. 56707 (record available online at: <http://www.dwr.state.co.us/WellPermitSearch/View.aspx?receipt=9082954>). This well was constructed on 5/25/1972 to a depth of 105 feet, and had a static water level of 64 feet at that time. Additionally, it does appear that this well is monitored by the USGS and water level records are available online at:

At a depth of 105 feet, it is my initial feeling that any proposed development upstream would most likely not greatly impact the well; however, I would encourage the owner to keep records of the static water level and production rate of the well should they desire to show a cause/effect relationship from any material injury they may incur from the upstream development. Typically, this type of issue would not involve our office as it would be carried out in a civil court setting. Should you have any further questions regarding this matter, feel free to contact me directly.

Sincerely,

Caleb Foy, P.E.  
Water Resource Engineer



P 303.866.3581, x8272 | F 303.866.2223  
1313 Sherman Street, Room 818, Denver, CO 80203  
[Caleb.Foy@state.co.us](mailto:Caleb.Foy@state.co.us) | [www.water.state.co.us](http://www.water.state.co.us)

On Mon, Feb 2, 2015 at 3:40 PM, Thelen, Lonna <[Lthelen@springsgov.com](mailto:Lthelen@springsgov.com)> wrote:

Caleb,

I work for the City of Colorado Springs Land Use Review Department and am working on a project northwest of Barnes and Powers in Colorado Springs. The site is located at on the northern half of TSN 634401082. There

is a county enclave adjacent to this property. Mr. John Cline, the property owner of 4625 Chaparral Road (TSN 6324401031) is objecting to this project. He has stated that the US Geological survey sends representatives to his house annually to make measurements on the shallow well that is fed from a national aquifer. I'm not sure if you are the correct department to help me, but I was wondering if you could shed any light on concerns that might come from this development and if the neighbors' concerns are correct.

I've attached documentation to help you understand the proposal. The applicant is proposing a 272 unit multi-family apartment complex. The first attachment is the approved High Chaparral Master plan that shows the area under review as multi-family. The second through fourth attachments are related to the project currently under review. I've included the project statement, the development plan for the apartment complex and the concept plan amendment for the property just south of the apartment complex.

Please let me know if you have other questions or would like to discuss this over the phone.

I appreciate any assistance you can provide.

Thanks,

Lonna

*Lonna Thelen, AICP, LEED AP BD+C*

*Principal Planner*

*Land Use Review*

*City of Colorado Springs*

*30 S Nevada, Suite 155*

*Colorado Springs, CO 80903*

*[\(719\) 385-5383](tel:7193855383)*



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# NEW BUSINESS CALENDAR

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CITY PLANNING COMMISSION AGENDA

ITEM NO.: 5

STAFF: LONNA THELEN

FILE NO.:  
CPC CU 14-00148 – QUASI-JUDICIAL

**PROJECT:** CREEKSIDE AT ROCKRIMMON  
**APPLICANT:** NES INC.  
**OWNER:** PUEBLO BANK & TRUST AND PANNUNZIO INC.



**PROJECT SUMMARY:**

1. Project Description: This project includes an application for a conditional use to allow multi-family residential in a PBC (Planned Business Center) zone district. This project is Phase II of a multiple phase project for student housing. Phase I of this project was approved on June 24, 2014 for 28 units. This project proposes 32 units of the same product as the previous phase. The property is located north of Rockrimmon and west of Delmonico and contains 4.92 acres. **(FIGURE 1)**
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

**BACKGROUND:**

1. Site Address: 5804-5980 Big Paw Heights
2. Existing Zoning/Land Use: PBC /HS/SS/ vacant
3. Surrounding Zoning/Land Use: North: PUD /SS/HS / vacant/multi-family  
South: PBC / multi-family  
East: PBC/HS / gas station  
West: PUD/HS / vacant
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation Golden Cycle Addition #1, 1966
6. Master Plan/Designated Master Plan Land Use: Rockrimmon Master Plan (Implemented)/ office/support/multi-family/lake
7. Subdivision: Creekside at Rockrimmon Filing No. 1
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site contains hillside and streamside characteristics (steep slopes and significant vegetation) throughout the property. North Rockrimmon Creek runs on the northeast side of the property. The site is currently undeveloped.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public process involved with the review of this application included posting of the site and sending of postcards on two separate occasions to 41 property owners within 500 feet. Comments from multiple neighbors were received. **(FIGURE 3)** The main concerns heard from the neighborhood were traffic, wildfire evacuations with additional housing units, multiple apartment complexes in one area, the apartment complex being for students, and crime. These concerns were the same concerns that were brought up during Phase I review of the student housing on the property to the east. The previous plan was appealed to City Council where City Council denied the appeal and approved Phase I of the project.

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

1. Review Criteria / Design & Development Issues:  
In 2008, the southeast portion of the property was rezoned to PBC/HS/SS/cr (Planned Business Center with hillside and streamside overlay and conditions of record) and the northwest portion of the property was rezoned to PUD/HS/SS/cr (Planned Unit Development with hillside and streamside overlay and conditions of record). The condition of record for both rezones required that all development plans be brought before City Planning Commission. The PUD zoning allowed single-family and multi-family residential with a density of 7.61 dwelling units per acre allowing as many as 168 multi-family units and 62 single-family units over 30.2 acres. The 2008 approval also approved a concept plan showing office, retail, multi-family, and single-family. The PBC zoned property contained 13.9 acres and proposed two fast food restaurants, a sit down restaurant, two office pad sites and a retail pad site.

On June 24, 2014 City Council approved a concept plan amendment to allow the PBC zoned property to be developed for multi-family. The PUD zone did not change and is still proposed to be developed for multi-family and single-family. In addition, a conditional use development plan to allow multi-family in the PBC zone district for Phase I (38 units on lots 1-4) was approved.

The current application is for a conditional use to allow the development of Phase II (32 units on Lots 5 and 6). This development requires a conditional use because the property is zoned PBC. The current application is in conformance with the concept plan approved on June 24, 2014 and is therefore an implementation of an approved concept plan.

The existing site contains significant natural features and steep slopes as would be expected on a hillside property. The concept plan in 2008 thoroughly evaluated the areas of significant vegetation and steep slopes that should be preserved. The proposed project is adjacent to the stream. During the review of this project hillside and streamside review criteria were implemented to ensure the stream corridor remains as natural as possible. Trails have been shown on the plan to allow access from the development to the property adjacent to the creek. Multi-family development adjacent to the creek is supported by the streamside ordinance.

The site has three access points onto Rockrimmon Boulevard. The main access point is at Red Ash Point, the second access point is east of the existing gas station, and the third access point is further north on Rockrimmon at Menzer Heights. A major concern raised by the neighborhood was traffic. The concerns from the neighborhood noted an increased delay at the Rockrimmon and Delmonico intersection, as well as the Rockrimmon and Mark Dabling intersection and the I-25 and Rockrimmon intersection, the number of additional vehicles created from the student housing units, and concern about the potential evacuation delays if another fire event were to happen in the Rockrimmon area. The City Traffic Engineer required a traffic report for the site that was reviewed during the internal review. An evaluation of the other apartment complexes in the neighborhood and the conditions at the intersections Rockrimmon and Delmonico, Rockrimmon and Mark Dabling, and I-25 and Rockrimmon was a part of the review. The City Traffic Engineer is in support of the proposed project. Phase II will also implement the extension of Red Ash point to the east behind the existing gas station, closing of the median in front of the gas station, and installing a signal at Red Ash Point and S Rockrimmon at the main entrance to the site. This will provide two access points near Delmonico and Rockrimmon for the site.

A geologic hazard report was required to be submitted and reviewed by the City Engineering Department, as well as, by the Colorado Geological Survey (CGS) for the conditional use submittal. The review by CGS took into consideration downslope creep, unstable and potentially unstable slopes, expansive soils and bedrock, water-bearing sand layers and perched water above the claystone/sandstone bedrock surface, areas of uncontrolled fill and erosion. CGS found that the site was suitable for the proposed use and density as long as the recommendations of the Geologic Hazard report were adhered to. **(FIGURE 4)**

Staff has determined that the conditional use development plan is in conformance with the required for approval of conditional uses set forth in City Code Section 7.5.704 and development plan review criteria set forth in City Code Section 7.5.502.E. The development is proposed on a site that has been planned for development since it was originally master planned in 1967.

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.

*Strategy LU 502e: Locate Higher Density Housing as a Transition and Buffer to Residential Areas*  
Locate higher density housing in relation to activity centers and gradually decrease the density of that housing as a transition and buffer to the surrounding residential areas.

*Objective LU 6: Meet the Housing Needs of All Segments of the Community*

Planning and development activities, both in the public and private sector, shall include measures intended to ensure the sufficient provision of housing to meet the needs of the entire community, including housing affordable to lower-income households. Multi-family residential housing is particularly appropriate in this area given the site's proximity to UCCS and other college campuses.

This property is designated as general residential by the Comprehensive Plan. The general residential designation allows single-family and multi-family residential development. The Comprehensive Plan also recommends higher density housing as a transition to lower density housing. This project is buffering the single-family residential within Rockrimmon from the commercial uses to the east and south. In addition, this development is providing housing for the student segment of the community. Lastly, it is an infill project that uses already existing road and utility infrastructure and is served by police and fire without extending the area of service.

3. Conformance with the Area's Master Plan:

This development is part of the Rockrimmon Master Plan and is permitted to have multi-family. The Rockrimmon Master Plan has been implemented.

**STAFF RECOMMENDATION:**

**Item No.: 5 CPC CU 14-00148 – CONDITIONAL USE**

**Approve** the conditional use for Creekside at Rockrimmon, based upon the finding that the conditional use complies with the conditional use findings in City Code Section 7.5.704 and development review criteria in City Code Section 7.5.702.B, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Conditional Use:

1. Include total parking required Phase I and II – 368 and total parking provided Phase I and II – 378 under the parking calculations in the site data.
2. On page 2 include a legend that calls out the line type for the area within the development plan and show the line type that was used.
3. On page 2 call out the sidewalk shown adjacent to the gas station.
4. On the streamside overlay page, there are multiple trees that are shown on the chart as existing. Clearly show and locate each of the existing trees that are counted toward this total. There are a few trees that are shown in a grayed out layer, but are difficult to read and count. All trees meeting the streamside review criteria must be accounted for. Trees counts can be satisfied through native shrub substitutions.
5. The proposed 5' gravel trail shown on Tract B is not a Parks Department Master Planned Trail. The Parks Department will not maintain this trail. Include a note on the plan that states "The trail on the south side of the creek will be maintained by the owner of Lot 5 and 6."
6. Per the Approved Plat (cover page notes), Park and School Fees will be assessed for these units collected at time of the Utility Service request (during the building permit process). This application shows two lots, Lot 5 (6 units) and Lot 6 (26 units).
7. Include in the 2-4" rock mulch legend description 'planted rock mulch'. Revise the plans to show some low plantings in the motor vehicles lot counts.
8. Contact Wastewater Planning and Design to determine what is required to update the previously-approved Wastewater Master Facility Report. The amendment must be accepted prior to conditional use approval.

F:\Printer\Hansen\CreekSide at RockCreek Phase 2\Drawings\Development\Development\Phase2\_DP\_20-11-11.dwg [DWG] 2/12/2015 4:37:54 PM kshelton



<p><b>NBS</b>                  Land Planning                  Landscape                  Architecture                  Urban Design</p> <p>N.E.S. Inc.                  619 N. Cascade Avenue, Suite 200                  Colorado Springs, CO 80903                  Tel. 719.471.0073                  Fax 719.471.0287                  nbs@nbsinc.com                  www.nbsinc.com                  © 2015, All Rights Reserved.</p>		<p><b>Phase 2 Development Plan</b></p> <p>CreekSide at RockCreek</p>	<p>DATE: 2/12/2015                  DRAWN BY: M. KISHOR                  PROJECT NO: 14-00148</p>	<p>SCALE: 1" = 50'</p> <p>0 50 100                  NORTH</p>	<p>2 OF 13</p> <p>CPC CU 14-00148</p>
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FIGURE 1





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## CREEKSIDE AT ROCKRIMMON

### PROJECT JUSTIFICATION

DECEMBER 2014

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#### REQUEST

Premier Homes requests approval of a Conditional Use Development Plan for Multi-family use in a PBC Zone.

#### LOCATION

Creekside at Rockrimmon is located on the north side of South Rockrimmon Boulevard, west of the Pro Rodeo Drive/Delmonico Drive intersection. The property is 4.92 acres and is platted into 2 lots and one tract.



## PROJECT JUSTIFICATION

In June 2014, the City approved a Concept Plan for 142 multi-family residential units to be used as student housing on a 44 acre site, which includes the current application site. At the same time a Conditional Use Development Plan was approved for Phase One of the development, comprising 38 units on 5 acres. The current application is a Conditional Use Development Plan for Phase 2 of the Concept Plan and proposes 32 units on 4.92 acres, representing a density of 6.5 units per acre.

The current lotting and zoning pattern will not be changed with this request. Past entitlement actions created open space tracts, which are to remain unchanged. The platted lot lines will be respected; buildings will be placed within the lots as platted.

The proposed multi-family units will be designed for and restricted to student housing, primarily in support of the needs of UCCS. The proposed units will be of a "townhouse design" with one and two story elements. Each unit will have 2, 3, or 4 bedrooms and a common area and kitchen. Each bedroom will have its own bath. All units will be completely furnished and provided with internet access. Rentals will be by individual bedroom.

Access off South Rockrimmon Boulevard will be via the private roads of Red Ash Point and Heavy Stone View, which are already platted and permitted via the approved Concept Plan. Big Paw Heights will provide direct access to the parking areas adjacent to the units. A total of 105 parking spaces are provided at a ratio of 3.4 spaces per unit, which far exceeds the City's requirement for townhomes. Five accessible parking spaces are also provided.

Tract B is to be deeded to the City of Colorado Springs for open space, drainage, and utility purposes. Drainage channel improvements were approved with the Concept Plan and their implementation is the subject of a Development Agreement with the City.

In accordance with the Streamside criteria, the Concept Plan identifies a trail alongside the creek. A trail with a different alignment is shown on the current Development Plan. This alignment is approximate, as it will be necessary to field locate the trail once the grading is underway to achieve the optimum placement that minimizes steep grades on the trail and the potential for trail erosion.

The project developer, Premier Homes, has constructed similar projects in Pueblo and Grand Junction. Based on experience in these locations, several unique design and management practices will be employed to serve this resident population. As noted above, parking will be provided at a much higher ratio than required by the City. The higher parking standard is dictated by the user population. Trash will be collected daily. Construction methods will be employed to minimize noise between units. The project will also have a club house/pool area in Phase 1, where management services will be provided. Visually, this project will look like a low density townhome project, since each unit is individually detailed.

#### CONDITIONAL USE REVIEW CRITERIA

A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured. ***The use is consistent with the mixed use character of this area. The change from commercial use to residential use moves the residential component of the neighborhood eastward to the existing Gas Station/Convenience Store that borders this use on the east.***

B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare. ***All zoning requirements are met with this application, including height, parking and setbacks. The proposed Conditional Use is consistent with the recently approved Concept Plan for the site.***

C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City. ***The proposed use is consistent with the Comprehensive Plan 2020 Map, which shows this area of the City as General Residential, a land use category that includes the proposed use.***

#### DEVELOPMENT PLAN REVIEW CRITERIA

1. Will the project design be harmonious with the surrounding land uses and neighborhood? ***The proposed use is a part of the overall Concept Plan, which shows a transition of land use from single-family residential to the west to commercial land use to the east.***

2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities? ***The use is consistent with the mixed use character of this area. The change from commercial use to residential use moves the residential component of the neighborhood eastward to the existing Gas Station/Convenience Store that borders this use on the east. The proposed Development Plan is consistent with the recently approved Concept Plan for the site.***

3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties? ***Height and bulk of proposed structures are residential in character, and significantly less than allowed in the PBC Zone.***

4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development? ***The site design and general relationship to surrounding properties addresses this criterion.***

5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption? ***Vehicle access has been established with the approved Concept Plan and Plat for this area.***

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6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? ***Streets have been platted to serve the platted lots in this project.***
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic. ***The proposed street configuration serves only the proposed residential uses and provides no links to other collector or arterial streets that may encourage cut-through traffic. In addition, Heavy Stone View will include "Speed Tables" which are designed to reduce speeding and promote safe pedestrian access.***
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? ***Parking is to be provided based on the needs of the specific type of resident. The amount of parking is well above that required by Code.***
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design? ***Five accessible parking spaces are provided, which meets the Code requirement.***
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? ***The streets in this Development have been planned and platted. Parking areas are designed to meet the needs of a unique population, and are provided in a quantity that will minimize impact to public streets.***
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles? ***Sidewalks along Heavy Stone View and Red Ash Point will provide for safe pedestrian circulation around the development. The creek-side trail also provides a more recreational walking environment, which will be extended in future phases of this development.***
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? ***There are two natural features in the vicinity of this Development Plan area, which are platted as open space and drainage tracts as part of the approved Concept Plan, but do not form part of this Development Plan.***

## Thelen, Lonna

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**From:** Lannette Abbey <abbeyranch@gmail.com>  
**Sent:** Saturday, January 10, 2015 5:00 PM  
**To:** Thelen, Lonna  
**Subject:** Creekside at Rockrimmon

Dear Lonna,

I feel like this email is a feudal effort to express my concerns regarding the additional housing on Rockrimmon Blvd. I'm not sure if the City/County just didn't pay any attention to the objections that were raised at the neighborhood meeting and then again at both the Planning commission meeting on May 15th, and City Council on June 24th. I understand this project has still been giving the go ahead. So, what does it take for the property owners in the surrounding neighborhoods to preserve their rights as land owners. It seems as though the city and county governmental entities are only concerned about the developers rights.

The additional population that this project will bring will create a worse traffic nightmare than already exists at the intersections of Rockrimmon and Delmonico/Mark Dabling/I25 on and off ramps. The additional traffic from the Encore apartment, now that they are being leased, causes traffic issues with people trying to turn left out of the apartment onto Delmonico. Then instead of getting into the right hand lane so they can safely get onto the interstate, they turn left in the left hand lane then shoot across both lanes of traffic to get onto the interstate.

I am old and tired, still working to try and make ends meet. I have to drive in this traffic every day. I don't know how to fight this, I am just one up against the powerful developers and City/County government. I believe this project will degrade our property values and will create unbearable traffic issues.

Respectfully, a terribly discouraged citizen/resident,

**Lannette Abbey**  
**280 Dolomite Drive**  
**Colorado Springs, CO 80919**

## Thelen, Lonna

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**From:** mike oroszi <oroszimd@yahoo.com>  
**Sent:** Monday, January 05, 2015 6:24 PM  
**To:** Thelen, Lonna  
**Cc:** kimmyg15@hotmail.com; GHCommunity@comcast.net  
**Subject:** Creekside Development

Hello Lonna -

Kim and I wanted to express our concern with the Rockrimmon Creekside development. We really feel this is a terrible idea and continuing with the plan presents multiple safety concerns for our community. As stated in previous correspondence, I would propose repurposing some of the urban blight on North Nevada for student housing. Specifically, the area between Austin Bluffs and Mt View Lane could use renovation and the access to/from University Village & UCCS is much less constrained along this corridor.

Thanks for the consideration,

Mike & Kim Oroszi  
ph: 719-351-0103

1. Fire safety: According to the 2010 census figures, there are more than 32,000 people living and/or working in the urban wildland (i.e., high fire danger) area between Centennial Blvd and I-25, and between Woodmen and South Rockrimmon Blvd. This is approximately seven percent of the total population of Colorado Springs, in an area with only three exits, yet developers continue to add dwellings (e.g., Encore at Rockrimmon, The Estates, etc.). Creekside would add more than 500 persons, Encore already has added this many. There are also four elementary schools and a middle school, plus preschools, with attendance of about 3,000 children. Given the lessons learned in the Waldo Canyon and Black Forest fires, we believe it's a dangerous mistake to add more people to an area that's essentially a trap.
2. Mine subsidence issues: The property is located over mine shafts that are among the most shallow in Rockrimmon. Several earlier plans to build on this land were scrapped, because of the mine concerns. The Encore apartments nearby were delayed by several months to remediate subsidence problems, at significant cost. Creekside's geological specialist was surprisingly uninformed of the real state of the mines, and was unable to answer simple questions from the Planning Commission about the mines' status. The Commission ignored the detailed mine maps we provided.
3. Student Problems: Creekside is a dormitory, with four-person suites containing a common kitchen and bathroom, and clubhouse facilities. While the plan includes security, there would be no restrictions regarding residents venturing into the nearby Rockrimmon wildland areas, which could have serious consequences if even one cigarette were dropped. We have nothing against students, but they would have no stake in the community, and are therefore less likely to be aware of the true fire danger and to exercise restraint.
4. Student safety: The site has inherent safety issues, and is neither near, nor convenient to, the UCCS campus. The combination of mine subsidence, location in a fire-prone wildland, a deep, eroding creek immediately behind the site, and lack of direct bike and pedestrian routes to UCCS are problematic. Walking or biking requires crossing the busy intersection at Rockrimmon / Mark Dabbling / I-25 and passing through the rear shipping and receiving areas of University Village. For residents with cars, shuttle lot parking is very limited, and University Village has taken steps to prohibit student parking on its property. Creekside has not yet committed to providing a shuttle.

## Thelen, Lonna

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**From:** Harry and Rosemary Ness <hracness@earthlink.net>  
**Sent:** Friday, January 02, 2015 8:33 PM  
**To:** Thelen, Lonna  
**Subject:** Comment on Proposed Creekside Student Housing Development

Dear Ms. Thelen, et.al.,

Regarding the proposed Creekside student housing development to be located in the northwest quadrant of Delmonico Drive and S. Rockrimmon Blvd., we have some significant concerns that we feel need to be addressed, and related mitigations effected, before such development occurs:

1. This new, high-density development will add considerable traffic congestion to what is already a limited-access greater neighborhood area. Many large surrounding neighborhoods, besides the adjacent Rockrimmon developments, can use only two roads for emergency evacuation purposes if a westward fire occurs, those being S. Rockrimmon Blvd. and Woodmen Rd. The difficulties of handling traffic volume were amply demonstrated during the evacuation necessitated by the Waldo Canyon fire two years ago.
2. The property upon which the proposed Creekside development is to be built rests directly on top of what were the main hoist shafts and access drifts to the Pikeview Mine complex. The overburden on that property is generally in the 100 to 150 foot depth range, which is quite shallow relative to potential for ground settling effects. That local area has already experienced cave-ins and ground settling of a significant nature in the past. Detailed studies by competent engineers need to be conducted as to soil and ground stability on that property, as well as detailed examination of any proposed building structural and foundation plans. Pre-construction mitigation may be necessary to the property itself before any type of building ensues, as high-density, heavy structures may be at risk of serious structural damage due to potential ground settling problems once their weight is added to the surface of the property, particularly if large air pockets remain below the surface.
3. The intention of using this development for UCCS student housing is certainly commendable, but it will be the student housing complex that is by far the furthest away from the campus. Should this development not work out economically as targeted for an ongoing student population, what guarantees can our neighborhood have, and which we would want, that this complex would not evolve into a low-income housing project?

Sincerely,

Harry and Rosemary Ness

## Thelen, Lonna

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**From:** nruegg@reagan.com  
**Sent:** Friday, January 02, 2015 9:52 PM  
**To:** Thelen, Lonna  
**Subject:** Creekside 'Student Housing'

To whom it 'should' concern: I'm addressing this to the people who decided to bring this up during a busy, family oriented time of the year that probably no one, hopefully, in your case, will be watching. Sounds like the tactics of our current administration in DC. Hum, wonder where you learned that one.

Do you or any of your chums live in this neighborhood? I doubt it. We have a huge traffic problem already and this will crush our home's values. You people alone, will be responsible for the losses to all of these voters/residence future.

Live with that if you can and think again about how you are coming to this decision. Seems you all are acting more like Washington DC than concerned members of this once fine city. You're destroying it!

Drive through the intersection of Rockrimmon South and Delmonico some morning during rush hour and see how fun it is. Not to mention the extremely poor soil, mine subsidence probability, crime & fire increases (inevitable), drainage problems and the cost of building another the Fire Departments, additional Police enforcement, etc.

If you let this development permit pass it will destroy and negatively effect the uniqueness of this area that will never be forgotten, I promise you.

Surprise us and do something right for the City.

Voter, Nancy J Ruegg

## Thelen, Lonna

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**From:** Pam Genuario <pamgenuario@yahoo.com>  
**Sent:** Sunday, January 04, 2015 7:19 PM  
**To:** Thelen, Lonna  
**Subject:** "Student housing" project, called Creekside at Rockrimmon.

Lonna,  
In reference to "student housing" project, called Creekside at Rockrimmon:

I am a 36 year resident in the Rockrimmon area and I am adamant that this project is stopped. The traffic in the area is already overly congested. When we were evacuated during the Waldo Canyon Fires, the traffic was horrendous! It was surprising that no one was injured in the evacuation, as it took us over an hour to evacuate from our neighborhood in Rockrimmon. Unless the city has further plans for numerous evacuation sites, this project must be stopped.

I hope a catastrophe never hits Colorado Springs again, but let's be prepared with evacuation plans before an event happens!

Pam Genuario

## Thelen, Lonna

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**From:** Lois Kline <lois.e.kline@gmail.com>  
**Sent:** Wednesday, December 31, 2014 10:01 AM  
**To:** Thelen, Lonna; GHCommunity@comcast.net  
**Subject:** Creekside Student Housing Project

Good Morning. We just received an email from our Golden Hills Homeowners' Association regarding city approval of the proposed Creekside Student Housing Project at Rockrimmon and Delmonico. We would like to reiterate our opposition to this project, based on our own research and on that of our GHHA. In summary:

1. Fire safety: According to the 2010 census figures, there are more than 32,000 people living and/or working in the urban wildland (i.e., high fire danger) area between Centennial Blvd and I-25, and between Woodmen and South Rockrimmon Blvd. This is approximately seven percent of the total population of Colorado Springs, in an area with only three exits, yet developers continue to add dwellings (e.g., Encore at Rockrimmon, The Estates, etc.). Creekside would add more than 500 persons, Encore already has added this many. There are also four elementary schools and a middle school, plus preschools, with attendance of about 3,000 children. Given the lessons learned in the Waldo Canyon and Black Forest fires, we believe it's a dangerous mistake to add more people to an area that's essentially a trap.
2. Mine subsidence issues: The property is located over mine shafts that are among the most shallow in Rockrimmon. Several earlier plans to build on this land were scrapped, because of the mine concerns. The Encore apartments nearby were delayed by several months to remediate subsidence problems, at significant cost. Creekside's geological specialist was surprisingly uninformed of the real state of the mines, and was unable to answer simple questions from the Planning Commission about the mines' status. The Commission ignored the detailed mine maps we provided.
3. Student Problems: Creekside is a dormitory, with four-person suites containing a common kitchen and bathroom, and clubhouse facilities. While the plan includes security, there would be no restrictions regarding residents venturing into the nearby Rockrimmon wildland areas, which could have serious consequences if even one cigarette were dropped. We have nothing against students, but they would have no stake in the community, and are therefore less likely to be aware of the true fire danger and to exercise restraint.
4. Student safety: The site has inherent safety issues, and is neither near, nor convenient to, the UCCS campus. The combination of mine subsidence, location in a fire-prone wildland, a deep, eroding creek immediately behind the site, and lack of direct bike and pedestrian routes to UCCS are problematic. Walking or biking requires crossing the busy intersection at Rockrimmon / Mark Dabling / I-25 and passing through the rear shipping and receiving areas of University Village. For residents with cars, shuttle lot parking is very limited, and University Village has taken steps to prohibit student parking on its property. Creekside has not yet committed to providing a shuttle.

Thank you for your attention to your taxpayers'/voters' concerns.

David R. Kline  
Lois E. Kline  
6450 Hawkeye Circle  
Colorado Springs, 80919

## Thelen, Lonna

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**From:** Kathy Thurman <kthurman@erashiels.com>  
**Sent:** Thursday, January 01, 2015 10:53 AM  
**To:** Thelen, Lonna  
**Subject:** Creek side apartment project

I hope you will give serious consideration to reviewing the decision to allow this apartment complex to go forward.

I understand the reasons for infilling, but in this case, it creates a dangerous situation. Because of limited entry/exits to the area, the increase in traffic will be a serious problem (each apartment to be occupied by several students...each one requiring transportation to UCCS, with no plans for shuttle service to the campus).

Another important factor to consider is traffic impact in case of fire in the area. We saw what happened during the Waldo Canyon fire...horrible, frightening traffic jams, as residents tried to exit the area...with very limited exits available. And, another wildfire in the area is a very real possibility!

There are several other factors that prove building this complex is not a sensible, smart decision. I am hopeful that common sense will prevail, and the complex approval will be denied!

Kathy Thurman...a 40 year resident of Rickrimmon.

Sent from my iPad

## Thelen, Lonna

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**From:** ALFRED R HOCHMUTH <hoch77@hotmail.com>  
**Sent:** Thursday, January 01, 2015 12:47 PM  
**To:** Thelen, Lonna  
**Subject:** Creekside

We are retired and now traffic and crime has become a problem in Rockrimmon . More college population in our residential area will make the problems worse. We will vote for those who support our concerns.

## Thelen, Lonna

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**From:** Charles H. Castle <CharlesCastle07@comcast.net>  
**Sent:** Saturday, December 20, 2014 2:32 PM  
**To:** Thelen, Lonna  
**Cc:** Brian Sinchak ; Gerard Cox/6510; Larry Dyer; Knight, Don; D Attig; Andrew & Julia Mills/6495; Anita Walter/6450; Bindu Nair & Sree Kumar; Bob & Virginia Bennett/6455; Charles Castle; Chris & Patrick Lawrence/6540; Dan & Sandy Lampe/6520; Dan Woodhull/6480; Jane Haines/6525; Jean & Jim Schonholtz/6470; Jeff Hammes/6475; Joe Coston/6550; Leah & Brice Roberts; Lyn Hyde/6440; Lynne Woodhull/6480; Marilyn Wisler & Bill Killa/6445; Modine Hott/6460; 'Ray Goetze/6560'; Rick & Julia Taves/6430; Sherma Castle; Sue Larson/6505; Tony Cerrone/6540 durring winter  
**Subject:** South Rockrimmon Development  
**Importance:** High

Ms. Thelen  
Land Use Review  
City of Colorado Springs

December 20, 2014

**Re: Comments about South Rockrimmon Development/CPU CU 14-00148**

*"A request by NES, Inc. on behalf of Pueblo Bank and Trust and Pannunzio, Inc. for a conditional use to allow multi-family in a PBC (Planned Business Center) zone district for Creekside at Rockrimmon. The property is zoned PBC/cr/HS/SS (Planned Business Center with conditions of record and streamside and hillside overlay), contains 4.92 acres, and is located at 52 & 112 Heavy Stone View."*

Ms. Thelen:

I commented before about the cluster apartments being built on South Rockrimmon that abut the Shell gas station. I was for that development, and am for more development of multi-use apartments that NES wants to build further west on South Rockrimmon.

Some personal comments and points:

1. Land behind (*north towards Saddle Mountain*) these apartments should have **trails connected to other trails** in the area. Granted, these may be social trails and not official City ones. As a member of the Parks, Recreation & Cultural Services Advisory Board since 2010, our board heavily suggested connecting our trail system in the Parks Master Plan. The master plan was recently approved by our board and City Council. Many of our City trails have blank spots and are not connected. **My hope is that the developer will donate land** to the city for trail development and/or donate land to connect with Rockrimmon Open Space. The developer/UCCS could encourage the renters to form a friends group and/or become involved with the Rockrimmon Open Space and trails near their homes. I could be a contact for that action or interest.
2. I learned recently the **Colorado Springs Police Department** gets many calls each night for loud parties at the new apartment complex at Nevada and I-25. Don't remember the name of the complex...something with Lodge in it? Sound carries easily in the Rockrimmon Open Space – we can hear conversations across the ravine. I hope this can be figured out before there's a problem.
3. The Safeway at Vindicator/South Rockrimmon is an oversized 7-11 and was built in the early 1980s? Hopefully, there are **plans for a King Soopers or another grocery store** to be built on Nevada between I-25 and the Fellowship Church (west side of Nevada). Any progress on a new grocery store in this area?

4. In November 2010, I personally applied for TOPS to seek the land behind our odd-numbered homes of Retreat Point at Rockrimmon HOA, i.e. 6495 Perfect View. That land was in bankruptcy and held by Pueblo Bank & Trust then, too. Getting information from that bank was difficult. After several calls a banker from Pueblo finally responded reluctantly. TOPS turned my application down because: 1. the bank wanted to sell the land/not donate it or any portion of the land; 2. TOPS Committee found it not to be as desirable as other properties in the 80919 area. As you know, our board did approve in 2013 the purchase of the 200+ acres from HP that added to our regional park, Ute Valley Park. The final installment of two will be done in January 2015 to complete that purchase.
5. From time to time the Rockrimmon Open Space and the private property (owned by the bank) attract **motorized vehicles**. The motor bikes, trucks and cars tear up the land and vegetation and are **potential fire hazards**. There are some wetlands behind the same home at 6495 Perfect View and I would like to see them protected. Though the city did post some *No Trespassing* and *No Dumping* signs along South Rockrimmon this year, we still have motorized vehicles tearing up the land. All of the 18 homes and 2 vacant lots in Retreat Point at Rockrimmon HOA and some of the 67 homes in Retreat at Rockrimmon HOA are included in the Hillside Ordinance of the City of Colorado Springs. We each paid \$3,000 or \$4,000 to the city for a permit requiring a special alarm system to be connected to the fire department because of potential fire danger. Personally, we paid \$4,000 in 2004 when we built our home. All of us are required to have a land-line phone, too. The neighborhoods previously mentioned, along with homes along Ursa and Ocelot streets, back up onto vacant grassland property.
6. **Traffic** – after living in our home for eight months, I petitioned the City in February 2005 for a traffic light at Fence Post and South Rockrimmon. After a couple of town meetings, held at the ViewPointe Retirement community, we got the traffic safety issues resolved. Though we did not get a light installed – the City did install some speed flashing signs and flashing yellow signs. The City also extended the left-turn stripes going east on South Rockrimmon into Fence Post. Also the boulders at the corner home moved further away from the street (*improved the visual going west*). With the new development, there will be more traffic on South Rockrimmon. We will need more safety controls to mitigate accidents. I don't think a light is in order at Fence Post or other points now, but special left-hand lanes, flashing lights and other alternatives could be used. There are also many deer that cross South Rockrimmon at dusk, dawn and all other hours – all year round.
7. **South Rockrimmon has been "repaired" many times and needs to be repaved from Delmonico to Vindicator**. Also in winter 2013, I reported to Mayor Bach's and Councilmember Don Knight's offices that the City's snow contractor was only plowing up to the HP entrance. That was remedied. And earlier this year, I reported a contractor for Colorado Springs Utilities (CSU) on the present NES development was not putting warning cones behind a parked truck – almost plowed into it. The commercial truck was parked in the right lane going west on South Rockrimmon. That was also remedied by CSU.
8. In our recent December 11, 2014 parks board meeting a bank donated 9.46 acres to the City. For banks and other entities, there are **tax credits, conservation easements** and other programs available to donate land to the City. Chris Lieber with our parks department is the contact for those possibilities.

The 18 homeowners of Retreat Point at Rockrimmon HOA, others who live in this area and Councilmember Don Knight are copied on this email. I did not consult with them about this email; they may email you with their own comments.

Thank you for your time,

*Charles Castle*  
6490 Perfect View, Colorado Springs, CO 80919-3725  
719.459.2981/mobile 719.265.8345/home

## Thelen, Lonna

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**From:** GHCommunity <GHCommunity@comcast.net>  
**Sent:** Monday, December 29, 2014 1:37 PM  
**Subject:** Citizens' concerns and objections to: CPC CU 14-00148  
**Attachments:** Map of Creekside Petition Signers.pdf; 2013 Housing Project Concern Letter.pdf

You are receiving this email because you were either the sender, or one of the addressees of, an email sent by the Colorado Springs City Planning Commission, entitled "CPC CU 14-00148." The city of Colorado Springs recently gave a green light to this project, a proposed "student housing" project, called Creekside at Rockrimmon. The city has once again solicited commentary from a limited group that included you, in an email sent to you on December 19<sup>th</sup>, 2014 (and reproduced at the bottom of this email). We would like you to be aware of the objections that the residents of Northwest Colorado Springs raised, and we hope you'll submit your own comments to the City Planning Commission. Please provide any and all comments to Lonna Thelen at [lthelen@springsgov.com](mailto:lthelen@springsgov.com) by January 8<sup>th</sup>, 2015.

The Golden Hills Homeowners Association has opposed the Creekside project on several grounds since it was quietly announced a year ago. Creekside is to be located on South Rockrimmon Blvd, next to the Shell station. The Planning Commission approved Creekside because it meets their primary objectives of Infilling and Community Diversity. They dismissed the residents concerns, summarized below, which were presented in detail on May 15<sup>th</sup> to the Planning Commission, and on June 24<sup>th</sup> to the City Council. Our original letter of opposition is also attached, as is a map showing the locations of 266 residents that signed our grassroots petition of opposition. 59 persons also sent letters of concern to the Commission. We note that no other HOAs or individuals within the area of concern were ever notified of the planned project, because City policy only requires informing of persons within one thousand feet of a proposed project.

We want you to be aware of our continuing opposition to this project. We believe we represent the concerns of a significant portion of the residents and workers of Northwest Colorado Springs. We also have significant concerns about the opaque process the City of Colorado Springs uses to approve projects, which ignores real impacts of projects on its citizens, and does not adequately inform them.

Thank you,

## Board of the Golden Hills Homeowners Association

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**Summary of Golden Hills HOA objections to Creekside Rockrimmon**

1. Fire safety: According to the 2010 census figures, there are more than 32,000 people living and/or working in the urban wildland (i.e., high fire danger) area between Centennial Blvd and I-25, and between Woodmen and South Rockrimmon Blvd. This is approximately seven percent of the total population of Colorado Springs, in an area with only three exits, yet developers continue to add dwellings (e.g., Encore at Rockrimmon, The Estates, etc.). Creekside would add more than 500 persons, Encore already has added this many. There are also four elementary schools and a middle school, plus preschools, with attendance of about 3,000 children. Given the lessons learned in the Waldo Canyon and Black Forest fires, we believe it's a dangerous mistake to add more people to an area that's essentially a trap.

2. Mine subsidence issues: The property is located over mine shafts that are among the most shallow in Rockrimmon. Several earlier plans to build on this land were scrapped, because of the mine concerns. The Encore apartments nearby were delayed by several months to remediate subsidence problems, at significant cost. Creekside’s geological specialist was surprisingly uninformed of the real state of the mines, and was unable to answer simple questions from the Planning Commission about the mines’ status. The Commission ignored the detailed mine maps we provided.
3. Student Problems: Creekside is a dormitory, with four-person suites containing a common kitchen and bathroom, and clubhouse facilities. While the plan includes security, there would be no restrictions regarding residents venturing into the nearby Rockrimmon wildland areas, which could have serious consequences if even one cigarette were dropped. We have nothing against students, but they would have no stake in the community, and are therefore less likely to be aware of the true fire danger and to exercise restraint.
4. Student safety: The site has inherent safety issues, and is neither near, nor convenient to, the UCCS campus. The combination of mine subsidence, location in a fire-prone wildland, a deep, eroding creek immediately behind the site, and lack of direct bike and pedestrian routes to UCCS are problematic. Walking or biking requires crossing the busy intersection at Rockrimmon / Mark Dabling / I-25 and passing through the rear shipping and receiving areas of University Village. For residents with cars, shuttle lot parking is very limited, and University Village has taken steps to prohibit student parking on its property. Creekside has not yet committed to providing a shuttle.

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The original email you received from the City:

Please find attached the buckslip for the Creekside at Rockrimmon. **Comments due by January 8, 2015.**

Because you are on the Electronic Buckslip recipient list, you will no longer be receiving hard copies of the buckslip, project statement or plan(s). In order to access the site needed to view the electronic version of the application, project statement and/or plan(s), please follow these steps:

[if !supportLists]1. [endif]Go to <http://eoc.springsgov.com/ldrs/>

[if !supportLists]2. [endif]Type in the file number.

[if !supportLists]3. [endif]Click “Run Query”.

[if !supportLists]4. [endif]Click on the “Document” link next to the Initial Application to view the application and the project statement.

[if !supportLists]5. [endif]Click on the “Document” link next to the drawings that were submitted.

Please provide ANY and ALL comments to the planner, Lonna Thelen at [lthelen@springsgov.com](mailto:lthelen@springsgov.com). **Do not reply to this email address.**

Cody Webb  
Administrative Assistant  
Planning & Development  
City of Colorado Springs  
Phone: (719) 385-5360

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# COLORADO GEOLOGICAL SURVEY

1801 19<sup>th</sup> Street  
Golden, Colorado 80401  
303.384.2655



February 10, 2015

Karen Berry  
State Geologist

Lonna Thelen, AICP, LEED AP  
Planning & Development, Land Use Review Division  
City of Colorado Springs  
P.O. Box 1575  
Colorado Springs, CO 80901

**Location:**  
NW¼ SW¼ Section 18,  
T13S, R66W of the 6<sup>th</sup> P.M.  
38.9156, -104.8285

**Subject: Creekside at Rockrimmon – Phase II**  
**City of Colorado Springs, El Paso County, CO; CGS Unique No. EP-15-0014**

Dear Ms. Thelen:

Colorado Geological Survey has reviewed the above-referenced development plan referral. I understand the applicant proposes 32 multifamily/student housing units in four buildings on approximately 2.8 acres located north of Creekside at Rockrimmon Phase 1, plus a 2.1-acre open space tract above Rockrimmon Creek – North Channel. With this referral, I received a Geologic Hazard Study, Creekside at Rockrimmon (Entech Engineering, Inc., December 18, 2014), a Final Drainage Report for Creekside at Rockrimmon Filing No. 1, Lots 5 & 6 (Phase 2) by Drexel, Barrell & Co. (December 15, 2014), a set of seven Development Plan drawings (N.E.S., Inc., December 12, 2014), and a set of four interim Development Plans/Erosion Control & Stormwater Quality Plans to address illegal grading that occurred on the site (Drexel, Barrell & Co., December 19, 2014).

Entech's geologic hazard study contains appropriate *preliminary* recommendations for mitigating the site's potential hazards and geotechnical constraints, which include downslope creep, unstable and potentially unstable slopes, expansive soils and bedrock, water-bearing sand layers and perched water above the claystone/sandstone bedrock surface, areas of uncontrolled fill, and erosion. CGS agrees that the subsidence hazard on the site is low and that mitigation is not required. **Provided Entech's recommendations are adhered to, and lot-specific investigations and analyses are conducted for use in design of retaining walls and foundations, I agree that the site appears to be suitable for the proposed use and density.**

Thank you for the opportunity to review and comment on this project. If you have questions or need additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,  
  
Jill Carlson, C.E.G.  
Engineering Geologist

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# APPENDIX

## Development Application Review Criteria

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### **PUD ZONE CHANGE REVIEW CRITERIA:**

#### **7.3.603: ESTABLISHMENT AND DEVELOPMENT OF A PUD ZONE:**

- A. A PUD zone district may be established upon any tract of land held under a single ownership or under unified control, provided the application for the establishment of the zone district is accompanied by a PUD concept plan or PUD development plan covering the entire zone district which conforms to the provisions of this part.
- B. An approved PUD development plan is required before any building permits may be issued within a PUD zone district. The PUD development plan may be for all or a portion of the entire district. The review criteria for approval of the PUD concept plan and approval of a PUD development plan are intended to be flexible to allow for innovative, efficient, and compatible land uses. (Ord. 03-110, Ord. 12-68)

#### **7.3.605: PUD PLAN REVIEW CRITERIA:**

Substantial compliance with the criteria is necessary for the approval of the PUD plan. The Director may determine that certain criteria are not applicable based on the characteristics of the

individual project. PUD plans shall be reviewed based on the following review criteria:

- A. Is the proposed development pattern consistent with the Comprehensive Plan, the 2020 Land Use Map, and all applicable elements of the Comprehensive Plan (including the Intermodal Transportation Plan and the Parks, Recreation and Trails Master Plan)?
- B. Are the proposed uses consistent with the primary and secondary land uses identified in the 2020 Land Use Map of the Comprehensive Plan, as amended?
- C. Is the proposed development consistent with any City approved Master Plan that applies to the site?
- D. Is the proposed development consistent with the intent and purposes of this Zoning Code?
- E. Does the development pattern proposed within the PUD concept plan promote the stabilization and preservation of the existing or planned land uses in adjacent areas and surrounding residential neighborhoods?
- F. Does the development pattern proposed within the PUD concept plan provide an

- appropriate transition or buffering between uses of differing intensities both on site and off site?
- G. Does the nonresidential development pattern proposed within the PUD concept plan promote integrated activity centers and avoid linear configurations along roadways?
  - H. Are the permitted uses, bulk requirements and required landscaping appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community?
  - I. Does the PUD concept plan provide adequate mitigation for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single-family homes)?
  - J. Does the PUD concept plan accommodate automobile, pedestrian, bicycle and transit modes of transportation as appropriate, taking into consideration the development's primary function, scale, size and location?
  - K. Does the PUD concept plan include a logical hierarchy of perimeter and internal arterial, collector and local streets that will disperse development generated vehicular traffic to a variety of access points and ways, reduce through traffic in adjacent residential neighborhoods and improve resident access to jobs, transit, shopping and recreation?
  - L. Will streets and drives within the project area be connected to streets outside the project area in a way that minimizes significant through traffic impacts on adjacent residential neighborhoods, but still improves connectivity, mobility choices and access to jobs, shopping and recreation?
  - M. Does the PUD concept plan provide safe and convenient vehicle and pedestrian connections between uses located within the zone district, and to uses located adjacent to the zone district or development?
  - N. Will adequately sized parking areas be located to provide safe and convenient access, to avoid excessive parking ratios and avoid excessive expanses of pavement?
  - O. Are open spaces integrated into the PUD concept plan to serve both as amenities to residents/users and as a means for alternative transportation modes, such as walking and biking?
  - P. Will the proposed development overburden the capacities of existing or planned streets, utilities and other public facilities?
  - Q. Are the areas with unique or significant natural features preserved and incorporated into the design of the project? (Ord. 03-110; Ord. 03-190, Ord. 12-68)

**MASTER PLAN REVIEW CRITERIA:**

**7.5.408: REVIEW CRITERIA:**

Master plans and major and minor amendments to approved master plans shall be reviewed for substantial conformance with the criteria listed below. Minor amendments are not subject to review criteria in subsection F of this section.

- A. Comprehensive Plan: The Comprehensive Plan and the 2020 Land Use Map are the context and the benchmark for the assessment of individual land use master plans. The proposed land use master plan or the amendment conforms to the policies and strategies of the Comprehensive Plan. The proposed land use pattern is consistent with the Citywide perspective presented by the 2020 Land Use Map.

B. Land Use Relationships:

1. The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.
2. Activity centers are designed so they are compatible with, accessible from and serve as a benefit to the surrounding neighborhood or business area. Activity centers also vary in size, intensity, scale and types of uses depending on their function, location and surroundings.
3. The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.
4. Housing types are distributed so as to provide a choice of densities, types and affordability.
5. Land use types and location reflect the findings of the environmental analysis pertaining to physical characteristics which may preclude or limit development opportunities.
6. Land uses are buffered, where needed, by open space and/or transitions in land use intensity.
7. Land uses conform to the definitions contained in article 2, part 2 of this Zoning Code.

C. Public Facilities:

1. The land use master plan conforms to the most recently adopted Colorado Springs parks, recreation and trails master plan.
2. Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community.
3. The proposed school sites meet the location, function and size needs of the school district.
4. The land use master plan conforms to the adopted plans and policies of Colorado Springs Utilities.
5. Proposed public facilities are consistent with the strategic network of long range plans.
6. The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual.

D. Transportation:

1. The land use master plan is consistent with the adopted intermodal transportation plan. Conformity with the intermodal transportation plan is evidence of compliance with State and local air quality implementation and maintenance plans.
2. The land use master plan has a logical hierarchy of arterial and collector streets with an emphasis on the reduction of through traffic in residential neighborhoods and improves connectivity, mobility choices and access to jobs, shopping and recreation.
3. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors.
4. The transportation system is compatible with transit routes and allows for the extension of these routes.
5. The land use master plan provides opportunities or alternate transportation modes and cost effective provision of transit services to residents and businesses.
6. Anticipated trip generation does not exceed the capacity of existing or proposed major

roads. If capacity is expected to be exceeded, necessary improvements will be identified, as will responsibility, if any, of the master plan for the construction and timing for its share of improvements.

E. Environment:

1. The land use master plan preserves significant natural site features and view corridors. The Colorado Springs open space plan shall be consulted in identifying these features.
2. The land use master plan minimizes noise impacts on existing and proposed adjacent areas.
3. The land use master plan utilizes floodplains and drainage ways as greenways for multiple uses including conveyance of runoff, wetlands, habitat, trails, recreational uses, utilities and access roads when feasible.
4. The land use master plan reflects the findings of a preliminary geologic hazard study and provides a range of mitigation techniques for the identified geologic, soil and other constrained natural hazard areas.

F. Fiscal:

1. A fiscal impact analysis and existing infrastructure capacity and service levels are used as a basis for determining impacts attributable to the master plan. City costs related to infrastructure and service levels shall be determined for a ten (10) year time horizon for only the appropriate municipal funds.
2. The fiscal impact analysis demonstrates no adverse impact upon the general community and the phasing of the master plan is consistent with the adopted strategic network of long range plans that identify the infrastructure and service needs for public works, parks, police and fire services.
3. The cost of on site and off site master plan impacts on public facilities and services is not borne by the general community. In those situations where the master plan impacts are shown to exceed the capacity of existing public facilities and services, the applicant will demonstrate a means of increasing the capacity of the public facilities and services proportionate to the impact generated by the proposed master plan. Mitigation of on site and off site costs may include, but is not limited to, planned expansions to the facilities, amendments to the master plan, phasing of the master plan and/or special agreements related to construction and/or maintenance of infrastructure upgrades and/or service expansions. Any special agreements for mitigation of on site and off site impacts for public improvements, services and maintenance are shown to be workable and supported by financial assurances. Preexisting and/or anticipated capacity problems not attributable to the master plan shall be identified as part of the master plan review.
4. Special agreements for public improvements and maintenance are shown to be workable and are based on proportional need generated by the master plan.
5. Any proposed special districts are consistent with policies established by the City Council. (Ord. 84-221; Ord. 87-38; Ord. 91-30; Ord. 94-107; Ord. 97-109; Ord. 01-42; Ord. 02-51)

**7.5.501 (E): CONCEPT PLAN REVIEW CRITERIA:**

D. Concept Plan Review Criteria: A concept plan shall be reviewed using the criteria listed below. No concept plan shall be approved unless the plan complies with all the requirements of the zone district in which it is located, is consistent with the intent and purpose of this Zoning Code and is compatible with the existing and proposed land uses surrounding the site.

1. Will the proposed development have a detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood of the proposed development?
2. Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off the site?
3. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?
4. Are the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site?
5. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?
6. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?
7. Does the concept plan show how any potentially detrimental use-to-use relationships (e.g., commercial use adjacent to single-family homes) will be mitigated? Does the development provide a gradual transition between uses of differing intensities?
8. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan? (Ord.94-107; Ord. 01-42; Ord. 03-157; Ord. 09-78)

**7.5.502 (E): DEVELOPMENT PLAN REVIEW CRITERIA:**

E. Development Plan Review Criteria: A development plan shall be reviewed using the criteria listed below. No development plan shall be approved unless the plan complies with all the requirements of the zone district in which it is located, is consistent with the intent and purpose of this Zoning Code and is compatible with the land uses surrounding the site. Alternate and/or additional development plan criteria may be included as a part of an FBZ regulating plan.

1. Will the project design be harmonious with the surrounding land uses and neighborhood?
2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off site negative influences and to buffer

adjacent properties from negative influences that may be created by the proposed development?

5. Will vehicular access from the project to streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? (Ord. 94-107; Ord. 95-125; Ord. 01-42; Ord. 02-64; Ord. 03-74; Ord. 03-157; Ord. 09-50; Ord. 09-78)

**7.5.603 (B): ESTABLISHMENT OR CHANGE OF ZONE DISTRICT BOUNDARIES:**

B: A proposal for the establishment or change of zone district boundaries may be approved by the City Council only if the following findings are made:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.
4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this Zoning Code. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157)

**CONDITIONAL USE REVIEW CRITERIA:**

**7.5.704: AUTHORIZATION AND FINDINGS:**

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions, only if all three (3) of the following findings are made:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent Of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

The approved conditional use and development plan shall be binding on the property until an amendment is approved changing the use of the property. Except as otherwise recommended by the Planning Commission, the development of a conditional use shall conform to the applicable regulations of the district in which it is to be located. (Ord. 80-131; Ord. 82-247; Ord. 91-30; Ord. 94-107; Ord. 01-42)

**7.5.702 APPLICATION AND REVIEW PROCEDURE:**

- A. Preapplication Conference: An application for a conditional use or conditional use amendment requires a preapplication conference with the Community Development Department staff.
- B. Process: An application for a conditional use or an amendment to a conditional use shall be filed in a manner consistent with the requirements contained in part 2 of this article. The application shall be accompanied by a development plan as described in part 5 of this article, reviewed to ensure consistency with the intent, purpose, and requirements of the zone district in which the use will be located, of this part, and of this Zoning Code. (Ord. 85-136; Ord. 91-30; Ord. 94-107; Ord. 01-42; Ord. 09-80)