



CITY PLANNING COMMISSION AGENDA

**THURSDAY, JANUARY 21, 2016
8:30 A.M.**

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

CITY PLANNING COMMISSION MEETING PROCEDURES

MEETING ORDER:

The City Planning Commission will hold its regular meeting on **Thursday, January 21, 2016 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.

In accord with the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs will not discriminate against qualified individuals with disabilities. Should you require an auxiliary aid and/or service to participate in an upcoming Planning Commission meeting, please contact the Land Use Review offices at (719) 385-5905 as soon as possible but no later than 48 hours before the scheduled monthly meeting so that we can do our best to accommodate your needs.

CITY PLANNING COMMISSION

COMPREHENSIVE PLAN AND REVIEW CRITERIA

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.

CITY PLANNING COMMISSION APPEAL INSTRUCTIONS

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, February 1, 2016

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, JANUARY 21, 2016**

- | | |
|---|----------|
| 1. Approval of the Record of Decision (minutes) for the December 17, 2015 City Planning Commission Meetings | |
| 2. Communications | |
| 3. Consent Calendar (A.1-) | Page 8 |
| 4. New Business Calendar (Item 4.A-9.B) | Page 37 |
| Appendix – Review Criteria | Page 204 |

CONSENT CALENDAR		
ITEM NO.	PROJECT DESCRIPTION	PAGE NO
<p>ITEM: A.1 CPC ZC 15-00118 (Quasi-Judicial)</p> <p>ITEM: A.2 CPC CP 15-00119 (Quasi-Judicial)</p> <p>PARCEL NO.: 6401100053</p> <p>PLANNER: Mike Schultz</p>	<p>A request by FN, LLC (Joy Focht) for the approval of the following applications:</p> <ol style="list-style-type: none"> 1. A change of zone from PIP-1/AO (Planned Industrial Park with Airport Overlay) to C-6/CR/AO (General Business with conditions of record and Airport Overlay). 2. A concept plan for an automotive sales lot. <p>The subject property is located at 2420 Victor Place and is 8.69 acres.</p>	8
<p>ITEM: B.1 CPC CU 15-00090 (Quasi-Judicial)</p> <p>PARCEL NO.'S: 6305103002</p> <p>PLANNER: Mike Schultz</p>	<p>A request by Sonic Development, Inc. on behalf of Harwal, Inc. for approval of the following application:</p> <p style="padding-left: 40px;">A conditional use for an automotive sales lot consisting of a 9,037 square foot dealership/service facility building, a freestanding 1,073 square foot car wash and an outdoor display of vehicles.</p> <p>The subject property is 5.83 acres and is located at 1626 & 1650 Jamboree Drive.</p>	18

UNFINISHED BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO
ITEM: 3.A CPC PUZ 15-00100 (Quasi-Judicial) ITEM: 3.B CPC PUP 15-00101 (Quasi-Judicial) PARCEL NOS.: 7413122001;7413122018 PLANNER: Michael Turisk	A request by David Morrison of Land Patterns, Inc. on behalf of Challenger Homes, Inc. for approval of the following applications: 1. A change of zone from C-6 (General Business) to PUD (Planned Unit Development). 2. A concept plan for a 46 unit apartment building, four-stories in height. The site is .5 acre and located at 16 and 22 N. Spruce St.	37
ITEM: 4.A CPC CA 15-00138 (Legislative) PLANNER: Carl Schueler	An ordinance creating a new Infill and Redevelopment Chapter within the existing City of Colorado Springs Comprehensive Plan in accord with Section 7.1.107.B of the Code of the City of Colorado Springs, 2001, as amended.	70

NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO
ITEM: 5.A CPC ZC 15-00109 (Quasi-Judicial) ITEM: 5.B CPC DP 15-00110 (Quasi-Judicial) PARCEL NO.'S: 6428106042 PLANNER: Lonna Thelen	A request by Circle K Stores Inc for the approval of the following development applications: 1. A zone change from OC (Office Complex) to PBC (Planned Business Center) to allow a 4,480 square foot convenience store with gas and a car wash. 2. A development plan for a convenience store with gas and a car wash. The property is 2.4 acres and is located at 1715 and 1735 Monterey.	131

<p>ITEM: 6.A CPC ZC 15-00122 (Quasi-Judicial)</p> <p>ITEM: 6.B CPC DP 97-00346-A1MJ15 (Quasi-Judicial)</p> <p>PARCEL NO.: 7412100020</p> <p>PLANNER: Lonna Thelen</p>	<p>A request by Steve Rodriguez on behalf of Colorado Springs Utilities for approval the following applications:</p> <ol style="list-style-type: none"> 3. A change of zone from PK/PF/R/HS (Parks and Recreation, Public Facilities, Estate Single-Family Residential; all with Hillside Overlay) to PF/HS (Public Facility with Hillside Overlay). 4. A major amendment to the development plan for the Little Mesa Tank Relocation. The project will add a new tank location. <p>The property is 17 acres and is located southeast of the intersection of Manitou Boulevard and Mesa Road at 1410 Manitou Boulevard.</p>	<p>140</p>
<p>ITEM: 7.A CPC ZC 15-00140 (Quasi-Judicial)</p> <p>ITEM: 7.B CPC DP 15-00141 (Quasi-Judicial)</p> <p>PARCEL NO.'S: 745200096</p> <p>PLANNER: Conrad Olmedo</p>	<p>A request by Andrea Barlow of N.E.S., Inc., on behalf of Judy Henley, for approval of the following applications:</p> <ol style="list-style-type: none"> 1. A zone change from R1-6000 (Single-Family Residential) to OR (Office Residential). 2. A development plan for an Office/Medical Use. <p>The property consists of 15,782 square feet and is located at the northwest corner of the intersection of S. 8th St. and Cheyenne Blvd. at 802 Cheyenne Blvd.</p>	<p>150</p>
<p>ITEM: 8 CPC CA 15-00145 (Legislative)</p> <p>PLANNER: Peter Wysocki</p>	<p>An ordinance amending Part 3 (Land Use Types and Classifications) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) and Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs, 2001, as amended, pertaining to marijuana consumption club facilities.</p>	<p>175</p>
<p>ITEM: 9 CPC CA 15-00144 (Legislative)</p> <p>PLANNER: Peter Wysocki</p>	<p>An ordinance amending Section 303 (Final Plat requirements) of Part 3 (Final Platting Procedures) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the reference of declarations of common interest communities.</p>	<p>183</p>

CONSENT CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS: A.1- A.2

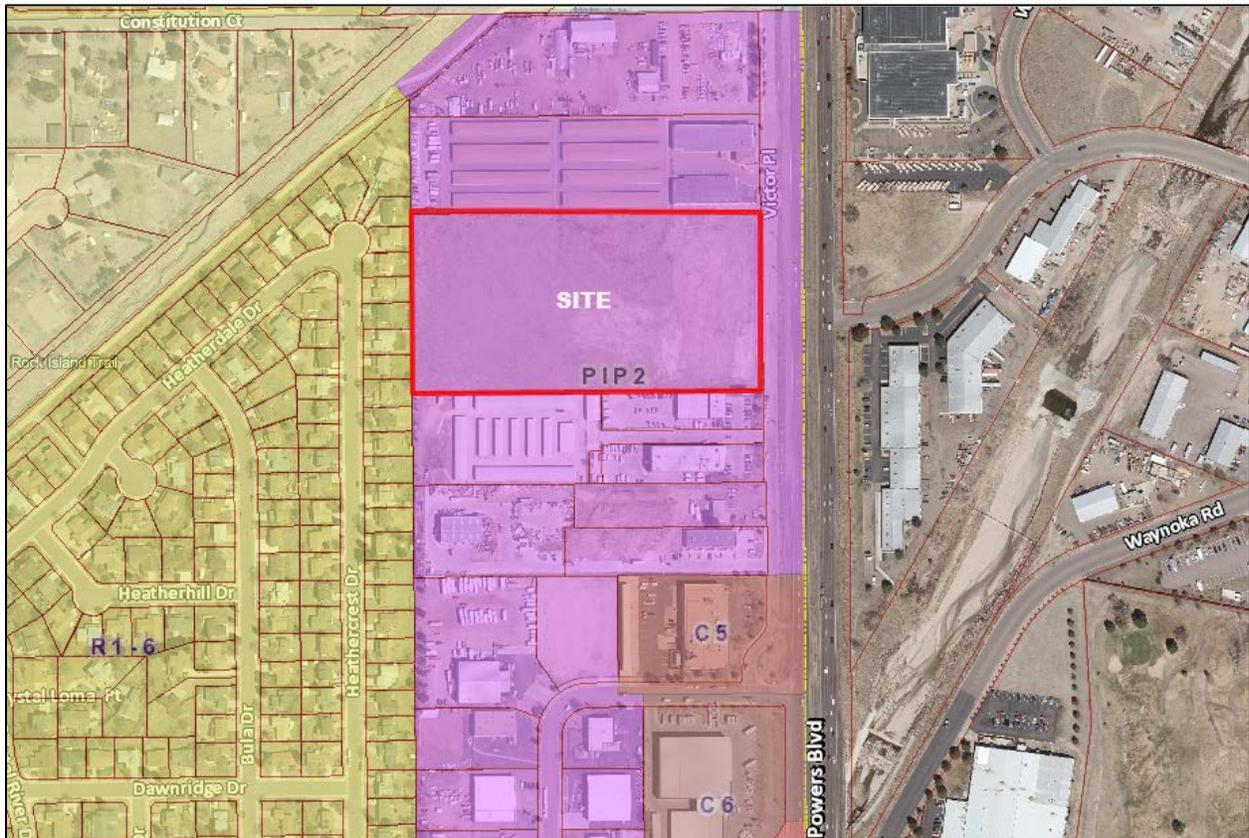
STAFF: MIKE SCHULTZ

FILE NOS:

CPC ZC 15-00118 – QUASI-JUDICIAL

CPC CP 15-00119 – QUASI-JUDICIAL

PROJECT: 2420 VICTOR PLACE
APPLICANT: FN, LLC (JOY FOCHT)
OWNER: FN, LLC (JOY FOCHT)



PROJECT SUMMARY:

1. Project Description: There are two applications as part of this proposal: a zone change request from PIP-2/AO (Planned Industrial Park with Airport Overlay) to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay). The concept plan illustrates a general layout for the intended use as an auto sales lot (**FIGURE 1**).

The site is located northwest of the intersection of Victor Place and Powers Boulevard (the north portion of Victor Place that acts as a frontage road to Powers Boulevard) and consists of 8.69 acres.

2. Applicant's Project Statement: **FIGURE 2**
3. Planning and Development Team's Recommendation: Staff recommends approval of the zone change and concept plan subject to the significant and technical modifications outlined below.

BACKGROUND:

1. Site Address: 2420 Victor Place
2. Existing Zoning/Land Use: PIP-2/Vacant
3. Surrounding Zoning/Land Use:
 - North: PIP-2/Mini-Storage
 - South: PIP-2/Office
 - East: I-2 (County Zone)/Light Industrial
 - West: R-1 6000/Single-Family Residential
4. Comprehensive Plan/Designated 2020 Land Use: New/Developing Corridor
5. Annexation: The site was annexed as the Smarts Addition Number 9 in 1963.
6. Master Plan/Designated Master Plan Land Use: This property is not associated with a master plan.
7. Subdivision: This property is not platted
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site is relatively with little to no vegetation.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 67 property owners within 500 feet of the property during the internal review (after the submittal of the applications) and prior to the City Planning Commission meeting. Staff received one letter in opposition to the proposal (**FIGURE 3**), as well as receiving a follow up e-mail from the property owner.

The applicant has provided staff a response letter and has contacted the adjacent property owner to discuss how his concerns may be mitigated (**FIGURE 4**). As of the date of this report, staff has not heard back from the applicant.

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

1. Review Criteria/Design & Development Issues:

The zone change will allow the property owner the ability to develop the property with more flexibility than the current PIP-2 zoning would allow. The property is surrounded primarily by mini-storage, office and warehouse type uses, all allowed uses within the C-6 zone district; the proposed rezone would allow those same uses in addition to auto sales and other uses permitted within the C-6 zone.

Because the C-6 zoning has less constraints in regards to certain development standards, specifically building setbacks and lot coverage, staff is recommending that conditions of record be applied to the zone change that will follow similar development standards for setbacks and lot coverage associated with the PIP-2 zone district. The applicant has no objection to these conditions. Staff is also recommending retaining the 100-foot building separation from the adjacent residential, which is requirement within the PIP-2 zone district.

Staff is also recommending, due to the proximity of the residential west of the site and the acceptance of PIP-2 type land uses are anticipated, that certain land uses and activities be prohibited on the site, those uses are listed below in the staff recommendation. The applicant has no objection to these conditions.

2. Conformance with the City Comprehensive Plan:

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.

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.

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.

Strategy LU 701e: Combine Commercial and Employment Uses in Regional Centers Designed to Serve Residents throughout the City and the Region

Combine commercial center with employment center uses so that they are mutually supportive in a single, integrated regional destination. Include the full range of mixed uses from regional mall anchor stores and corporate headquarters to specialty retail and higher density housing. Design commercial uses in regional centers with good external access from limited access freeways and good internal circulation via a system of commercial streets, pedestrian paths, and well-designed parking.

It is the finding of the Land Use Review Division that the zone change request and concept 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 subject property is not part of master plan.

STAFF RECOMMENDATION:

Item No: A.1 CPC ZC 15-00118 – Zone Change

Approve the zone change request from PIP-2/AO (Planned Industrial Park with Airport Overlay) to C-6/CR/AO (General Business with Conditions of Record and Airport Overlay) based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries) with the following Conditions of Record:

1. The following building standards apply:

a. Setbacks

i. Front: 25-foot

ii. Rear: 25-foot (minimum 100-foot building setback adjacent to residentially zoned property)

- iii. Side: 10-foot
 - b. Maximum Building Coverage: 40%
2. The following uses are prohibited:
 - a. Body and fender repair services;
 - b. Equipment storage yard;
 - c. Sexually oriented business;
 - d. Construction and/or contractor yard;
 - e. Industrial laundry services (large scale activity).
3. The following activities are prohibited:
 - a. Use of outdoor intercom system.

Item No: A.2 CPC CP 15-00119 – Concept Plan

Approve the Concept Plan for 2420 Victor Place based upon the findings that the concept plan meets the review criteria as set forth in City Code Section City Code Section 7.5.501.E. contingent upon addressing the technical and informational modifications listed below.

Technical and Informational Modifications to the Concept Plan:

1. Place the City File Number in the lower right hand corner of the plan page (CPC CP 15-00119).
2. Note the Conditions of Record on the concept plan (make corrections to legend information if necessary).
3. Graphically depict the 100-foot building setback along the western 100 feet of the site.
4. Correct the landscape setback along the westerly property line to 15 feet.
5. Correct the landscape setback along Powers/Victor frontage to 25 feet (Powers and the Victor frontage are classified as Expressways).
6. Graphically note that an 8 foot high masonry wall will be required between the western property line and 15 foot landscape setback at the time of construction (details of this can be determined at the time of development plan).
7. Under the legal description, provide the current legal of the property and note “(to be platted prior to issuance of a building permit)”.
8. Label Powers Boulevard just beyond and to the east of Victor Place.
9. Show the Rock Island Trail (8 foot concrete) along the west side of Victor Place, along this properties frontage. The City Trail (per City Parks Dept. approved plan) is anticipated to cross the property line. Show a Public Improvement Easement on the concept plan to be implemented at time of Plat application.
10. Please label the existing entrance width dimension and distance from the southern property line.
11. All substandard curb and gutter which possess a safety hazard will need to be removed and replaced. An inspection can be scheduled by calling 385-5977.
12. Comments for the Final Drainage Report are being coordinated with the Drainage Engineer.
13. Please show and label all existing and proposed sidewalks. Pedestrian ramps will need to be shown at the Development plan level.
14. Please label Victor Place as 'public'.
15. Permission to construct storm sewer on adjacent private property will require the permission of the adjacent property owner.
16. Please place the anticipated plat name on the concept plan.
17. Please show and label the WQ (FSD) pond and the proposed public and private storm pipes (please label as public or private).
18. Please add all existing and proposed easements. Please provide all necessary drainage easements.
19. Please show the proposed wall along the residential properties on the west side of this project.
20. Please call out what is proposed for the NW corner of the parcel.

21. Please show and callout "on the Plan" the speed line of sight with the adequate sight distance length (footage) for the proposed access off of Victor place.
22. If the concept plan is to also be utilized as the development plan (If a separate development plan is to be provided, please indicate so on the concept plan.), please provide the following:
23. Add the General Utility Plan Notes on the Preliminary Utility Plan.
24. Per City Code the public water main in Victor Place shall be extended the length of the property from the closest water main, at the southern property line, to the furthest property line.
25. An easement shall be provided for the water main crossing the proposed development to the owner of the water main.

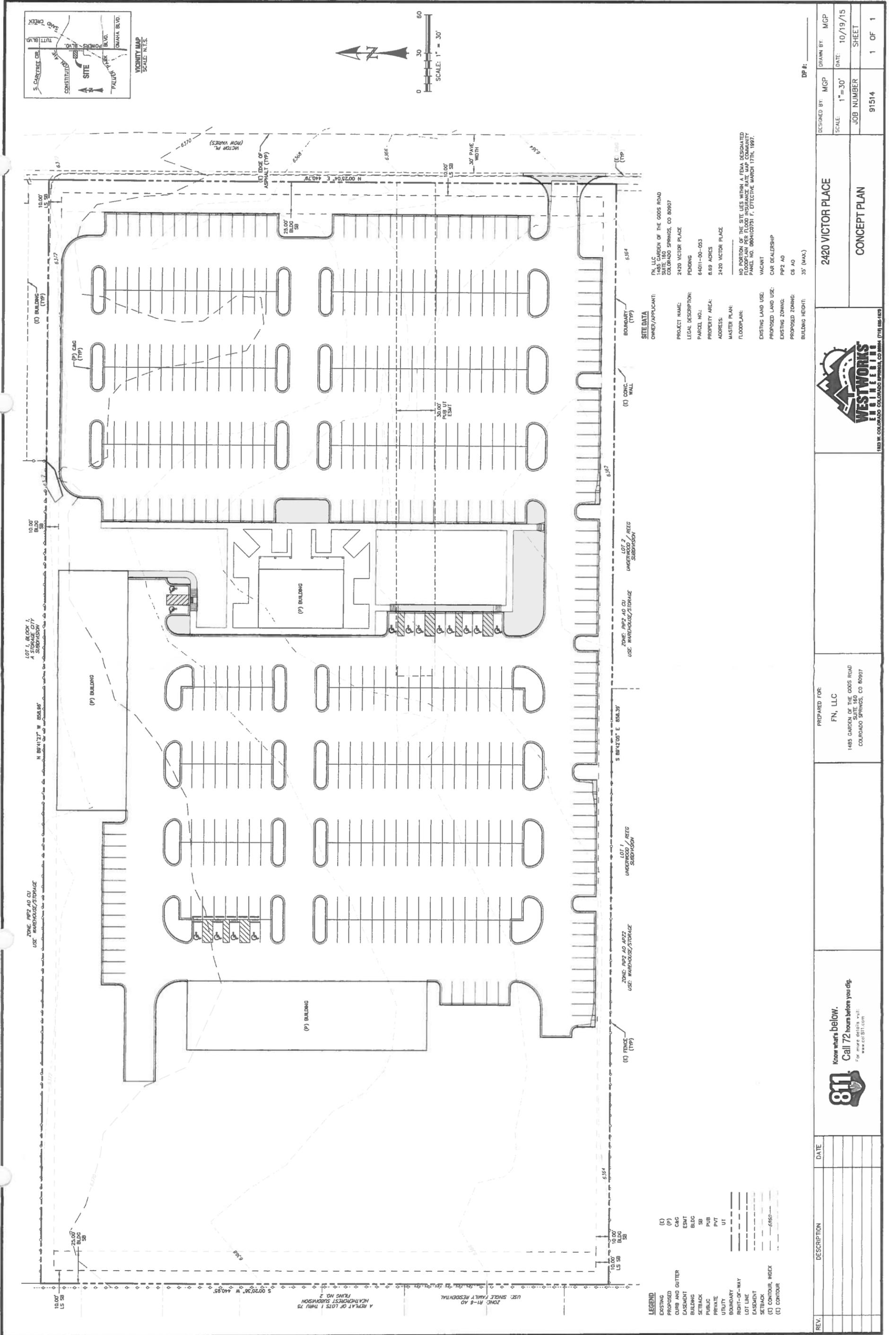


FIGURE 1

Project Statement
2420 Victor Place Zone Change Application

Project Description: The purpose of this application is to rezone this property from PIP1 to C6. This vacant parcel of land is located on the west side of Powers Blvd, south of Constitution. Neighbors for this project are Public Storage to the north, Powers Blvd to the east, C6 and PIP1 zoned properties to the south and residential to the west. The intended user is for car sales and service.

Justification: The surrounding area, to include properties across Powers Blvd, are a combination of industrial and retail, so this use will fit in with the neighborhood. A buffer will be created between the residential to the west with a wall and drainage pond. This project will be an upgrade to the neighborhood.

Review Criteria:

1. No, the proposed development will not have any detrimental effects to the general health, welfare and safety or convenience of the persons residing or working in the neighborhood. The proposed development will have a positive effect on the surrounding commercial properties in that it will attract customers and be a showcase property.
2. Yes, the proposed density, types of land uses and range of square footage will permit adequate light and air both on and off the site.
3. Yes, the permitted uses, bulk requirements and required landscaping are appropriate to the type of development, neighborhood and community.
4. Yes, the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas are designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site.
5. No, the proposed development will not overburden the capacities of existing streets, utilities, parks, schools and other public facilities. This use will not generate a lot of traffic. New acceleration and deceleration lanes were just added from Constitution to Palmer Park. Thus the access to and from Powers Blvd to

Victor Place has been greatly enhanced. The utilities are already located and available on the site.

6. Yes, the proposed development does promote the stabilization and preservation of existing properties in adjacent areas and surrounding residential neighborhoods. There will be a drainage and wall buffer between the residential and this project so as to not impact the residences to the west.

7. There are no detrimental uses being proposed.

8. Yes, the proposed concept plan meets all requirements of the zoning code and the subdivision code.

Issue List: The only issue to be addressed is that some of the uses allowed by the C6 zone will be prohibited. This will be established by the Colorado Springs Planning Department.

Mike,

November 11, 2015

We received a post card in regards to rezoning at 2420 Victor Pl (vacant land). We have some concerns and questions regarding this rezoning and the building of a new car dealership and how it will affect our property.

1. The removal of wild life, currently there is a skunk family living on the empty property. How will they be removed?
2. Snakes, during the construction of the Mini-Storage located next to the vacant land in question snakes and rattlesnakes were driven into the back yards of the residences behind this property.
3. We are requesting that before construction is considered for a car dealership on the subject property that a block wall is installed between our property line and the vacant lot before construction as at this time we only have a chain link fence and this will not keep snakes and any other wild life out of our yard once construction begins.
4. Rain Water, we are concerned about the type of drainage for water runoff from the rain and melting snow and how that will be diverted from our property.
5. We have a special needs child that is unable to understand the effects of approaching wild or undesirable animals.

We expect some kind of communication as to how to proceed with these concerns, and to verify that they are being addressed.

Sincerely,
David Gola
Mardell Gola

2315 Heathercrest Drive
Colorado Springs, Co 80915
702-639-7722

Mike,

December 16, 2015

Here are our responses to Mr. Gola's concerns in his letter dated November 11, 2015.

1. The removal of wild life, currently there is a skunk family living on the empty property. How will they be removed?
We will contact the Department of Wildlife and follow their recommendations.
2. Snakes, during the construction of the Mini-Storage located next to the vacant land in question snakes and rattlesnakes were driven into the back yards of the residences behind this property.
We will contact the Department of Wildlife and follow their recommendations.
3. We are requesting that before construction is considered for a car dealership on the subject property that a block wall is installed between our property line and the vacant lot before construction as at this time we only have a chain link fence and this will not keep snakes and any other wild life out of our yard once construction begins.
Prior to any construction, a block wall will be constructed on the border between this property and the residential properties to the west.
4. Rain Water, we are concerned about the type of drainage for water runoff from the rain and melting snow and how that will be diverted from our property.
All drainage for this site will be channeled to the south and will meet all drainage requirements for the City of Colorado Springs. Absolutely no drainage will go towards the residences.
5. We have a special needs child that is unable to understand the effects of approaching wild or undesirable animals.
We will follow the protocols for the Department of Wildlife and will construct the wall prior to any disturbance of the land.

Joy Focht
FN, LLC

CITY PLANNING COMMISSION AGENDA

ITEM NOS: B.1

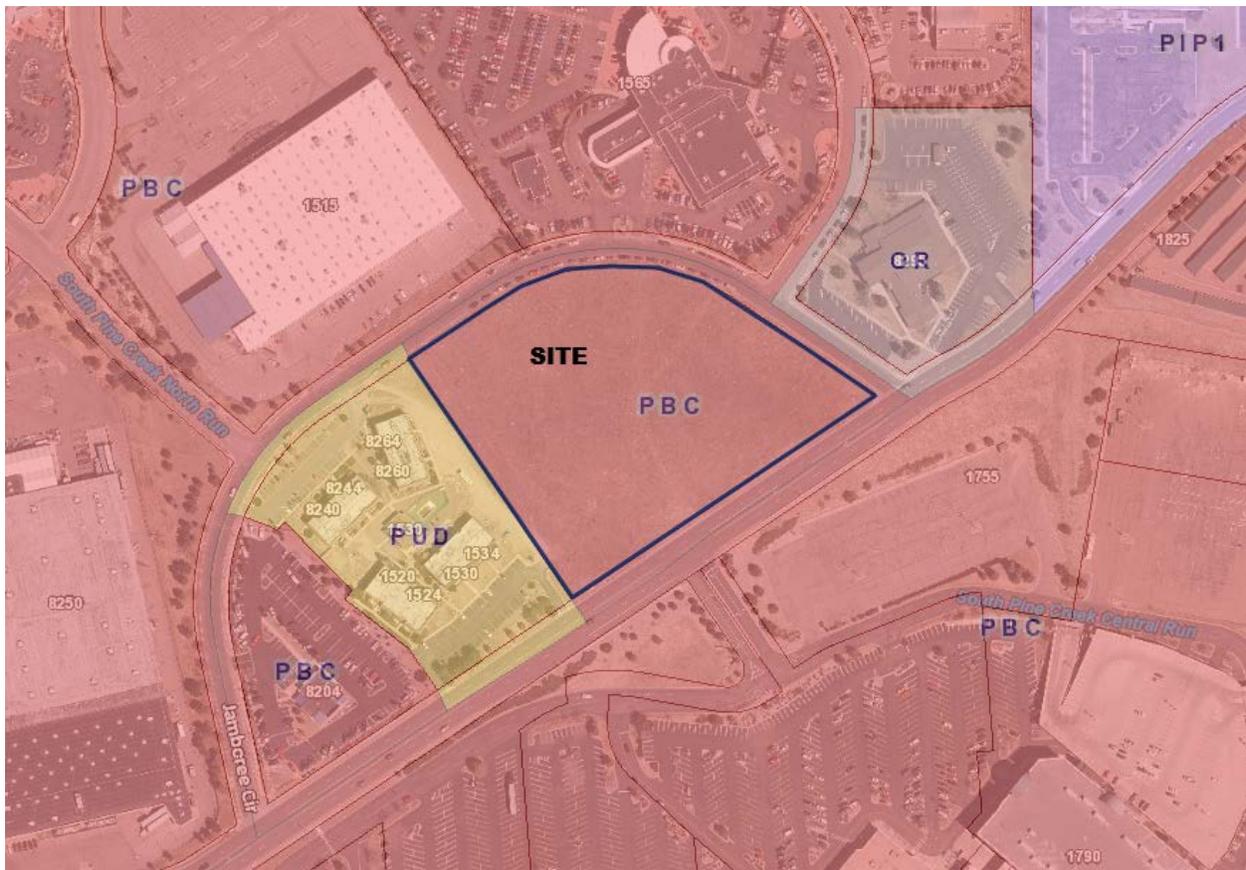
STAFF: MIKE SCHULTZ

FILE NOS:
CPC CU 15-00090 – QUASI-JUDICIAL

PROJECT: ECHO PARK COLORADO SPRINGS

APPLICANT: SONIC DEVELOPMENT, INC.

OWNER: HARWAL, INC.



PROJECT SUMMARY:

Project Description: A request by Sonic Development, Inc. (applicant) on behalf of Harwal, Inc. (owner) for approval of a conditional use to allow an automotive sales lot (Echo Park Colorado Springs) in the PBC (Planned Business Center) zone district. The conditional use development plan (**FIGURE 1**) proposes a 9,037 square foot dealership/service facility building, a freestanding 1,073 sq. ft. car wash and outdoor display of vehicles.

The subject property is located at 1626 & 1650 Jamboree Dr. (currently vacant), is zoned PBC (Planned Business Center) and consists of 5.83 acres.

1. Applicant's Project Statement: **FIGURE 2**
2. Planning and Development Team's Recommendation: Staff recommends approval of the conditional use subject to the conditions of record outlined below.

BACKGROUND:

1. Site Address: 1626 & 1650 Jamboree Dr. (property is currently vacant)
2. Existing Zoning/Land Use: PBC (Planned Business Center)
3. Surrounding Zoning/Land Use:
 - North: PBC / Auto Sales and Vacant Retail
 - South: PBC / Shopping Center (Chapel Hills Mall)
 - East: OR / Church
 - West: PUD / Apartments
4. Comprehensive Plan/Designated 2020 Land Use: The 2020 Land Use Map designates the property as a "Regional Center".
5. Annexation: The property was annexed as Chapel Hills Addition Number 2 in 1983.
6. Master Plan/Designated Master Plan Land Use: This property is not associated with a master plan.
7. Subdivision: Block 2, Antelope Hills Filing Number 3
8. Zoning Enforcement Action: None
9. Physical Characteristics: The site slopes primarily from east to west and contains little to no vegetation.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 13 property owners within 500 feet of the property during the internal review (after the submittal of the applications) and prior to the City Planning Commission meeting. Staff did not receive any inquiries or objections to the proposed use.

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

1. Review Criteria/Design & Development Issues:

The proposed conditional use will allow an automotive sales lot (Echo Park Colorado Springs) with a 9037 square foot dealership/service facility, 1,073 square foot freestanding car wash and outdoor vehicle display. Two access points are provided to the site; one off of Jamboree Drive and the other off Jamboree Circle.

The property is located north of the Chapel Hills Mall and south of a series of existing automobile dealerships located along Auto Mall Loop. The apartments located to the west of the site were constructed in 1968 while still part of El Paso County.

Because of the residential use to the west (apartments), the project is required to provide a 15-foot buffer between the uses and evergreen vegetation providing year-around screening of the site. In addition to the landscaping and separation, the site is approximately 10 feet above the adjacent apartments. A majority of the outdoor sales area will be located on the east side of the site. All exterior site lighting will be full-cut off, shoebox light fixtures. The photometric plan demonstrates zero foot-candle readings at the property line. The applicant has agreed to place a note on the plan that additional shielding can be requested by staff at the time the site inspected for a Certificate of Occupancy.

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.

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.

Strategy LU 701e: Combine Commercial and Employment Uses in Regional Centers Designed to Serve Residents throughout the City and the Region

Combine commercial center with employment center uses so that they are mutually supportive in a single, integrated regional destination. Include the full range of mixed uses from regional mall anchor stores and corporate headquarters to specialty retail and higher density housing. Design commercial uses in regional centers with good external access from limited access freeways and good internal circulation via a system of commercial streets, pedestrian paths, and well-designed parking.

It is the finding of the Land Use Review Division that the zone change request and concept 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 subject property is not part of master plan.

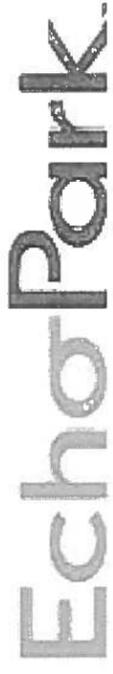
STAFF RECOMMENDATION:

Item No: B.1 CPC CU 15-00090 – Echo Park Colorado Springs Conditional Use

Approve the conditional use to allow an automotive sales lot in the PBC (Planned Business Center) zone district for the property located 1626 & 1650 Jamboree Drive based upon the findings that the conditional use development plan complies with the three (3) criteria for granting of conditional uses and complies with the development plan criteria as set forth in City Code Sections 7.5.704 and 7.5.502.E, with the following condition of record:

1. No use of outdoor intercom/speaker system.

SITE DEVELOPMENT PLANS



ECHOPARK COLORADO SPRINGS

1626 & 1650 JAMBOREE DRIVE
 COLORADO SPRINGS, CO 80920
 BLOCK 2 ANTELOPE HILLS THIRD FILING
 BEING A PORTION OF SECTION 5, TOWNSHIP 13 SOUTH,
 RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF COLORADO SPRINGS
 EL PASO COUNTY, STATE OF COLORADO

UTILITY AGENCIES:
 ELECTRIC, GAS, WATER & SEWER
 COLORADO SPRINGS UTILITIES
 33 SOUTH CASCADE AVENUE
 COLORADO SPRINGS, CO 80903
 TEL: (719) 448-4800

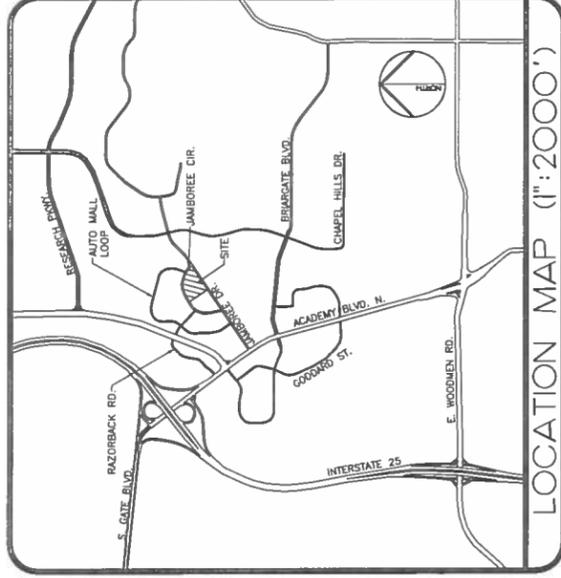
GOVERNING AGENCIES:
 PLANNING AND ZONING
 CITY OF COLORADO SPRINGS
 PLANNING & DEVELOPMENT DIVISION
 30 SOUTH NEVADA AVE, SUITE 105
 COLORADO SPRINGS, CO 80903
 CONTACT: MIKE SCHLITZ
 TEL: (719) 385-5089

EROSION CONTROL & WATER QUALITY
 CITY OF COLORADO SPRINGS
 ENGINEERING DIVISION
 30 SOUTH NEVADA AVE, SUITE 105
 COLORADO SPRINGS, CO 80903
 CONTACT: JEFF BARNES
 TEL: (719) 385-5546

OWNER/APPLICANT:
 SONIC DEVELOPMENT, LLC
 4401 COLWICK ROAD
 CHARLOTTE, NC 28211
 TEL: 704-566-6753
 ATTN: SEAN STICHTER

ENGINEER:
 FREELAND AND KAUFFMAN, INC.
 209 WEST STONE AVENUE
 GREENVILLE, SC 29609
 TEL: (864) 672-3430
 ATTN: CHARLES A. GARCIA

NOTE:
 THE CONTRACTOR IS RESPONSIBLE FOR AS-BUILT
 SURVEYS REQUIRED BY THE GOVERNING
 AGENCIES INCLUDING, BUT NOT LIMITED TO
 WATER, SEWER, STORMWATER, STORM DRAIN,
 EROSION CONTROL, AND OTHER REQUIREMENTS
 AGENCIES TO DETERMINE THE REQUIREMENTS.



- DRAWING LIST:**
- 1 COVER SHEET
 - 2 SITE PLAN
 - 3 SITE DETAILS
 - 4 GRADING PLAN
 - 5 UTILITY PLAN
 - 6A LANDSCAPE PLAN
 - 6B LANDSCAPE PLAN
 - 7 BUILDING ELEVATIONS
 - 8 DUMPSTER ENCLOSURE
 - 9 PHOTOMETRIC PLAN

#	DATE	REVISION DESCRIPTION

FREELAND and KAUFFMAN, INC.
 Engineers & Landscape Architects
 209 West Stone Avenue
 Greenville, South Carolina 29609
 PHONE: 864-233-5497
 FAX: 864-233-8915



PROPOSED ECHOPARK
 COLORADO SPRINGS, CO
 SONIC DEVELOPMENT, LLC
 4401 COLWICK ROAD
 CHARLOTTE, NORTH CAROLINA 28211
 SEAN STICHTER
 704-566-6753



DRAWN BY: J.B.
 CHECKED BY: C.A.G.
 DATE: 10-26-2015
 SCALE: N/A
 SHEET: 1 OF 9

COVER SHEET

FIGURE 1

#	DATE	REVISION DESCRIPTION

PREELAND and KAUFFMAN, INC.
Engineers • Landscape Architects
209 West Stone Avenue
Greenville, South Carolina 29609
PHONE 864-233-5497
FAX 864-233-8915



PROPOSED ECHOPARK
COLORADO SPRINGS, CO
SONIC DEVELOPMENT, LLC
4401 COLWICK ROAD 2821
CHARLOTTE, NORTH CAROLINA 28211
SEAN STICHTER
704-566-6753



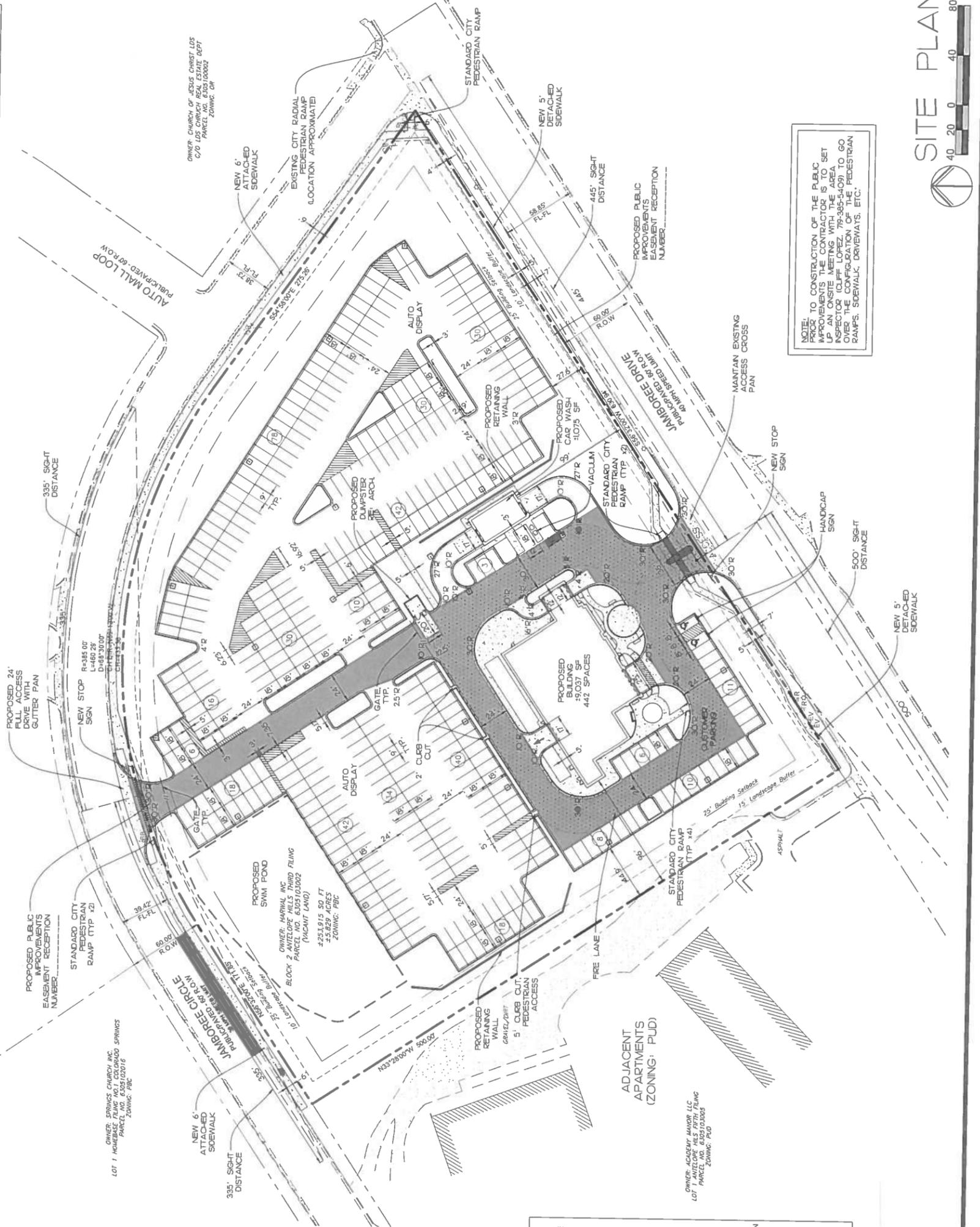
DRAWN BY: JLB
CHECKED BY: CAG
DATE: 10-26-2015
SCALE: 1"=40'
SHEET: 2 OF 9

SITE DATA

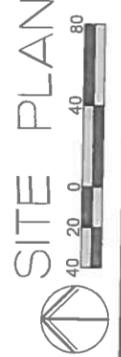
STANDARD	PROVIDED
TOTAL AREA	253,935 SF (5.83 AC)
BUILDING COVERAGE	9,033 SF
BUILDING COVERAGE	10,775 SF
OPEN SPACE	38,431 (197,389 SF)
BUILDING HEIGHT	27'-4"

PARKING DATA

USE	SF	REQUIRED RATIO	PROVIDED
VEHICLE INVENTORY	5,844	1/200	294
VEHICLE REPAIR	1,729	1/400	29
AUTO SALES	1,729	1/400	29
HANDICAP SPACE	2 PER 26-50	2	2 (9)
TOTAL	36	36	432



NOTE: TO CONSTRUCTION OF THE PUBLIC IMPROVEMENTS THE PROJECT IS TO SET UP AN ONSITE MEETING WITH THE ASSESSOR INSPECTOR (CLIFF LOPEZ, 719-385-5409) TO GO OVER THE CONFIGURATION OF THE PEDESTRIAN RAMPS, SIDEWALK, DRIVEWAYS, ETC.



SITE PLAN

OWNER: NP HAMPDEN LTD
LOT 1 CHAPEL HILLS AUTO MALL COLORADO SPRINGS
PARCEL NO. 6305102018
ZONING: PBC

OWNER: SPRINGS CHURCH INC.
LOT 1 HOMEBASE TRNG W/OT COLORADO SPRINGS
PARCEL NO. 6305102016
ZONING: PBC

OWNER: MARVAL INC
BLOCK 2 ANVELOPE HILLS THIRD FILING
PARCEL NO. 6305103002
(VACANT LAND)
#251,915 SQ FT
#5,829 ACRES
ZONING: PBC

OWNER: ACCEPTE AMWORTH LLC
LOT 1 PARCEL NO. 6305103005
ZONING: PUD



SITE LEGEND

- BOUNDARY LINE
- CONCRETE CURB AND GUTTER
- PARKING SPACE (ROW)
- AREA LIGHT
- CONCRETE PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- FIRE LANE

EXISTING LEGEND

- WATER LINE
- SANITARY SEWER LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND CABLE LINE
- GAS LINE
- S/S LINE
- TOP OF CURB & GUTTER
- EDGE OF ASPHALT
- FENCE
- STORM SEWER MANHOLE
- SANITARY SEWER MANHOLE
- STORM INLET
- LIGHTER POLE
- FIRE HYDRANT
- WATER VALVE
- SIGN

SITE NOTES:

- ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE OF CURB, FACE OF BUILDING, OR CENTERLINE OF ROAD UNLESS NOTED OTHERWISE. PAVEMENT SHALL BE STANDARD DUTY ASPHALT.
- ALL HANDICAP SPACES ARE TO RECEIVE A HANDICAP SIGN. STEREO INSTALLS TO THE LEFT OF AN 8 FOOT (MINIMUM) STEREO. TO RECEIVE A VAN ACCESSIBLE SIGN IN ADDITION TO THE ABOVE, HANDICAP SYMBOLS ARE TO BE PAINTED ON THE ASPHALT.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF SLOPED PAVING, PRECISE BUILDING DIMENSIONS, AND EXACT UTILITY STORANCE POINTS.
- STORAGE AREAS SHALL MEET THE CRITERIA OF THE STATE OF COLORADO DEPT. OF TRANSPORTATION AND CITY OF COLORADO SPRINGS STANDARDS.
- ALL PARKING SPACES ARE TO BE 9'0" WIDE AND 9'0" TYPICAL UNLESS NOTED OTHERWISE.
- ALL DISTURBED AREAS ARE TO RECEIVE SIX INCHES OF TOPSOIL, SEED, MULCH AND WATER UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATION, INCLUDING BUT NOT LIMITED TO UTILITIES, STORM DRAINAGE SIGNS, ETC. AS REQUIRED. UTILITIES SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
- ELECTRICAL ARCHITECTURAL PLANS FOR THE SITE LIGHTING SHALL BE SUBMITTED TO THE CITY OF COLORADO SPRINGS INCLUDING ELECTRICAL SERVICE TO ANY HEATED BACKLAYOUT, PREVENTION ENCLOSURES, AND THE MONUMENT SIGN.
- PARKING STALL STRIPING SHALL BE WHITE, 4" W/TH. HANDICAP STRIPING SHALL BE BLUE OR PER LOCAL CODE.
- UNLESS OTHERWISE NOTED ALL CURB RADI TO BE 3'.

ANTICIPATED SCHEDULE OF DEVELOPMENT:
CONSTRUCTION TO COMMENCE ON 03/01/2016
AND END ON 09/30/2016.

FIGURE 1

#	DATE	REVISION DESCRIPTION

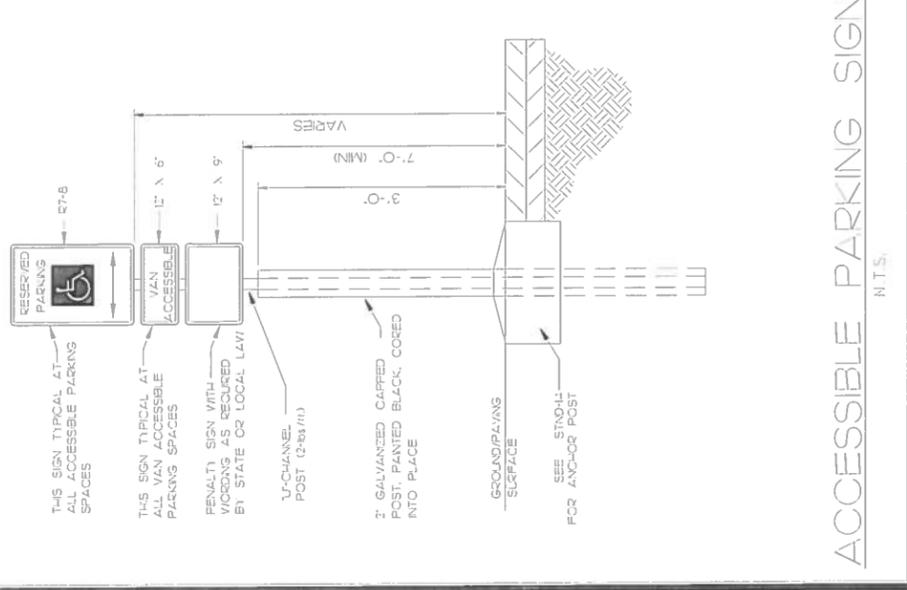
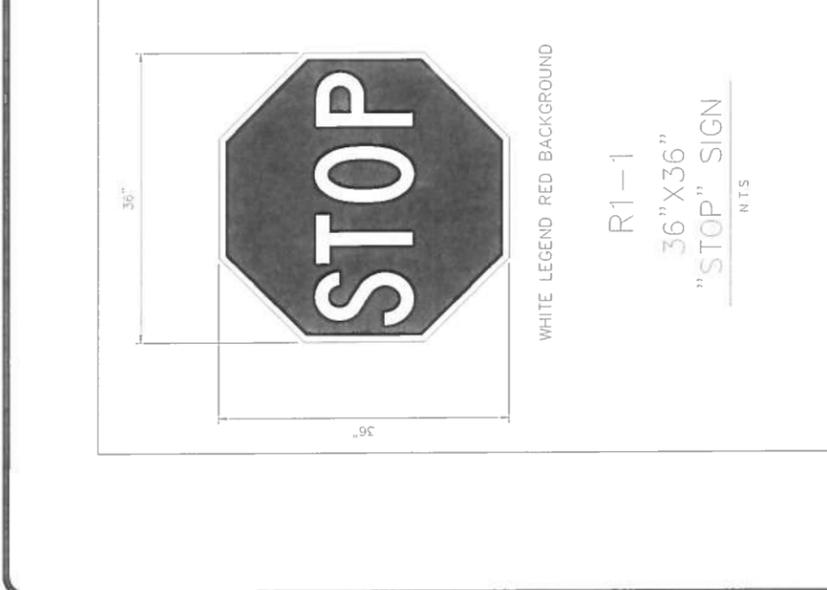
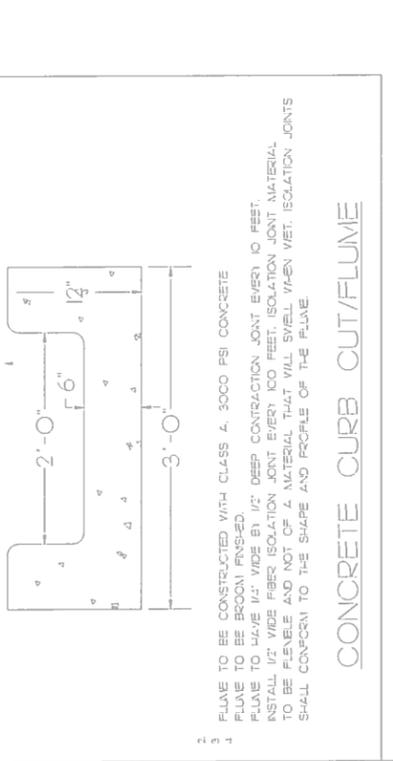
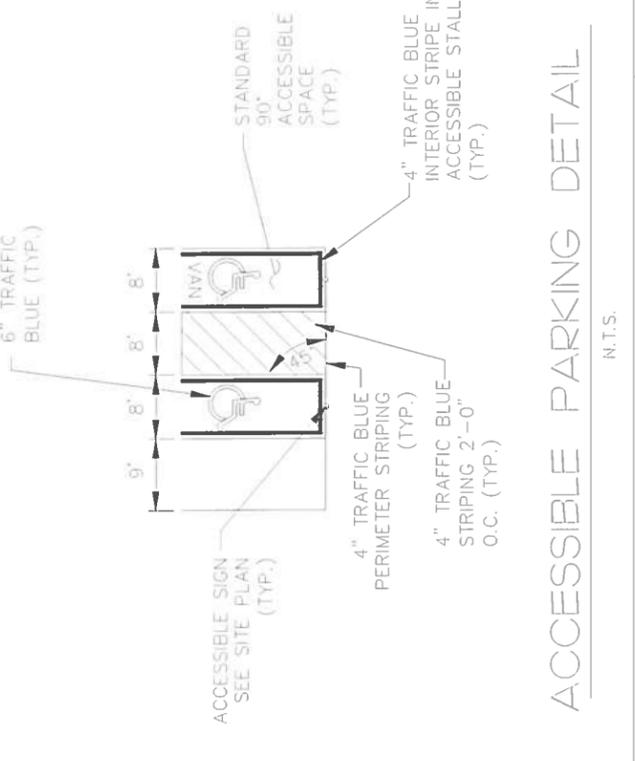
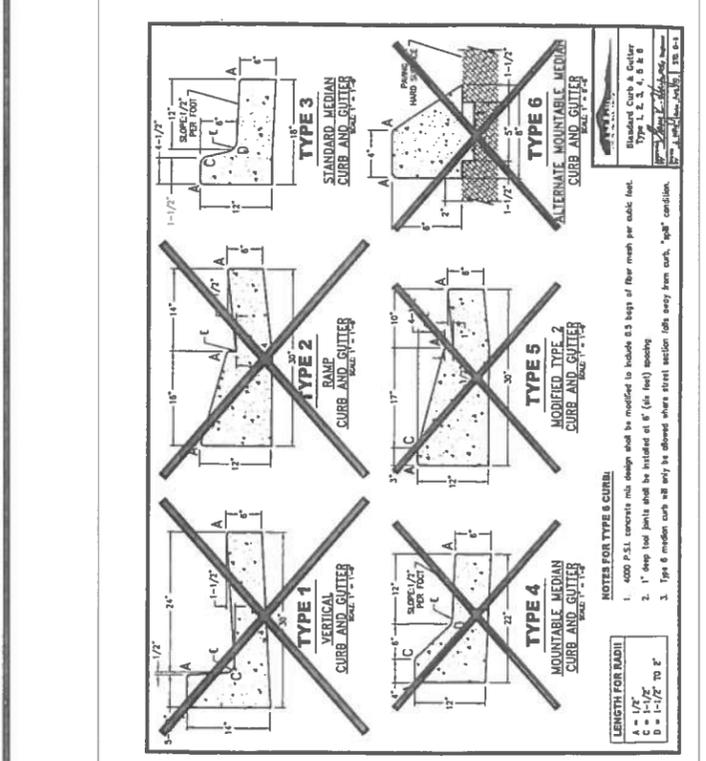
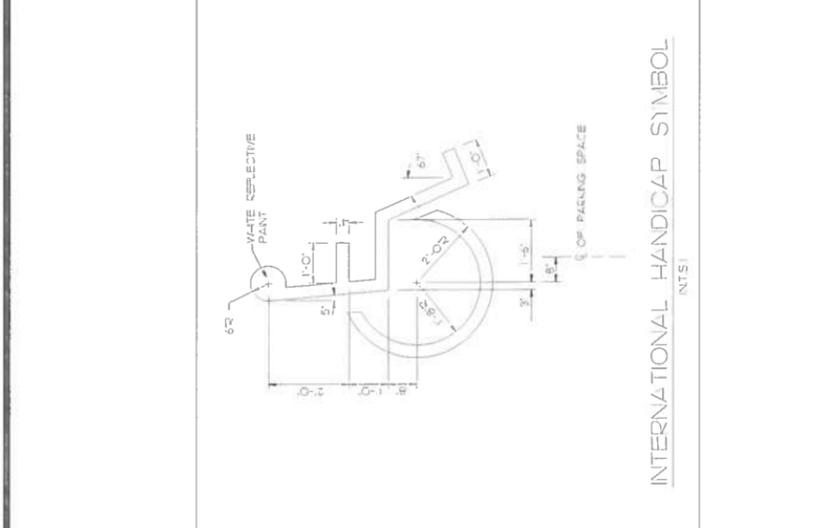
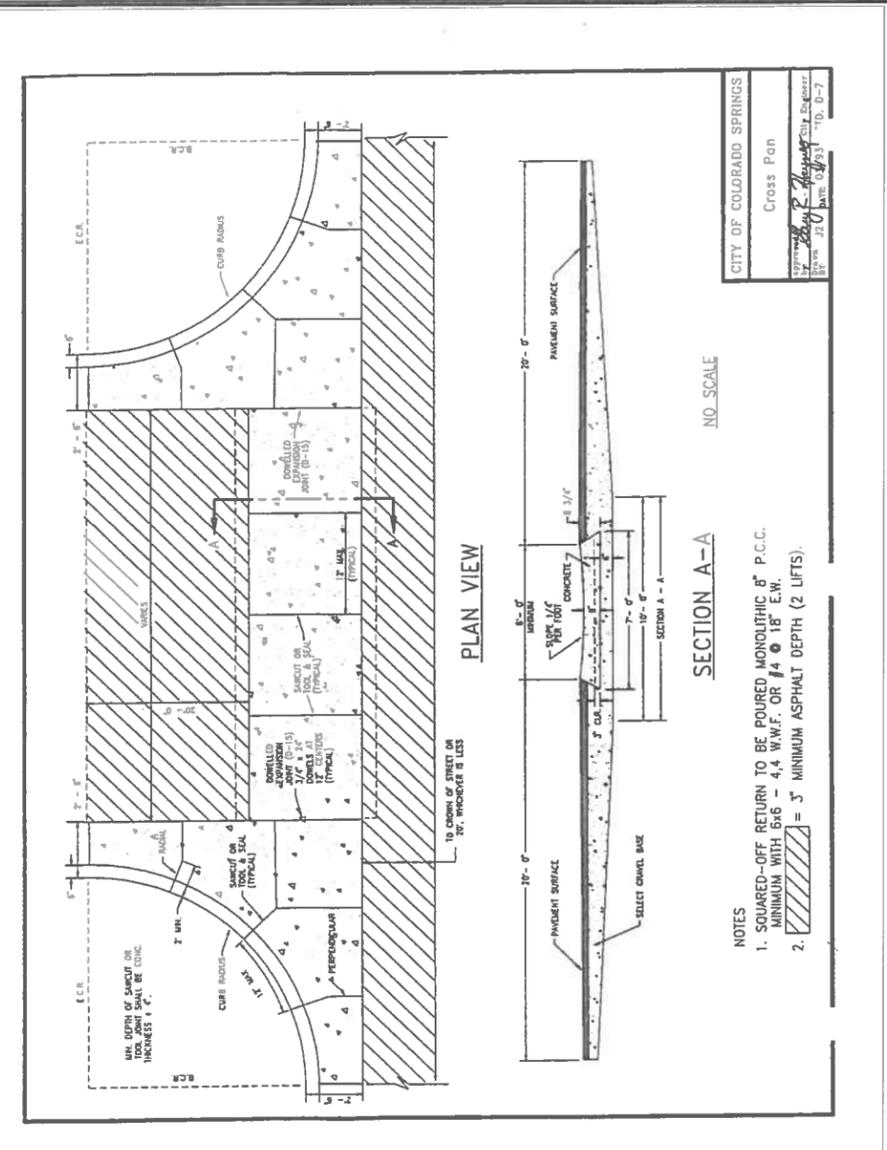
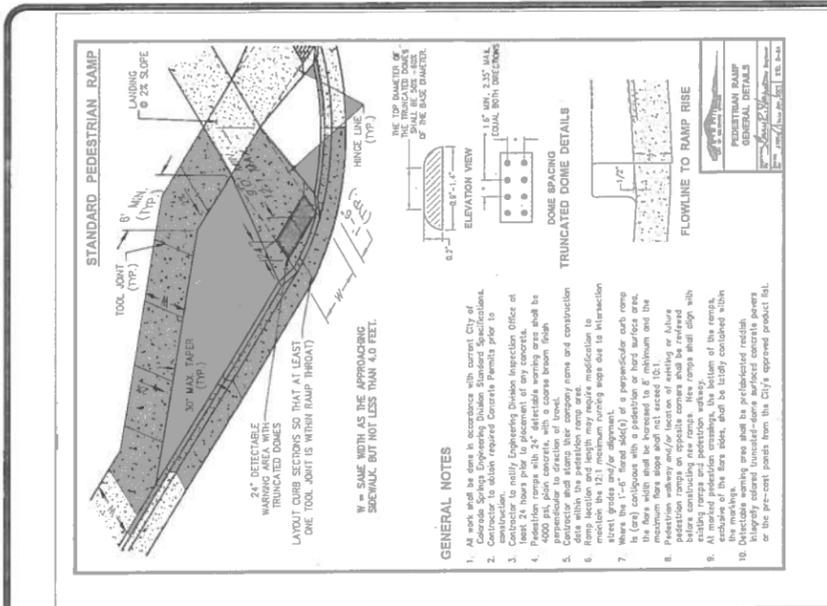
Engineers • Landscape Architects
FREELAND and KAUFFMAN, INC.
309 West 50th Avenue
Greenwood Village, CO 80120
PHONE 303-755-9497
FAX 303-755-9495



PROPOSED ECHOPARK
COLORADO SPRINGS, CO
SONIC DEVELOPMENT, LLC
4401 COLWICK ROAD
CHARLOTTE, NORTH CAROLINA 28211
704-566-6753
SEAN STICHTER



DRAWN BY: LAB
CHECKED BY: CAG
DATE: 10-26-2015
SCALE:
SHEET:
30F9



SITE DETAILS

FIGURE 1

REVISION DESCRIPTION	DATE

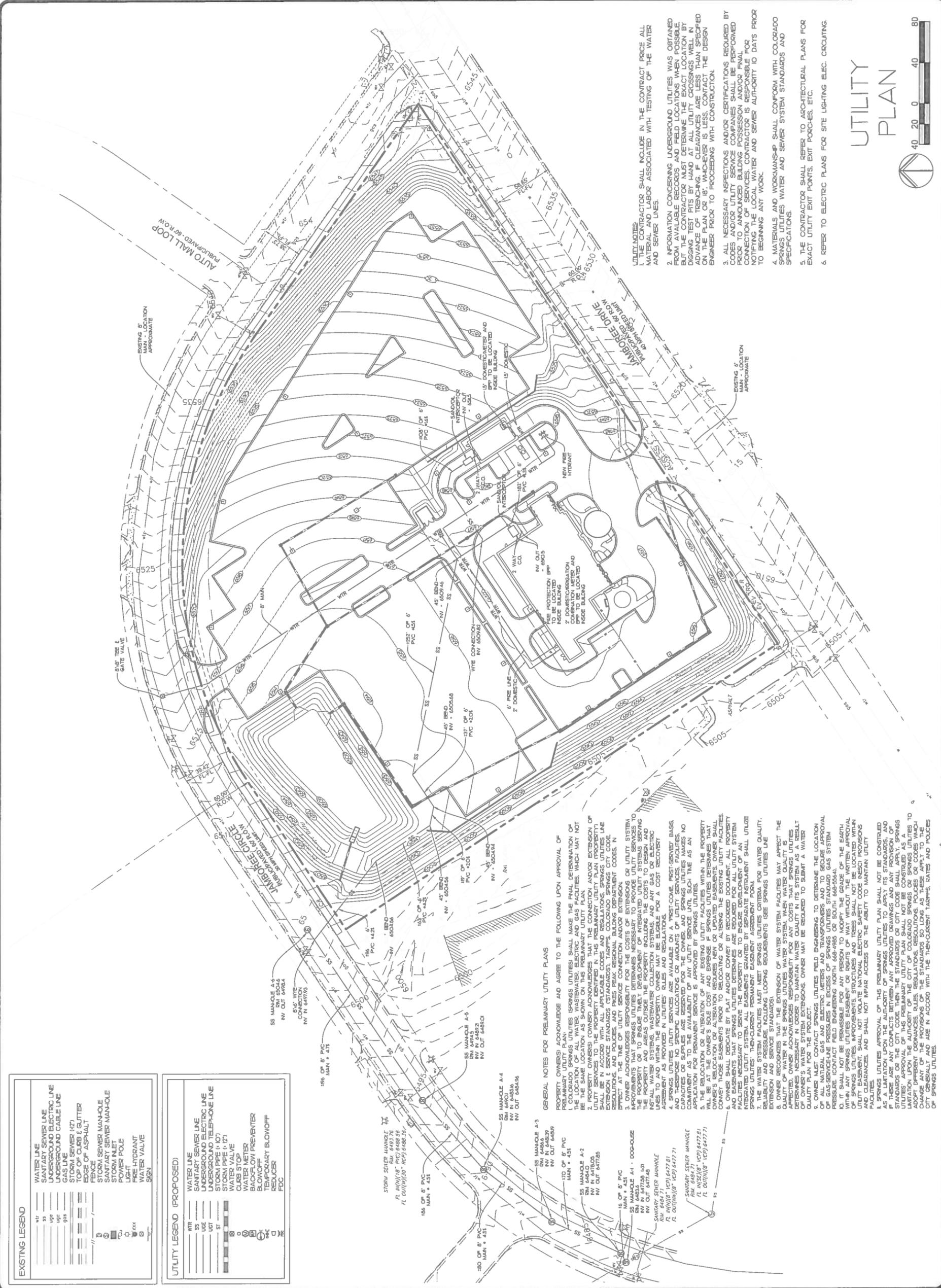
PRELIMINARY UTILITY PLAN
 FREELAND and KAUFFMAN, INC.
 Engineers • Landscape Architects
 209 West Stone Avenue
 Greenwood, South Carolina 29609
 PHONE 864-233-5497
 FAX 864-233-6916



PROPOSED ECHOPARK
 COLORADO SPRINGS, CO
 SONIC DEVELOPMENT, LLC
 4401 COLWICK ROAD, 2821
 CHARLOTTE, SEAN STICHTER
 704-566-6753



DRAWN BY: JJB
 CHECKED BY: CAG
 DATE: 10-26-2015
 SCALE: 1"=40'
 SHEET: 50F9



EXISTING LEGEND

WTR	WATER LINE
SS	SANITARY SEWER LINE
UE	UNDERGROUND ELECTRIC LINE
UC	UNDERGROUND CABLE LINE
GC	GAS LINE
NS	NATURAL GAS LINE
TOP OF CURB & GUTTER	TOP OF CURB & GUTTER
EDGE OF ASPHALT	EDGE OF ASPHALT
FENCE	FENCE
SM	STORM SEWER MANHOLE
SMI	SANITARY SEWER MANHOLE
SI	STORM INLET
LP	LIGHT POLE
LI	LIGHT
PH	FIRE HYDRANT
WV	WATER VALVE
SN	SIGN

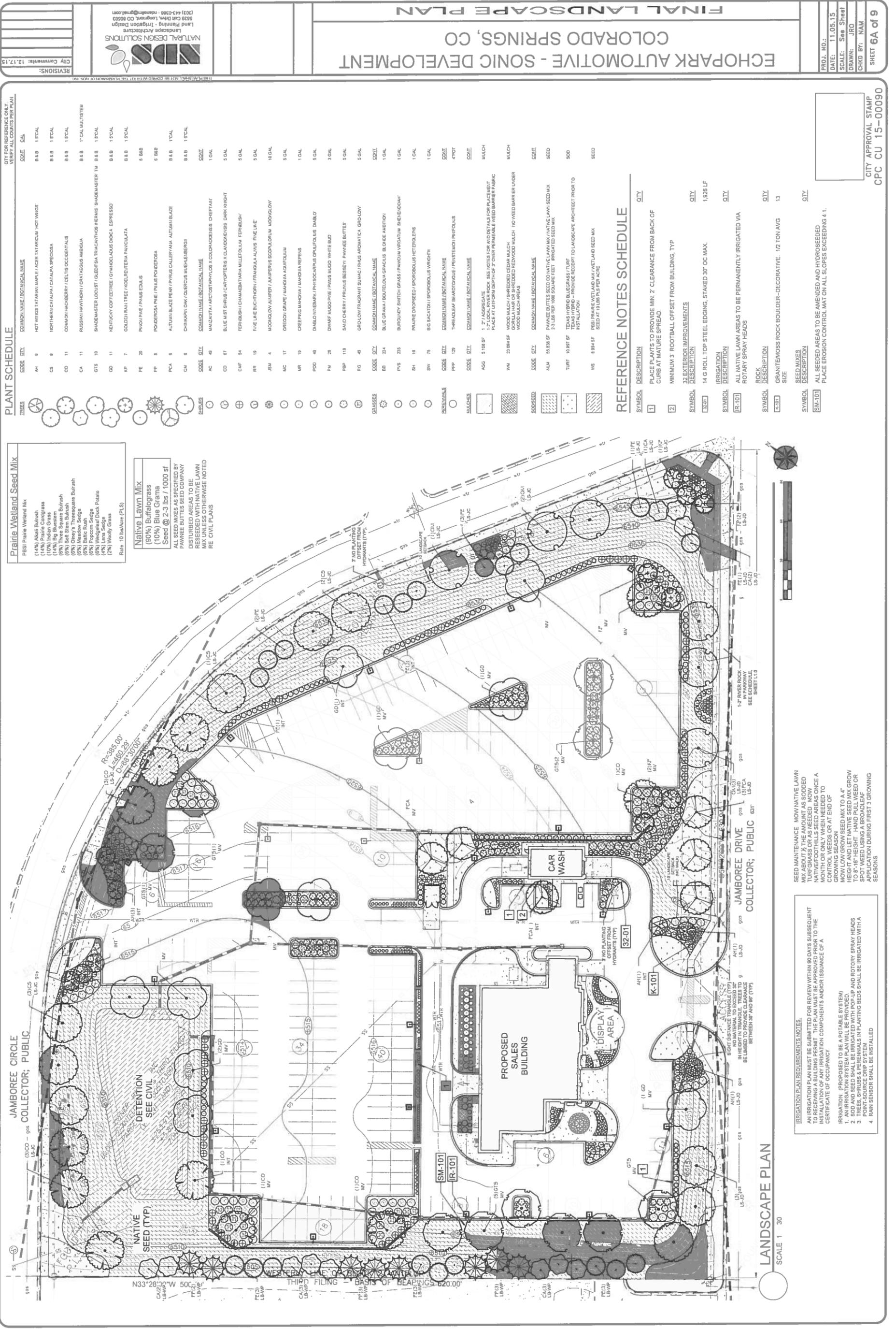
UTILITY LEGEND (PROPOSED)

WTR	WATER LINE
SS	SANITARY SEWER LINE
UE	UNDERGROUND ELECTRIC LINE
UC	UNDERGROUND CABLE LINE
GC	GAS LINE
NS	NATURAL GAS LINE
TOP OF CURB & GUTTER	TOP OF CURB & GUTTER
EDGE OF ASPHALT	EDGE OF ASPHALT
FENCE	FENCE
SM	STORM SEWER MANHOLE
SMI	SANITARY SEWER MANHOLE
SI	STORM INLET
LP	LIGHT POLE
LI	LIGHT
PH	FIRE HYDRANT
WV	WATER VALVE
SN	SIGN

GENERAL NOTES FOR PRELIMINARY UTILITY PLANS

- PROPERTY OWNERS ACKNOWLEDGE AND AGREE TO THE FOLLOWING UPON APPROVAL OF PRELIMINARY UTILITY PLAN:
 - COLORADO SPRINGS UTILITIES (SPRINGS UTILITIES) SHALL MAKE THE FINAL DETERMINATION OF THE LOCATION OF ALL WATER, WASTEWATER, ELECTRIC AND GAS UTILITIES, WHICH MAY NOT BE THE LOCATION OF UTILITIES SHOWN ON THIS PRELIMINARY UTILITY PLAN.
 - PROPERTY OWNERS (OWNER) ACKNOWLEDGES THAT THE CONNECTION AND/OR EXTENSION OF UTILITY SERVICES TO THE PROPERTY IDENTIFIED IN THIS PRELIMINARY UTILITY PLAN (PROPERTY) SHALL BE IN ACCORD WITH ALL APPLICABLE CODES AND REGULATIONS. SPRINGS UTILITIES LINE LOCATIONS AND DEPTHS SHALL BE DETERMINED BY SPRINGS UTILITIES FIELD ENGINEERS AND SHALL BE SHOWN ON THE FINAL UTILITY PLAN. THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RESOLUTIONS, AND POLICES AND PERMITS FROM ALL APPLICABLE AGENCIES AND DEPARTMENTS.
 - OWNER ACKNOWLEDGES RESPONSIBILITY FOR THE COSTS OF EXTENSIONS OF UTILITY SYSTEMS TO THE PROPERTY AND AREAS OUTSIDE THE PROPERTY INCLUDING THE COSTS TO DESIGN AND INSTALL WATER SYSTEMS, WASTEWATER COLLECTION SYSTEMS, AND GAS OR ELECTRIC LINES TO AND FROM THE PROPERTY. OWNER SHALL BE RESPONSIBLE FOR A COST RECOVERY AGREEMENT WITH SPRINGS UTILITIES. SPRINGS UTILITIES SHALL BE AVAILABLE ON A "FIRST-COME, FIRST-SERVED" BASIS. CAPACITIES OR SUPPLIES ARE RESERVED FOR THE OWNER, AND SPRINGS UTILITIES MAKES NO WARRANTY OR GUARANTEE OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - SPRINGS UTILITIES UTILITY SERVICES ARE AVAILABLE ON A "FIRST-COME, FIRST-SERVED" BASIS. CAPACITIES OR SUPPLIES ARE RESERVED FOR THE OWNER, AND SPRINGS UTILITIES MAKES NO WARRANTY OR GUARANTEE OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THE ACCURACY OF THE INFORMATION PROVIDED HEREON.
 - THE RELOCATION OR ALTERATION OF ANY EXISTING UTILITY FACILITIES WITHIN THE PROPERTY WILL BE AT THE OWNER'S SOLE COST AND EXPENSE. SPRINGS UTILITIES DETERMINES THAT OWNER'S THOSE FACILITIES AFFECTED BY THE RELOCATION OR ALTERATION OF UTILITY FACILITIES SHALL BE RELOCATED OR DELETED AS NECESSARY TO ACCOMMODATE THE PROPOSED UTILITY FACILITIES. OWNER SHALL DEEDICATE BY PLAT AND/OR CONVEY BY RECORDED DOCUMENT, ALL PROPERTY AND EASEMENTS THAT SPRINGS UTILITIES DETERMINES ARE REQUIRED FOR ALL UTILITY SYSTEM FACILITIES NECESSARY TO SERVE THE PROPERTY OR TO INSURE DEVELOPMENT OF AN UTILITY SYSTEM. SPRINGS UTILITIES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RESOLUTIONS, AND POLICES AND PERMITS FROM ALL APPLICABLE AGENCIES AND DEPARTMENTS.
 - THE WATER SYSTEM FACILITIES MUST MEET SPRINGS UTILITIES CRITERIA FOR WATER QUALITY, RELIABILITY AND PRESSURE INCLUDING LOOPING REQUIREMENTS (SEE SPRINGS UTILITIES LOCATION AND SERVICE STANDARDS).
 - SPRINGS UTILITIES DETERMINES THAT THE PROPOSED UTILITY FACILITIES MAY AFFECT THE QUALITY OF WATER IN THE SPRINGS UTILITIES WATER SYSTEM WHEN WATER QUALITY IS AFFECTED, OWNER ACKNOWLEDGES RESPONSIBILITY FOR ANY COSTS THAT SPRINGS UTILITIES DETERMINES NECESSARY IN ORDER TO MAINTAIN WATER QUALITY IN ITS SYSTEM AS A RESULT OF THE PROPOSED UTILITY FACILITIES. OWNER MAY BE REQUIRED TO SUBMIT A WATER QUALITY PLAN FOR THE PROJECT.
 - OWNER MUST CONTACT SPRINGS UTILITIES FIELD ENGINEERING TO DETERMINE THE LOCATION OF ALL NATURAL GAS AND ELECTRIC METERS AND TRANSFORMERS AND TO SECURE APPROVAL OF GAS SERVICE LINE FIELD LINES IN EXCESS OF 10 FEET FROM SPRINGS UTILITIES STANDARD GAS SYSTEM PRESSURE SERVICE LINE FIELD LINES.
 - IT SHALL NOT BE PERMISSIBLE FOR ANY PERSON TO MOOPLY THE GRADE OF THE EARTH WITHIN ANY SPRINGS UTILITIES EASEMENT OR RIGHTS OF WAY WITHOUT THE WRITTEN APPROVAL OF SPRINGS UTILITIES. IMPROVEMENTS, STRUCTURES AND TREES SHALL NOT BE LOCATED WITHIN ANY SPRINGS UTILITIES EASEMENT OR RIGHTS OF WAY WITHOUT THE WRITTEN APPROVAL OF SPRINGS UTILITIES. SPRINGS UTILITIES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RESOLUTIONS, AND POLICES AND PERMITS FROM ALL APPLICABLE AGENCIES AND DEPARTMENTS.
 - SPRINGS UTILITIES APPROVAL OF THIS PRELIMINARY UTILITY PLAN SHALL NOT BE CONTROLLED BY ANY OTHER AGENCY OR AUTHORITY. SPRINGS UTILITIES SHALL APPLY ITS STANDARDS, AND STANDARDS OR THE CITY CODE THEN THE STANDARDS OR CITY CODE SHALL APPLY. SPRINGS UTILITIES APPROVAL OF THIS PRELIMINARY UTILITY PLAN SHALL NOT BE CONTROLLED AS A RESULT OF ANY OTHER AGENCY OR AUTHORITY. SPRINGS UTILITIES SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND RESOLUTIONS, AND POLICES AND PERMITS FROM ALL APPLICABLE AGENCIES AND DEPARTMENTS.
 - ANY CHANGE OF THE PROVISIONS OF THE STANDARDS SO LONG AS THESE APPLY TO THE CITY GENERALLY AND ARE IN ACCORD WITH THE THEN-CURRENT TARIFFS, RATES AND POLICES OF SPRINGS UTILITIES.

FIGURE 1



REVISIONS:
CITY COMMENTS: 12.17.15
LANDSCAPE ARCHITECTURE
NATURAL DESIGN SOLUTIONS
Land Planning - Trigon Design
5555 North Academy Blvd. Suite 100
Colorado Springs, CO 80920
(303) 443-0388
info@ndesign.com

FINAL LANDSCAPE PLAN
ECHOPARK AUTOMOTIVE - SONIC DEVELOPMENT
COLORADO SPRINGS, CO

PROJ. NO.:
DATE: 11.05.15
SCALE: See Sheet
DRAWN: JRO
CHECK BY: NAM
SHEET 6A OF 9

PLANT SCHEDULE

SYMBOL	CODE	QTY	COMMON NAME (BOTANICAL NAME)	QTY FOR REFERENCE ONLY. VERIFY ALL QUANTITIES PER PLAN
(Symbol)	AH	8	HOT WINGS TATUM MAPLE / ACER TATUMUM 'HOT WINGS'	8.0 15'CAL
(Symbol)	CS	8	NORTHERN CATALPA / CATALPA SPECIOSA	8.0 15'CAL
(Symbol)	CO	11	COMMON HUCKLEBERRY / VIBURNUM OCCIDENTALE	8.0 15'CAL
(Symbol)	CA	11	RUSSIAN HAWTHORN / CRATAEGUS AMIGDALA	8.0 15'CAL MULTISTEM
(Symbol)	GTS	10	SHADEMASTER LOCUST / QUERCUS TRICANTHOS 'PERNIX'	8.0 15'CAL
(Symbol)	GO	11	KENTUCKY COFFEE TREE / GOMPHOCLOUS DOUGLASSII 'ESPRESSO'	8.0 15'CAL
(Symbol)	HP	7	GOLDEN FRUIT TREE / KESSELEUTERA PAUCIFLORA	8.0 15'CAL
(Symbol)	PE	20	PIPIN PINE / PINUS EDULIS	6.0 8.0
(Symbol)	PP	8	POINCIANA PINE / PINUS POINCIANA	6.0 8.0
(Symbol)	PCA	6	AUTUMN BLUE PINE / PINUS CALLERIANA 'AUTUMN BLAZE'	8.0 15'CAL
(Symbol)	CM	6	CHINA PINE / QUERCUS BUREAUANA	8.0 15'CAL
(Symbol)	AC	4	MAIZAYA / ANACARDIUM FRAXINIFOLIUM 'CHERRY HAWK'	1.0 CAL
(Symbol)	CD	87	BLUE HILL SHRUB / CARYOPHTERIS X CLADOPHYLLIS 'DARK KNIGHT'	5.0 CAL
(Symbol)	CMF	54	FERRELLIA / CHAMBAERTIANA MILLEFOLIUM 'FERRELLIA'	5.0 CAL
(Symbol)	RR	19	FIVE LINE BUCHSHEIM / FRANKOLLA ALBA 'PINE LAKE'	5.0 CAL
(Symbol)	JSM	4	MOONBLOW JUNIPER / JUNIPERUS SCOPULORUM 'MOONBLOW'	18.0 CAL
(Symbol)	MC	17	OREGON GRAPE / MANOCYLIUM ADIFOLIUM	5.0 CAL
(Symbol)	MR	19	CREeping MAHONIA / MAHONIA REPENS	1.0 CAL
(Symbol)	POD	4	DIABLO IRISBARK / PHYSCOLAPTES OPULIFOLIUS 'DIABLO'	5.0 CAL
(Symbol)	PM	26	DWARF MUDDY PINE / PINUS BUGO 'WHITE BUD'	3.0 CAL
(Symbol)	PPP	119	SAND CHERRY / PRUNUS BESSERII 'PAMWEE BUTTES'	5.0 CAL
(Symbol)	RG	4	GROWLOW FRAGRANT SUMAC / RHUS AROMATICA 'GROWLOW'	5.0 CAL
(Symbol)	BB	274	SCUMMUS / BOTANICAL NAME	5.0 CAL
(Symbol)	PVS	235	BLUE GRAMA / BOUTELOA GRACILIS 'BLUODE AMBITON'	1.0 CAL
(Symbol)	SH	19	BURGUNDY SWITCH GRASS / PANICUM VIRGATUM 'SHERIDONAH'	1.0 CAL
(Symbol)	SW	75	PRAIRIE DROPSEED / SPOROBOLUS HETEROLEPIS	1.0 CAL
(Symbol)	PPP	129	BIG BACHTON / SPOROBOLUS WRIGHTII	1.0 CAL
(Symbol)	SCUMMUS	QTY	SCUMMUS / BOTANICAL NAME	5.0 CAL
(Symbol)	BB	274	BLUE GRAMA / BOUTELOA GRACILIS 'BLUODE AMBITON'	1.0 CAL
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#	DATE	REVISION DESCRIPTION

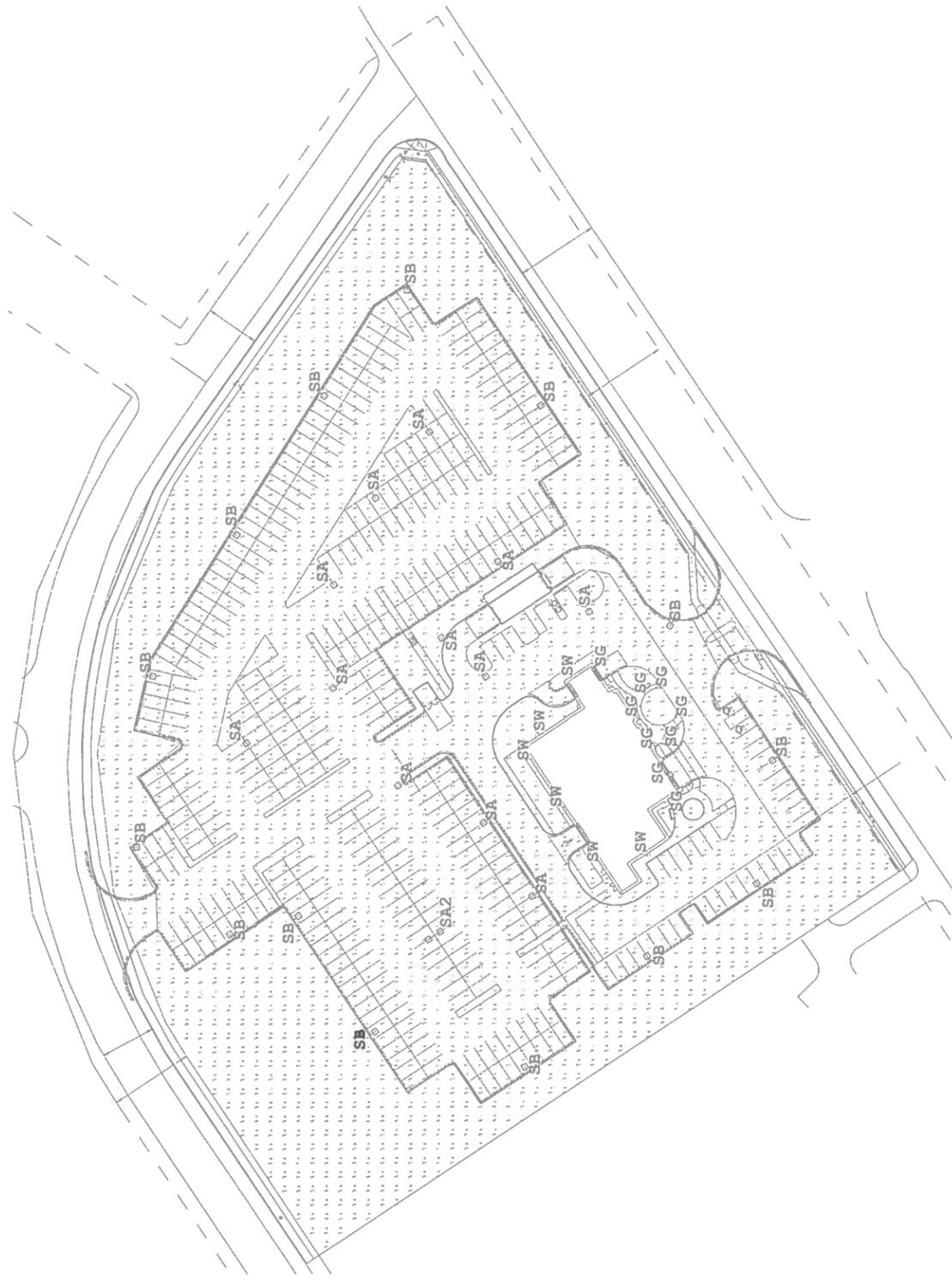
TEAM LIGHTING, LLC
 1230 WEST MOREHEAD ST., STE. 108
 DIRECT: 704-358-9229 X108



PROPOSED ECHO PARK
 COLORADO SPRINGS, CO
 SON C DEVELOPMENT, LLC
 4431 COLWICK ROAD
 CHARLOTTE, NORTH CAROLINA 28211
 /04-506-6753



DRAWN BY
 CHECKED BY
 DATE: 01/26/2015
 SCALE:
 SHEET: 9 OF 9



- NOTE:
- UPON INSPECTION OF THE SITE, STAFF RESERVES THE RIGHT TO REQUIRE SHIELDS BE PLACED ON PARKING LOT FIXTURES IN ORDER TO MINIMIZE POTENTIAL LIGHT GLARE TO THE ADJACENT RESIDENTIAL APARTMENTS.
 - LIGHTING CONTROLS WILL BE PROVIDED FOR EXTERIOR LOT LIGHTING FOR ON AT DUSK AND OFF AT DAWN VIA PHOTOCELL.
 - REFER TO SEPARATE CUT SHEETS FOR LIGHT FIXTURES.
 - ALL LIGHTING TO CONSIST OF FULL CUT-OFF FIXTURES

Luminaire Schedule

Fix ID	Qty	Label	Manufacturer	Model	Description
SB	14	Beacon Viper	Site 3, 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	VP-L-6400-135-AK-T5CH-UVF-RA-DRT	
SA	1	Beacon Viper	Site 3, 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	VP-L-6400-135-AK-T5CH-UVF-RA-DRT	
SW	6	BE Williams	Voltaire Wallpack	WPH-1502	40-T5-DB2-ECB-IN-UVF

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	AVG/FIX	MAX/FIX
Building Size	Illuminance	FC	1.45	1.89	0.0	N.A.	N.A.
Parking Lot	Illuminance	FC	2.23	2.89	0.0	N.A.	N.A.



PHOTOMETRIC PLAN

FIGURE 1

OTTENJOHNSON

ROBINSON NEFF + RAGONETTI PC

August 28, 2015

CORY M RUTZ
303 575 7531
CRUTZ@OTTENJOHNSON.COM

Planning and Development Team - Land Use Review Division
City of Colorado Springs
30 S. Nevada Avenue, Suite 105
Colorado Springs, Colorado 80901-1575
Attn: Mike Schultz, AICP, Senior Planner

Re: Application for Conditional Use and Development Plan – EchoPark Automotive Facility

Dear Mr. Schultz:

As you know, our firm represents Sonic Automotive, Inc. and its affiliates (“Sonic”) in connection with Sonic’s proposed construction of a vehicle sales facility (the “Project”) on a presently-vacant property in City of Colorado Springs, Colorado (the “City”), located at the intersection of Jamboree Drive and Jamboree Circle and consisting of approximately 5.87 acres (the “Site”). This cover letter is being submitted on Sonic’s behalf, together with the following items (collectively, the “Materials”), which have been prepared in response to comments and other feedback received from the City following our pre-application meeting on July 24, 2015 (“Pre-Application Meeting”): a Conditional Use Application; a Development Plan (including Elevation Drawings); a Drainage Report; a Photometric Plan; a Wastewater Facilities Master Report; and a Mineral Estate Owner Notification Certification Affidavit. The purpose of this cover letter is to provide the required Project Statement for the application.

Project Description

The Site is located on Jamboree Drive, within the Jamboree Circle loop, and adjacent to the Academy Manor Apartments (the “Apartments”). The Site lies across Jamboree Drive from Chapel Hills Mall, and across Jamboree Circle from two churches, the Springs Church and the Church of Jesus Christ of Latter-day Saints, and a Phil Long Ford Dealership, which lies between the two churches. The Site is zoned as within the Planned Business Center (“PBC”) zone district pursuant to the City’s zoning code (the “Code”), which, as we discussed at our Pre-Application Meeting, generally permits vehicle sales facilities subject to certain limitations and the approval of a conditional use permit.

Sonic proposes the construction of a specialty automotive retail facility on the Site, which will also incorporate a service facility and a car wash. The service operation will include those functions that can be accomplished in a single work day, such as routine maintenance and service, tires, batteries, brakes, air conditioning, and other such functions. No “heavy” mechanical work is anticipated at the Site, although such work could be facilitated through one of Sonic’s franchised dealerships. The total employee count is anticipated to be between 12-

18 associates, albeit slightly less during any specific work period. Interactive activity with the neighborhood customer base and local schools will be enhanced with scheduled workshops, demonstrations, car club meetings and other special events.

The proposed primary structure (the “Building”) will be located in the southern corner of the Site, with the inventory stored in parking lots to the north and east of the main facility, as illustrated by the site plans. The Building is proposed to be approximately 9,037 square feet, with the service component around 5,844 square feet of the total and the remainder dedicated to the showroom. The proposed car wash is approximately 1,073 square feet, which, together with the Building, leaves 46 percent of the Site as open space. The Project will contain a total of 201 parking spaces; however, 165 of these parking spaces will be reserved for inventory storage accessible only by employees and gated from the customer-oriented portion of the Project. The 36 remaining spaces, located within the customer-oriented portion of the Project, consist of 34 customer parking spaces (five parking spaces for the automotive sales use and 29 spaces for the automotive service use) and two accessible parking spaces.

Project Justification

As set forth in the above description of the Project, Sonic has taken great care to design the Project in a way that considers and reacts to the surrounding environment, and incorporates and addresses feedback received following the Pre-Application Meeting. In particular, the Project satisfies the various Code requirements for approval of conditional use and development plan applications, respectively, as follows:

Conditional Use Review Criteria

- A. **Surrounding Neighborhood:** That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.

The Site’s neighbors consist of churches, another automotive retail facility, a mall and the Apartments. Of those, the automotive retail facility, which abuts the two churches, is also subject to a conditional use permit, the approval of which indicates that automotive retail facilities, such as the Project, do not substantially impact church uses. Likewise, the Project will not negatively impact the mall use, which consists of larger buildings, more illuminated parking lots and serves more customers than the Project.

With respect to the Apartments, all of the service components of the Project, including the car wash, will be oriented on the side of the Building that is farthest from the Apartments in order to address the City’s concern that noise from the service bays would disturb residents of the Apartments. In addition, the service areas themselves will be fully air-conditioned, which permits the high-speed roll-up service doors to remain closed when vehicles are being serviced, which also reduces the likelihood that the noise from the Project will disturb residents of the Apartments.

- B. **Intent of Code:** That the conditional use is consistent with the intent and purpose of the Code to promote public health, safety and general welfare.

The Project will promote public health, safety and general welfare by providing high-quality employment and a positive interaction with the surrounding neighborhood through its regularly scheduled workshops and other special events. The Project will also promote these purposes by focusing on the principles of sustainability through LEED certification and other similar elements, such as the provision of bicycle storage and changing rooms.

- C. **Comprehensive Plan:** That the conditional use is consistent with the Comprehensive Plan of the City.
- The Site is designated as “Regional Center” on the City’s Comprehensive Plan, which designation applies to “large areas of concentrated activity that combine a mix of uses, such as employment, shopping, and higher density.” The Project is consistent with this designation in that it provides both employment and shopping, serving as a positive addition to the area, which is anchored by the mall.

Development Plan Review Criteria

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

The Site’s neighbors consist of churches, another automotive retail facility, a mall and the Apartments. Of those, the automotive retail facility, which abuts the two churches, is also subject to a conditional use permit, the approval of which indicates that automotive retail facilities, such as the Project, do not substantially impact church uses. Likewise, the Project will not negatively impact the mall use, which consists of larger buildings, more illuminated parking lots and serves more customers than the Project.

With respect to the Apartments, all of the service components of the Project, including the car wash, will be oriented on the side of the Building that is farthest from the Apartments in order to address the City’s concern that noise from the service bays would disturb residents of the Apartments. In addition, the service areas themselves will be fully air-conditioned, which permits the high-speed roll-up service doors to remain closed when vehicles are being serviced, which also reduces the likelihood that the noise from the Project will disturb residents of the Apartments.
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?**

Beyond the immediately adjacent properties noted above, the Site lies within a large regional retail center anchored by the mall and consisting of large grocery and home goods stores, fast-casual and more upscale restaurants, specialty stores, such as sporting goods and technology supply stores, and other automotive retail and service facilities. Accordingly, the Project will be compatible with and serve as a positive addition to the surrounding neighborhood. In addition, given that the existing streets, utilities and other public facilities have been developed to serve uses similar to, and in many cases more intensive than the Project, the addition of the Project will not overburden existing capacities. With no residents on the Site, there will be no additional burden on parks or schools.
3. **Will the structures be located to minimize the impact of their use and bulk on adjacent properties?**

As noted above, the Building will be located on the southwestern portion of the Site, which constitutes the lowest grade on the site, meaning that the Building will minimally affect adjacent properties. Likewise, the louder aspects of the Project associated with the service use will be oriented away from the Apartments. In addition, building elements will be designed in proportion to human scale by, in part, clearly defining the base and roof edges to create a base, middle, and top. Building insets, projections, and varying roof lines will reduce the visual impact of the building mass. Buildings will generally incorporate a neutral and earthy color palette to compliment nearby buildings and the surrounding landscape.

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?

As noted above, the Building itself will be oriented to protect the Apartments from negative effects from the Project. In addition, the Project meets and generally exceeds the required setbacks for the Property, providing significant landscape buffers from adjacent uses. Finally, all lighting within the Project will be LED, which reduces the amount of glaring or otherwise overly-bright lighting on the Project, creating a more pleasing overall aesthetic effect, and shields will be provided on the side of the Site that abuts the Apartments.

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?

Access for the Project will be across Jamboree Drive from the mall, which will essentially combine traffic flow with the existing mall access point. By combining access to the site with this pre-existing location, the Project will minimize 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?

As noted above, access for the Project will be across Jamboree Drive from the mall. This location is logical, safe and convenient in that it essentially relies on an existing intersection and will not overburden the street system.

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?

As there will only be a single access point to and from the Project, through traffic will be significantly discouraged.

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

Customer parking areas will be located in the front and rear of the Building for access to the sales and services components, respectively, of the Project. The Project will include sufficient directional signage to safely and efficiently direct customers to their desired location.

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?

Accessible parking spaces are provided on the Project in accordance with the Americans with Disabilities Act of 1990.

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

Although the Project will, by necessity of being an automotive retail facility, require ample parking for storage of inventory, the Project layout breaks up the inventory and customer parking with landscaped islands and other features to reduce the area devoted to asphalt. In addition, significant portions of the Site along the Jamboree Circle frontage will be reserved as open space.

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?

In connection with the Project, Sonic will install new sidewalks along all street frontages within the Site, providing a distinct pedestrian realm, as well as incorporating signage and other way-finding devices to guide pedestrians to the Building.

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?

As noted above, the Project reserves significant portions of the Site along the Jamboree Circle frontage as open space, preserving the steep slope located on such portion of the Site.

Issues Identified during Pre-Application Meeting

During the Pre-Application Meeting, the City identified several issues that we have incorporated into the design of the Project, including: (a) landscaping requirements; (b) required sidewalk along street frontages; (c) location of access onto Jamboree Drive; (d) lighting requirements; and (e) effects on the Apartments. Each of these issues has been addressed as follows:

- **Landscaping.** The City noted during the Pre-Application Meeting that the landscaping in the Project must allow for a 15-foot landscape buffer along the boundary of the Site that is adjacent to the Apartments, and a 10-foot landscape buffer along street frontages. Accordingly, the site plan for the Project provides an approximately 44.9-foot buffer along the boundary with the Apartments. The width of the landscape buffer along the street frontages varies throughout the Site, but is at no point less than 29.8 feet in width, well over the 10-foot minimum. The landscape plan for the Project also proposes planting approximately 94 trees, which also exceeds the City's required minimum requirements for trees located on the Site. The required five percent internal landscaping is also incorporated into the landscape plan for the Project, which provides well over that amount. These standards and requirements are more particularly set forth in the landscape plan for the Project.
- **Sidewalks.** The City requirement that detached sidewalks at least five feet in width be installed along each external Site boundary has been satisfied, as indicated on the site plan for the Project, which proposes detached sidewalks of either five feet or six feet in width on all applicable Site boundaries.
- **Access.** The City expressed a preference for access to the Site to be located on Jamboree Drive and directly across from the Chapel Hills Mall. The site plan for the Project has been designed accordingly, and Sonic will continue to work with the City and, if necessary, the Chapel Hills Mall, to address any issues that develop as a result of the new access point.

- **Lighting.** The City also requires that lighting be full cut-off fixtures, with shields provided on the side of the Site that abuts the Apartments. As indicated on the photometric plan for the Project, these requirements have been met. In addition, the Sonic's use of LED lighting significantly reduces the amount of glaring or otherwise overly-bright lighting on the Project, creating a more pleasing overall aesthetic effect.
- **Adjacency to Apartments.** The City had previously expressed a preference that the Building be located on the east side of the Site in order to mitigate any noise or other impacts to the Apartments; however, due to the steep grading of the Site, such an orientation is not reasonably feasible. Instead, and as discussed during our Pre-Application Meeting and noted above, all of the service components of the Project, including the car wash, will be oriented on the side of the Building that is farthest from the Apartments in order to address the City's concern that noise from the service bays would disturb residents of the Apartments. In addition, the service areas themselves will be fully air-conditioned, which permits the high-speed roll-up service doors to remain closed when vehicles are being serviced, which also reduces the likelihood that the noise from the Project will disturb residents of the Apartments.

We very much appreciate your consideration of this application, and respectfully request your approval of the same. We look forward to working with you throughout this development process.

Sincerely,



Cory M. Rutz
for the Firm

UNFINISHED BUSINESS

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 3.A – 3.B

STAFF: MICHAEL TURISK

FILE NOS:

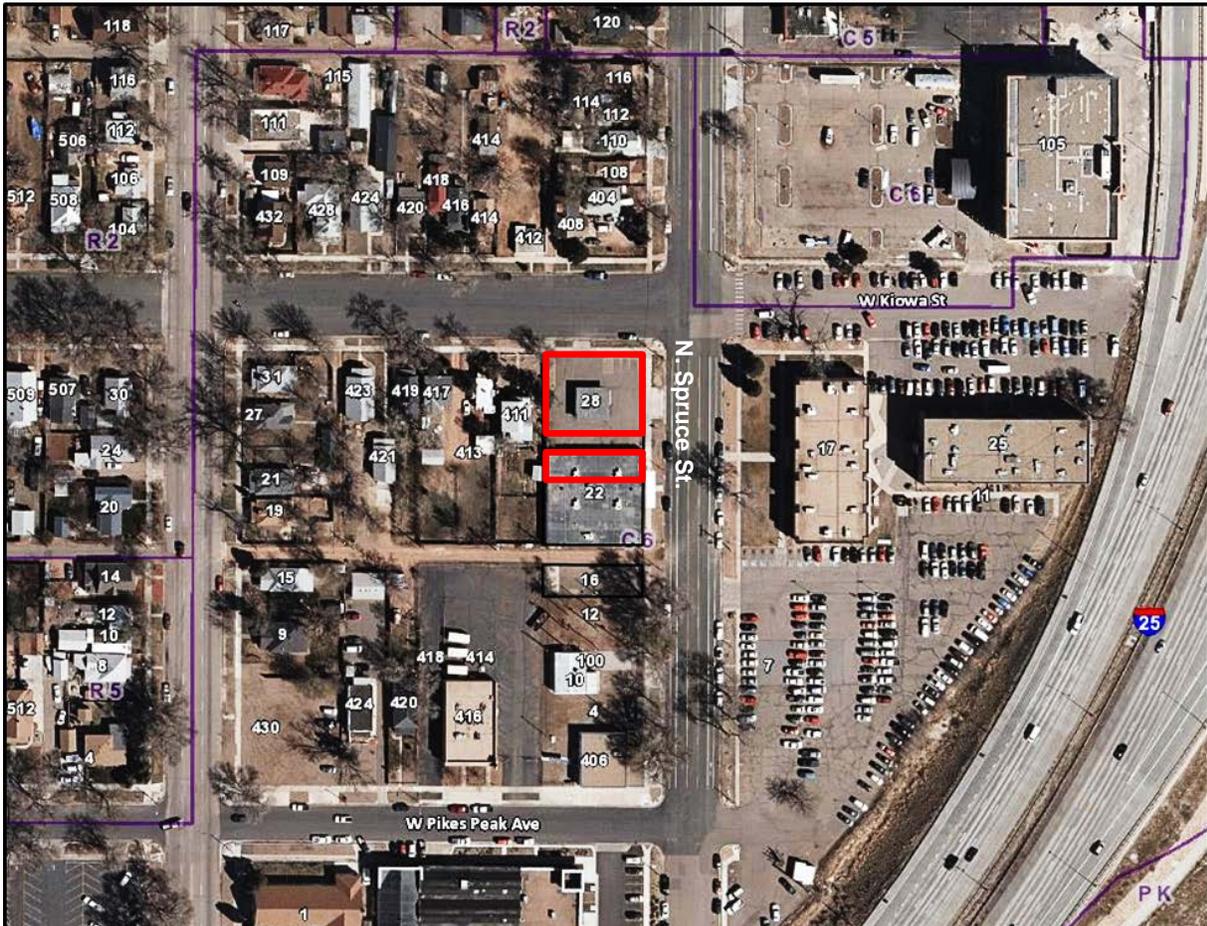
3.A CPC PUZ 15-00100 – QUASI-JUDICIAL

3.B CPC PUP 15-00101 – QUASI-JUDICIAL

PROJECT: 22 SPRUCE

APPLICANT: LAND PATTERNS, INC.

OWNER: BRIAN BAHR OF CHALLENGER HOMES, INC.



PROJECT SUMMARY:

1. This is a request for a zone change from C-6 (General Business) to PUD (Planned Unit Development) and approval of an associated PUD concept plan. The applications regard a proposed 48,000 square-foot, 46-unit multi-family project to be named "22 Spruce" (the moniker reflects the project's location at 22 North Spruce Street). The project site currently includes an approximately 9,000 square feet vacant commercial building that in the past has accommodated a host of commercial and office activities.
2. Applicant's Project Statement: **FIGURE 1**
3. Planning and Development Team's Recommendation: Approve the zone change request from C-6 to PUD and the associated PUD concept plan.

BACKGROUND:

1. Site Address: 16 and 22 N. Spruce Street
2. Existing Zoning/Land Use: C-6 (General Business)/vacant commercial building
3. Surrounding Zoning/Land Use:
North: C-6/vacant commercial building/single-family residential
South: C-6/vacant commercial/International Brotherhood of Electrical Workers, Union 113
East: C-6/El Paso County Extension Office
West: C-6/single-family residential
4. Annexation: Town of Colorado Springs; 1872
5. Comprehensive Plan/Designated 2020 Land Use: Mature Redevelopment Corridor
6. Master Plan/Designated Master Plan Land Use: Westside Master Plan
7. Subdivision: Parrish's Addition to Colorado Springs
8. Zoning Enforcement Action: None
9. Physical Characteristics: Both properties are flat. As noted above there is a vacant structure located at 22 Spruce Street.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 108 property owners within 500 feet of the property shortly after application submittal. Staff received a petition with nineteen (19) signatures (**FIGURE 6**) opposing the project prior to a neighborhood meeting on November 3, 2015 where the applicant conveyed details of the project and answered numerous questions for the seven (7) attendees. It appeared that attendees were satisfied with the information provided and had their concerns allayed. The site will be posted and postcards mailed once again prior to the Planning Commission hearing.

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

The subject properties (16 and 22 North Spruce Street; 0.073-acres and 0.436-acres, respectively) are located between East Kiowa Street and West Pikes Peak Avenue at the southwest corner of North Spruce and West Kiowa Streets, approximately 600-ft. west of I-25 on the City's Westside. The area in proximity to the subject properties is zoned C-6 (General Business) with the nature of development consisting of a mix of commercial, office, single-family and multi-family properties. A small unimproved alley (20-ft. wide) separates the two properties and connects North Spruce Street and North Walnut Street; said alley would be improved as part of this project. The proposed one, two and studio bedroom apartments would range in size from 450 square feet to 950 square feet. Below-grade and on-grade parking would be provided, as well as a gym, café and patio seating, likely for the exclusive use of residents and their guests.

Rezoning Review Criteria:

1. Per City Code, the establishment or change of zone district boundaries may be approved only if the following findings (relevant to this request) are made:
 - a) The action will not be detrimental to the public interest, health, safety, convenience or general welfare;
 - b) The proposal is consistent with the goals and policies of the Comprehensive Plan; and
 - c) 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.

Planned Unit Developments (PUDs) are a unique zoning classification established to provide development flexibility by modifying and/or waiving certain development standards. The intent of PUDs is to encourage efficient use of resources and planning and building innovation for residential, mixed-use and commercial projects. A comparatively small PUD district as proposed would integrate into the surrounding neighborhood fabric, in part, in that much of the immediate area is zoned C-6 (General Business), a district that allows for a wide array of uses and has site development standards such as minimum setback requirements that vary depending on location. To the above point, the applicant has proposed a zero lot line building and landscape setback, the intent of which is to create a strong street tree and pedestrian connection. The plant requirement that would normally be required for the setback would still be installed in the ROW designated landscape areas.

2. Concept Plan Review Criteria:

Per City Code, submittal of a concept plan (**FIGURE 2**) or development plan is required for the establishment of a zone district or a change of zone district boundaries. Although the proposed project would be a more intense land use both at the project site and in the area by virtue of the building's elevation and anticipated additional traffic and parking pressure, it would not have a detrimental or significantly negative impact upon on the neighborhood, its residents, and visitors. Although a structure with a similar profile is not in immediate proximity, the Holiday Inn Express at 105 North Spruce Street (northeast from the project site) is representative of a building/use that presents similar physical characteristics. The project is considered appropriate given that the site is relatively close to downtown, and thus would serve residents who wish to live, work and recreate close to the downtown core. Furthermore, the project's location would encourage alternative modes of travel, and perhaps most importantly, would help satisfy a housing need in the City, particularly near to downtown. The project would generate additional parking and traffic pressure in the immediate area; however, local streets would absorb the comparatively limited overflow anticipated. The success of the proposed project and the surrounding uses could also create more evolution and redevelopment in this area.

Per Section 7.5.501.E. of City Code the following criteria are used to determine the viability and overall appropriateness of a proposed concept plan.

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?*

3. Other applications:

Two additional associated land use applications -- a development plan and final plat (**FIGURES 3 and 4, respectively**) – are currently under administrative review. Both were submitted roughly six weeks after the submittal of the zone change and concept plan. Although the PUD districts allow for a great deal of flexibility in design in order to maximize the quality of development, it is worth noting that the applicant has proposed several exceptions to the current C-6 zoning and general development standards, including:

- *A building height of just under 60-ft. (the current C-6 zoning allows for 50 ft. maximum):*

Although the concept plan indicates a four-story (approximately 40 feet) structure, the applicant's project statement indicates that the building would be approximately 59 feet in height. Architectural drawings are in the relatively early stages; therefore, the applicant has requested the proposed height to allow for a measure of architectural flexibility in the final design.

- *A total of 49 on-site parking stalls where 64 are required:*

The unit breakdown of 22 Spruce and the minimum parking requirements (per City Code) are as follows:

14 studio units at 1.1 stalls per unit = 15.4 stalls
28, one bedroom units at 1.5 stalls per unit = 42 stalls
4, two bedrooms units at 1.7 per unit = 6.8 stalls

Therefore, 64.2 stalls are required (if parked to minimum Code standard).

However, the project proposes 27 on-site, subsurface parking stalls and 22 on-site, surface stalls. Parking availability was cited as a major concern. Residents anticipate that the use will place more on-street parking demands on the immediate area given that some measure of overflow on-street parking is anticipated. By virtue of the adaptive reuse of a vacant property and the site's location within a developed area, the project is considered *urban infill*. Like many infill projects, site constraints often limit development and compliance with more general site development standards (parking in particular) more appropriate for greenfield development. Generic, one-size-fits-all parking standards that are simple to apply and enforce, but fail to accurately reflect the particular needs and characteristics of particular neighborhoods create challenges.

The subject properties suffer from constraints that are not self-imposed, and on-street parking capacity should be a reasonable consideration for infill projects such as this given the physical constraints presented and the expectation that local public streets would provide a measure of overflow absorption. Reverse angle parking has the potential to help alleviate parking pressures, particularly in infill development areas, and although technically not calculated in minimum parking requirements, a reverse angle parking strategy at the project site would maximize on-street parking availability, creating a situation whereby local streets could better handle anticipated overflow. That said, the applicant has recently discussed parking the project more creatively with staff, specifically by incorporating 15 reverse angle parking stalls along N. Spruce St. at the east side of the proposed complex (**FIGURE 5**). As the name suggests, reverse angle parking is simply parking at an angle in reverse so that the backend of vehicles are closest to a sidewalk (or the front end of the vehicle will exit the parking slot first). Motorists are provided increased visibility once ready to exit the parking space when utilizing the reverse angle concept. It is also much easier to see incoming traffic -- including bicyclists and pedestrians -- from either direction when the driver is facing traffic. Other methods of parking such as parallel or simply driving into a parking space with the front end of the vehicle first, involve motorists exiting a vehicle alongside potentially busy roadways. Reverse angle parking requires wider streets, but is generally considered a more efficient on-street parking strategy by virtue of the reverse angle configuration allowing for more stalls compared to traditional parallel parking given the same amount of available space.

As part of the inherent flexibility that the PUD districts provide and considering the project is characterized as urban infill (and the anticipation that on-street parking has the capacity to absorb anticipated overflow, staff has proposed parking the project at a *one stall per unit* ratio (for a total of on-site 46 stalls required). As a side benefit, reducing the number of required on-site stalls would also conceivably offer the added benefit of freeing-up internal areas for additional landscaping.

- *A zero lot line building and landscape (front) setbacks:*

Per the applicant, the intent of the proposed site design is to provide a strong street presence and help to define the streetscape. Approximately 15 to 20 feet of landscape and pedestrian space would remain between the property line and the existing street curbs at the property boundaries. This design intends to create a strong street tree and pedestrian connection along these edges.

Additional traffic would most certainly be generated by the project. In order to mitigate traffic and associated impacts, primary ingress and egress would be established at the south side of 22 North Spruce Street via the alley that separates the two properties.

Furthermore, the proposed parking stalls along the west side of the building would be accessible through the alley into a single one-way, gated parking lot. Egress for these stalls would occur at the north end of the property onto West Kiowa Street. Therefore, most vehicular traffic would occur along the east and south side of the properties, along the North Spruce Street redevelopment corridor and away from adjacent residential uses.

A concern associated with PUD rezoning requests is the possibility of misusing the inherent flexibility that PUDs provide to simply avoid compliance with particular minimum site development standards. However, staff has carefully considered the requests and their potential impact upon the neighborhood, and has determined that, although the impact of a four-story, 46 unit apartment complex would be noticeable, as proposed it would not compromise quality of life to the degree as to be considered unacceptable.

4. Conformance with the City Comprehensive Plan:

The City's Comprehensive Plan has numerous objectives, policies and strategies that support the proposed rezoning and associated applications. They are as follows:

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.

Objective LU 3: Develop a Mix of Interdependent, Compatible, and Mutually Supportive Land Uses

Land use patterns that integrate 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.

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.

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.

Policy LU 401: Encourage Appropriate Uses and Designs for Redevelopment and Infill Projects

Work with property owners in neighborhoods, the downtown, and other existing activity centers and corridors to determine appropriate uses and criteria for redevelopment and infill projects to ensure compatibility with the surrounding area.

Strategy LU 203a: Locate the Places that People Use for Their Daily Needs and Activities Close to Each Other

Group and link the places used for living, working, shopping, schooling, and recreating and make them accessible by transit, bicycle, and foot, as well as by car.

Strategy LU 301a: Support Mixed-use Development in Neighborhoods

Support mixed-use development through neighborhood plans and zoning revisions. Develop zoning guidelines and standards that support mixed-use development and pedestrian access by facilitating the integration of residential and non-residential land uses.

Strategy LU 401a: Identify Infill and Redevelopment Opportunities and Target Public Investments

Identify major infill and redevelopment opportunities and target infrastructure improvements to the preferred infill development and redevelopment areas.

The Comprehensive Plan designates this area of the City as a *Mature Redevelopment Corridor*, areas that, per the Plan, offer “*significant infill and redevelopment opportunities.*” Given the rather exhaustive list above, it is the finding of the City’s Community Development Department that the rezoning request and associated applications substantially conform to the City’s *Comprehensive Plan 2020 Land Use Map* and the Plan’s Goals and Objectives.

5. Conformance with the Area’s Master Plan:

The site lies within the bounds of the *Westside Master Plan*. The Plan is designated as “implemented” based on the criteria found in Section 7.5.402.B of City Code. As such, the Plan does not have to be amended in order to be considered consistent with the zone change request. The Plan designates the project area as General Commercial and within the *Near West Commercial Subarea*. A relevant objective of the Plan speaks to the Near West Subarea as a “*downtown support area and to facilitate certain conversions, mixed uses and multi-family housing...*”

The primarily residential area immediately west of the project site is classified as Medium Density Residential (5-16 dwelling units/acre), whereas the residential areas several blocks north and west are classified as Low Density Residential (0-10 dwelling units/acre), which suggests an identifiable land use transition. However, areas characterized by the Plan as High Density Residential as proposed do not occur in proximity to the project site. Despite this, the project is considered in general harmony with the Plan and representative of viable urban infill, as the Plan encourages “*new growth through infilling where appropriate as long as urban facilities and services are adequate.*”

STAFF RECOMMENDATION:

Staff has reviewed the zone change request and the concept plan, as well as the associated development plan and final plat, and finds that the applications are largely consistent with the review criteria and standards of the City Code, Comprehensive Plan and Westside Master Plan. Therefore, staff recommends approval of the applications.

Item No: 3.A CPC PUZ 15-00100 – Zone Change

Approve the zone change from C-6 (General Business) to PUD (Planned Unit Development) to allow for an approximately 59-feet in height, 46-unit apartment building (90.4 dwelling units per acre) on 0.509-acres located at 16 and 22 North Spruce Street at the southwest corner of West Kiowa Street and North Spruce Street based on the finding the rezoning complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries) and Section 7.3.603 (Establishment and Development of a PUD Zone).

Item No: 3.B CPC PUP 15-00101 – PUD Concept Plan

Approve the PUD concept plan for 22 Spruce Street located on 0.509-acres located at 16 and 22 North Spruce Street at the southwest corner of West Kiowa Street and North Spruce Street based on the finding the concept plan complies with the review criteria in City Code Section 7.5.501.E (Review Criteria for Concept Plans) and 7.3.605 (Review Criteria for PUD Concept Plans).

Technical Modifications to the Concept Plan:

1. Callout the type of City Standard public improvements (sidewalk, cross-pans and pedestrian ramps) along North Spruce Street and West Kiowa Avenue. Show modified bump-outs to allow storm runoff through and into the inlet next to the driveway and the radial inlet at the corner of West Kiowa Street and North Spruce Street;
2. Show 335 feet line-of-sight for the alley located off of North Spruce Street; and
3. Indicate that the project is to be parked at a 1 stall: 1 unit ratio.

11 September 2015

Mr. Michael Turisk, Planner II
City of Colorado Springs
Land Use Review Division
30 S. Nevada Ave, #105
Colorado Springs, CO 80903

Re: 22 Spruce Apartments – PUD Concept Plan / Zone Change

Dear Mr. Turisk:

On behalf of Challenger Homes Inc., Land Patterns, Inc., is requesting a PUD Concept Plan and Zone Change approval for the proposed .509 acers of land located at 22 Spruce Street, Colorado Springs, CO. The following Project Statement, including responses to the PUD Concept Plan Criteria, are provided below for you review and consideration.

Description: The PUD Concept Plan /Zone Change proposes to allow for a 4 story, 46 unit apartment building consisting of approximately 50,000 square feet to be built on .509 acres located at 22 Spruce Street. The area, consisting of two parcels, (Parcel A .436 ac., and Parcel B .073 ac.) is located in the West Side Neighborhood of Colorado Springs at the southwest corner of Spruce Street and W. Kiowa Street. The two parcels are separated by a 20 wide alley (public row). The current zone classification for the parcels, and all surrounding and adjacent properties, is C-6 (General Business) consisting of mixed uses of commercial, office, single family and multifamily residential properties.

The proposed apartment building will include below grade and on grade parking, a small gym, café/lobby and exterior seating areas for the private use of the residents. The fourth floor will include a community room and outdoor deck. One, two and studio bedroom apartments will range in size from 450 S.F. to 950 S.F.

The PUD Zone change is requesting a 60' building height, zero lot line building and landscape street (front) setbacks, a decrease in the internal landscape area requirement from 15% minimum to 10% minimum of the net site and a 15% reduction in parking requirements. In addition the PUD Zone Change is requesting that all of the current existing permitted and conditional residential, office and commercial C-6 use types be allowed/included in the PUD Zone Change. The proposed density will be approximately 90.4 DU/AC (gross) or 8.67 FAR (gross).

Justification: PUD Concept 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)?

Response: The 22 Spruce Apartment - PUD Concept Plan proposes to enhance and support City's Comprehensive Plan through an integrated multiple neighbor use, decrease housing cost and provide urban services in a more cost effective manner through a high density development. The project will promote and support mixed use patterns that are mutually supportive and integrate residential land use development in an established neighborhood. The proposed development encourages and compliments established mixed use activity center of the area. The proposed project also responds positively to the goals and objectives of the City Planning Infill and Revitalization Steering Committee.

Currently the City's Existing Land Use Map identifies the surrounding properties as follows: To the North: a mix of high residential, institutional and office use. To the east: office building and hotel. To the south: commercial, institutional and office. To the west: medium and high density residential. The current zone for the entire area is C6 – General Business.

Land Patterns, Inc.
PO Box 60112
Colorado Springs, CO
80960-112

719 578 8689phone

dtm@lplarch.com

FIGURE 1

- 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?

Response: The Concept plan supports the 2020 Land Use. The map identifies the area as "Mature Redevelopment Corridor" surrounded by "General Residential" to the north and northwest. Downtown Colorado Springs (Regional Center) to east of the proposed development is separated by the Interstate 25 corridor. The development proposes a high density 46 unit apartment building which supports the primary and secondary land uses of the 2020 land use.

- C. Is the proposed development consistent with any City approved master plan that applies to the site?

Response: Yes, the development lies within the West Side Master Plan and is consistent with the allowable/recommended uses for proposed development.

- D. Is the proposed development consistent with the intent and purposes of this Zoning Code?

Response: The proposed zone change, from C6 to PUD (Planned Unit Development), is intended to provide the means through which the 2 parcels can be developed through a unified approach. The classification will allow flexibility in design in order to create a better living environment, provide services in a more economic manner and allow specific development standards for a creative multi-family product.

- 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?

Response: Currently the existing parcels are occupied by two vacant commercial structures. The proposed 46 Unit Apartment building provides infill and redevelopment satisfying the 2020 Land Use - "Mature Redevelopment Corridor" that it will occupy. The proposed multi-family use of the parcel ties it back to the surrounding and mix use components that currently exist.

- 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?

Response: Due to mix use nature of the existing and allowable uses under the current zoning (C-6) an appropriate transition with adjacent properties is challenging (from high intensity to moderate intensity). On the other hand, when examining the Spruce Street – Mature Redevelopment Corridor, the current redevelopment that has occurred in recent years has established a transition from one side of the street to the other. From east to west, along the Spruce Street corridor, higher intensity exist along the east side (hotel, commercial, office building) to a less intensity on the west i.e., small commercial, office building and residential uses. The further west the more residential the area becomes.

The proposed redevelopment infill of the site ties the two sides together in more cohesive pattern allowing a smoother transition from one side of Spruce Street to the other side and reinforces the Mature Redevelopment Corridor objectives.

The one half acre site is contained. The proposed building will front both Spruce Street and Kiowa Street. A proposed zero property line building setback will provide a significant street presences and define the streetscape. The back (or west side of the building) will provide exterior parking for tenants. A 6' high screen wall will provide a buffer along the west and south property lines.

- G. Does the nonresidential development pattern proposed within the PUD concept plan promote integrated activity centers and avoid linear configurations along roadways?

Response: The proposed development does not include a nonresidential component.

- 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?

Response: The proposed PUD zone change will state the allowable (permitted) uses for the site. Landscape requirements will be per the City Landscape Policy and Codes with emphasis on street trees and streetscape improvements.

- 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)?

Response: The applicant believes the proposed single PUD use (multifamily residential) provides for a positive infill project for the neighborhood. A 6' high screen wall is proposed along the west and south sides of the property providing a buffer to the adjacent single family residence. Additionally, the building will be placed on the opposite property line away from the adjacent lots.

- 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?

Response: The 46 unit will be supported with 64 parking spaces. There will be 27 underground stalls, 22 exterior stalls and 15 street parking stalls (directly in front of the building). Access to the underground garage will be located on the south side of the building via the alley. A one way single lane parking lot will be accessible from the alley on the south side of the building. The parking lot will be gated at the south entrance and north exit.

Currently, Spruce Street has bike path indicators lanes on both sides of the street. These paths are part of the City's major bike route system providing easy access to near downtown to the east, the Interstate 25 Greenway/Bike corridor to the north and the Midland Trail and America the Beautiful Park to the south. The apartment building will provide Bicycle parking/storage in the lower level garage.

Walking distance from the site to Downtown is less than 15 minutes. Major bus routes run along Spruce Street providing access to Downtown and points north and south. Bus routes to downtown and points west are two blocks south of the proposed development along Colorado Ave.

- 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?

Response: The contained, proposed singular use, .509 acre site is fronted on the north and east side by City classified local streets (both of which are 100' ROW), Spruce and Kiowa Streets. Access to the proposed internal and underground parking lots will be via an alley along Spruce Street. Egress from the lots will either occur along Kiowa Street (one way egress) or Spruce Street. The site is conveniently located within walking distance to Downtown Colorado Springs, bus routes, trails and parks.

- 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?

See response to Item K above

- 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?

Response: The PUD Concept proposes only one use. Pedestrian and vehicular connectivity to adjacent uses is uninterrupted.

- 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?

Response: All proposed parking stalls and lots are configured to meet or exceed the City design standards and codes. Proposed parking ratios meet the city required spaces for the proposed use. Access to parking lots is convenient and secure.

- N. 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?

Response: Due to the constraints of lot size and PUD specific use (higher density residential use) open space is not provided. However a patio and outdoor seating area will be provided. Access to City parks, greenways and trails are within walking/bike riding distance.

- O. Will the proposed development overburden the capacities of existing or planned streets, utilities and other public facilities?

- P. Response: No. Existing infrastructure and utilities will not be overburdened with the proposed development.

- 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. 09-70; Ord. 09-80; Ord. 12-68)

Response: There are no significant natural features on the site.

Issue List:

1. **Building and Landscape Setbacks: (zero lot line and landscape setback)**
The applicant is proposing a zero lot line building and landscape setback. The intent is to provide a strong presence and define the streetscape. There will still be approximately 15-20' width of landscape and pedestrian (sidewalk) space between the property line and the existing street curbs. The applicant intends to create a strong street tree and pedestrian connection along this edge. The plant requirement that would normally be required for the setback would still be installed in the ROW designated landscape areas.
2. **Parking: (reduce required spaces by 15%)**
While the Concept Plan illustrates 64 parking spaces – meeting the required spaces for the proposed uses - there are spaces that are obstructing the sight distance triangles particularly along Spruce Street at the alley. The applicant is proposing a 15 % reduction in the required spaces (55 spaces). This would allow better visibility along the public Row and may free up internal landscape area.
3. **Building Height (allow 60' ceiling height)**
The applicant is proposing a 4 story building that is 56'-6" in height. Architectural drawings are in early stages and structural changes are inevitable, especially in the value

engineering stages of the project. Therefore, the applicant is asking for the additional 3.5' allowable height for structural flexibility. The current C-6 zoning allows for 50' maximum building height.

4. Traffic: (increased traffic due to higher density)

The applicant realizes that more traffic will be generated as a result of the proposed higher density. Currently the existing vacant commercial buildings do not generate any traffic. In order to alleviate traffic congestion and noise, primary ingress and egress will occur at the south side of the property via the alley from Spruce Street. The 12 proposed parking stalls along the west side of the building are only accessible through the alley into a single one-way lane gated parking lot. Egress for these stalls will occur at the north end of the property on to Kiowa Street. Therefore, most vehicular traffic will occur along the east and south side of the property, along the Spruce Street redevelopment corridor, and away from the adjacent residential side to the west. Most vehicular traffic patterns will occur along the north/south Spruce Street corridor for arterial and main thorough fare connections.

For these reasons we respectfully request approval of the PUD Concept Plan /Zone Change for the 22 Sprue Apartment Building. Should you require additional information do not hesitate to contact me at 719-578-8689.

Respectfully submitted
Land Patterns, Inc.



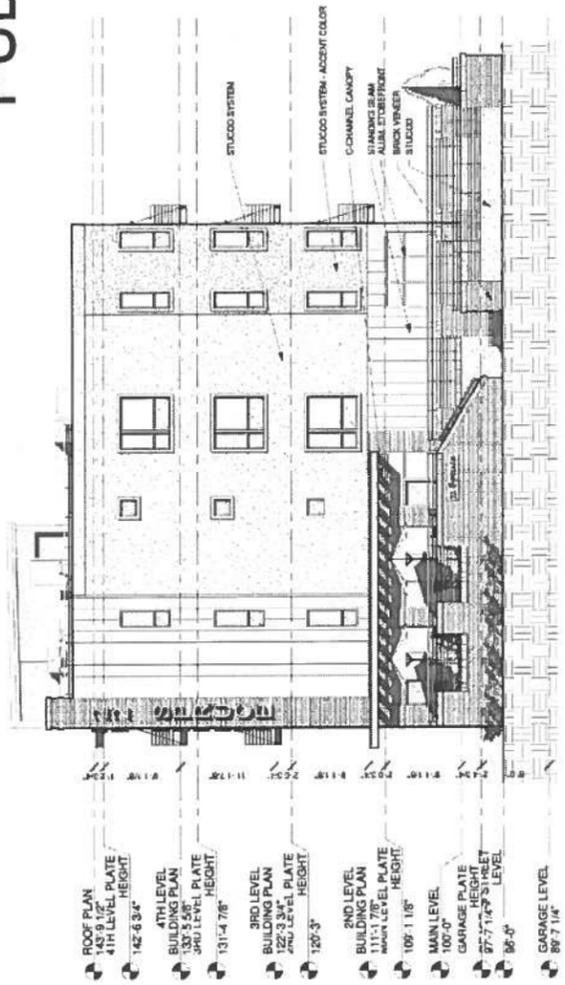
David T. Morrison, MLA, RLA
President

22 SPRUCE APARTMENTS

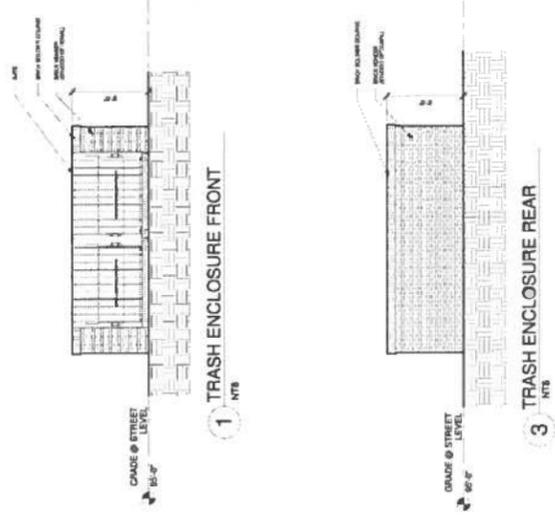
CITY OF COLORADO SPRINGS

PUD CONCEPT PLAN

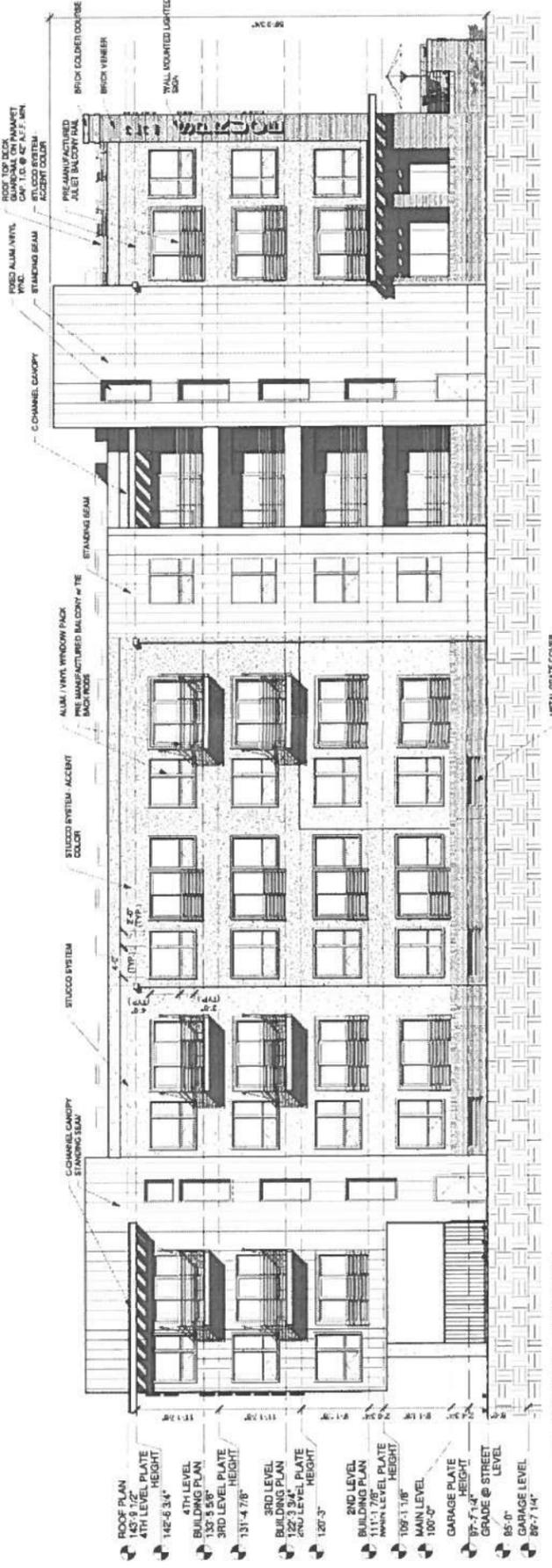
SEPTEMBER 2015



2 NORTH ELEVATION
 1/8" = 1'-0"



1 TRASH ENCLOSURE FRONT
 2 TRASH ENCLOSURE REAR



1 EAST ELEVATION
 1/8" = 1'-0"



CITY APPROVAL STAMP

CITY FILE NO. CPC PUP 15-00101

NO.	DATE	DESCRIPTION	BY
1		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

1501-2-24-26 Sheet	1501-3-2014 Sheet	1501-3-2014
NAME: E:\Support\Local\Sheet Templates\2014 Land Patterns Templates LP_20x42 -01.mxd; revision: none or any		
PLOT DATE: Mon Aug 31, 2015 8:30am		

1-1-15	Concept Plan, Revisions
--------	-------------------------

PREPARED BY:	Land Patterns, Inc. Landscape Architecture & Engineering
CLIENT/TOWNER:	Challenger Homes, Inc. 13570 Northgate Estates Dr. Colorado Springs, CO 80921

22 SPRUCE APARTMENTS	PUD CONCEPT PLAN	ELEVATIONS
DESIGNED BY: DTM	SCALE: AS SHOWN	DATE ISSUED: September 8, 2015
CHECKED BY: DTM	DATE: 08/27/15	SHEET NO. 3 OF 4 SHEETS

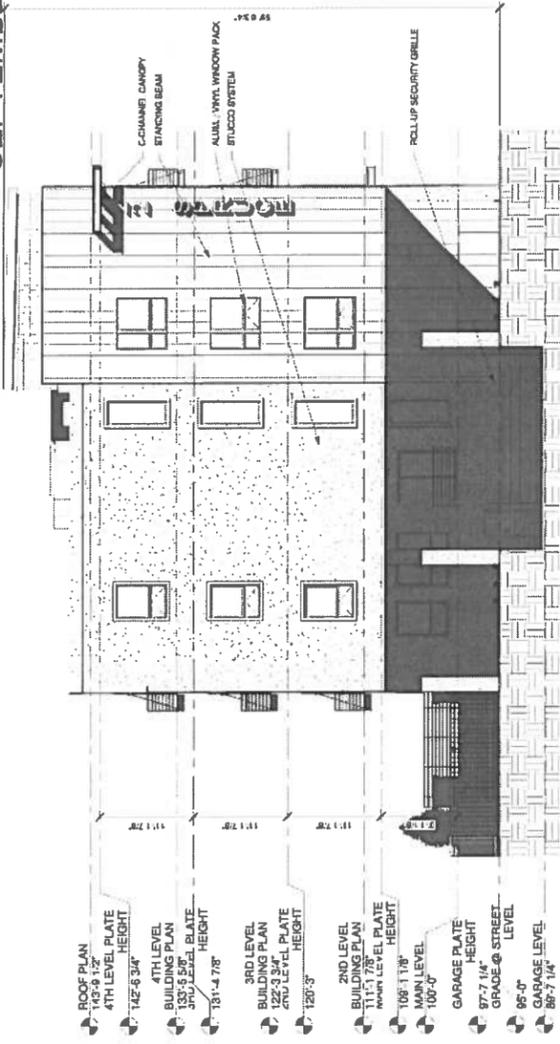
CITY APPROVAL STAMP	A-1
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FIGURE 2

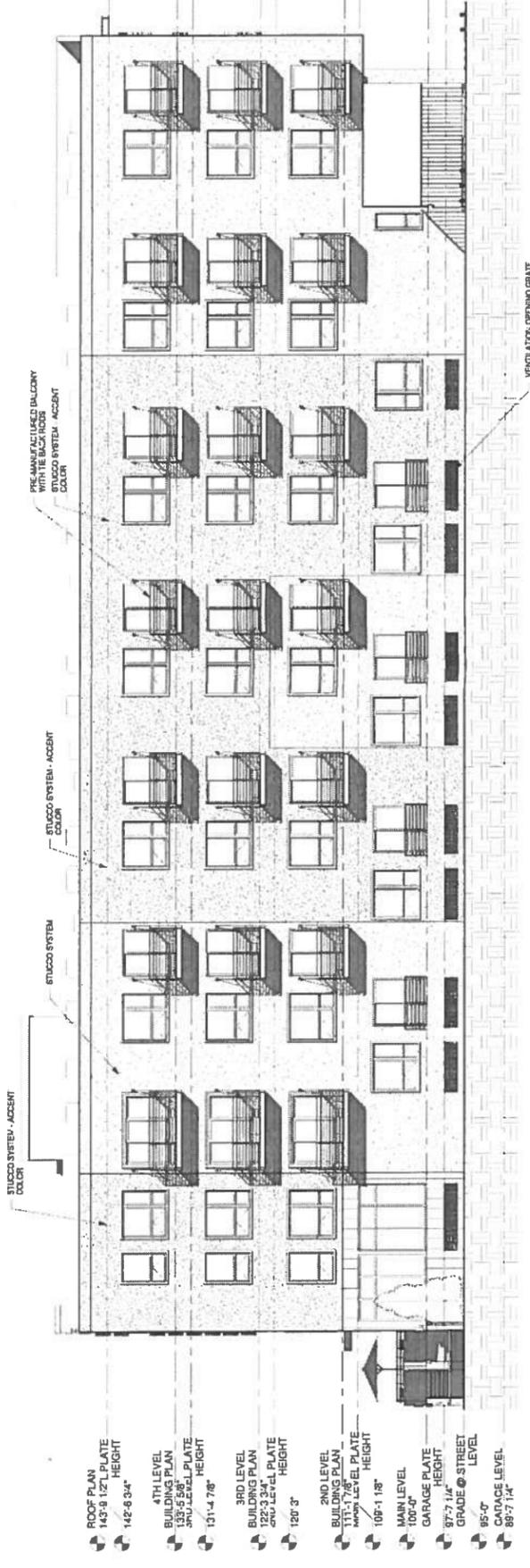
22 SPRUCE APARTMENTS CITY OF COLORADO SPRINGS

PUD CONCEPT PLAN

SEPTEMBER 2015



2 SOUTH ELEVATION
 1/8" = 1'-0"



1 WEST ELEVATION
 1/8" = 1'-0"



CITY APPROVAL STAMP

CITY FILE NO. CPC PUP 15-00101

22 SPRUCE APARTMENTS
 PUD CONCEPT PLAN
 ELEVATIONS

RECORD BY: DTN
 DRAWN BY: DTN
 CHECKED BY: DTN

SCALE: AS SHOWN
 DATE ISSUED: September 8, 2015
 SHEET NO. 4 OF 4 SHEETS
 A-2

City APPROVAL STAMP

Prepared By: **Land Partners, Inc.**
 Land Partners, Inc.
 13570 Northgate Estates Dr.
 Colorado Springs, CO 80921

Client/Owner: **Challenger Homes, Inc.**
 13570 Northgate Estates Dr.
 Colorado Springs, CO 80921

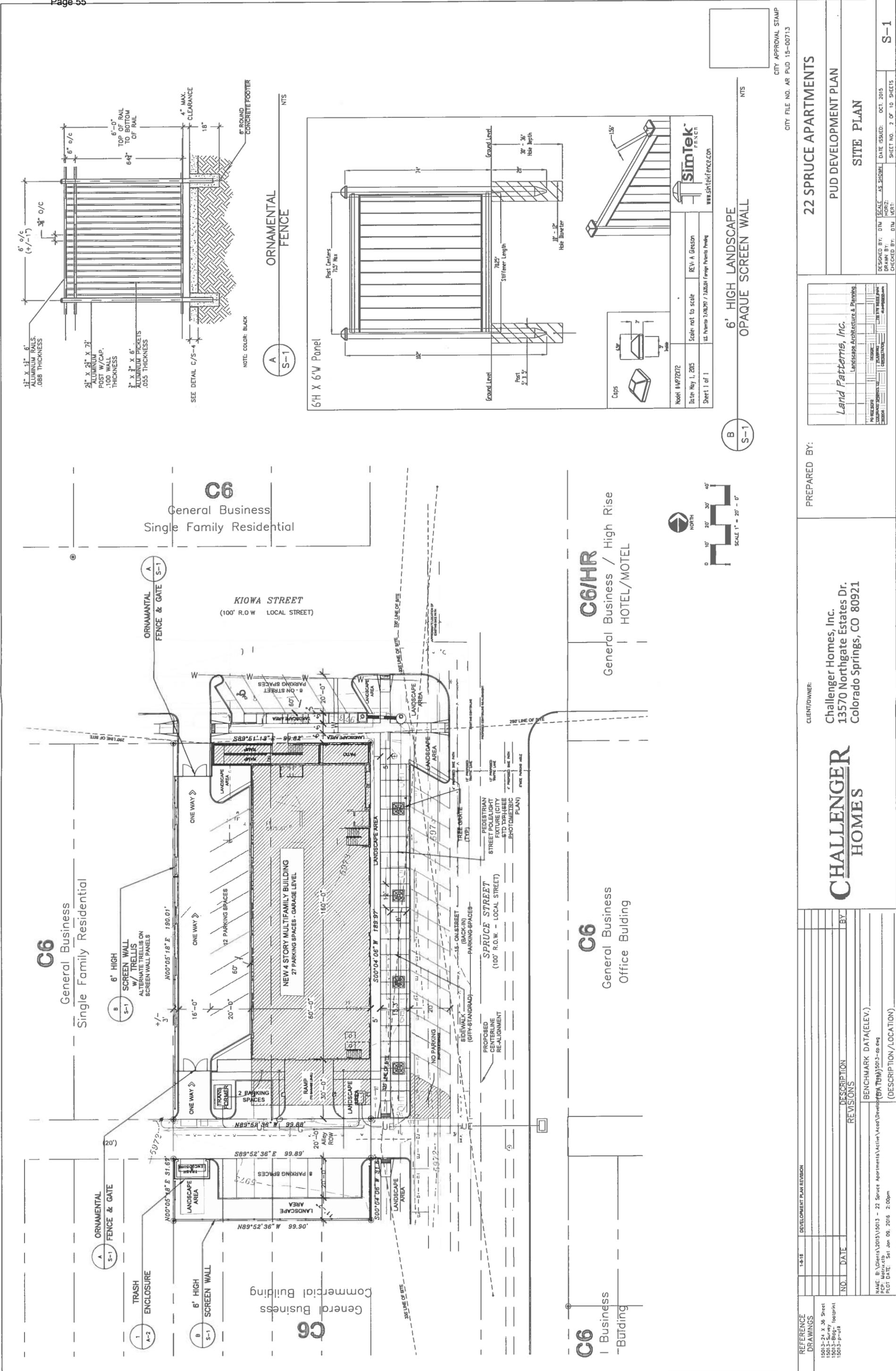
REFERENCE DRAWINGS:
 15013-24-1-3K Sheet
 15013-24-20122 Sheet
 15013-24-20123 Sheet
 15013-24-20124 Sheet

NAME: B:\Support\Local\Sheet Templates\2014 Land Partners Templates\UP-3042 - 01 multiple elevation sheet.rvt
 PLOT DATE: Mon Aug 31, 2015 8:53am

NO.	DATE	DESCRIPTION	BY
REVISIONS			
BENCHMARK DATA(ELEV.)			
(DATUM)			
(DESCRIPTION/LOCATION)			

Return of Document
 The Engineer is the author of the original design and is responsible for the professional seal and stamp of the Engineer. The Engineer shall not be held responsible for the design of the building or the construction of the building. The Engineer shall not be held responsible for the design of the building or the construction of the building. The Engineer shall not be held responsible for the design of the building or the construction of the building.

FIGURE 2



<p>1-4-16 DEVELOPMENT PLAN REVISION</p>	<p>15013-24 X 36 Sheet 15013-Survey 15013-Block 15013-Propri</p>	<p>REFERENCE DRAWINGS</p>	<p>NAME: B:\Client\2015\15013 - 22 Spruce Apartments\Active\Acad\Drawings\15013-00.dwg PCP: Architects PLOT DATE: Sat Jun 09, 2016 2:00pm</p>	<p>BENCHMARK DATA(ELEV.) (DESCRIPTION/LOCATION)</p>	<p>NO. DATE DESCRIPTION REVISIONS</p>	<p>BY</p>	<p>CHALLENGER HOMES</p>	<p>CLIENT/OWNER: Challenger Homes, Inc. 13570 Northgate Estates Dr. Colorado Springs, CO 80921</p>	<p>PREPARED BY:</p>	<p>Land Patterns, Inc. Landscape Architecture & Planning</p>	<p>22 SPRUCE APARTMENTS PUD DEVELOPMENT PLAN SITE PLAN</p>	<p>CITY APPROVAL STAMP CITY FILE NO. AR PUD 15-00713</p>	<p>DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: OCT. 2015 DRAWN BY: HORIZ. SHEET NO. 2 OF 10 SHEETS CHECKED BY: DTM REV:</p>	<p>S-1</p>
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FIGURE 3

COLORADO SPRINGS UTILITIES GENERAL NOTES

PROPERTY OWNERS ACKNOWLEDGE AND AGREE TO THE FOLLOWING UPON APPROVAL OF PRELIMINARY UTILITY PLAN AND THEREAFTER, COLORADO SPRINGS UTILITIES SHALL MAKE THE FINAL DETERMINATION OF THE LOCATION OF ALL WATER, WASTEWATER, ELECTRIC, AND GAS FACILITIES, WHICH MAY NOT BE THE SAME LOCATION AS SHOWN ON THE PRELIMINARY UTILITY PLAN.

THIS PRELIMINARY UTILITY PLAN (PROPERTY) SHALL BE IN ACCORD WITH ALL APPLICABLE CODES AND REGULATIONS. SPRINGS UTILITIES LINE EXTENSION AND SERVICE STANDARDS (STANDARD), TARIFFS, RULES, REGULATIONS, AND RECOVERY AGREEMENT AS PROVIDED IN UTILITIES RULES AND REGULATIONS, REGIONAL BUILDING DEPARTMENT CODES, IN EFFECT AT THE TIME OF UTILITY SERVICE CONNECTION AND/OR EXTENSION.

OWNER ACKNOWLEDGES RESPONSIBILITY FOR THE COSTS OF EXTENSIONS OR REPAIRS TO EXISTING UTILITY SYSTEMS NECESSARY TO PROVIDE UTILITY SERVICES TO THE PROPERTY OR TO ENSURE THE DEVELOPMENT OF INTEGRATED UTILITY SYSTEMS SERVING THE PROPERTY AND AREA OUTSIDE THE PROPERTY (INCLUDING THE COSTS TO INSTALL AND MAINTAIN ALL UTILITY SYSTEMS AND WATER TREATMENT FACILITIES AND APPURTENANCES, AND ANY WATER OR WASTEWATER SERVICE LINES TO AND WITHIN THE PROPERTY). OWNER MAY BE ELIGIBLE FOR A COST RECOVERY AGREEMENT AS PROVIDED IN UTILITIES RULES AND REGULATIONS. FIRST-SERVED BASIS, AND THEREFORE NO SPECIFIC ALLOCATIONS OR AMOUNTS OF UTILITY SERVICES, FACILITIES, CAPACITIES OR SUPPLIES ARE RESERVED FOR THE OWNER, AND SPRINGS UTILITIES MAKES NO COMMITMENT TO PROVIDE UTILITY SERVICE UNTIL SUCH TIME AS PRELIMINARY SERVICE IS INSTALLED.

ONLY WITH THE PRIOR WRITTEN APPROVAL BY SPRINGS UTILITIES OWNER MAY CAUSE THE RELOCATION OR ALTERATION OF ANY EXISTING UTILITY FACILITIES WITHIN THE PROPERTY AT THE OWNER'S SOLE COST AND EXPENSE. IF SPRINGS UTILITIES DETERMINES THAT THE RELOCATION OR ALTERATION OF EXISTING UTILITY FACILITIES IS NECESSARY TO SERVE THE PROPERTY OR TO ENSURE THE DEVELOPMENT OF AN INTEGRATED UTILITY SYSTEM, ALL EASEMENTS GRANTED BY SEPARATE INSTRUMENT SHALL UTILITY SPRINGS UTILITIES THEN-CURRENT WITHOUT MODIFICATION UNLESS APPROVED BY SPRINGS UTILITIES.

THE WATER DISTRIBUTION SYSTEM FACILITIES MUST MEET SPRINGS UTILITIES CRITERIA FOR WATER QUALITY, RELIABILITY AND PRESSURE, INCLUDING STANDARDS SET FORTH IN SECTION 4.08 OF SPRINGS UTILITIES WATER STANDARDS.

OWNER RECOGNIZES THAT THE EXTENSION OF WATER SYSTEM FACILITIES MAY AFFECT THE QUALITY OF WATER IN SPRINGS UTILITIES WATER SYSTEM, WHEN WATER QUALITY IS AFFECTED, OWNER ACKNOWLEDGES RESPONSIBILITY FOR THE COSTS OF WATER TREATMENT FACILITIES NECESSARY TO MAINTAIN WATER QUALITY IN ITS SYSTEM AS A RESULT OF OWNER WATER SYSTEM EXTENSION. WATER-QUALITY MAINTENANCE COSTS, OWNER SHALL REIMBURSE SPRINGS UTILITIES FOR SUCH WATER-QUALITY MAINTENANCE COSTS WITHIN THIRTY (30) DAYS OF RECEIPT OF AN INVOICE FOR SUCH COSTS.

OWNER MUST CONTACT SPRINGS UTILITIES FIELD ENGINEERING TO SECURE APPROVAL OF GAS-SERVICE-LINE PRESSURES IN EXCESS OF SPRINGS UTILITIES STANDARD GAS-SYSTEM PRESSURE, AND THE LOCATION OF ALL SOUTH WORK CENTER (SWC) (CONTACT NORTH WORK CENTER (NWC) OR SOUTH WORK CENTER (SWC)).

IT SHALL NOT BE PERMISSIBLE FOR ANY PERSON TO MODIFY THE GRADE OF THE EARTH ON ANY SPRINGS UTILITIES EASEMENT OR RIGHTS OF WAY WITHOUT THE WRITTEN APPROVAL OF SPRINGS UTILITIES (CITY CODE 123.840).

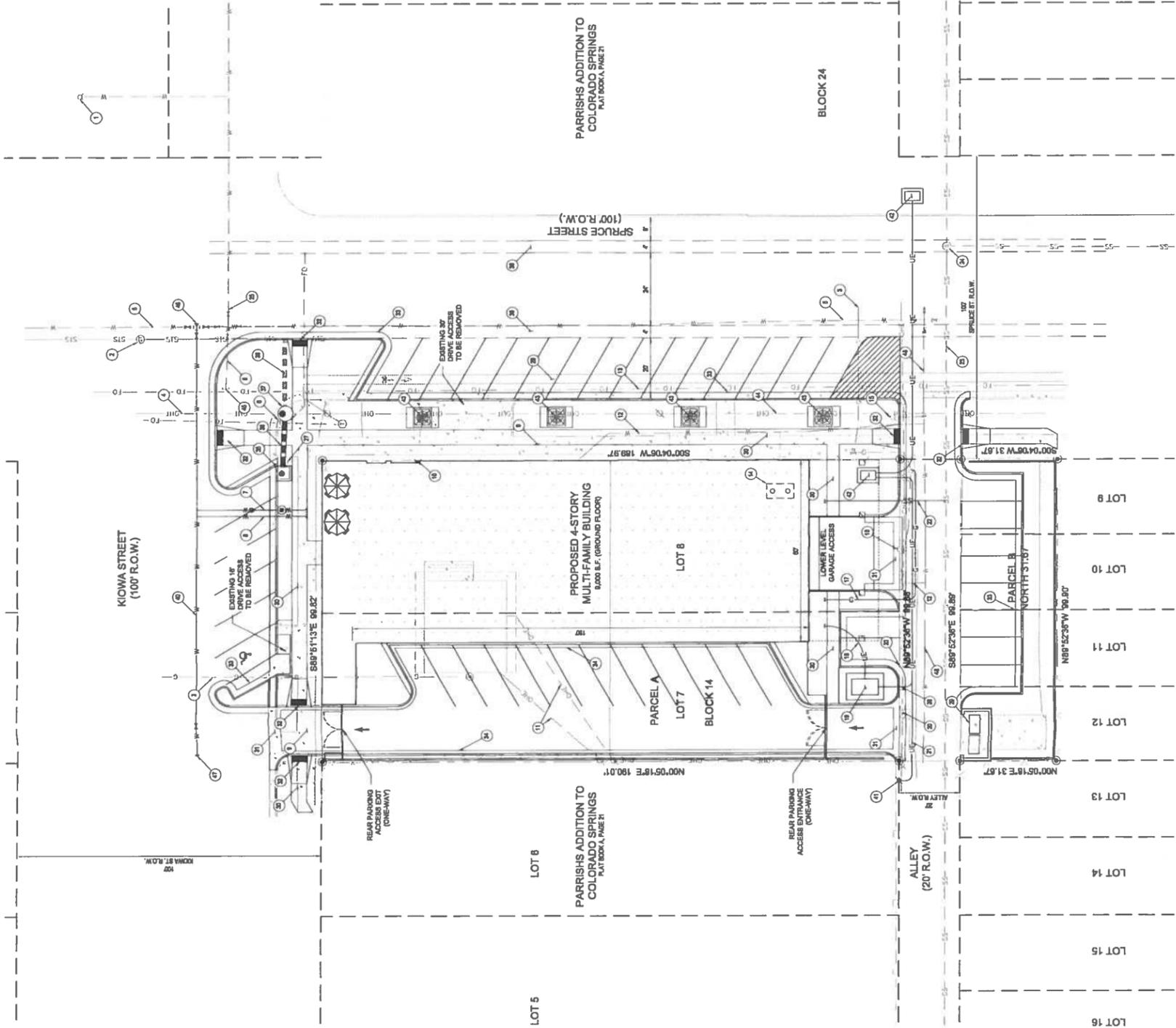
SPRINGS UTILITIES SHALL BE NOTIFIED IN WRITING OF ANY SUCH MODIFICATION TO APPLY TO STANDARDS, AND IF THERE ARE ANY CONFLICTS BETWEEN ANY APPROVED DRAWINGS AND ANY PROVISION OF STANDARDS OR THE CITY CODE, THE AUTHORITY OF THE CITY OR THE SPRINGS UTILITIES TO ADOPT OFFENSIVE ORDINANCES, RULES, REGULATIONS, RESOLUTIONS, POLICES OR CODES SHALL PREVAIL. THESE APPLY TO THE CITY GENERALLY AND ARE IN ACCORD WITH THE THEN-CURRENT TARIFFS, RULES, REGULATIONS AND POLICES OF SPRINGS UTILITIES.

GENERAL NOTES

1. THE CITY ENGINEER SHALL USE, ESPECIALLY REGARDING SAFETY, VALUE, DAMAGE, EXISTING EXCESSIVE SPRUCE STREET AND KOWA STREET CITY ENGINEERING STANDARDS ALONG SPRUCE STREET AND KOWA STREET ADJACENT TO THE SITE WILL NEED TO BE REMOVED AND REPLACED. AN ON-SITE MEETING CAN BE SET UP WITH THE CITY ENGINEER INSPECTOR TO DETERMINE WHETHER ANY PHOTOGRAPHS ARE REQUIRED. THE INSPECTOR CAN BE REACHED AT 304-5487.

EXISTING SANITARY SEWER SERVICE NOTE

1. AT THE TIME OF SURVEY, THE EXISTING WATER AND SANITARY SEWER SERVICES MAY OR MAY NOT BE IN USE. CONFIRMATION TO BE DETERMINED.



SCHEDULE

- EXISTING 1-1/2" DIAM. SERVICE TO SITE. (TO BE VERIFIED BY COLORADO SPRINGS WATER PUBLIC ACCESS MAP & A. OUT/IN-88474)
- EXISTING 1-1/2" DIAM. SERVICE TO SITE. (TO BE VERIFIED BY COLORADO SPRINGS WATER PUBLIC ACCESS MAP & A. OUT/IN-88474)
- EXISTING OVERHEAD TELEPHONE
- EXISTING 1-1/2" DIAM. WATER MAIN, COLORADO SPRINGS UTILITIES WATER PUBLIC ACCESS MAP & A. OUT/IN-88474
- EXISTING 2-1/2" DIAM. DOMESTIC WATER SERVICE
- PROPOSED 2-1/2" DIAM. DOMESTIC WATER SERVICE
- PROPOSED 4-1/2" DIAM. PUBLIC FIRE SERVICE
- EXISTING 8" CONCRETE SEWER MAIN
- PROPOSED FIRE DEPARTMENT CONNECTION
- EXISTING OVERHEAD ELECTRIC SERVICE TO BE REMOVED BY CONTRACTOR
- EXISTING FIBER OPTIC LOCATION TO BE VERIFIED BY CONTRACTOR
- PROPOSED 4-1/2" DIAM. INTERCEPTOR IN LOWER LEVEL. (OWNER) CONNECT TO PROPOSED 4-1/2" DIAM. SANITARY SEWER SERVICE WATER PUBLIC ACCESS MAP & A. OUT/IN-88474
- EXISTING GAS METER TO BE REMOVED.
- PROPOSED GAS SERVICE
- PROPOSED ELECTRICAL SERVICE
- PROPOSED TRANSFORMER AND CONCRETE PAD
- EXISTING OVERHEAD ELECTRIC TO BE RELOCATED UNDERGROUND.
- PROPOSED LOCATION OF UNDERGROUND ELECTRIC
- PROPOSED 4-1/2" DIAM. SANITARY SEWER SERVICE
- EXISTING 4-1/2" DIAM. VITRIFIED CLAY PIPE SANITARY SEWER, COLORADO SPRINGS UTILITIES WATER PUBLIC ACCESS MAP & A. OUT/IN-88474
- EXISTING SANITARY SEWER MANHOLE (H-1001) IN (NORTH) 1/4 SECTION 10, T10S, R10E, S38R, COLORADO SPRINGS UTILITIES WATER PUBLIC ACCESS MAP & A. OUT/IN-88474
- EXISTING 4-1/2" DIAM. PVC WATER MAIN
- PROPOSED PRIMARY ELECTRICAL SERVICE TO PROPOSED TRANSFORMER.
- EXISTING STOP SIGN
- EXISTING BIKE LANE
- PROPOSED QUINCY STREET AND BIKE LANE
- PROPOSED CITY STANCHION & SIDEWALK
- PROPOSED CITY STANCHION & D-1 CROSSING
- PROPOSED CITY STANCHION & D-1A BIKE STORM INLET
- PROPOSED CITY STANCHION TYPE 1 CURB AND GUTTER
- PROPOSED CITY STANCHION & D-1A BIKE STORM INLET
- PROPOSED 14-1/2" RCP STORM SEWER PIPE
- PROPOSED CITY STANCHION & D-1A BIKE STORM INLET
- EXISTING STORM SEWER PIPE
- PROPOSED 4" BIKE PATH
- NEW 1-1/2" DIAM. PVC WATER MAIN
- NEW POWER POLE (PER COLORADO SPRINGS UTILITY)
- NEW ELECTRICAL VALVE (PER COLORADO SPRINGS UTILITY)
- PROPOSED TREE GRATE
- EXISTING OVERHEAD TELEPHONE TO BE RELOCATED UNDERGROUND
- EXISTING 3-1/2" DIAM. BLOWOFF
- PROPOSED 12X12X14 DOMESTIC WATER TEE
- PROPOSED 3-1/2" DIAM. BLOWOFF
- EXISTING 8-1/2" CP WATER MAIN, COLORADO SPRINGS UTILITIES WATER PUBLIC ACCESS MAP & A.

UTILITY LEGEND

- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING GAS LINE
- PROPOSED GAS LINE
- EXISTING UNDERGROUND ELECTRICAL
- PROPOSED UNDERGROUND ELECTRICAL
- EXISTING OVERHEAD TELEPHONE
- EXISTING OVERHEAD ELECTRICAL
- EXISTING UNDERGROUND TELEPHONE
- PROPOSED UNDERGROUND TELEPHONE
- EXISTING FIBER OPTIC LINE
- PROPOSED FIBER OPTIC LINE
- EXISTING UNDERGROUND CABLE TV
- PROPOSED UNDERGROUND CABLE TV
- EXISTING ELECTRICAL BOX
- EXISTING POWER POLE
- SITE LIGHT
- EXISTING TELEPHONE
- EXISTING TRAFFIC CONTROL PEDIESTAL
- EXISTING CABLE BOX
- EXISTING WATER METER
- PROPOSED WATER METER
- EXISTING STREET LIGHT
- PROPOSED STREET LIGHT
- EXISTING TRAFFIC POLE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING MANHOLE
- PROPOSED MANHOLE
- EXISTING INLET
- PROPOSED INLET

CITY FILE NO. AR PUD 15-00713

22 SPRUCE APARTMENTS

PUD DEVELOPMENT PLAN

UTILITY & PUBLIC FACILITY PLAN

DESIGNED BY: TAC SCALE: AS SHOWN DATE ISSUED: JANUARY 8, 2016
 CHECKED BY: JSG SCALE: AS SHOWN SHEET NO. 3 OF 10 SHEETS
 JSG

Galloway
 Planning, Architecture, Engineering
 1755 Teleser Drive, Suite 107
 Colorado Springs, CO 80920
 719.590.7200
 www.gallowayus.com

PREPARED BY:

CLIENT/OWNER:
Challenger Homes, Inc.
 13570 Northgate Estates Dr.
 Colorado Springs, CO 80921

CHALLENGER HOMES

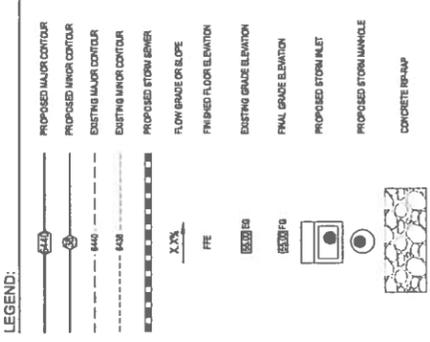
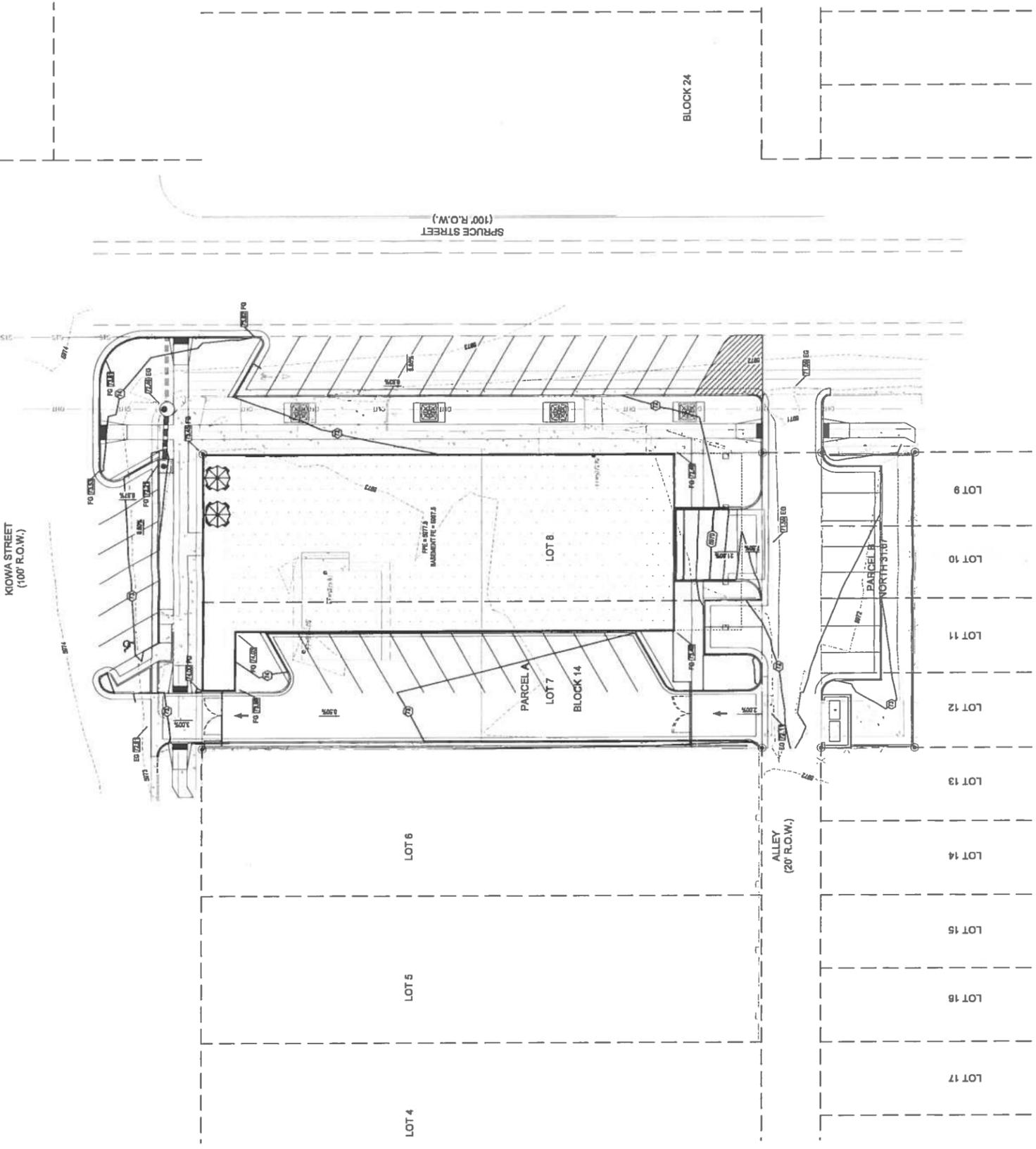
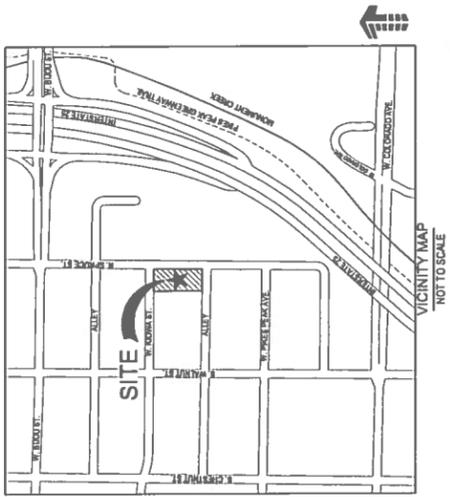
REFERENCE DRAWINGS

NO.	DATE	DESCRIPTION	REVISED PER CITY COMMENTS
1	07/09/2015		

REVISIONS

BENCHMARK DATA (ELEV.)
 (DATA M)
 (DESCRIPTION/LOCATION)

FIGURE 3



THE FLOODPLAIN INFORMATION:
ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM), EXAMINATIONS EFFECTIVE 11/11/15, THE PROPOSED PROPERTY DOES NOT FALL INTO A FEMA-DETERMINED FLOODPLAIN.

SUPPLEMENTAL NOTES:
1. PROPOSED STORM AND UTILITIES ARE PUBLIC IN THE RIGHT-OF-WAY.

STANDARD GRADING NOTES:
1. ANY LAND DISTURBED BY ANY OTHER WORK SHALL BE RESTORED TO ORIGINAL OR BETTER QUALITY WITHIN THE BASIC GRADING, EROSION AND STORMWATER QUALITY CONTROL REQUIREMENTS AND GENERAL PROVISIONS OF THE CITY OF SPRINGFIELD, MISSOURI, CHAPTER 15.00, AND THE CITY OF SPRINGFIELD, MISSOURI, CHAPTER 15.00, AND THE CITY OF SPRINGFIELD, MISSOURI, CHAPTER 15.00.
2. NO CLEARING, GRADING, EXCAVATION, FILLING, OR OTHER LAND DISTURBING ACTIVITIES SHALL BE PERMITTED UNTIL SIGNOFF AND ACCEPTANCE OF THE GRADING AND EROSION AND STORMWATER QUALITY CONTROL PLAN IS RECEIVED FROM THE CITY OF SPRINGFIELD, MISSOURI.
3. THE INSTALLATION OF THE FIRST LEVEL OF TEMPORARY EROSION CONTROL FACILITIES AND SIGNS SHALL BE INSTALLED AND INSPECTED PRIOR TO ANY EARTHWORK.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.
5. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.
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17. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.
18. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.
19. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.
20. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND SHALL BE SUBJECT TO INSPECTION BY THE CITY OF SPRINGFIELD, MISSOURI.



CITY FILE NO. AR PUD 15-00713

22 SPRUCE APARTMENTS
PUD DEVELOPMENT PLAN
PRELIMINARY GRADING PLAN



PREPARED BY:
Challenger Homes, Inc.
13570 Northgate Estates Dr.
Colorado Springs, CO 80921

CLIENT/OWNER:
Challenger Homes, Inc.
13570 Northgate Estates Dr.
Colorado Springs, CO 80921



NO.	DATE	REVISIONS	DESCRIPTION
1	07/02/2016	REVISED PER CITY COMMENTS	

BENCHMARK DATA(ELEV.)	(DATA)
(DESCRIPTION)/LOCATION	

DESIGNED BY: TAC
DRAWN BY: REC
CHECKED BY: JOR
SCALE: AS SHOWN
DATE ISSUED: JANUARY 6, 2016
SHEET NO. 4 OF 10 SHEETS
GR01

FIGURE 3

Appendix E
SCHEMATIC LANDSCAPE DIAGRAM
Submitted in conformance with Policy 311

NAME OF PROJECT:
22 SPRUCE APARTMENTS - DEVELOPMENT PLAN

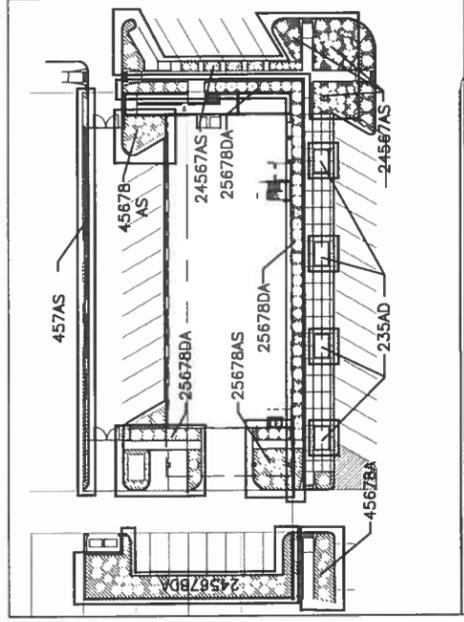
DATE: **OCTOBER 2015**

CLIMATE ZONE
(from Figure 4 of Landscape Policy Manual) - **circle one:**

FOOTHILLS & PLAINS

PLANT COMMUNITIES
(to be labeled by submittal on diagram)
1 - Semi-arid Shrublands
2 - Pinyon-Juniper Woodlands
3 - Prairie
4 - Lower Elevation Riparian
5 - Foothill Shrublands
6 - Ponderosa Pine Forest
7 - Upper Elevation Riparian
8 - Douglas Fir Forest

HYDROZONES
(supplemental water - to be labeled by letter(s) on diagram)
V (D) - Very Low (0 to 7 inches per year)
L (A) - Low (7 to 15 inches per year)
M (S) - Moderate (15 to 25 inches per year)
H (W) - High (more than 25 inches per year)



HYDROZONE MAP
NTS

LANDSCAPE PLANT SCHEDULE

Abbr.	Qty.	Botanical Name	Common Name	App. B Key	Mature Width	Planting Size	Notes
TREES							
crch	2	Crataegus crus-galli	Thornless Cockspur Hawthorn	235AD	15'-25'	1.5' Cal.	
juchp	13	Juniperus chinensis	Spartan Juniper	2568DA	4'-6'	#15	
lcoog	6	Thuja occidentalis	Greenery	235AD	25'-35'	2.5' Cal.	
Present Signature Trees: 322, 323, 312 (see 311 & 411) (60% minimum - Policy 311.3)							
SHRUBS							
betwtp	40	Berberis thunbergii	Red Columnar Japanese Barberry	45A	1'-2'	#5	
cecsck	15	Ceanothus leucanthemum	Coast Beauty Cedarsawtooth	456BS	4'-6'	#5	
juabr	23	Juniperus asplena	Broomer	568A	6'-8'	#5	
lsoyem	15	Lonicera sibirica	Honored Maids	567A	3'-4'	#5	
spjpp	35	Salix purpurea	Salix	5A	2'-3'	#5	
vlrnc	56	Ulmus parviflorus	Waxleaf Elm	47A	4'-5'	#5	
Present Signature Shrubs: 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							

REFERENCE DRAWINGS

15013-24 x 36 Sheet	15013-Survey	15013-Plan	15013-Profile
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NO. DATE

REVISIONS

DESCRIPTION/LOCATION

BENCHMARK DATA (ELEV.)

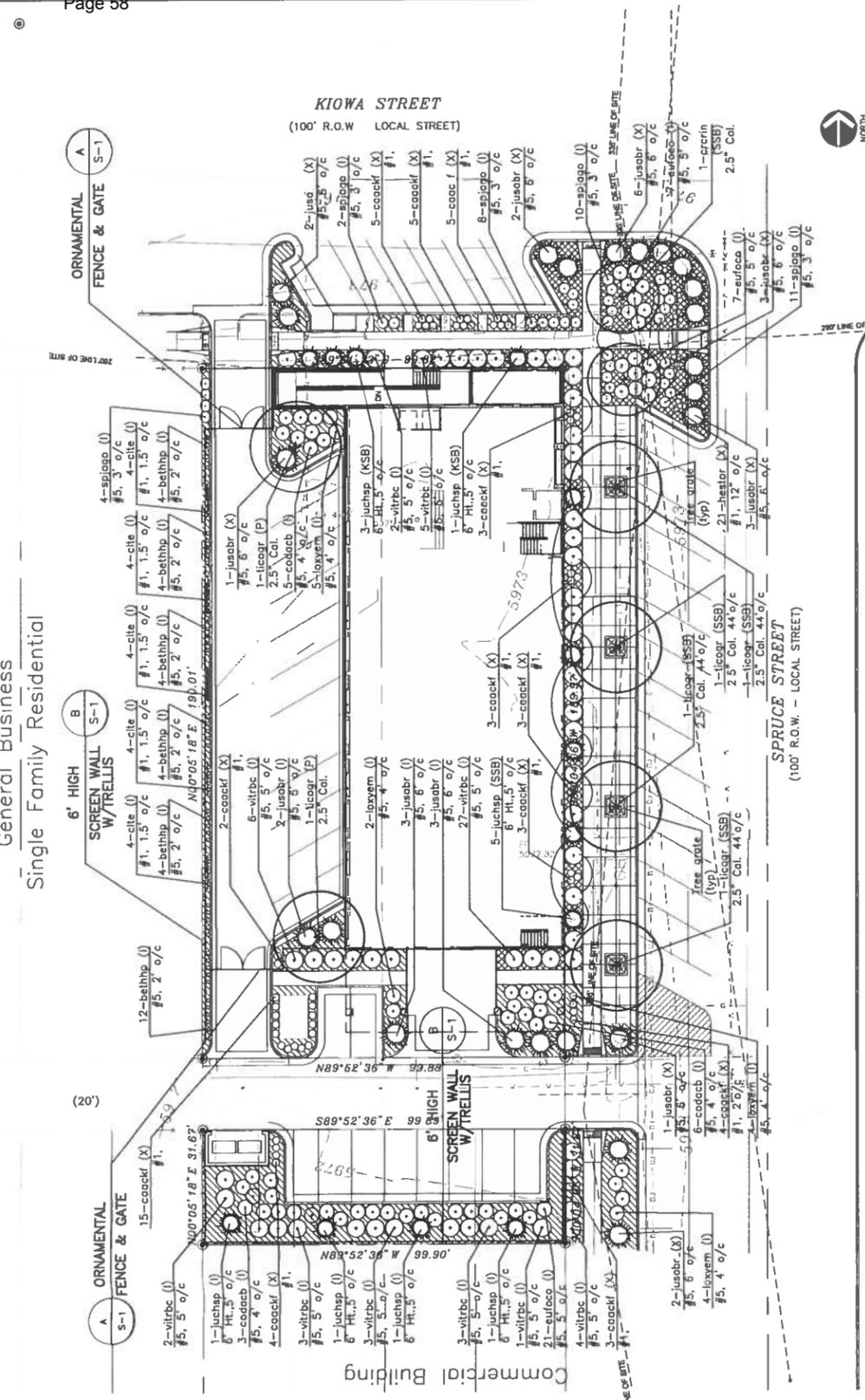
PCP: Mtrns.ctb
DATE: Oct 09 2016 1:56pm

Site Category Calculations
Project Name: 22 Spruce Apartments - DP

Code	Area (sq. ft.)	Requirement	Calculation	Result	Compliance
1	100	10%	100 x 0.10	10	Met
2	200	20%	200 x 0.20	40	Met
3	300	30%	300 x 0.30	90	Met
4	400	40%	400 x 0.40	160	Met
5	500	50%	500 x 0.50	250	Met
6	600	60%	600 x 0.60	360	Met
7	700	70%	700 x 0.70	490	Met
8	800	80%	800 x 0.80	640	Met

LANDSCAPE PLANT SCHEDULE

Abbr.	Qty.	Botanical Name	Common Name	App. B Key	Mature Width	Planting Size	Notes
GRASSES							
coack	55	Cynodactylon dactyloides	Festuca Reed Grass	A	18"-24"	#1	
PERENNIALS							
sufoco	37	Sedum spectabile	Autumn Joy	588A	3'-6"	#1	
hester	21	Hemerocallis	Day Lily	57A	12"-18"	#1	
cite	20	Clematis	Clematis	57A	Var	#1	



PREPARED BY:

CLIENT/OWNER:
Challenger Homes, Inc.
13570 Northgate Estates Dr.
Colorado Springs, CO 80921

DESIGNED BY: DTW
SCALE: AS SHOWN
DATE ISSUED: OCT 2015

CHECKED BY: DTW
DATE: OCT 2015

PROJECT NO.: 15013-24
SHEET NO.: 5 OF 10 SHEETS

CITY APPROVAL STAMP
CITY FILE NO. AR PUD 15-00713

Land Patterns, Inc.
Landscape Architecture & Planning

15013-24
15013-24
15013-24

22 SPRUCE APARTMENTS
PUD DEVELOPMENT PLAN
FINAL LANDSCAPE PLAN

L-1

FIGURE 3

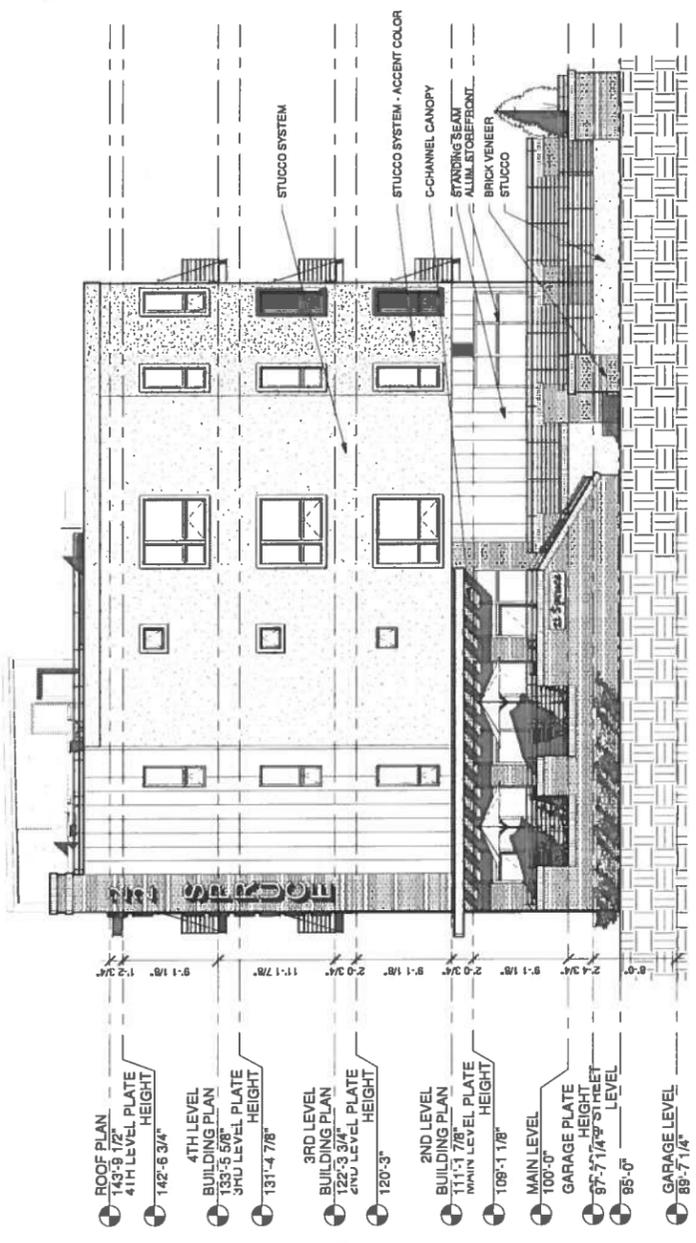
REVISIONS	DATE	FOR

TremmelDesignGroup
 201 East Las Animas Street, Suite 113
 Colorado Springs, CO 80903
 719.623.5641 (Phone)
 719.623.5643 (Fax)

CHALLENGER
 HOMES

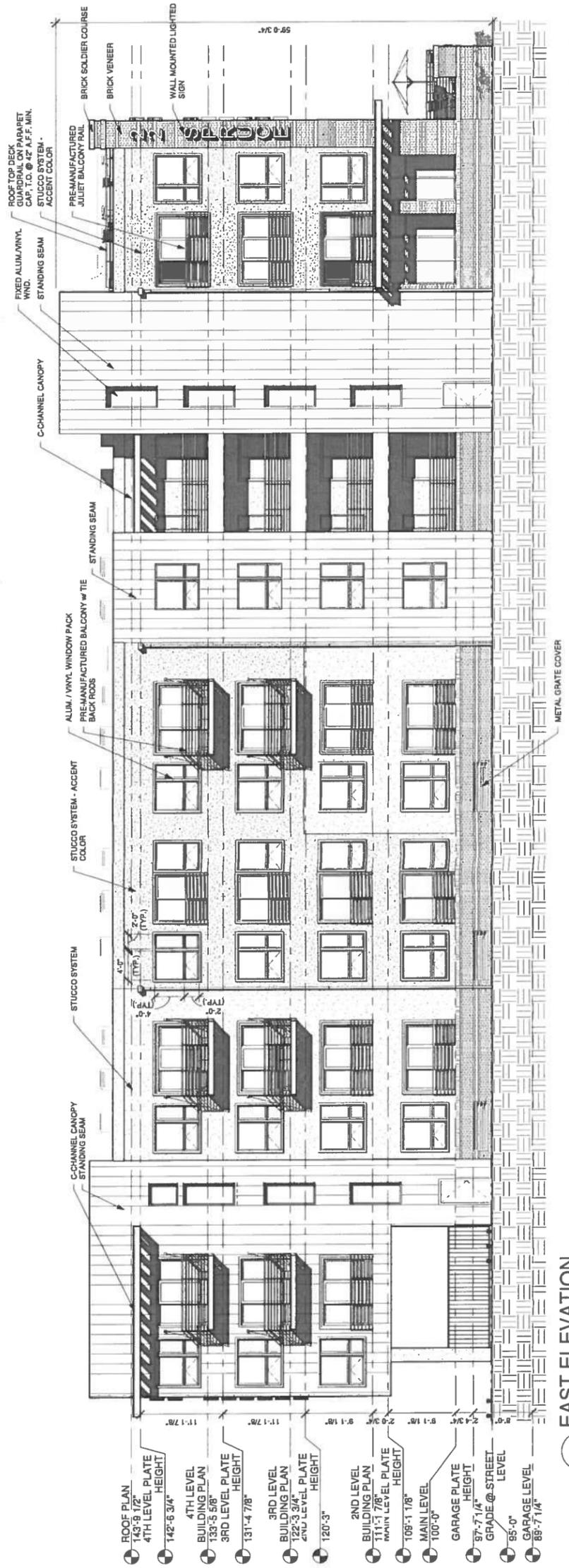
22 Spruce - Apartments
 22 N SPRUCE ST
 COLORADO SPRINGS, CO 80905

ELEVATIONS
 PROGRESS SET
 DATE: 05/20/2015
 DRAWN BY: TDG
 CHECKED BY: TDG
 PROJECT NO.: 15119
 SHEET
A-1



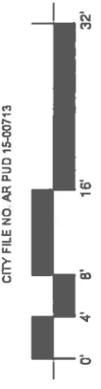
- ROOF PLAN
143'-9 1/2"
4TH LEVEL PLATE
HEIGHT
- 4TH LEVEL
BUILDING PLAN
133'-5 5/8"
3RD LEVEL PLATE
HEIGHT
- 3RD LEVEL
BUILDING PLAN
122'-3 3/4"
2ND LEVEL PLATE
HEIGHT
- 2ND LEVEL
BUILDING PLAN
109'-1 1/8"
MAIN LEVEL PLATE
HEIGHT
- MAIN LEVEL
100'-0"
- GARAGE PLATE
HEIGHT
97'-7 1/4"
STREET
LEVEL
- 85'-0"
- GARAGE LEVEL
89'-7 1/4"

2
 NORTH ELEVATION
 1/8" = 1'-0"



- ROOF PLAN
143'-9 1/2"
4TH LEVEL PLATE
HEIGHT
- 4TH LEVEL
BUILDING PLAN
133'-5 5/8"
3RD LEVEL PLATE
HEIGHT
- 3RD LEVEL
BUILDING PLAN
122'-3 3/4"
2ND LEVEL PLATE
HEIGHT
- 2ND LEVEL
BUILDING PLAN
111'-1 7/8"
MAIN LEVEL PLATE
HEIGHT
- MAIN LEVEL
100'-0"
- GARAGE PLATE
HEIGHT
97'-7 1/4"
GRADE @ STREET
LEVEL
- 85'-0"
- GARAGE LEVEL
89'-7 1/4"

1
 EAST ELEVATION
 1/8" = 1'-0"



CITY FILE NO. AR PUD 15-00713

FIGURE 3

REVISIONS	DATE	FOR

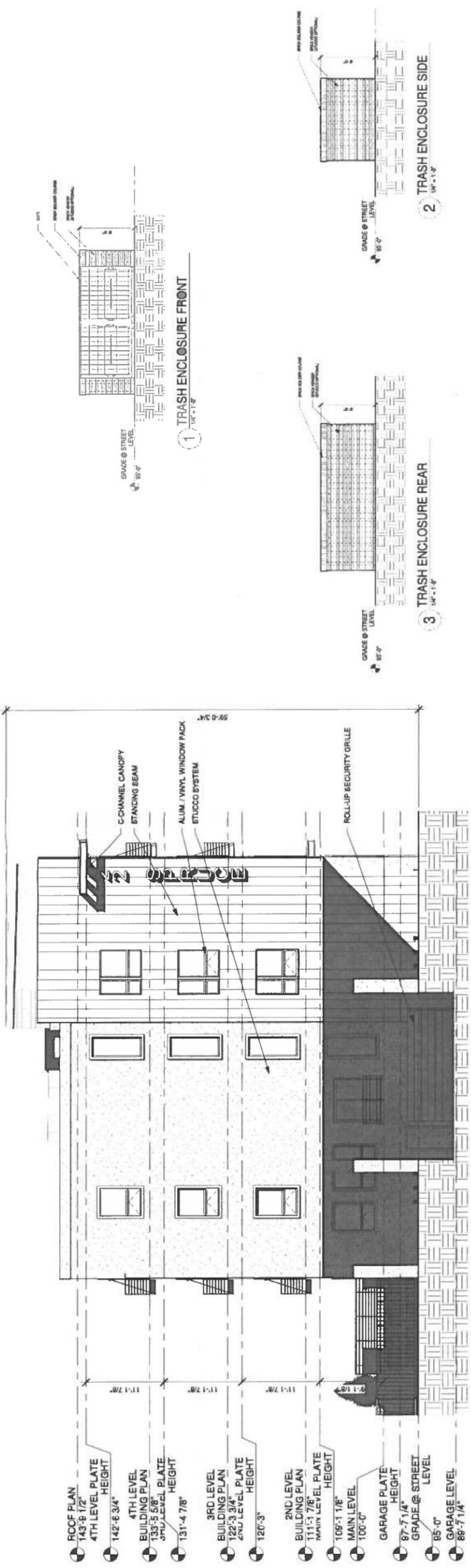
TremelDesignGroup
 201 East Las Animas Street, Suite 113
 Colorado Springs, CO 80903
 719.623.5641 (Phone)
 719.623.5643 (Fax)

CHALLENGER HOMES

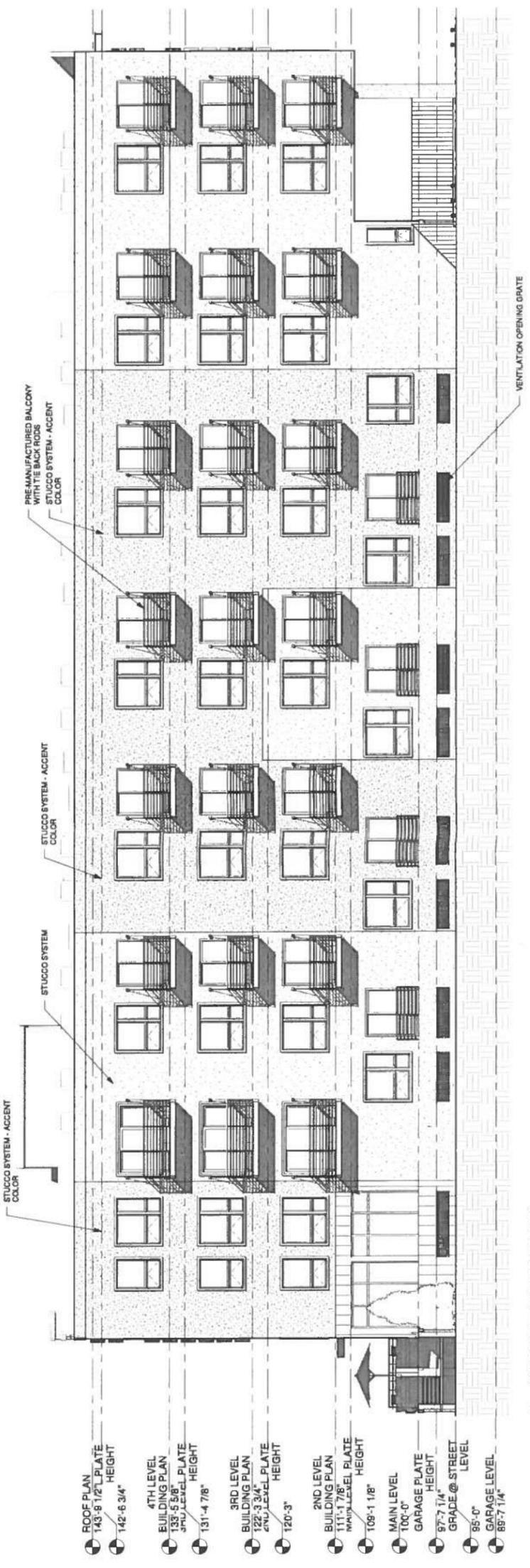
22 Spruce - Apartments
 22 N SPRUCE ST
 COLORADO SPRINGS, CO 80905

ELEVATIONS
 PROGRESS SET
 DATE: 05/20/15
 DRAWN BY: TDG
 CHECKED BY: TDG
 PROJECT NO.: 15119
 SHEET:

A-2



2 SOUTH ELEVATION
 1/8" = 1'-0"



CITY FILE NO. AR PUD 15-00713



FIGURE 3

22 SPRUCE FILING NO. 2
A VACATION AND REPLAT OF THE NORTH 31 2/3 FEET OF LOTS 9 THROUGH 12, BLOCK 14, PARRISH'S ADDITION TO COLORADO SPRINGS, LOCATED IN A PORTION OF THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT CAMPBELL SPRUCE, LLC, A COLORADO LIMITED LIABILITY COMPANY AND ARIES INVESTMENT PROPERTIES, LLC, A ARIZONA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

LEGAL DESCRIPTION:
 THE NORTH 31 2/3 FEET OF LOTS 9 THROUGH 12, BLOCK 14, PARRISH'S ADDITION TO COLORADO SPRINGS, AS RECORDED IN PLAT BOOK 117 PAGE 21 OF THE RECORDS OF EL PASO COUNTY, COLORADO, TOGETHER WITH THE NORTHWEST CORNER OF LOT 12, AS EXTENDED TO THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M. IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO.

S40 LOT CONTAINS 3.164 SQUARE FEET (0.07 ACRES) ACRES OF LAND, MORE OR LESS.

DEDICATION:

THE UNDERSIGNED OWNER, HAS CAUSED SAID TRACT OF LAND TO BE SURVEYED AND PLATTED INTO A LOT, AS SHOWN ON THE ACCOMPANYING PLAT. THIS TRACT OF LAND AS PLATTED SHALL BE KNOWN AS "22 SPRUCE FILING NO. 2", IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY COLORADO.

OWNER:

THE AFOREMENTIONED, CAMPBELL SPRUCE, LLC, A COLORADO LIMITED LIABILITY COMPANY, BY _____ AS _____ HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2015, A.D.

BY: _____, AS _____
 CAMPBELL SPRUCE, LLC.

NOTARIAL:

STATE OF COLORADO }
 COUNTY OF EL PASO } SS

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015, A.D. BY _____ AS _____ OF CAMPBELL SPRUCE, LLC.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC: _____

OWNER:

THE AFOREMENTIONED, ARIES INVESTMENT PROPERTIES, LLC, A ARIZONA LIMITED LIABILITY COMPANY, BY _____ AS _____ HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2015, A.D.

BY: _____, AS _____
 ARIES INVESTMENT PROPERTIES, LLC.

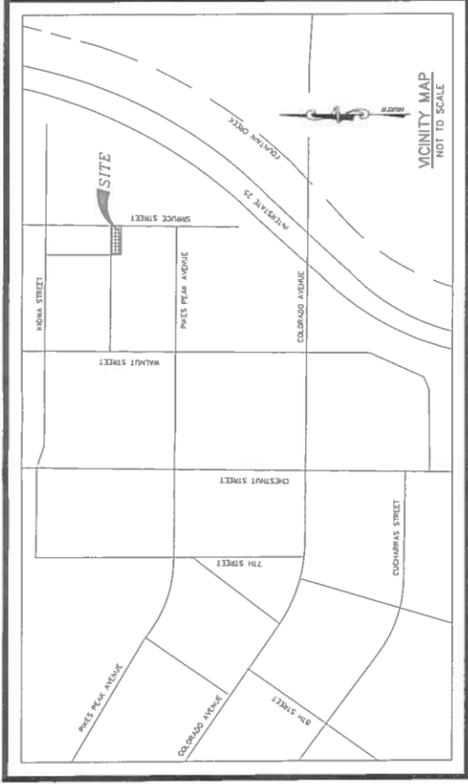
NOTARIAL:

STATE OF COLORADO }
 COUNTY OF EL PASO } SS

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015, A.D. BY _____ AS _____ OF ARIES INVESTMENT PROPERTIES, LLC.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC: _____



NOTICE IS HEREBY GIVEN:

THE AREA INCLUDED IN THE PLAT DESCRIBED HEREIN IS SUBJECT TO THE CODE OF THE CITY OF COLORADO SPRINGS, 2001, AS AMENDED.

NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF COLORADO SPRINGS OR, ALTERNATIVELY, THE CITY OF COLORADO SPRINGS HAS BEEN ADVISED IN WRITING OF THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS OR COMBINATIONS THEREOF, GUARANTEEING THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, DRAINAGE, STREET AND EROSION CONTROL, HAVE BEEN PLACED ON FILE WITH THE CITY OF COLORADO SPRINGS.

FLOOD PLAIN CERTIFICATION:

ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP PANEL 080410729 F (EFFECTIVE DATE: MARCH 17, 1997), THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AN AREA OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE.

FILING APPROVALS:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING PLAT OF "22 SPRUCE FILING NO. 2"

CITY ENGINEER _____ DATE _____

CITY PLANNING DIRECTOR _____ DATE _____

CITY CLERK _____ DATE _____

RECORDING:

STATE OF COLORADO }
 COUNTY OF EL PASO } SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M. THIS _____ DAY OF _____, 2015, A.D., AND IS DULY RECORDED UNDER RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

FEE: _____
 SURCHARGE: _____
 BY: _____ DEPUTY
 CHUCK BRISERMAN, RECORDER

NOTES:

- 1.) ALL BEARINGS USED HEREIN ARE BASED UPON AN ASSUMED BEARING OF S00D518"74". A DISTANCE OF 430.03 FEET (430.00 FEET OF RECORD) BETWEEN THE NORTHWEST CORNER OF LOT 7, BLOCK 14, AS PLATTED IN PARRISH'S ADDITION TO COLORADO SPRINGS, EL PASO COUNTY, COLORADO, AND THE SOUTHWEST CORNER OF LOT 12, AS EXTENDED TO THE NORTHERLY RIGHT-OF-WAY LINE OF PIKES PEAK AVENUE, AS MONUMENTED BY A REBAR WITH RED CAP.
- 2.) ALL DISTANCES SHOWN BETWEEN EXISTING MONUMENTS REFLECT ACTUAL DIMENSIONS AS MEASURED. IF THE ACTUAL DIMENSION DIFFERS FROM THE PLATTED DIMENSION, THE PLATTED BEARING AND DISTANCE IS DENOTED WITH A "P". THE SOURCE OF SAID PLATTED DIMENSIONS ARE FROM THE PLAT OF PARRISH'S ADDITION TO COLORADO SPRINGS.
- 3.) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMBATS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, 18-6-508, C.R.S.
- 4.) THE APPROVAL OF THIS REPLAT VACATES ALL PRIOR PLATS FOR THE AREA DESCRIBED BY THIS REPLAT.
- 5.) ALL EASEMENTS THAT ARE DEDICATED HEREON FOR PUBLIC UTILITY PURPOSES, SHALL BE SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED AT RECEPTION NO. 212112548 OF THE RECORDS OF EL PASO COUNTY, COLORADO, EXCEPT DUAL EASEMENTS AS DENIED BY CITY CODE.

6.) THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY RAMPART SURVEYS FOR EITHER OWNERSHIP OR EASEMENTS OF RECORD. THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

1., -5., -6., -9., 11. & 12. RAMPART SURVEYS DO NOT ADDRESS THESE ITEMS.

6. THE PROPERTY IS SUBJECT TO UNPATENTED MINING CLAIMS, RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.

7. THE PROPERTY IS SUBJECT TO ANY WATER RIGHTS OR CLAIMS OR TITLE TO WATER, IN OR UNDER THE LAND, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

10. THE PROPERTY IS SUBJECT TO INTERDEPARTMENTAL AGREEMENT RECORDED NOVEMBER 22, 1995 IN BOOK 6789 AT PAGE 863.

SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

CORY L. SHARP, PLS 139230
 COLORADO PROFESSIONAL LAND SURVEYOR
 RAMPART SURVEYS, INC.
 P.O. BOX 5101
 WOODLAND PARK, CO 80866
 (719) 687-0920

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

FEES:

DRAINAGE FEE: _____
 BRIDGE FEE: _____
 SCHOOL FEE: _____
 PARK FEE: _____

DATE OF PLAT PREPARATION: OCTOBER 1, 2015

22 SPRUCE FILING NO. 2
 VAC-REPLAT N. 31 2/3 FEET LOTS 9-12, BLK 14, PARRISH'S ADDITION

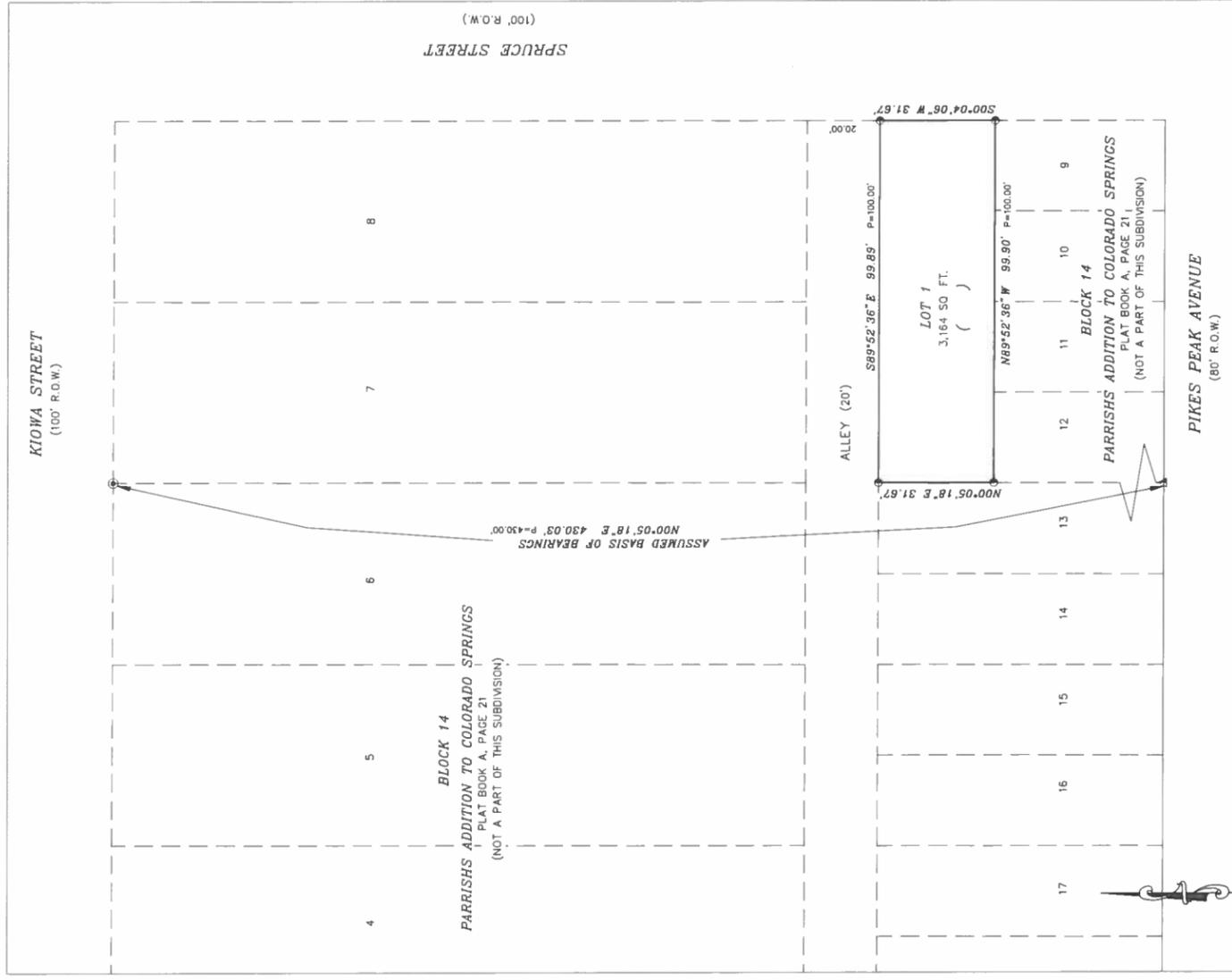
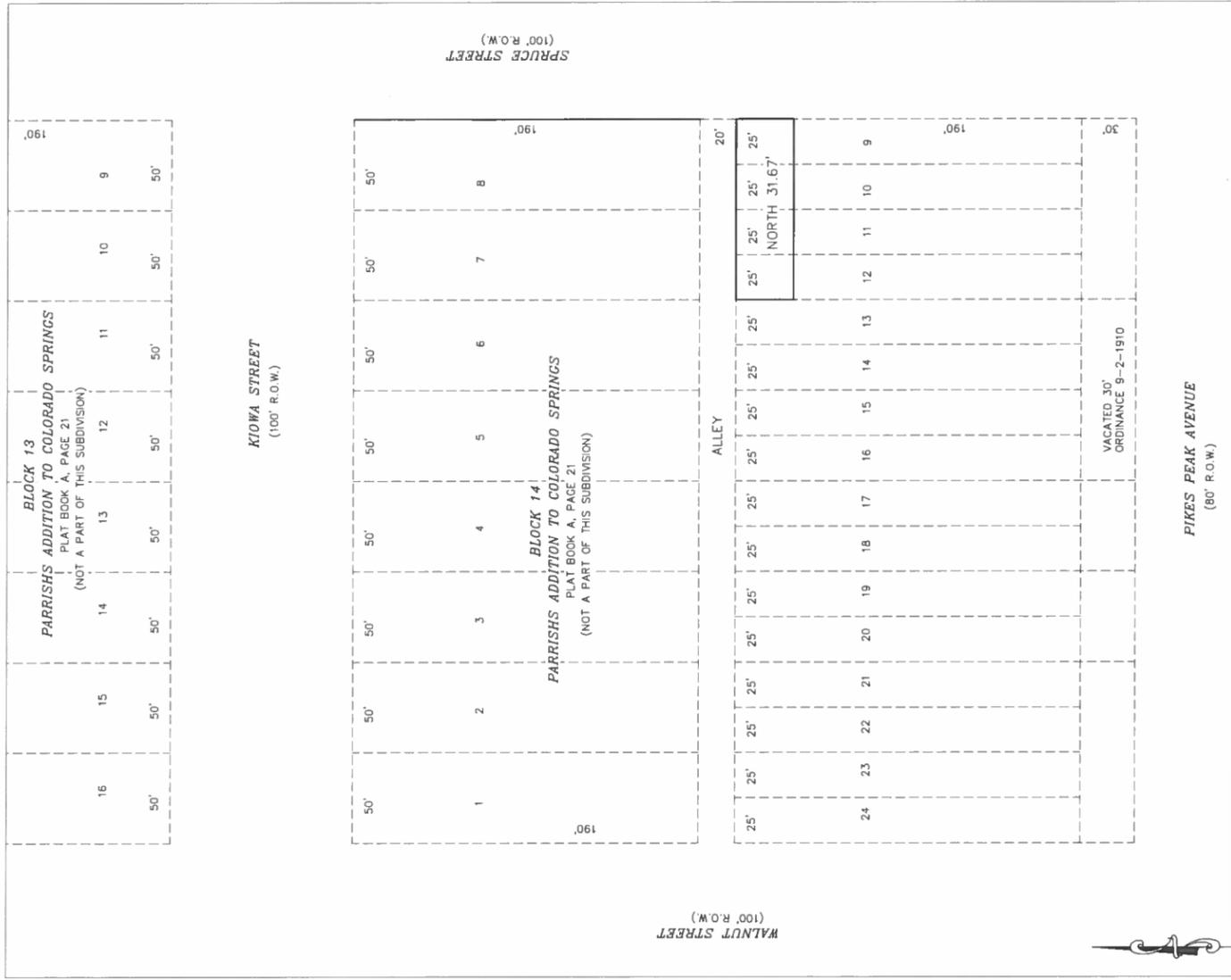
RAMPART SURVEYS, INC.

P.O. Box 5101 Woodland Park, CO 80866 (719) 687-0920

FIGURE 4

22 SPRUCE FILING NO. 2

A VACATION AND REPLAT OF THE NORTH 31 2/3 FEET OF LOTS 9 THROUGH 12, BLOCK 14, PARRISH'S ADDITION TO COLORADO SPRINGS, LOCATED IN A PORTION OF THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO



LEGEND:

- FOUND 5/8" REBAR AND BLUE CAP STAMPED "RAMPART PLS 32820"
- FOUND 7/8" O.D. IRON PIPE
- ▲ FOUND REBAR WITH RED CAP (LEGIBLE)

0' 20' 40'

NORTH

SCALE: 1" = 20'

JOB NO.: 15058

OCTOBER 1, 2015

0' 20' 40'

NORTH

SCALE: 1" = 20'

JOB NO.: 15058

OCTOBER 1, 2015

FIGURE 4

Turisk, Michael

From: Dave Morrison <dtm@lplarch.com>
Sent: Monday, January 04, 2016 8:57 AM
To: Bryan Kniep; Nicole Fagundo
Cc: Elizabeth Olney; 'John Radcliffe'; 'Todd Cartwright'; Turisk, Michael; 'Ken Griepentrog'
Subject: FW: 22 Spruce - Back-in angled parking
Attachments: 22 Spruce - Back-in angled parking.pdf

Bry:

We have received Kathleen Krager's support for the 15 back-in parking spaces along Spruce (see email below). With her support secured I am proceeding with the re-submittal of the DP & Concept Plan. I will be in contact with John's, Elizabeth & Ken for their updated plans and confirm with them a resubmittal date (I'm shooting for the end of the week).

Thanks
Dave

Dave Morrison, MLA, RLA
President

Land Patterns, Inc.
PO Box 60112
Colorado Springs, CO 80960
719.578.8689 (office)
719.323.5530 (cell)

From: Krager, Kathleen [<mailto:kkrager@springsgov.com>]
Sent: Monday, January 04, 2016 8:10 AM
To: Dave Morrison <dtm@lplarch.com>
Subject: RE: 22 Spruce - Back-in angled parking

Yes, we can support the design

Kathleen Krager
Transportation Manager
Public Works Department
City of Colorado Springs
30 S Nevada Avenue, Suite 401
Colorado Springs CO 80903
(719) 385-7628

From: Dave Morrison [<mailto:dtm@lplarch.com>]
Sent: Wednesday, December 30, 2015 2:49 PM
To: Krager, Kathleen
Cc: Bryan Kniep; Turisk, Michael; Nicole Fagundo
Subject: 22 Spruce - Back-in angled parking

Kathleen:

Per your direction (meeting held on December 16, 2015) I have prepared a preliminary design (PDF Attached) illustrating the proposed back in angled parking for the 22 Spruce Apartment project (AR-PUD-15-00713). We are preparing to resubmit the Development Plan next week and want to know if your department will support the design. Otherwise, at your earliest convenience, please let me know if you will require further revisions.

Thanks for your assistance.
Dave

Dave Morrison, MLA, RLA
President

Land Patterns, Inc.
PO Box 60112
Colorado Springs, CO 80960
719.578.8689 (office)
719.323.5530 (cell)

Open Letter to the Land Use Division

We have looked over the plans for the proposed apartment building at 16 and 22 Spruce St. (File # CPC PUZ 15-00100 and File # CPC PUP 15-00101) and we beg you to say NO.

We do not oppose business here; we welcomed the new convenience store, the hotel is an improvement, and the cannabis club hasn't caused any problems.

We are not complainers.

This plan will violate our city's sensible 3 storey rule, which preserves C. Spring's stunning views of the mountains, and also asks to build right up to the property line, crowding an ugly four storey instant slum into a residential neighborhood.

Despite the zoning, there are far more family homes here than anything else - come see.

There is no proposed addition to security.

Crowding that many more people into an already crowded community will bring more conflict and crime, and it takes 3 to 4 hours for police to come here without shots fired.

These tiny apartments (450 to 900 square feet) will be the kind of bare minimum residences that only people one step above homelessness will live in. They save on living expenses by taking in roommates. This is not the kind of apartment building that has a doorman who would notice how many people come and go. There will be three to four adults per apartment.

Other neighborhoods with these kind of no-frills low rent housing are constantly littered with trash, and reek of human urine for a block around the building.

Land Patterns, Inc. proposes 64 parking spaces, but asks for 55. If they provide fewer than 3 spaces per unit, the overflow will be parking all over the residential streets.

We already have a parking problem here, we often have to park across the street or on other blocks, and cars have been broken into, and stolen. This proposal - even with 64 spaces - would turn a problem into a disaster.

We are not rich, so we don't have a lot of influence; but we are law abiding citizens in a neighborhood that has been improving.

Please don't drag us down!

We understand that the owners must be eager to sell that empty property, but this close to downtown, there has to be a use for it that won't add congestion, crime, parking nightmares, and a huge eyesore of a building to our neighborhood.

The Residents of West Side

~~Dena Boer~~ Dee Levin
Jared A. Cuy

Frank Ruz
Janet Warner
L. Ray Aslam
Misty Melrose
Cynthia Cato
Jesse Falcone

Jared M. Henry
John - 8 WALNUT
Pinda C. Shafiq
M. Palmer
Denneth Hoag
Bryan Welch
Brittany Winters

Note: This map is included for reference only- please refer to the Infill Plan Supplement for the version of the map to be included in that document.

PROJECT SUMMARY:

1. Description: A recommendation for adoption, by ordinance of a new Infill Comprehensive Plan Supplement (**FIGURE 1**) within the existing City of Colorado Springs Comprehensive Plan, and to present an associated Action Plan (**FIGURE 2**) that would be endorsed by resolution, and which is intended serve as a more dynamic document containing recommended strategic actions for implementation of the Chapter. Both the Chapter and the Action Plan have been created, reviewed and endorsed by the City's Infill Steering Committee.

The current (2001) Comprehensive Plan is available at the following link:

<https://coloradosprings.gov/resident-services/planning-development/comprehensive-planning/comprehensive-plan>

Copies of the recommended new documents are also available on the City website at:

<https://coloradosprings.gov/resident-services/planning-development/information/infill-and-redevelopment>

or by typing in the word "Infill"

2. Planning and Development Team's Recommendation: Staff recommends approval of the Infill Comprehensive Plan Supplement by ordinance as an element of the Comprehensive Plan and endorsement of the associated Infill Action Plan by resolution.

BACKGROUND:

1. Infill and redevelopment has been identified as important strategic and land use goal of City Council and the Mayor's office particularly during the past 5 years. Although the current 2001 City of Colorado Springs Comprehensive Plan addresses this topic, there has been an identified need for additional visioning, prioritization and policy direction in order to make the Comprehensive Plan more useful relevant and actionable for this topic.
2. It has been determined and recommended that the best approach at this time is to prepare a separate and essentially stand-alone chapter of the 2001 Comprehensive Plan addressing this topic from a more targeted and current policy perspective. As stated in the recommended new Chapter, it is intended to be used in conjunction with the balance of the Comprehensive Plan and its referenced elements. However, for infill-related projects and activities, the expectation is that this document will provide an initial and primary source of policy guidance.
3. The Chapter itself (**FIGURE 1**) is deliberately brief, visionary and high level. Among other things it establishes a vision, justification, importance, and broad goals for the support and encouragement of infill and redevelopment throughout the City. It also provides a broad framework for identifying geographic areas and activities for prioritization and emphasis. Within this context this Chapter is intended to be used as a policy document both to generally direct City-initiated actions and to evaluate applicable privately initiated development plans for Comprehensive Plan consistency. However, this Chapter stops short of providing detailed recommendations, strategies or implementation steps. These more specific strategies and actions are addressed in a separate Action Plan which is intended to support this Chapter, but not be formally adopted as part of the Comprehensive Plan (see below).

4. The Chapter recommends the ongoing and adaptive use of an Action Plan (**FIGURE 2**) in order to focus, direct and make progress on City-initiatives pertaining to infill. The numerous recommendations in the current Action Plan all result from Infill Steering Committee input and are supported by at least a majority of that Committee. Recommendations in the Action Plan vary substantially in specificity and timeframe. Some have already been largely accomplished, while others have yet to be initiated and could take several years (and considerable resources) to fully accomplish. Part of the rationale for not formally adopting the Action Plan as part of the Comprehensive Plan, is because it is understood that it will rapidly become outdated and not fully relevant unless it is periodically updated to address status changes, ongoing decision and new circumstances and ideas. The expectation for the Action Plan is that be regularly managed and updated by staff and periodically brought back to Planning Commission and City Council for substantive updates. It is recommended that it be “endorsed” by resolution with direction to staff to maintain an implement it in a dynamic fashion.
5. Beginning in 2016, a two+ year program is in place to comprehensively update the Comprehensive Plan via a consultant process. Therefore, it can be logically anticipated that this Infill Chapter may only remain formally in place as part of the Comprehensive Plan for a few years. However, there is also the presumption that a substantial portion of this vision and these principles policies and recommended actions, will be carried forward and reflected in that comprehensive update.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The stakeholder process for this Comprehensive Plan amendment has primarily occurred within the context of an Infill Steering Committee (“Committee”) process. A list of Infill Steering Committee members is included as (**FIGURE 3**). The Committee consists of two City Council members (Jill Gaebler-chair, and Andy Pico- vice chair) and two original Planning Commission members (Robert Shonkwiler and Chuck Donley). Following a public advertising process, this core group selected several additional members from among the development, professional and neighborhood communities. Committee meetings (typically 2 per month) occurred from later 2014 through all of 2015. (A final January 19, 2016 Committee meeting has been scheduled in order to follow up on comments resulting from both the final public process and initial Planning Commission meetings). Committee meetings were open to the public and were posted, but were purposefully not widely advertised (because this was a “working” committee). A website has also been maintained throughout the process.

Concurrently with the Committee process, the Colorado Springs Utilities -Utilities Policy Advisory Committee (UPAC) has also been pursuing a related assignment from the Utilities Board to address economic development and infill. There has been a high level of alignment between these processes.

In April 2015, the Committee sponsored a widely advertised and well attended day-long infill and Redevelopment Workshop at Pikes Peak Area Council of Governments. About 80 community members and staff attended.

These documents have been posted on the City website since December 18, 2016 at which time staff representatives were notified, along with several dozen previously interested stakeholders. A general press release was issued in late December. Presentations to groups including the CONO Board, UPAC, Citizen's Transportation Advisory Board (CTAB), the Parks Board, and the Housing and Building Association have taken place in early January. A listing of all recent meetings and presentations is included as (**FIGURE 4**).

A “final” Infill Steering Committee meeting will have occurred on January 19, 2016 (prior to this hearing, but after the date of printing and posting of this agenda). The purpose of that meeting was to review and potentially endorse any change made subsequent to the previous Committee meeting held on December 15, 2015.

Summaries of the most recent input from these meetings, and any additional comments from the larger public process, will be provided at the hearing.

RELATIONSHIP TO THE 2001 COMPREHENSIVE PLAN

The intended relationship between this Chapter and the 2001 Comprehensive Plan is described above and in the body of the Chapter. It is also contemplated in the draft ordinance.

The 2001 Comprehensive Plan contains a variety of Objectives, Policies and Strategies focusing directly on infill, redevelopment and land use mix. An excerpt of these is included as **(FIGURE 5)**. However, most of the recommended 2001 infill strategies were never fully pursued and implemented. In 2004, the City created and adopted a Mixed Use Zone District (MU). However, this has never been used. The intent of this new Comprehensive Plan Chapter and associated Action Plan has been to “move forward from” the language in the 2001 Plan.

PLANNING COMMISSION COMMENTS AND INPUT TO-DATE

The draft Infill Chapter and Action Plan were initially presented to the Planning Commission on December 17, 2015, and were then discussed in some detail at a working Planning Commission lunch held on January 7, 2016. The attached versions of **FIGURES 1 and 2** reflect edits made in response to input from these meetings. **FIGURE 6** documents changes made to the Infill Chapter subsequent to the January 7, 2016 PC lunch. As noted in the spreadsheet, although there are a number of changes, many of them fall under the category of “improved wording with no significant change in content” or consist of added supporting language including a few more definitions.

STAFF RECOMMENDATION:

Item No: 4.A CPC CA 15-00138 CODE AMENDMENT

Recommend approval of CPC CA 15-00138 including an ordinance creating a new Infill and Redevelopment Chapter within the existing City of Colorado Springs Comprehensive Plan in accord with Section 7.1.107.B of the Code of the City of Colorado Springs, 2001, as amended: and

Recommend approval of a resolution endorsing the ongoing use and implementation of an Infill Action Plan.

The Ordinance provided as **(FIGURE 7)**.

The Infill Action Plan Resolution is provided as **(FIGURE 8)**.

infill

COMPREHENSIVE PLAN SUPPLEMENT



City of Colorado Springs
12 JANUARY 2016 | DRAFT

FIGURE 1

CONTENTS

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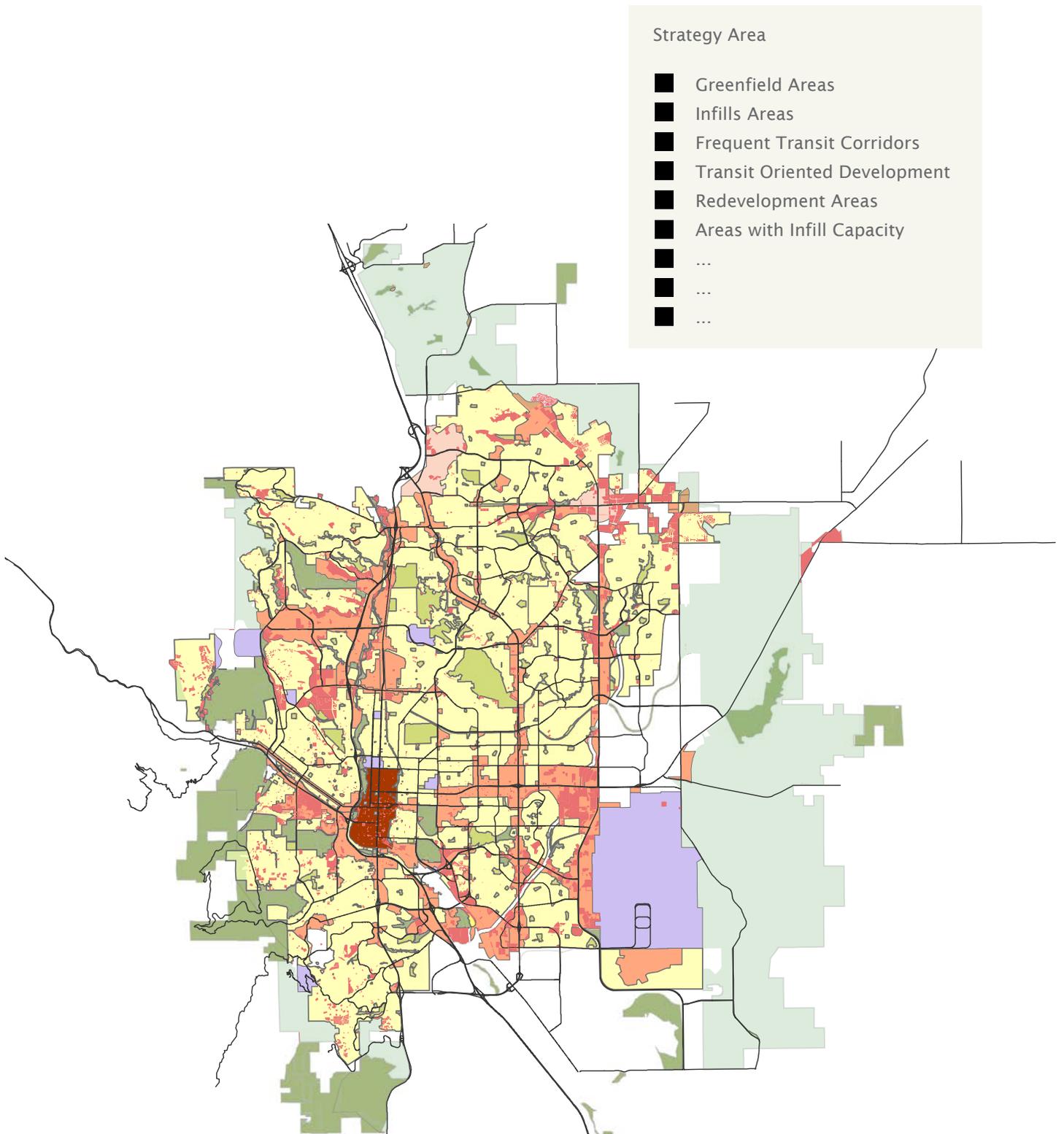


Figure 1 Depiction of the vision and framework of the infill plan. (All of the boundaries and depictions are generalized and subject to revision and updates.)

EXECUTIVE SUMMARY

INFILL VISION, DEFINITION AND FOCUS

The City of Colorado Springs envisions a community that continually reinvests in its mature areas so they remain vital and desirable places that contribute to fiscal sustainability and quality of life for all of the city's residents and visitors. We further envision a particular infill focus on the downtown, older arterial corridors and in the retention and creation of unique and special places throughout the established areas of the city.

INFILL IS BROADLY DEFINED AS THE DEVELOPMENT, REDEVELOPMENT, MAJOR RENOVATION AND/OR ADAPTIVE RE-USE OF PROPERTIES OR BUILDINGS IN THE OLDER AND LARGELY DEVELOPED AREAS OF THE CITY.

The terms "infill" and "redevelopment" are purposefully overlapped and intermingled in this definition and in this plan to emphasize the critical role that land use change and adaptation plays alongside the "filling in" of available vacant land capacity.

The terms greenfield or greenfield development are used extensively throughout this chapter in general reference to development occurring in newer or peripheral areas of the city. Figure 1 provides a generalized depiction of greenfield areas as of 2015. While the term greenfield has and the areas it encompasses can be defined in many different ways, this document considers the development of large vacant properties as infill when largely surrounded by pre-1980 development. Examples of large vacant infill areas include the Gold Hill Mesa, Spring Creek, and Airport Business Park developments. The vision and definition are intentionally broad, encompassing and aspirational. Achievement of the vision will require an ongoing, strategic and purposeful focus, as is further articulated in the following chapter.

Adaptive re-use capitalizes on under utilized space.



FIGURE 1

INFILL AND REDEVELOPMENT ARE ESSENTIAL TO THE CITY'S LONG-TERM FISCAL SUSTAINABILITY AND TO ITS OVERALL VIBRANCY, LIVABILITY, AND QUALITY OF LIFE

In the 65 years from 1950 to 2015, the population of our city has increased nearly tenfold; from 45,472 then to almost 450,000 today. While some mature areas have aged gracefully, others have deteriorated or are experiencing substantial socio-economic and market-driven land use changes. The impacts of these changes are particularly evident along and near aging arterial corridors such as Nevada Avenue and Academy Boulevard. City government, its enterprises, and its facilities and services exist to serve the needs of its residents and property owners. Part of serving the needs of the city's residents should include supporting mature areas, so as to improve the quality of life of inhabitants.

The city has a great deal of capacity to accept infill; this includes over 7,000 acres of vacant developable land in core areas along with substantial already-developed properties available for redevelopment. In addition to land capacity, trends demonstrate a market for walkable neighborhoods, robust transit, and accessibility to the urban core as primary attractors for both Millennial and Baby Boomer generations.

There is a fiscal sustainability imperative and a significant economic argument to supporting infill. The city, its tax and ratepayers, the business community, and its residential property owners have all invested in mature areas, and have a stake in the efficient use of this land and infrastructure. If public facilities such as streets, parks, and utilities infrastructure are under capacity (due to low-density) taxpayers and ratepayers pay the cost of the inefficiency. Infill allows for city services to improve due to increasing efficiencies such as improved police and fire response times and transit frequency. The inverse of reinvestment is "blight". Blight has associated ongoing fiscal impacts including depreciated tax revenues and increased costs for police and fire protection.

The Gabion showcases high density housing within walking and cycling distance of downtown.

THE CITY'S ROLE IN INFILL IS IMPORTANT AND ESSENTIAL



Since the demand for infill and redevelopment is projected to increase, the community should proactively prepare for it. There are a variety of public policies, plans, regulations, places, facilities, services and systems that need to be aligned to address both the infill that is happening and the additional or enhanced activity the city desires. Ultimately, most development decisions are based in market demand. However, the city, through our electorate and staff, holds a significant role and stake in whether and how these decisions occur.

FIGURE 1

The city and its enterprises own, and to various degrees maintain, over one quarter of all the property within our city limits. How the city invests in, uses, maintains, administers and regulates this property will have a significant impact on private land use choices. The city also has an undeniable role in the regulation of land use, the administration of zoning, the development of policies and procedures impacting the development process, and in the enforcement of standards that have been established to maintain beauty and quality of life for its citizens. The city can take actions that profoundly impact infill and redevelopment options on private property. Finally, the city has a variety of more discretionary programmatic and funding options and incentives that can be used to promote and encourage infill.

DENSITY AND MIXED USE ARE IMPORTANT

Supporting infill includes the continued acknowledgement and support of greenfield development, because infill is more than reallocating a fixed amount of land use and development demand between greenfield and core areas. Infill has is an added value component that be effective alongside traditional development methods. Thus, ongoing and strategic support for infill and redevelopment is expected to increase the overall marketability of the city and region for land and economic development investment.

Density is important, but so are land use mix, design, connectivity, and integration.

Increases in housing and employment density are an essential component of the city's infill and redevelopment vision because density creates opportunities for markets, livability, place-making, and land use efficiency. Increases in density should be location and context sensitive and be connected and integrated with surrounding uses. Infill and redevelopment can add value without contributing to density, especially if uses are mixed and well integrated. Additional density is not appropriate for all locations and circumstances, and especially not for areas of special environmental sensitivity or natural and open space value.

ROBUST TRANSIT IS INTEGRAL TO SUPPORTING INFILL

Integral to the city's infill and redevelopment vision is an evolution and progression toward a more robust transit system which serves both need and choice-based customers. As the 41st most populated city in the US, we must be able to compete with the majority of similarly sized cities that provide greater transportation options, particularly in the form of urban rail or bus rapid transit systems.

The support of transit, especially in the form of development adjacent to the highest frequency transit corridors, improves transportation options within the community and also demonstrates a level of service certainty that is necessary for transit oriented development

**How the city invests
in, uses, maintains,
administers and
regulates
its property will have
a significant impact on
private land use
choices** 3

(TOD). Although not all infill and redevelopment can and should be defined and measured in relationship to being transit supportive, this should be an elemental consideration for project prioritization.

DOWNTOWN STRATEGY IS FUNDATIONAL TO INFILL

Greater downtown Colorado Springs must be considered a community cornerstone from the perspective of infill policy. It needs to function as the economic, cultural, and political center of the region. Nationwide experience demonstrates that cities that possess more vibrant downtowns attract more community and economic development and contribute to a richer overall quality of life. Cities with the most vibrant downtowns attract more infill, achieve greater density, and are fiscally more sustainable due to efficient land use. Visions and plans are already in place for downtown, but policies and strategies should be put into place to greatly encourage revitalization of the downtown core as a means of catalyzing infill and economic development throughout the community.

PRIORITY AREAS AND USES ARE ESSENTIAL TO THE EXECUTION OF THIS PLAN

Prioritizing resource allocation to specific areas and uses allows for more fiscally sustainable investment and addresses market gaps where revitalization that provides some greater benefit to the community may not otherwise occur unless the city takes an active role.

Priority areas and uses also permit ease of marketing to investors and greater ability to measure the success of infill policies, actions and investments. Priority areas include gateways, high frequency transit corridors, and those mature neighborhoods with supportive conditions for revitalization. Priority uses include catalytic projects, mixed use, higher density and transit-supportive projects and projects that convert the land to new and/or intensified uses (see Figure 1).

4 **Transit and downtown are foundational and essential**

PURPOSE

This plan has the following intent and purposes:

1. Augment and support the balance of the existing 2001 Comprehensive Plan and its 2020 Land Use Map by providing additional focus, policy and strategic direction concerning infill and redevelopment
2. Recommend specific and actionable city-initiated priorities and strategies to promote infill and redevelopment throughout the mature areas of the city

This chapter has been created in acknowledgment and in consideration of the existing 2001 Comprehensive Plan and its incorporated elements (including publicly and privately initiated master plans). However, the balance of the comprehensive plan has not been modified or revised directly in conjunction with the process of creating this chapter.

Therefore, the intent and expectation for the use of this document is that the entire comprehensive plan and its applicable incorporated elements will continue to be used holistically as an advisory guide for city policy, legislative, quasi-judicial, administrative, and procedural decisions related to land-use and other matters applicable to the comprehensive plan.

The plan will augment and support the 2001 Comprehensive Plan, and also recommend new actions

5

Plaza of the Rockies brings stronger street level presence to downtown.



FIGURE 1

DOCUMENT USE: GUIDANCE FOR PLANNERS AND DEVELOPERS

6

This section provides additional and focused policy guidance for the use of this plan in the review of and decisions made on development applications in infill areas. Development applications may include annexations within mature areas, master plans, zone changes, conditional uses, use and non-use variances, concept plans and development plans. The document will provide guidance to the application of the principles and goals stated herein, specifically in relation to the comprehensive plan. Uses and applications that are clearly consistent with prior approvals, existing zoning, and development standards, will continue to be processed autonomously and will not be affected by this document. However, voluntary application of the guiding principles and plan goals of infill by property owners and developers is seen as a means of contributing towards the broader infill vision and is strongly encouraged.

PROJECT APPROVALS, RELIEF, AND INCENTIVE ELIGIBILITY:

Integration of transportation and infill is showcased through extended and diversified transit options.

- Infill projects seeking approval or consideration of zoning changes should generally be supported if they advance the overall infill and redevelopment principles, goals and outcomes included in this document and can be accommodated within the context of the site, its surrounding conditions, and reasonably available infrastructure and service capacity.
- Administrative relief from standards and submittal requirements for infill projects and applications should be reasonably granted in cases where the benefit of strict application of the requirement is outweighed by the advantages



FIGURE 1

of relief from the requirement, considering impacts to the project, the adjacent properties and the community.

- To be eligible for special city incentives such as tax sharing agreements, possible relief from usual and customary fees and charges and infrastructure requirements, infill projects should clearly demonstrate a high degree of overall consistency with the plan goals and should be located in a prioritized reinvestment area or possess a priority use.
- Use and density transitions, as well as buffer treatments should be incorporated where appropriate and feasible to address site conditions. Transitions and buffers are intended to improve existing land use relationships, but should only be required in circumstances where the benefits to the surrounding properties and the community are clear and compelling.

DESIGN AND LOCATION CONSIDERATIONS:

Context-appropriate increases in density and changes in land use should be supported, particularly in identified infill priority areas such as the downtown, economic opportunity zones and high frequency transit corridors. Projects should be located and designed to:

- support integration, mixing and connectivity of land uses within their surrounding areas and neighborhoods;
- support the long-term viability of the neighborhoods they affect with input from neighbors;
- enhance the viability of multi-modal transportation options including transit use, cycling and walking; and
- support use and density transitions, as well as buffer treatments should be incorporated where appropriate and feasible to address site conditions.



FIGURE 1

PLAN SUCCESS

The successful use of this plan will require upholding the following supportive conditions:

ASSIGN AND OPTIMIZE RESOURCES

In order to realize this plan, allocation and optimization of dedicated staff time, financial resources, and political will to support the role of infill and facilitate policy changes is necessary.

TAKE NEAR TERM ACTION ON PLAN RECOMMENDATIONS

The recommendations have been developed to address point-in-time issues that deserve near term assessment and action. Any recommendation that aligns with the guiding principles, and accomplishes a substantial number of the plan goals, should be met with swift action for the success of the plan.

TAKE ACTIVE ROLE IN PROMOTION OF INFILL OPPORTUNITIES

The city should be actively involved in the promotion of infill development opportunities in Colorado Springs through effective means of external communication. This communication should be aimed towards developers and investors, both inside and outside of the region, and in close partnership with support organizations. As long as personal favoritism is avoided, the city should comprehensively provide an inventory of potential infill sites and serve as a clearinghouse for infill opportunities to encourage new investment.

Similarly, the city should proactively identify and engage with the owners of “difficult” properties with the intent of determining whether there are any barriers or impediments to development that can be reasonably addressed by the city or its enterprises. Available incentives should be marketed and the zones can be used for catalytic improvement under existing ownership or through new investment. These efforts should include collaborating on solutions for beneficial use of difficult development or redevelopment areas and parcels.

MEASURE AND TRACK PROGRESS

Infill trends and infill strategies are both long term propositions. Therefore, ongoing measurement and progress reporting is essential. Reporting should include measurements of actual infill development activity as well as progress made in the implementation of specific recommendations in the Infill Action Plan. Annual reporting is recommended. Reporting should be kept simple, with an emphasis on being informative, honestly tracking trends and progress, and moving forward with a continuing and responsive strategy.

UPHOLD SUPPORTING CONDITIONS

The city and partnering agencies should seek to create conducive conditions for infill development. Such conditions include:

- a city governance and service philosophy that is open to adaptation, business opportunities and land use change;
- support of economic development and jobs in order to insure that the overall local economy is sufficiently robust, thereby creating a substantial enough market for new development;
- provision of a safe and secure environment for all areas of the city;
- convenient access to schools in mature neighborhoods, and continual support of a superb public education system in Colorado Springs;
- provision and maintenance of quality infrastructure including complete streets and parks;
- ongoing neighborhood and business engagement in community issues;
- provide adequate support services to neighborhoods;
- adequate enforcement of codes and regulations, and maintenance of community infrastructure and services in mature areas. Continued ability to rely on existing zoning on a parcel by parcel basis;

Artist's rendering of 2015 proposed Olympic Museum slated to bring an added half million visitors into downtown per year.



FIGURE 1

GUIDING PRINCIPLES

10 **Create benefit, remove barriers and minimize risk**

In general, all policies and actions recommended by this plan were developed with the following three principles in mind: create community benefit, remove barriers to infill development, and minimize investment risk. The same principles should also be used as the basis for prioritization and decision making around infill and redevelopment related city policies moving forward.

CREATES COMMUNITY BENEFIT

A policy or action which contributes to the well-being of the citizens and visitors of Colorado Springs. This includes enhancing neighborhood livability, creating better connectivity through multiple modes of transportation, creating better connectedness with the natural environment, enhancing choice and quality of life, and beautifying the built environment, etc.

REMOVES BARRIERS TO INFILL DEVELOPMENT

A policy or action which makes development of infill projects more feasible in comparison to greenfield development, leveling the playing field so that development within the existing city boundaries is just as easy, if not easier than building on the periphery.

The Machine Shop's adaptive re-use building creates space for innovators across professions.



MINIMIZES INFILL INVESTMENT RISK

A policy or action which creates greater clarity in the regulatory system, allowing for development to occur with clear understanding of what is required, what infrastructure and developments are funded and designated to occur in an area, and whether an area is prioritized for redevelopment and eligible for specific incentives.

FIGURE 1

PLAN GOALS

As logical and appropriate, the following goals should be used to evaluate the value of and priority for city-initiated actions or public-private partnerships. These goals should also be used as part of the justification of the use and allocation of special city incentives for private and non-profit development.

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Density achieves context-sensitive increases in density



Priority use advances quality land use mix, design, connectivity and integration to achieve desired results



Connectivity contributes to multimodal viability allowing for a range of choices for traveling between destinations in the community



Economic stimulus catalyzes further development and/or contributes to primary employment



Fiscal efficiency effectively utilizes existing infrastructure, enabling the city to maintain growth while providing and maintaining higher levels of service



Community pride and perception contributes to the perception of greater safety, security, and attractiveness of the community for both residents and visitors



Reinvestment in priority areas drives development in the downtown and along mature arterial corridors, aiming to take advantage of the city's existing capacity and development potential and reflect a more dense urban environment

FIGURE 1

12



Support of neighborhoods and placemaking encourages better integration between neighborhoods and their adjoining communities for a more interconnected and livable city



Blight relief addresses substantial redevelopment need in areas or sites experiencing blight or sites that are vacant/underutilized, areas with excess parking capacity and other sites that present an opportunity for conversion to new and/or Intensified uses

POLICY RECOMMENDATIONS

The following is a broad summary of policies and actions recommended by the committee. The policies and actions contained herein are organized by area of influence and characterized by how they meet the plan goals. Recommendations are intended to highlight key elements only. Each element is reflective of at least one of the three guiding principles: creating community benefit, removing barriers to infill, and minimizing infill investment risk.

The **Infill and Redevelopment Action Plan** is a separate yet complementary document with more detailed, timing-specific and directly actionable recommendations. The action plan is intended to serve as a living and dynamic implementation document to be regularly updated and managed by city staff consistent with strategic direction from city council. As the action plan is modified and adapted over time in response to progress, decisions, and availability of resources, the changes should be consistent with and further the guiding principles and plan goals outlined herein.

A separate Action Plan is intended to serve as a living and dynamic implementation document for this plan 13



1 - NEIGHBORHOODS

As addressed throughout this chapter, infill and redevelopment sites often have more complexity and challenges based on the established and mature nature of the surrounding neighborhoods. The public process can, and often does, take longer in these areas, resulting in higher processing and/or financing costs for the developer. In respect to the value of the neighborhood process, it is suggested that the city explore options for enhanced neighborhood services delivery and pursue actions like:

- develop and pilot a replicable process for small area and neighborhood plans, with neighborhood input, to include the establishment or amendment of development standards;
- revise the appeals process and development plan criteria and standards in city code.

FIGURE 1



2 - SUPPORTIVE ZONING

With the exception of downtown zoning and parking regulations, city development requirements have a suburban and/or greenfield orientation and do not always adapt well to more mature areas. In addition to support for zone change requests that promote context sensitive infill and redevelopment – including mixed use, density and adaptive re-use, the recommendations are to:

- revise development standards and the zoning code to include more infill-supportive standards and relief from “suburban” standards;
- revise and extend the downtown form-based code (FBC) plan and consider additional targeted use of form-based zoning (FBZ);
- pursue strategic infill-supportive zoning improvements related to use by right, accessory dwelling units and transit oriented development.



3 - ROLE OF UTILITIES

New development in mature areas may have one or more site-specific characteristics that discourage development, often related to utilities. To proactively offset the burden of aging utilities and smooth the process overall, the recommendations generally refer to:

- alignment of capital improvements and upgrade standards;
- open access to data fees, charges and potential fee deferral or waiver programs;
- partnership with strategic teams to address priority areas and issues;
- align utility fees to support infill development (e.g. eliminate reconnect fees).



4 - PRIVATE AND PUBLIC PROPERTY CARE AND MAINTENANCE (INCLUDING PARKS)

Broadly defined, the “blight” associated with a number of mature areas of the city can act as a significant barrier to redevelopment, especially if there is a concern with a negative cycle of disinvestment leading to reduced market opportunities. Conversely, blighted areas – with their typically diminished property values – can provide great opportunities for reinvestment if there is an actual or expected positive trajectory (often preceded by proactive investment to address blight in the public realm.) Recommendations, therefore, are concerned with:

- proactive and effective code enforcement;
- cost effective maintenance of existing infrastructure including streetscape adoption and management;
- restructure city park dedication requirements and fees to be responsive to infill development needs.



5 - TRANSPORTATION INCLUDING TRANSIT

Colorado Springs plans for a multi-modal transportation system including a well-functioning fixed route transit system, a complete streets approach and general pedestrian focus, and trail connectivity, although much of our land use policy to date has favored the use of cars. In an effort to elevate transportation policy to align with, and in some cases catalyze, infill development, the recommendations are to:

- modify the Engineering Criteria Manual to be more conducive to infill-related density and multimodal access and deemphasize congestion concerns (e.g. reduce requirement for traffic impact studies);
- modify and strategically waive suburban access and parking standards for infill projects and leverage the Downtown Parking Enterprise for redevelopment potential;
- focus services and investments in high frequency transit corridors.

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Transportation, including transit, can be an infill catalyst



6 - PRIORTIZATION AND INCENTIVES

16 **Prioritized attention and investments are essential**

Traditionally, the city has had a “level playing field” approach and has not directly or comprehensively established priority redevelopment areas. Because prioritized investment is more fiscally sustainable and incentives provide for greater impact potential, this plan recommends the:

- alignment of capital improvement plans and infill priorities whenever possible;
- support and prioritization of downtown planning and implementation efforts;
- analysis and visioning for high priority corridors including, but not limited to, North and South Nevada Ave and South and Central Academy Blvd;
- extension of the strategic use of city incentives, fee waivers and Rapid Response to high value infill projects and specific land uses that best achieve the plan goals;
- consideration of public-private investment in complementary infrastructure, in cases of extraordinary incentives, to capitalize on opportunities for mutual benefit.
- locate and orient major city service facilities to maximize location efficiency; and
- make similar location decisions for other non-city catalytic and institutional projects such as hospitals, government and university buildings and event and sports venue;
- proactively work with property owners to annex and redevelop parcels in City enclaves when and where these projects will further the goals to this Infill Plan

AFTERWORD

This chapter has been recommended by an Infill Steering Committee created under the auspices of City Council and supported by the City and Colorado Springs' Utilities staff. Committee membership included City Council and Planning Commission representatives along with members from the development, neighborhood and business communities. The committee met and worked throughout late 2014 and all of 2015 on this process, chapter and associated action plan. Prior to formulating recommendations, the committee invited input and presentations from a wide variety of stakeholders and city staff. Members also toured infill projects, including several in the Denver metropolitan area, and sponsored a well-attended interactive community forum. An archive of the process, including committee meeting notes agendas, and other documents, is available on the [city website](#).

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A result of high density building is increased opportunity for impromptu socializing.



FIGURE 1

GLOSSARY OF TERMS

Catalyst or catalytic project: a public or private project that is timed and located with an expectation that it will serve as a particularly crucial and effective encouragement for additional development in infill areas.

Chapter or Infill Comprehensive Plan Supplement: this chapter of the City of Colorado Springs Comprehensive Plan, also referred to as the City of Colorado Springs Infill and Redevelopment Plan.

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Code Enforcement: the city's combined and coordinated outreach, regulatory and enforcement programs and systems directed toward assuring compliance with its codes pertaining to the care and maintenance of property, including but not limited to zoning compliance, rubbish, weeds, housing standards, graffiti, junk or unlicensed vehicles, and public health and sanitation.

Comprehensive Plan: the City of Colorado Springs Comprehensive Plan in its entirety, including all of its constituent elements as it and they may be amended from time to time.

Community Benefit: one or a combination of significant benefits of an infill project associated with its special contributions to the public realm and identified community needs with examples including enhancements of infrastructure or increased affordability of housing, all as ultimately determined by City Council.

Context appropriate or context sensitive: land use development or redevelopment that may vary from surrounding development in use and density but which is also sensitive to site conditions and neighboring uses with respect to factors including but not limited to topography, natural systems and hazards, infrastructure and service capacity, and integration with surrounding uses.

Form-based zoning (FBZ): methods of zoning regulation designed to support a desired urban form and public realm primarily by controlling physical form with less focus on land use.

Form-based code (FBC): the regulating plans and zoning codes used to implement and administer form based zoning.

Greenfield: newer developed or developing areas of the city located in association with its periphery as generally depicted in [Figure 1](#) and the development within these areas, regardless of the presence

of absence of neighboring development.

High frequency transit corridors: primary transit corridors as identified in the Pikes Peak Area Council of Governments 2040 Transit Plan that support greater land use intensification and connections between key regional destinations, and targets them for improved span of transit service and frequencies.

High value infill projects: infill projects that are catalytic in nature or that can be expected to contribute substantially to a large majority of all the goals outlined in this chapter.

Location efficiency: a method of placing uses in close proximity to supporting uses, such as major city services near transit, jobs, housing, and other services. The intent is to reduce travel distances between uses as well as the need for other related resources.

Multi-modal Transportation: the seamless integration of different transit types—including walking, biking, public transportation, and vehicles—into a single trip. For instance, a multi-modal trip might include biking to a bus stop, bringing bike onto bus, riding the bus to another location with secure bike storage, and a short walk to final destination, such as work or school. Multi-modal transit options allow for more rider flexibility and transportation system efficiency.

Robust transit: a transit system designed and operated with frequent service, along with a facilities and amenities of a quality, permanence, visibility and multi-modal accessibility sufficient to provide an incentive for transit-oriented development and related investments. Such a system may or may not include fixed guideway or Bus Rapid Transit (BRT) elements.

Traffic impact studies (TIS): the project-specific studies and analyses of this name required in association with development applications as currently addressed in Section III of the city's Engineering Criteria Manual.

Transit-oriented development (TOD): higher density and often mixed use residential, commercial and institutional development located, designed, and oriented to maximize access to public transportation and to encourage transit ridership. TOD development is ordinarily located within ¼ to ½ mile of a robust transit system station or stop.

ACKNOWLEDGMENTS

City Council

Merv Bennett, *President, At Large*
Jill Gaebler, *President Pro-tem*
Don Knight, *District 1*
Larry Bagley, *District 2*
Keith King, *District 3*
Helen Collins, *District 4*
Andy Pico, *District 6*
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Numerous community members, city staff and agency representatives added value to this process in the form of ideas, information and direct assistance. Some, but not all of these individuals and groups are listed here:

Craig Blewitt, *Transit Services Manager*
Matt Bingman, *Planning Technician*
Ralph Braden, *Nor'wood Development*
Bill Cherrier, *Colorado Springs Utilities CFO*
Bob Cope, *Senior Business Climate Specialist, City Economic Vitality*
Mike DeGrant, *Lowell Development*
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Bobby Ingels, *The Ingels Company*
Tim Mitros, *Development Review and Stormwater Manager*
Dave Munger, *Council of Neighbors and Organizations (CONO)*
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Curtis Olson, *Blight to Bright*
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City of Colorado Springs Infill and Redevelopment Action Plan 1-12-16 Version										
Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
1.A.1	Neighborhood Process	Create and endorse a replicable process and template for strategic small area and neighborhood plans	New, updated and enhanced neighborhood plans are necessary to allow infill to occur in a manner that is supportive of and reasonably supported by neighborhoods. Plans are out-of-date or missing. A replicable template would optimize use of City resources and the value of these plans.	Short Term	City Comprehensive Planning Division (CPD), in coordination with CONO and other stakeholders; Significant IT-GIS role	Staff; stakeholders including the development community; Informal PC and Informal Council for formal adoption; The process for developing the templates should be similar to that used to develop the form-based code	Resources available for first phase with limited augmentation; Would need to be high priority for Comprehensive Planning Division; part of this could be a good job for an intern or temp. staff assignment	1) Template created and endorsed; 2) Successfully piloted; 3) Effectively used	Concept being discussed informally; not formally initiated	Neighborhood/ area delineation will be a key step in this process. Neighborhood have collective common features and typically have multiple uses. It will be critical to address Infill Plan goals including accessible and walkable design
1.A.2	Neighborhood Process	Pilot process and template on first neighborhood plan	see above.	Medium Term	CPD, CONO and area/neighborhood leadership; other stakeholders; multiple departments will also have a role	Staff; community stakeholders including any affected HOAs or property owners associations, or CONO in the absence of these; and PC and Council for formal adoption	Resources not fully available at this time; Would need to be high priority for Comprehensive Planning Division	Pilot completed in 9 months	Not yet initiated	Pilot area to be carefully selected with stakeholders, and should have infill issues and opportunities.
1.A.3	Neighborhood Process	Roll out refined process to complete plans for remaining high priority neighborhoods	see above.	Medium to Long Term	CPD, CONO and area/neighborhood leadership; other stakeholders; multiple departments will also have a role	Staff; community stakeholders including CONO; PC and Council; including budget priorities	TBD; substantial, and resources not identified and available this time; could involve contracted staff and/or consultants	Plans initiated/completed in identified period as compared with total priority areas; Cost per plan in time and dollars; Qualitative and quantitative measures of value of plans	Not yet initiated	Note: Particularly for this action and for 1.A.2 above, there will be a relationship to the 2016-2017 Comprehensive Plan update process
1.B.1	Neighborhood Process	Revise appeals section of the Code (7.5.906) to more clearly limit the standing of parties who can appeal and the basis for appeals	As currently written the land use appeals section of the Code allows "any aggrieved person" to appeal almost any administrative or hearing-based decision for reasons that maybe tied to fairly open-ended criteria. For property owners and developers, this creates an extra measure of uncertainty and potential delay. "Tightening up" the appeals process could preserve the appeal rights and options of the most impacted parties, while at the same time reducing the potential for the appeals process to result in delay in getting to final decisions.	Short Term	LUR; Code Scrub Committee	Staff drafted; Code Scrub Committee review; PC; Council; key role for City Attorney's Office (high level of outreach anticipated)	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Completion of hearing process by Q2- 2016; 2) Subsequent staff and stakeholder input on impact 3) Subsequent data on number of appeals	Code Scrub Committee Process to occur in late 2015	Establish standing for appeal in the code. Limit appeal only to challenged approval criteria.
2.A.1	Zoning	Update existing Downtown FBZ Code-Phase 1	The Downtown FBZ is an important zoning tool used to support the continuing development and redevelopment of the Downtown as a cornerstone of the City's infill vision and strategy. Periodic reviews and updates are needed to maintain its maximum value and effectiveness	Short Term	LUR; Code Scrub Committee; Downtown Design Review Board (DRB)	Staff drafted; Imagine Downtown Plan (IDP) consultant; Code Scrub Committee review; DRB; Council	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Completion of hearing process on initial changes in 2016; 2) Subsequent staff and stakeholder input on impact from changes	Some topic identified; otherwise not initiated	Address current outstanding issues with current FBZ (other than major changes regarding signage) including setbacks/utilities nexus; parking and other changes recommended by IDP consultant

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
2.A.2	Zoning	Revise existing Downtown FBZ Code-Phase 2- Signage	The Downtown FBZ largely defers to the City-wide sign code which is not always applicable or preferable, in turn leading to requests for warrants (waivers) from the Code. A Downtown-specific sign code would address this need.	Medium Term	LUR; Development Review Enterprise (DRE) Code Scrub Committee; DRB; City Sign specialist	Staff drafted; Code Scrub Committee review; DRB; Council	Limited direct; but will involve considerable time of existing staff and stakeholders, plus hearing processes; possible use of a consultant or contract staff	1) Completion of hearing process by 2017; 2) Subsequent staff and stakeholder input on impact from changes	Not initiated	Completion of Downtown-specific sign code in addition to any other changes deemed necessary at this time
2.A.3	Zoning	Extend Downtown FBZ into appropriate applicable areas	There are areas adjacent to but not now located in the Downtown FBZ, that are or may be priorities for infill development and might benefit from an FBZ approach. This option is available on a case-by-case basis, and could provide an opportunity to take advantage of the existing Downtown FBZ for these logical areas. However, work would need to be done in order create new or modified "sector" standards for these new areas	TBD	LUR; Downtown Partnership	Staff or Downtown Partnership-initiated; PC; Council; substantial stakeholder process including neighborhood groups and directly impacted property owners	Some of the required planning costs may be encompassed by the IDP update process; however funding may be needed to prepare a plan for South Nevada area if considered; Costs of updating regulating plan and processing the amendment would need to be addressed	Completion of recommended inclusions by 2017	Imagine Downtown Plan update underway- otherwise not initiated (10/15)	IDP consultant process should be reasonably completed before formally initiating inclusions of new property
2.A.4	Zoning	Prepare and adopt new FBZ plans	Although the Infill chapter of the Comprehensive Plan does not recommend a large-scale City-wide conversion to FBZ zoning, certain infill and redevelopment areas could benefit. Creation of FBZ plans is process and labor intensive and requires broad-based community input. Therefore, there should be a City role in this process	TBD	CPD; LUR	Staff, develop or community-initiated; PC; Council; substantial stakeholder process including neighborhood groups and directly impacted property owners	Substantial costs to create new vision plan if needed and to create new regulating plan (possibly \$30,000 for public regulating plan); plus staff, stakeholder and hearing time	TBD	Not initiated; TBD	Costs and process for development-specific FBZ plans could be borne partly by developer, but must be led by the City in most cases. Likely public candidate areas might be South and North Nevada
2.B.1	Zoning	Add "Uses by Right" (permitted uses) in non-residential or non- single-family districts	If infill supporting uses are not allowed as a permitted use in a particular zone district, the property owner's options include applying for a rezoning, applying for a conditional use (if allowable in that district) or applying for a variance of use. All of these processes have some costs, take time and can have uncertainty risk. For the range of zone districts between public facilities and single family districts on one side of the spectrum and heavier industrial districts on other, there may be potential for adding some permitted uses to this "mixed use middle". A tradeoff may entail the adoption of some additional standards to address the impacts of any added uses.	Short to Medium Term	LUR	Staff-initiated; Code Scrub Committee reviewed; PC; Council: additional stakeholder outreach including CONO and development community	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	Adoption of recommended Code changes by 2016	Not initiated	Some uses may need 'performance standards' to ensure compatibility.

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
2.B.2	Zoning	Implement City-Initiated TOD-supportive zoning overlays for priority corridors and activity centers	A primary recommendation of the Infill Chapter is to encourage transit-compatible development and redevelopment in association with frequent transit corridors. Overlay zoning provides one important tool with which to support this recommendation.	Medium to Long Term	CPD; Transit Services; LUR	Staff-initiated but highly stakeholder based; Code Scrub Committee reviewed; PC; Council ; additional stakeholder outreach including impacted property owners, CONO and development community.	TBD, but significant in terms of staff and potentially consultant time. Significant analysis and notice costs and efforts	TBD	Not initiated	Contingent on finalizing corridors and areas; "Vision-level " plans should adopted for corridors such as North and South Nevada. May be some hesitancy to implement prior to Comp. Plan Update. May also be a bias against required density. Standards should address accessibility and be inclusive
2.B.3	Zoning	Revise the Findings in Section 7.5.603.B of the Zoning Code and the purpose statements in Section 7.3.101.A and 7.3.201.A to be more directly supportive of infill and redevelopment	From a zoning-related perspective, the successful implementation of desirable infill and redevelopment will be dependent not only on development in exist zoning districts or City-initiated changes to zoning, but also on privately initiated requests for different zoning.	Short Term	CPD, LUR	Staff-initiated but highly stakeholder based; Code Scrub Committee reviewed; PC; Council ; additional stakeholder outreach including impacted property owners, CONO and development community.	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Code change implemented; 2) Qualitative feedback	Not initiated	Very limited (but carefully considered) wording would be all that is necessary. Most important could be adding a just a few words to the standard findings, highlighting the importance of infill, as applicable
2.B.4	Zoning	Revise development plan review criteria in Section 7.5.502 of the Zoning Code	The City's development review criteria are used in conjunction with the review of normally administrative development plans throughout the City including in infill areas. The "open ended" nature of the current criteria allow them to potentially be used to discourage almost any combination of use, bulk and density.	Short Term	Planning	Staff-initiated; Code Scrub Committee reviewed; PC; Council; additional stakeholder outreach including, CONO and development community (HBA)	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Code change implemented; 2) Qualitative feedback	Initial research and first draft completed by staff (12/15); being discussed by Code Scrub Committee	
2.B.5	Zoning	Specifically amend Chapter 7.4.201-207 of the Zoning Code (Off Street Parking Requirements) to adopt new infill-supportive standards including allowing credit for on-street and off-site parking in some cases	Outside of the parking-exempt area of Downtown, it is not uncommon for infill projects to have difficulty meeting current parking requirements within their sites and based on a strict application of calculations and standards in the Zoning Code. Credit for on-street, shared or off-site parking is not normally allowed, even if reasonably available. Options for alternative compliance are (e.g. credit for alternative modes, unique use mixes etc.) are also limited.	Short Term	LUR; Fire Department	Staff-initiated; Code Scrub Committee reviewed; PC; Council; additional stakeholder outreach including, CONO and development community (HBA)	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1)Code changes adopted; 2) Number of development approvals with shared parking	On Code Scrub Committee list; initial language drafted	Include backing out in to alley ROW for non-res uses. Review parking standards in general particularly within FBZ and TOD areas to have a maximum allowed as surface spaces; Consider strategic versus across-the-board reductions based on context

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
2.B.6	Zoning	Evaluate and implement options to allow more accommodation of Accessory Dwelling Units in single-family areas	Generally, ADUs are small fully independent housing units associated with existing 1sf dwelling units (e.g. small apartments within home, small cottages or units over garages. Although ADUs may be effectively precluded in many neighborhoods due to covenants, in others, particularly in mature areas, they could provide an opportunity for reinvestment, use of existing capacity and housing options, without significantly altering their character. The addition of ADUs could also the unique housing needs of demographic group[s] including seniors and millennials	Medium Term	CPD/LUR	Staff-initiated; Code Scrub Committee reviewed; PC; Council; additional stakeholder outreach including, CONO and development community (HBA)	Substantial costs associated with the analysis and process	1) Substantive Code changed adopted, 3) New ADUs registered etc.	Not initiated; but on Code Scrub Committee List	approach most likely should be area neighborhood-specific rather than across an entire zone district; should also evaluate lot sizes, impact of CCRs etc.
2.B.7	Zoning	For mature areas, establish or amend geographically specific development standards based on neighborhood plans and input. Also establish clear criteria for administrative relief from these standards.	This is general recommendation- much of which might be best addressed in conjunction with overall updates of the Zoning Code and Traffic Criteria Manual (Part III of the Engineering Criteria Manual)- see also 6.A.3 below	Medium to Long Term	LUR; Code Scrub Committee	Staff drafted; Code Scrub Committee review; PC; Council;	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Completion of hearing process on initial changes 2) Subsequent staff and stakeholder input on impact	Not initiated, but corner lot Code change on Code Scrub Committee list	Separate meetings with CONO/HBA likely
3.A.1	Utilities	Increase open access to CSU facilities and capacity information	As with other areas of the City, much of the "due diligence" associated with land development decisions can occur offline and prior to formal meetings or applications, if the data are available. For infill projects, being able to find out about the location, type, condition and probable capacity of utilities (along with their associated easements) can be particularly important. Much of this data is currently in digital form but not available to outside users.	Short to Long Term	CSU, El Paso County	Potentially coordinated between CSU and RBA; Some data comes from other entities such as El Paso County	TBD but CSU; design and roll out costs could be substantial; some potential for lost revenue from data sales	1) Decision on policy; design and structure; 2) Roll out of product; 3) Quantitative and qualitative measures of use and value	Options and recommendations being actively evaluated by UPAC as of December 2016	Recommended approach to be finalized by UPAC in Q1 2016 and then potentially carried forward to UB and Council; there are limits to this data (e.g. capacity might be there but not condition etc.) There are also system security issues that must be addressed
3.A.2	Utilities	Align CSU capital improvement plans to strategically upgrade systems in high priority infill areas including Downtown	Downtown is an identified cornerstone for the City's infill vision. There are a variety of Utilities-related challenges associated with Downtown including capacity and aging sometimes poorly located systems	Medium to Long Term	CSU; UB	CSU, UPAC, UB, Council	Variable and case-by-case determination	1) Report on needs, funded projects and priorities; 2) Implementation of highest priority projects	Being addressed by CSU: however UPAC has suggested revisions to this recommendation	To be reviewed case-by-case by CSU Development Review Team
3.A.3	Utilities	Develop and implement utilities standards for mature areas that minimize or optimize requirements to upgrade or replace existing infrastructure and which are sensitive to existing conditions and constraints	Meeting full "suburban" or "new area" CSU standards can be difficult in infill areas, particularly with respect to the age, condition, complexity and spacing limitations associated with existing facilities and available space. Reasonable openness to options including alternate standards can make an important impact on the practical and financial feasibility of infill projects. In infill areas, even a fairly small project can trigger the need for significant adjacent or off-site upgrades.	Ongoing	CSU	CSU, UPAC, UB, Council	Variable and case-by-case determination	Case-by-case feedback	Being addressed by CSU: however UPAC has suggested revisions to this recommendation	

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
3.A.4	Utilities	Refine System Development Charges to support and encourage infill	CSU System Development Charges (SDCs) or water and sewer taps constitute a significant cost for new development, and sometimes for intensified redevelopment. Although CSU already has a system of SDCs that distinguishes by lot area for single-family meters and further distinguishes somewhat for multifamily units, some additional "granularity" could provide benefit for infill projects with particularly low water and wastewater usage (due to very low unit size etc.)	Medium Term	CSU?	CSU staff; UPAC: UB; Council	TBD; one-time and ongoing; assume limited and largely net-budget-neutral changes	Adoption of revised table of charges supportive of infill (or an complete an informed and full process recommending no changes)	UPAC to discuss in January 2016; May be part of final UPAC recommendations to UB/Council	
3.A.5	Utilities	Implement limited option to transfer meter credits for infill-supportive purposes	This recommendation is already moving forward as late 2015. It could generally benefit infill if the program is limited to transfers into or within infill areas.	Short Term	CSU	CSU staff; stakeholders; UB; Council; Required changes to Utility Rules and Regulations (URRs) and City Code	TBD; cost of process plus limited forgone revenues (possibly augmented by induced demand)	1) Phase 1 change implemented; 2) potential further changes implemented	Limited transfer option included in 2016 CSU rate case; additional options pending	
3.A.6	Utilities	Further revise inactive meter policies, fees and rules to support infill	This recommendation is also already moving forward as late 2015, which could result in removal of these fees. This should benefit infill at applicable locations because most inactive meters tend to be associated with older or disinvested areas	Short Term	CSU	CSU, UPAC, UB, Council	TBD; cost of process plus limited forgone revenues (possibly augmented by included demand)	Adoption of a revised policy and URRs	Abbreviated CSU rate case in process; should be approved by early 2016	
3.A.7	Utilities	Actively continue to use strategic teams to address priority infill areas and issues	When utilities related infill challenges are only addressed as they come up in association with individual projects, the process can be inefficient in terms of time, cost and frustration for all parties. Strategic teams can more proactively address challenges that come up regularly, identifying better solutions in some cases, and at least better communicating the unavoidable constraints in others. An example is the team currently addressing Downtown utilities topics.	Ongoing	CSU?	CSU staff; stakeholders	TBD; dependent on staffing allocation	Periodic reports on team(s) status; progress and results	Standing team is now available for Downtown and can be engaged for any project; Established Development Review Team in 2015	
4.A.1	Private Property Care and Maintenance	Champion and support proactive Code Enforcement including both enhanced outreach and prevention programs and effective enforcement	Proactive "full spectrum" code enforcement is identified as important supporting element of an infill strategy, particularly for disinvested areas. Property owners and developers are less likely to reinvest in areas and neighborhoods unless a minimum standard of private property care can be assured via a combination of community support and enforcement of the most egregious cases	Ongoing	Mayor's Office; Council; Planning	All applicable City staff; City Communications	TBD; Limited direct costs; possible additional marketing and communications costs; possible costs of additional resources for either staff or programs; possible direct and indirect offsets from greater compliance	1) Positive media coverage; 2) community feedback; 3) announcements of new initiatives and reports on experience	Organizational shift to Planning & Development Department completed; other steps could occur; limited resources in 2016 budget	
4.A.1	Private Property Care and Maintenance	Revise codes and processes to enhance effectiveness of Code Enforcement	Although the large majority of all Code Enforcement cases are abated without the need for a protracted process, there can be a frustration with the time it takes for the process to result in effective abatement for some persistent or egregious cases. In particular, liens on properties (versus property owners) can be ineffective	Medium Term	Planning/Code Enforcement, with Attorney	Options generated by staff with Attorney; stakeholder input including CONO, business community and Apartment Association, City Council	Primarily staff and stakeholder time and cost. However options for more proactive enforcement may involve added legal costs, and more aggressive City abatement would require up-front financial resources	1) Code and process changes implemented, 2) Increased "effective clearance rate" for the most serious cases	Not initiated	

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
4.B.1	Public Property Care and Maintenance?	Maintain existing infrastructure in the most cost-effective manner in order to support infill	Sustainable maintenance of public infrastructure such as roads, sidewalks, streetscapes, trails, parks, and schools (in their case by school districts) is an important aspect of infill support because these systems function as both the skeleton and the front door. Mature areas are more likely to have higher proportions of facilities in poor condition and less likely to have mechanisms such as districts and property owners associations in place to upgrade maintain them.	Ongoing, including but not limited to 2016 proposed ballot initiative	Citywide (primarily Public Works, Parks and CSU)	Multiple strategies	Very substantial, but with potential for induced revenues and offsets	Multiple measures mostly tied to asset management systems	Update after 11/15 ballot issue	
4.B.2	Public Property Care and Maintenance	Enable and promote full-service streetscape adoption	High quality (but not "one size fits all") sustainable streetscapes are an essential part of the fabric of the community needed to support continuing reinvestment. Major corridors and community/neighborhood entrances are of particular importance. General City revenues are inadequate and special financing entities (such as the DDA, districts and associations) are not always viable options. Current adoption programs, while valuable, tend to focus on limited ongoing care and not on new investments and capitalized maintenance. Therefore new funding opportunities may need to be developed.	TBD	Parks?	Parks, Public Works, City Attorney's Office	Cost of staff time; potential for offset of City costs	1) Determination of preference and feasibility; 2) Potential policies programs and procedures in place; 3) If applicable, streetscape miles and/or value of improvements sponsored	Not initiated	May be some complications with liability
4.B.3	Public Property Care and Maintenance	Fully integrate streetscape characteristics and maintenance information in City asset management system	The full spectrum of streetscape quality and maintenance important to infill success, especially for key corridors. This this is more than the quality of asphalt and concrete and the presence or absence of sidewalks. It also involves keeping track of the type and quality of streetscapes (including elements of Urban Forestry) and spatially understanding all the various entities (besides the City and the immediate property owner) that have a role in taking care of them. Having more of this information in an integrated system will allow a better understanding of gaps, needs and the best choices for priorities and strategies.	TBD, Medium Term+	TBD?	Staff level	Significant, cross departmental and TBD; some ongoing system maintenance cost	Proportion of City included in asset management system by feature	Asset management framework in place, but not fully initiated.	Need to confer with Parks and Public Works; this was recommendation of the Streetscape Solutions Team also
5.A.1	Parks and Cultural Services	Comprehensively address infill and redevelopment issues and needs in conjunction with an overall Park Lands Dedication Ordinance (PLDO) update, including consideration of park development and renovation fees as options	The current PLDO is primarily structured around providing new park land (or paying fees in lieu of parkland) for newly developing areas. Requirements are limited to residential subdivisions, and there are strict limits on the use of the fee revenue. This system is not always amendable to infill areas where the parks-related needs do not match the limits in the ordinance. The needs in infill areas often have less to do with acquiring more land and more to do with either reinvestment in existing facilities or provision of non-traditional and non-qualifying improvements,	TBD with Parks Dept. and Mayor's Office	Parks Department, Planning, Real Estate Services: likely committee or task force	Staff/committee process; Parks Board; PC; Council	Staff-related cost of the process; ultimate likelihood of increased fee revenues but also different allocation impacts	1) Process, structure and staff/committee charge completed; 2) Changes adopted	Recommended in recently adopted Parks Master Plan but not initiated	Elimination of any fees or requirements for infill areas would create the greatest incentive; However, this might not address the need or result in the desirable public amenities
5.A.2	Parks and Cultural Services	Extend land dedication and/or park development fees to include non-residential properties	This recommendation is also an extension of 5.A.1 above, and has City-wide implications. Additional non-residential development creates site-related demands for parks-related facilities, but not the same as with more traditional residential development.	TBD with Parks Dept. and Mayor's Office	Parks Department, Planning, likely committee or task force	Staff/committee process; Parks Board; Council	Staff-related cost of the process; ultimate likelihood of increased fee revenues	1) Process, structure and staff/committee charge completed; 2) Changes adopted	Not initiated	New fees could result in a barrier to reinvestment, especially unless there was flexibility in allowing credit public realm investments

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
6.A.1	Transportation	Prepare and adopt new Engineering Criteria Manual standards allowing for the elimination or reduction of requirements for formal TISs (Traffic Impact Studies) for most infill projects.	Traditional TISs focus on projecting the motorized traffic demand created by a project, projecting its distribution on the existing roadway network, evaluating the level of service (LOS) impacts to those facilities, including intersections, and then recommending improvements such as added lanes and signals to maintain a desired LOS. These studies are expensive to prepare. For some infill projects the results will be fairly well known and understood without the analysis being done. Moreover, if the philosophy for some infill areas and corridors is to accept more congestion (and expect transportation behaviors and multi-modal systems to adapt) these studies have limited positive application. For projects where the traffic impacts will clearly remain below traditionally accepted LOSs, the results can end up primarily being used as an argument against more traffic rather than one pertaining to capacity.	Ongoing and Continuing	Public Works, Traffic Engineering Section	Public Works and Planning; largely related to the development review and public hearing processes	No direct City costs; potential for case-by-case long term costs and benefits	Large infill projects with requirement waived	Ongoing to some extent with waivers, but Engineering Criteria Manual amendments not yet initiated	process cost savings to applicable developers; savings can be more than just the cost of the report
6.A.2	Transportation	Develop, adapt and adopt transportation facility, access and related standards specific to infill areas by amending Section 3 of the Engineering Criteria Manual (Traffic Criteria Manual). Address multimodal factors, as applicable including transit, bicycles, pedestrian movements off-site parking. Adopt clear criteria of waivers.	Although it allows for substantial flexibility in some cases, the City's ECM, including its Traffic Criteria Manual, have a suburban and greenfield development orientation, that make it difficult to accommodate infill conditions and values. Although waivers of these standards are a reasonable and appropriate option in some cases, the associated uncertainty and subjective can be a challenge. Improved alignment of these Manuals with infill conditions and values will reduce uncertainty risk generally encourage reinvestment. TIS requirements also do not address certain modes such as transit and bicycles	Medium to Long Term	Planning and Public Works	Staff-generated (Planning/Public Works); CSC input and review; PC; possible DRB; City Council	Staff and processing time TBD	1) Systematic Code and manual review completed; 2) Amendments approved	Not initiated	
6.A.3	Transportation	Strategically involve the Parking Enterprise as a tool for redevelopment, including leveraging its potential for public/private partnerships	Continued development and redevelopment of Downtown is an identified cornerstone of the City's infill plan and strategy. Structured and on-street spaces controlled by the Parking Enterprise account for a significant share of the parking demand associated with Downtown land uses. As such the role of the Enterprise will be critical to Downtown's continuing development including the ongoing alignment of capital programs moving forward with options to support Downtown residential development.	TBD and Ongoing	Parking Enterprise	Parking Enterprise; Planning; Economic Vitality; Downtown Partnership; stakeholders; Council	TBD; financial implications for Parking Enterprise	TBD	Ongoing to some extent (e.g. with Olympic Museum; however a comprehensive evaluation of the Enterprise's role has not been done	various options including coordination and partnering on location and timing of facilities, parking fee in lieu of providing parking; allocation of parking garage spaces a cost
6.B.1	Transportation	Focus infill strategies to support designated high frequency transit corridors (see also 2.B.2)	A primary recommendation and focus of the Infill Chapter centers on the importance of evolving the land uses along designated high frequency transit corridors to both take advantage of this transit capacity and create the land use conditions necessary to result in demand for a more robust transit system. The zoning options in 2.B.2 represent one of these strategies, but others potentially include alignment of resources including planning, transit improvements an street improvements.	Ongoing	Transit and Planning	Multiple strategies	Varies by strategy	1) Infill activity in priority areas; 2) Transit investments, service, demand and productivity in corridors	Status varies by initiative and to some extent- ongoing	Density must be part of this conversation in order for success.

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
7.A.1	Priority Area Plans and Strategies	Create and adopt the new or revised vision, land use and/or transportation/ facility plans necessary to support the redevelopment of priority infill areas including Downtown and mature arterial corridors	Priority areas need adopted, up-to-date and community-reflective land use and transportation plans in order to have a vision to focus on and framework to build toward. Desired and acceptable land uses need to be understood and identified, and multi-modal street and public area plans need to be in place. For some areas such as Downtown overall plans are in place strategic updates are needed. For others such as South Nevada Avenue, there are limited current land use, transportation or parks and open space plans to work from. For still others such as North Nevada Avenue, the existing roadway plan requires updating, and not land use plan exists. Needs for land use, vision and facility plans vary for different priority areas.	Short to Long Term	Planning	Staff, stakeholders including neighborhoods and impacted property owners, consultants and URA as applicable, PC, Council	City budgetary requirements are considerable and will be dependent whether the plans will be created in-house or with the services of a consultant. However, there is always a considerable need for staff time and resources. Per plan costs of \$50,000-100,0000 provides a rough rule of thumb	1) Funding and successful adoption of plans; 2) Ultimate demonstrated implementation of plans	Imagine Downtown Plan update funded (by the DDA) and actively underway as of late 2015; Some impetus is occurring with the North Nevada land use planning efforts. Funding has been secured for an amendment of the North Nevada roadway plans. A consultant has been chosen for the Downtown transit terminal study. Funding not identified for a number of other key plans or updates	
7.A.2	Priority Area Plans and Strategies	Proactively develop and adopt zoning and design standards for priority infill areas (see also 2.B.2)	The need for revised or additional zoning standards has been identified for several priority infill, particularly associated with older arterial corridors such as North and South Nevada Avenue.	Medium to Long Term	Planning	Staff, stakeholders including impacted property owners, PC, Council	City budgetary requirements can be significant depending on the nature and extent of the zone changes and will be dependent whether the plans will be created in-house or with the services of a consultant.	1) Adoption of new or revised standards and regulations; 2) Demonstrated success in use of the standards and regulations.	No major initiatives underway at this time	Includes standards for accessibility and pedestrian orientation
7.A.3	Priority Area Plans and Strategies	Secure funding for and implement highest priority public improvements in priority infill areas, including transportation projects (see also 8.A.1)	For many infill and redevelopment projects to be able to economically move forward, it is not enough to have the land use and transportation plans and requirements in place (e.g., having street cross sections, access plans and streetscape plans in place). Public or quasi public funding needs to be identified, and then programmed and spent for at least a part of the required infrastructure	Medium to Long Term	Public Works with Planning	Varies by source of funds but often involves staff of various departments, stakeholders, possibly special districts CTAB, PPACG, PPRTA and Council	These are typically high dollar budget items, needing to be prioritized from among scarce resources, and typically requiring a lot of lead time	1) Development of clear but adaptable lists of strategic priority projects for funding; 2) evidenced of funding identified and secured; 3) projects implemented	Status varies by priority area and project; an area-specific set of priorities and schedules will need to be maintained	
7.A.4	Priority Area Plans Strategies	Actively identify, support and demonstrate progress on catalyst projects in infill priority areas	Public, private or combined public/ private catalyst projects can be very important to "kick start" or lay the groundwork for additional investment and redevelopment in infill areas. These may be "first in" public or private development projects or completion of key infrastructure. Some catalyst projects can particularly important in acting as geographic cornerstones (e.g. the Downtown multimodal transit terminal). For large areas such as the South Academy corridor, catalyst project and area designations provide manageable places to focus and start.	Short to Long Term	Varies dependent on projects. For private or non-profit projects the City "lead" may function in a supporting role	Varies by project	Varies by project but typically very substantial on the parts of the City, another public agency, a non-profit or a private developer.	1) Progress and success associated with identified catalyst projects; Evidenced induced or related impacts of the projects	Status varies by priority area and project; and area-specific set of identified catalyst projects should be created and maintained in order to track progress	
7.A.5	Priority Area Plans and Strategies	Strategically designate urban renewal areas for priority infill areas (see also 8.A.3)	Decisions regarding use of urban renewal authority will be important for a number of infill areas and projects. For example the current initiative to designate part of the South Nevada area will likely have a major impact on the rate and success of redevelopment in that area	Short to Long Term	Planning with URA	Staff, stakeholders including property owners and neighbors, URA, PC, Council	City direct budget implications may be small unless there was shift to advancing City funds for urban renewal area plans and studies etc.	1) progress on URA designations, plans and financing; 2) ultimate success of redevelopment in and around urban renewal areas	Gold Hill Mesa urban renewal areas bifurcated in 2015, to maximize their utility. South Nevada urban renewal area in final stages of designation in late 2015.	

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
7.A.6	Priority Area Plans and Strategies	Coordinate with regional partners (such as PPACG and PPRBD) to secure and leverage resources to support infill priority areas and projects	Partnerships with outside agencies will be critical in achieving infill success, especially in securing resources and in aligning plans and programs. PPACG is especially important due to its role in the allocation of resources for multimodal transportation projects. However, there are several other key partners including PPRTA, the County, colleges and universities, the military and school districts	Short and Long Term	Planning with Public Works	Varies by project and issue	City direct budget implications likely to be small, although this does require some allocation of staff time	1) identified coordination with a direct tie to infill; 2) PPACG transportation funding decisions.	Ongoing	
8.A.1	Tools and Incentives	Align plans and priorities for capital improvements and provision of essential public services with infill priority areas, when feasible and appropriate, using a systematic and objective process	Public investments in infill priority areas are often essential to their success. Limited resources need to be strategically aligned and prioritized. Reporting on progress needs to include the status of planned and committed public investments.	TBD Ongoing	Planning; in coordination with multiple departments	Coordinated among departments with input from stakeholder committees and ultimate direction from Mayor and Council	Ongoing, little or no directly added costs	1) Accounting of locations and values of improvements	Not formally initiated. However, GIS-based depictions of projects are commonly used	
8.A.2	Tools and Incentives	Create and adopt an economic development policy that allows the strategic use of City incentives for high priority infill projects (including those with residential uses)	Most unique City incentives have customarily been limited to "economic development" projects that result in some combination of significant primary employment, sales tax generation and/or substantial utilities use. Some important infill projects, may not contribute as directly to these categories but are none-the-less recommended for priority due to their overall contribution to community benefits.	Short to Long Term	Community Vitality; Planning	Case-by-case; staff and developer; approved by Council	Ongoing and as needed	1) Overall and area-specific success of infill. 2) Number of projects incentivized, 3) Some analysis of community benefit		
8.A.3	Tools and Incentives	Prepare and adopt an adaptable City Urban Renewal Policy aligned with this Infill Chapter	The use of urban renewal designation is arguably the most important single infill-supportive tool and incentive directly available to the City. Historically most, urban renewal requests have been brought forward to the Urban Renewal Authority without benefit of an adopted framework of priorities for areas and outcomes. Within the City, more areas potentially qualify than can be logically designated in a fiscally prudent manner. Therefore, if one of the recommended strategies is to effectively use urban renewal to promote infill, it would be beneficial to have an adopted policy, aligned with infill goals, outcomes and priorities.	Medium Term	URA; Planning; Mayor; Council	Staff; URA;EV; stakeholders ; Council	Costs limited to staff time and process	1) Adaptable and updateable policy adopted and in place	Not formally initiated	Many of the aspects this policy exist in practice, direction and working philosophy; important not to actually designate areas until projects are identified and ready- due to 25-year clock
8.A.4	Tools and Incentives	Provide fee waivers and staff support to create special districts to install or maintain public infrastructure in infill and redevelopment areas, especially for the care and maintenance of existing developed areas.	Special districts (primarily metropolitan districts and BIDs) are routinely used by developers newer part of the City to shift a portion of the public improvements costs to future property owners, obtain tax-exempt financing, and sometimes for ongoing maintenance. Waiving application fees for infill area developers could provide a minor cost advantage especially for smaller project areas. Districts can also provide an option to upgrade or maintain streetscapes in already developed areas.	Short to Medium Term	Planning	Process fee waiver resolution; Planning; Attorney; other departments; Council	Limited loss of City General Fund revenue, and staff cost	1) accounting of any districts qualifying for the waiver 2) creation of new district in infill areas	Not initiated	Counter arguments include a potential to slightly encourage more proliferation of districts. Additionally, this cost is minimal compared with the life-cycle costs of operating the district. More likelihood of success in business areas. Some concern with equity impacts.

FIGURE 2

Number	Recommendation Category	Recommendation	Problem Statement/ Justification	Timeframe	Accountability/ Responsibilities	Process	Budget/ Cost Considerations	Measures of Success	Status	Key Elements and Other Comments
8.A.5	Tools and Incentives	Create, adopt and implement a reasonably objective system and process for evaluating and scoring private infill development projects for the purpose of providing incentives	Incentives (as addressed in this Action Plan) are important to the success of development projects. Because many projects can make some case for incentives, an objective but adaptable system should be in place to establish eligibility and thresholds necessary for their provision. Consistency with the Guiding Principles and Goals of the Infill Plan should be one of the key criteria used in this system along with the economic development and urban renewal policies recommended in this Action Plan.	Short to Medium Term	Planning and Economic Vitality	Create and adopt system and process; staff; stakeholders including RBA; Council	Costs limited to staff time and process	1) Creation and adoption of process and system; 2) experience with implementation	Not initiated	As noted there are important factors and outcomes with an essential nexus to economic development but not always to infill (e.g. primary job attraction and retention). The evaluation/scoring systems needs to reflect all of the desired goals and outcomes
8.A.6	Tools and Incentives	Develop, adopt and proactively apply criteria for evaluating and potentially adapting public, civic, and institutional projects for consistency with the Infill Plan.	The City naturally has the most influence on the projects and uses it is directly or indirectly responsible for. Other institutional uses (e.g. hospitals and major educational facilities) have a particularly strong nexus with infill goals and City services and infrastructure. Therefore, criteria should be developed to assure that these projects and uses are reasonably aligned with the goals of the Infill Plan, including their location and design.	Medium Term	Planning; City Departments	Staff; Departments; Council	Costs limited to staff time and process	1) Creation and adoption of process and system; 2) experience with implementation	Not initiated	
8.A.7	Tools and Incentives	Provide effective Rapid Response for high priority infill projects	The City's staff level Rapid Response process involves pulling together a review team early in the development review process to problem solve and reasonably expedite the processing for key projects often tied to economic development (i.e. primary jobs, net sales tax increase etc.). This process loses its validity if becomes too diluted. However, it could be expanded to the review of a limited number of infill projects that appear to be have a high level of consistency with priorities, goals and outcomes of the Infill Chapter.	Ongoing	Economic Vitality; Planning	Multi-departmental team	limited direct cost	1) some reporting. 2) Anecdotal responses	Could easily be phased in (with some guidance)	Some infill projects already qualify based on current reasoning. Some others have merited focused attention less formally.
9.A.1	Other Recommendations	Support efforts to address construction defects litigation that adversely impacts certain infill housing project types	The current construction defects law is making it almost impossible to build new condominiumized projects of any type. These types of projects can be particularly important for infill. Although this is a Statewide issue, and may not be entirely solvable at the local level, the City can support a variety of efforts to address and mitigate the impact.	Short Term (if possible)	Attorney; City Council; Mayor	Staff; City Council; coordination with other municipalities	limited primarily to staff time	1) Council ordinance adopted 2) Effective State legislation passed or other approach implemented 3) Actual increase in construction of multiple ownership attached units constructed	Council ordinance adopted as of December, 2015; additional attention may be required at the State level and locally	critical for success of attached units with multiple ownership
9.A.2	Other Recommendations	Assume a proactive role in resolving stormwater and floodplain management challenges particular to infill areas	Addressing stormwater and floodplain management issues and requirements can be particularly challenging for infill areas and projects because of the complexities associated with multiple ownerships, small sites, limited available land, obsolete or inadequate systems and new requirements (e.g. managing for both stormwater quality and quantity. Without the City playing a coordinating role, these issues can become a barrier to redevelopment development.	Short to Long Term	Public Works/ Stormwater	varies	varies	1) Coordinated stormwater facilities plans in place 2) floodplain management systems and/or	Ongoing	

FIGURE 2

1.B.1	Neighborhood Process	Implement options for enhanced neighborhood services delivery	Strong well-supported neighborhoods are important for a variety of reasons including the establishment of a market for continued land use re-investment. Many older established neighborhoods have particular need associated with their age, and may lack some combination of plans, fully empowered property owners associations and other tools and mechanisms necessary to address these without support from the City in cooperation with entities such as CONO	Short to Long Term	Planning & Development Department; Mayor's Office in coordination with other departments including Police, CSU, Housing and Community Initiatives	TBD based on recommendations, organizational approaches and outcomes; coordination to occur with CONO and other stakeholders	TBD, although the recommended direction at this time is to focus first and primarily on the most effective deployment of existing resources, coordination and community outreach	1) Neighborhood services plan established; 2) Quantitative and qualitative measures of effectiveness	Ideas discussed; otherwise not initiated	Responsibility and coordination driven in part		
1.C.2	Neighborhood Process	Establish/amend development standards in with neighborhood input (also see 2.B.7)	City-wide ("one size fits all") development standards are not always the most useful, especially in the context of mature neighborhoods with a combination of unique inherited, evolved and desired conditions and characteristics. Neighborhood-based standards allow these contexts to be addressed in a manner that can both reduce the need for applications for variances and result in the desired character	Short to Long Term	LUR; Code Scrub Committee	Staff drafted; Code Scrub Committee review; PC; Council;	Limited direct; primarily time of existing staff and stakeholders, plus hearing processes	1) Completion of hearing process on initial changes by Q4- 2016; 2) Subsequent staff and stakeholder input on impact	Not yet initiated	separate meetings with CONO/HBA likely		
2.B.3	Zoning	Adopt additional administrative relief options for older established neighborhoods	Some of the older areas of the City were platted and/or developed prior to being zoned or annexed. In other cases, the original zoning as been changed significantly. Although some administrative relief options already exist, there are cases where addition options and latitude for administrative relief would be beneficial. In some cases this option might be best developed on an area-specific basis with neighborhood	Medium Term	LUR	Staff-initiated; Code Scrub Committee reviewed; PC; Council; additional stakeholder outreach including, CONO and development community (HBA)	Inventories of both physical conditions (potentially impacted properties) and past applications, would be important	TBD	Not initiated	One key focus would be corner lots		
2.B.8	Zoning	Reasonably support privately initiated zone change requests that promote context sensitive infill and redevelopment, including mixed use, density and adaptive re-use	This recommendation is primarily policy-oriented, and applicable on a case-by-case basis. However, additional proactive small area planning could provide an improved framework for these decisions	Ongoing	PD, Mayor's office, PC, Council	Ongoing, and supported by authentic involvement of stakeholders in the development of supporting plans and standards	Limited for the cultural part; could be significant for the supporting part	1) Case study reporting on zone changes				

FIGURE 2

3.A.1	Utilities	Improve CSU development review process and communication for infill areas	Utilities issues, costs and options can be a major factor in the success or failure of infill projects. Options thinking can be critical the process. In some cases the full suite of options may not be communicated at the earliest stages of the process. In other cases the full impact of required costs, limits and processes may not be clearly articulated early in the process.	Ongoing	CSU; UB	Largely staff driven; may have budgetary aspects pertinent to UB	TBD; could be additional costs for increased staffing associated with project-specific solutions	Case study reporting and qualitative responses	Ongoing		
3.A.5	Utilities	Minimize/optimize requirements to replace and upgrade existing infrastructure to support infill projects	In infill areas, even a fairly small project could trigger the need for significant adjacent or off-site upgrades (possibly involving the replacement of an older lower-capacity facility win	Ongoing	UPAC; CSU Systems Extensions group; UB	<i>to be completed</i>	Variable and case-by-case determination	Case-by-case feedback	Ongoing	CSU role and responsibility for aging infrastruc	
4.B. 2	Public Property Care and Maintenance	Provide City assistance for creation of mature area maintenance districts	Many of the newer areas of the City have some form of special district or revenue-producing property owners association in place to provide for enhanced maintenance of public or common areas including streetscapes. General City revenues for this purpose have been and will be limited. City assistance could include waiving of fees and provision of professional services, to assist some neighborhoods and especially business areas in creating maintenance districts in mature areas.	Short Term and Ongoing	TBD (Planning, Budget, Parks?)	First step might be an Informal City Council work session to address policy direction and trade-offs; possible CONO-sponsored follow-up sessions.	Cost of work session and modifying special district fee resolution would be minimal; as would be effective net impact of forgone fees; staff costs would depend on level of commitment and interest. There could be financial benefits to the General City in the form of	1) Work session and direction; 2) Potential fee and policy changes 3) added areas of the City in special maintenance districts	Not initiated	Probably the most potential for business areas. The impact of the Gallagher Amendment and the need for TABOR votes will likely	
5.A.2	Parks and Cultural Services	Fully evaluate and propose options for park development or renovation fees	This recommendation is an extension of 5.A.1 above. As the City matures, the overall need for investment in parks shifts from acquiring land (and building new facilities) to one of reinvestment. This is a City-wide issue, but one of particular importance to infill areas.	TBD with Parks Dept. and Mayor's Office	Parks Department, Planning, likely committee or task force	Staff/committee process; Parks Board; Council	Staff-related cost of the process; ultimate likelihood of increased fee revenues	1) Process, structure and staff/committee charge completed; 2) Changes adopted	Not initiated	Unless substituted for current land dedication requirement, this could create an added cost of	"

FIGURE 2

6.A.1	Transportation	Deemphasize congestion concerns and use of rigorous access management for development and redevelopment projects in infill areas	This is a general recommendation that would manifest itself in a variety of decisions and strategies. NOTE: IT MAY MAKE SENSE TO REMOVE THIS RECOMMENDATION AFTER MAKING SURE IT IS ADDRESSED IN THE CHAPTER	Ongoing and Continuing	Public Works, Traffic Engineering Section	Public Works and Planning; largely related to the development review and public hearing processes	No direct costs; potential for case-by-case long term costs and benefits	Experience and case studies	Ongoing	Congestion can/should lead to successful implementation		
6.A.2	Transportation	Prepare and adopt Engineering Criteria Manual requirements that better address multimodal factors often associate with infill projects, such as transit, bicycles,	Current TIS requirements do not address some of the potentially important aspects of infill projects such as transit, pedestrian and bicycle impacts and connections, and off-site parking impacts.									
6.A.4	Transportation	Specifically amend Chapter 7.4.201-207 of the Zoning Code (Off Street Parking Requirements) to adopt new infill-supportive standards including allowing credit for on-street and off-site parking in some cases	Meeting the parking standards in Chapter 7.4.201 can be a challenge for some infill projects and can run counter to achieving other desirable characteristics of infill, with others. Except for the Downtown and Old Colorado City Parking Exempt Districts, the current Code stipulates off street parking requirements by use and allows no ability to count even adjacent on street parking spaces in these calculations. Credit is not allowed shared or off-site parking, public rights-of-way cannot be used for related maneuvering and there is no accommodation for offsets or reductions associated with factors such	Medium Term	Planning	Staff-generated (Planning/Public Works); CSC input and review; PC; City Council	Staff and processing time TBD	Amendments adopted	Not initiated			
6.A.6	Transportation	For infill projects, continue to provide consistent and timely administrative relief from suburban-style transportation standards	Enough plans and standards cannot be efficiently and effectively prepared and adopted to address all unique circumstances associated with infill areas throughout the City. Therefore, reasonable authority to grant, and use of waivers needs to be part of the strategy.	Ongoing and Continuing	Traffic Engineering	Traffic Engineering	No direct City costs		Ongoing	May be cost implications associated with determinations not to		
6.B.2	Transportation	Locate, design and construct a multi-modal Downtown transit terminal as a focus for Downtown TOD development	A new Downtown transit terminal has the potential to be one of the keystone projects to direct and support the continuing redevelopment of Downtown.	TBD	Transit	Transit; consultant; Downtown Partnership, multiple City departments; CDOT; stakeholder participation	Substantial (Obtain estimate of costs for location study from Transit); further phases TBD; substantial	1) Location and preliminary design study underway. 2) Site selected. 3) Funding	Negotiations with preferred consultant for location study	Location, design, and multi-modal attributes are all keys to		

FIGURE 2

7.A.1	Priority Area Plans and Strategies	Support and prioritize Downtown planning and implementation efforts including update of Imagine Downtown Plan and resulting recommendations	For Downtown to be an effective infill priority a proactive multifaceted approach is needed. In some case the City should be the primary lead . In others in can be in a supporting role for other entities as with the Downtown Partnership.	Short to Long Term	Planning	Multiple interrelated processes; Economic Vitality Planning; Downtown Partnership; DDA	Varies by strategy and recommendation; DDA funding should be significant	1) Downtown development and redevelopment activity. 2) Progress on action items	Imagine Downtown Plan update actively underway and to be complete			
7.A.2	Priority Area Plans and Strategies	Complete market study, vision plan and updated transportation plan for North Nevada Avenue	North Nevada is somewhat uniquely situated for a City role as an infill priority area due to a combination of ongoing redevelopment activity, the unique role of UCCS as a growth campus, land use and neighborhood impacts, low to moderate income populations and the absence of up-to-date adopted land use and transportation plans	Short to Medium Term	Planning, UCCS	Planning, consultant team; UCCS, CSU, URA and multiple City departments	About \$100,000 for updated transportation plan (already budgeted). Cost of market study and vision plan TBB, but on same order of magnitude	1) Development and redevelopment activity in the corridor. 2) Completion and adoption of the plans	?	Particularly significant corridor related to UCCS, CC, Downtown, TOD approaches. Great		
7.A.3	Priority Area Plans and Strategies	Establish recommended zoning and/or design standards for North Nevada (see also 2.B.2 and 7.A.2)	City-initiated zoning changes (such as overlays) are being generally recommended for a number of priority corridors. However, North Nevada has been identified as having a particular need for zoning attention, including the potentially usefulness of design standards.	Medium to Long Term	Planning	Planning, consultant team. URA, stakeholders	Cost on same order of magnitude as 7.A.2	1) Completion and adoption of the standards. 2) evidenced redevelopment activity.	Discussions taking place but not initiated	see above		
7.A.4	Priority Area Plans and Strategies	Secure funding for, and implement first phase public improvements for North Nevada	Moving forward with redevelopment of North Nevada (primarily between Austin Bluffs on the north and the Rock Island RR on the south) will require significant investment in a new and upgraded street cross section. In all likelihood the entire cost of these regionally significant improvements cannot be effectively, entirely and directly borne by the adjoining property owners.	Long Term	Public Works, TBD	TBD depending on first project	Cost for roadway improvements could be on the order of \$6M	1) Funding secured for all or phases of the project (from a variety of sources)	Funding (and sources) not yet identified	see above		
7.A.5		Complete urban renewal designation for South Nevada Avenue		Short Term	URA	URA, Planning, City Council	N/A- completed					
7.A.6	Priority Area Plans and Strategies	Complete and adopt land use vision and multimodal plan for South Nevada Avenue	As evidenced its recent urban renewal area designation this corridor is a de facto infill priority. Although the recently approved urban renewal plan provides a concept for redevelopment, it needs to be augmented with formally adopted land use and multi-modal transportation plans, both reflecting stakeholder input from the impacted community.	Medium Term	Planning, with EV and URA	Planning, EC, URA, departments, developers, stakeholders including neighbors, CONO, PC, Council	Cost TBD; \$50K+	1) adoption of plans. 2) Private and public improvements implemented consist with these plans	Not funded or initiated			

FIGURE 2

7.A.7	Priority Area Plans and Strategies	Implement rezoning actions for South Nevada Avenue (see 7.A.6)	These actions would follow or occur in conjunction with the step in 2.B.2 and 7.A.6	Medium Term	Planning	Planning, stakeholders, PC, Council	Limited cost besides staff time and process	1) Adoption of rezoning or overlay. 2)				
7.A.8	Priority Area Plans and Strategies	Continue to make progress on catalyst projects and activities on Academy Boulevard, especially South and Central Academy (see also 2.B.2)	Due to its combination of disinvestment and potential, Academy Boulevard has been carried forward as an infill and redevelopment priority area since about 2008. There are challenges associated with the sheer size of the area coupled with a soft current market for redevelopment and limited available resources for public improvements, especially for project related to community development.	Short to Very Long Term	Planning or Public Works or Transit (depending on project and phase)	varies by project and phase	Substantial varies by project and phase	1) Measured relative decrease in commercial vacancy rates. 2) New private development activity. 3) Funding and implementation for public catalyst	Academy/Hancock PEL completion (however implementation funding is limited). Other	Note: Also see separate Academy EOZ Action Plan and associated reports for more detail		
8.A.4	Tools and Incentives	Require feasible and market-supportive community benefit agreements in exchange for extraordinary incentives	POSSIBLY THIS RECOMMENDATION IN WHATEVER FORM IT TAKES, BEST BELONGS IN THE TEXT	Ongoing	Planning; Community Vitality	Case-by-case (but with possible model agreement)	limited direct cost to City, but important cost implications for both developers, and long term					

FIGURE 2

Colorado Springs Infill and Redevelopment Steering Committee				
Name	Affiliation	Phone	Mobile	E-mail
Members				
Jill Gaebler	City Council	(719) 385-5483		jgaebler@springsgov.com
Andy Pico	City Council	(719) 385-5491		apico@springsgov.com
Chuck Donley	Planning Commission	(303) 641-3232		donleyco@gmail.com
Robert Shonkwiler	Planning Commission	(719) 502-5296		rtcsprings@gmail.com
Eddie Bishop	Infill Developer	(719) 208-0570		eddieb445@gmail.com
Matt Craddock	Craddock Commercial	(719) 630-2233		matt@craddockcommercial.com
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Sarah Harris	Downtown Partnership	(719) 339-0712		sarah@downtowncs.com
Aubrey Day	LiveWell Colorado Springs	(719) 3297233		aday@ppymca.org
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Rachel Beck	Council of Neighbors and Organizations (CONO)	(719) 632-4753		rbeck@ppacg.org
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Staff				
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Matt Bingman	Planning Assistant	719-385-5602		mbingman@springsgov.com
Elena Nunez	CSU			enunez@csu.org
Web Link:	http://coloradosprings.gov/resident-services/planning-development/information/long-range-planning-projects			

FIGURE 3

City Infill Plan Preliminary Review and Adoption Schedule			
<i>last revised 1/12/16</i>			
Date	Activity	Action	Committee Members or Staff
12/7/2015	Steering Committee	Meeting w/ recommendations	
12/10/2015	Informal Planning Commission	Initial presentation	
12/15/2015	Steering Committee	Limited plan endorsement	
12/17/2016	Planning Commission	First hearing	Shonkwiler, Donley, Schueler, Tefertiller
12/18/2016	Provide link to staff and immediate stakeholders	staff	N/A- done
12/28/2016	Press release and City website	Public Communications	N/A- done
1/5/2016	Citizen's Transportation Advisory Board (CTAB)	Information and comments	Schueler, Day
1/6/2016	Downtown Review Board	Information and comments	Tefertiller, Harris
1/6/2016	Utilities Policy Advisory Committee (UPAC)	Information and comments	Schueler, Nunez, Grossman
1/7/2016	Planning Commission working lunch	Working lunch 11-2 City Administration Building	Wysocki, Schueler, Donley, Shonkwiler
1/13/2016	CONO Board	Information and comments	Schueler, Beck (Hoover, Munger)
1/14/2016	Parks Advisory Board	Information and comments	Schueler, Gaebler?
1/14/2016	Informal Planning Commission	Status update	Wysocki, Schueler
1/14/2016	HBA Policy Committee	Information and comments	Wysocki, Schueler,
1/19/2016	Infill Steering Committee	Possible meeting if needed to address follow-up	Committee and staff
1/21/2016	Planning Commission	Formal recommendation	Shonkwiler, Donley, Wysocki, Schueler, Tefertiller
1/28/2016	HBA Land Use Committee?	Follow-up reporting	Wysocki, (Novak)
2/8/2016	Informal City Council	Work Session	Gaebler, Pico, Andrews, Wysocki, Schueler
2/23/2016	City Council	First Reading	Gaebler, Pico, Andrews, Wysocki, Schueler
3/8/2016	City Council	Second Reading	Gaebler, Pico, Andrews, Wysocki, Schueler

FIGURE 4

Infill and Redevelopment

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.

Policy LU 401: Encourage Appropriate Uses and Designs for Redevelopment and Infill Projects

Work with property owners in neighborhoods, the downtown, and other existing activity centers and corridors to determine appropriate uses and criteria for redevelopment and infill projects to ensure compatibility with the surrounding area.

Strategy LU 401a: Identify Infill and Redevelopment Opportunities and Target Public Investments

Identify major infill and redevelopment opportunities and target infrastructure improvements to the preferred infill development and redevelopment areas.

Strategy LU 401b: Provide Incentives to Foster Private Reinvestment

Utilize incentives to encourage infill and redevelopment. Regulatory incentives can be used to expedite the development approval process. Available financial incentives, such as rehabilitation loans/grants, if targeted and strategic, should be utilized to support additional investment in the community, as well as to assist existing residents to remain in areas that are redeveloping.

Strategy LU 401c: Establish Design Guidelines and a Review Process that Support Infill and Redevelopment

Adopt design guidelines and standards to ensure that infill and redevelopment projects are compatible with existing neighborhoods in terms of scale and design. Incorporate them in the development review process for infill and redevelopment proposals.

Strategy LU 401d: Adopt Zoning Standards and Apply Building Codes that Support Infill and Redevelopment

Adopt flexible zoning standards to encourage infill and redevelopment projects. Ensure that public health and safety considerations are addressed through the appropriate building codes and standards. Apply building codes and standards to infill and redevelopment projects in a uniform and consistent manner.

Land Use Mix

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 301a: Support Mixed-use Development in Neighborhoods

Support mixed-use development through neighborhood plans and zoning revisions. Develop zoning guidelines and standards that support mixed-use development and pedestrian access by facilitating the integration of residential and non-residential land uses.

Strategy LU 301b: Develop Criteria for Integrating Mixed Uses in New and Established Development Areas

Develop criteria for integrating mixed uses in areas of new development and within existing neighborhoods. Complimentary uses may be located in proximity to one another on a single parcel or across multiple parcels, or within a single building or group of buildings as appropriate.

Policy LU 302: Encourage Development of Mixed-use Activity Centers

Encourage the development of activity centers designed to include a mix of uses that compliment and support each other, such as commercial, employment-related, institutional, civic, and residential. A walkable, pedestrian friendly environment will tie the mix of uses in activity centers together. Activity centers will vary in size, intensity, scale, and types of uses depending on their function, location, and surroundings. Activity centers will be designed so they are compatible with, accessible from, and serve as a benefit to the surrounding neighborhood or business area.

Strategy LU 302a: Promote an Integrated Pedestrian Circulation System

Design pedestrian sidewalks and pathways in activity centers so that they function as an integral part of the overall circulation system. Provide pedestrian connections for activity centers, linking parking areas, transit stops, and surrounding neighborhoods with principal and complimentary uses within the center.

Strategy LU 302b: *Promote Pedestrian Orientation of New Activity Centers to the Public Right-of-Way and Public Spaces*

Orient buildings within activity centers toward the street, sidewalks, or public spaces to facilitate pedestrian access and circulation.

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.

Strategy LU 302d: Revise Development Regulations to Allow Mixed Uses within Buildings

Revise zoning and building regulations to allow housing, mixed-use developments and structures, including vertical mixes-use (multi-story buildings) with housing, and/or offices located above ground floor retail services in activity centers.

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 303: Promote A Pedestrian-oriented and Transit-oriented Development Pattern

Promote a land use pattern that reduces reliance on automobile travel and supports pedestrian-oriented and transit-oriented development.

Strategy LU 303a: Design Pedestrian Friendly Environments

Plan and design neighborhoods and activity centers as coordinated pedestrian friendly environments.

Strategy LU 303b: Adopt Standards for Connectivity and Access

Adopt standards that require street and pedestrian connectivity between residential and commercial developments, civic uses, and parks to make neighborhoods more accessible, walkable, and pedestrian friendly. Adopt subdivision and development standards requiring provision of continuous sidewalks, walkways, trails, and appropriate transit facilities.

Strategy LU 303c: Integrate Transit Stops into the Design of Activity Centers

Integrate transit stops into the design of new and existing activity centers. The design and location of the transit stops should function as an integral part of the centers and provide adequate lighting, security, pedestrian amenities and weather protection.

Pg #	Comment	Type or Intent of Change	Change	Original	Change
Cover	Planning Commission	no content change	update date	n/a	n/a
2	Planning Commission	modification of wording but not intent	public safety is not addressed; should mention facilities and services, police and fire	see FIG 0	n/a
3	Planning Commission	modification of wording but not intent	2nd to last paragraph, paragraph as a whole does not make sense. It is too complex and has too many "buzz" words	Deleted Paragraphs 3-5, replaced with single new paragraph	Increases in housing and employment density are an essential component of the city's infill and redevelopment vision because density creates opportunities for markets, livability, place-making, and land use efficiency. Increases in density should be location and context sensitive and be connected and integrated with surrounding uses. Infill and redevelopment can add value without contributing to density, especially if uses are mixed and well integrated. Additional density is not appropriate for all locations and circumstances, and especially not for areas of special environmental sensitivity or natural and open space value.
7	Planning Commission	modification of wording but not intent	bullet points are too similar	see FIG 1	n/a
14, 16, 18	Planning Commission	no content change	Need page numbers on both even and odd pages	n/a	n/a
14	Fahey	no content change	FBC and FBZ incorrectly referred to	n/a	n/a
14		removal of text	remove reference to UPAC	n/a	n/a
16	Planning Commission	text addition	Add text about enclaves to last buller point; updated bullet points to match voice	n/a	Proactively work with property owners to annex and redevelop parcels in City enclaves when and where these projects will further the goals to this Infill Plan
19	Planning Commission	text addition	Define form-based zoning and code	n/a	Form-based zoning (FBZ): methods of zoning regulation designed to support a desired urban form and public realm primarily by controlling physical form with less focus on land use. Form-based code (FBC): the regulating plans and zoning codes used to implement and administer form based zoning.
20	Planning Commission	text addition	Define multi-modal in glossary	n/a	Multi-modal Transportation: the seamless integration of different transit types—including walking, biking, public transportation, and vehicles—into a single trip. For instance, a multi-modal trip might include biking to a bus stop, bringing bike onto bus, riding the bus to another location with secure bike storage, and a short walk to final destination, such as work or school. Multi-modal transit options allow for more rider flexibility and transportation system efficiency.
GENERAL EDITS					
7, 15	Planning Commission		Multi-modal is mentioned frequently but trail connectivity and pedestrian connectivity is not explicitly addressed. Work current language to make more explicit.	see FIG 2	page 7 already mentions walking, page 15 - see FIG 2
1, 2, 6, 7, 8, 9, 10, & 13	Planning Commission	modification of wording but not intent	Remove frequent qualifiers stating what "this document is not". Instead make the document more positive. (Carl and Carolyn)	see FIGs 3-10	n/a

Use and density transitions, as well as buffer treatments should be incorporated where appropriate and feasible to address site conditions. ~~However, transitions and buffers are intended to improve existing land use relationships, but should not be employed to overly limit the use and feasibility of infill sites, and should only be required in circumstances where the benefits to the surrounding properties and the community are clear and compelling.~~

DESIGN AND LOCATION CONSIDERATIONS:

Context-appropriate increases in density and changes in land use should be supported, particularly in identified infill priority areas such as the downtown, economic opportunity zones and high frequency transit corridors. ~~Projects should be located and designed to:~~

~~Projects should be located and designed to support integration, mixing and connectivity of land uses within their surrounding areas and neighborhoods;--~~

~~Projects should be located and designed to support the long-term viability of the neighborhoods they affect with input from neighbors;--~~

~~Projects should be located and designed to enhance the viability of multi-modal transportation options including transit use, cycling and walking; and--~~

~~Support use and density transitions, as well as buffer treatments should be incorporated where appropriate and feasible to address site conditions. However, transitions and buffers should not be employed to overly limit the use and feasibility of infill sites, and should only be required in circumstances where the benefits to the surrounding properties and the community are clear and compelling.~~

Figure 1: page 7, comment from Planning Commission; comment: bullet points are too similar; modification type: modification of wording but not intent.

5 - TRANSPORTATION INCLUDING TRANSIT

Colorado Springs plans for a multi-modal transportation system including a well-functioning fixed route transit system, ~~and a complete streets approach~~ and general pedestrian focus, and trail connectivity. although much of our land use policy to date has favored the use of cars. In an effort to elevate transportation policy to align with, and in some cases catalyze, infill development, the recommendations are to: modify the Engineering Criteria Manual to be more conducive to infill-related density and multimodal access and deemphasize congestion concerns (e.g. reduce requirement for ~~traffic impact studies~~); modify and strategically waive suburban access and parking standards for infill projects and leverage the Downtown Parking Enterprise for redevelopment potential;

Figure 2: page 15, comment from Planning Commission; comment: Multi-modal is mentioned frequently but trail connectivity and pedestrian connectivity is not explicitly addressed. Work current language to make more explicit.; modification type: addition of text but no modification to intent.

The terms ~~greenfield~~ or ~~greenfield development~~ are used extensively throughout this ~~chapter~~ and are intended to generally reference to development occurring in newer and/or peripheral areas of the city. ~~Figure 1~~ provides a generalized depiction of greenfield areas as of 2015. ~~While the term greenfield has and the areas it encompasses can be defined in many different ways, this document considers cannot be precisely defined. The development of large vacant properties as considered infill when not greenfield development provided those areas are largely surrounded by pre-1980 development. Examples of large vacant infill areas include the Gold Hill Mesa, Spring Creek, and Airport Business Park developments. The vision and definition are intentionally broad, encompassing and aspirational. Achievement of the vision will require an ongoing, strategic and purposeful focus, as is further articulated in the following chapter.~~

Figure 3: pg 1, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

48.6 In the 65 years from 1950 to 2015, the population of our city has increased nearly tenfold; from 45,472 then to almost 450,000 today. While some mature areas have aged gracefully, others have deteriorated or are experiencing substantial socio-economic and market-driven land use changes. The impacts of these changes are particularly evident along and near aging arterial corridors such as Nevada Avenue and Academy Boulevard. City government, its enterprises, and its facilities and services exist to serve the needs of its residents and property owners. Part of serving the needs of the city's residents should include supporting mature areas, so as to improve the quality of life of inhabitants. 54.1 If mature areas are not supported, the quality of life of many of our citizens will be diminished.

64.2 The city has a great deal of capacity to accept infill; this includes over 7,000 acres of vacant developable land in core areas along with substantial already-developed properties available for redevelopment. In addition to land capacity, trends demonstrate a market for walkable neighborhoods, robust transit, and accessibility to the urban core as primary attractors for both Millennial and Baby Boomer generations.

71.7 There is a fiscal sustainability imperative and a significant economic argument to supporting infill. The city, its tax and ratepayers, the business community, and its residential property owners have all invested in mature areas, and have a stake in the efficient use of this land and infrastructure. If public facilities such as streets, parks, and utilities infrastructure are underused to the full capacity (due in part to low-density) taxpayers and ratepayers pay the cost of the inefficiency. Infill allows for city services to improve due to increasing efficiencies such as police and fire response times and transit frequency. The inverse of reinvestment is "blight". Blight has associated costs and results in depreciated investment value. 76.1

Figure 4: pg. 2, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

0.7 This section provides additional and focused policy guidance for the use of this plan in the review of and decisions made on development applications in infill areas. Development these types of applications may include but are not limited to annexations within mature areas, master plans, zone changes, conditional uses, use and non-use variances, concept plans and development plans. This document will provide guidance to the should be application of the principles and goals stated herein, specifically in relation to the association with the balance of the comprehensive plan and its referenced elements, as is applicable and feasible. The is policy guidance provided here is not intended to introduce additional discretion on the part of staff or hearing bodies for uses and applications that are clearly consistent with prior approvals, existing zoning, and development standards, will continue to be processed autonomously and will not be affected by this document. However, Property owners and developers are encouraged to voluntarily apply the guiding principles and plan goals of infill by property owners and developers is seen as a means of contributing towards the broader infill vision and is strongly encouraged, even if specific approvals or incentives are not being sought. 15.0

PROJECT APPROVALS, RELIEF, AND INCENTIVE FI G I R T I U I T Y .

Figure 5: pg 6, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

Use and density transitions, as well as buffer treatments should be incorporated where appropriate and feasible to address site conditions. However, transitions and buffers are intended to improve existing land use relationships, but should not be employed to overly limit the use and feasibility of infill sites, and should only be required in circumstances where the benefits to the surrounding properties and the community are clear and compelling.

Figure 6: pg. 7, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

ASSIGN AND OPTIMIZE RESOURCES

6.2 In order to realize this plan, without the allocation and optimization of dedicated staff time, financial resources, and political will to support the role of infill and facilitate policy changes is necessary, this plan will not be realized met with success. 9.5

Figure 7: pg 8, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

UPHOLD SUPPORTING CONDITIONS

The city and partnering agencies should seek to create conducive conditions for infill development. Such conditions include:

- a city governance and service philosophy that is open to adaptation, business opportunities and land use change;
- support of economic development and jobs in order to insure that the overall local economy is sufficiently robust, thereby creating a substantial enough market for new development anywhere;
- provision of a safe and secure environment for all areas of the city;
- convenient access to schools in mature neighborhoods, and continual support of a superb public education system in Colorado Springs;
- provision and maintenance of quality infrastructure including complete streets and parks;
- ongoing neighborhood and business engagement in community issues;
- provide adequate support services to neighborhoods;
- adequate enforcement of codes and regulations, and maintenance of community infrastructure and services in mature areas. Continued ability to rely on existing zoning on a parcel by parcel basis;
- maintenance of effort for transit services.

Figure 8: pg 9, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

In general, all policies and actions recommended by this plan were developed with the following three principles in mind: create community benefit, remove barriers to infill development, and minimize investment risk. These same principles should also be used as the basis for prioritization and decision making around infill and redevelopment related city policies moving forward.

CREATES COMMUNITY BENEFIT

A policy or action which contributes to the well-being of the citizens and visitors of Colorado Springs. This includes, but is not limited to, enhancing neighborhood livability, creating better connectivity through multiple modes of transportation, creating better connectedness with the natural environment, enhancing choice and quality of life, and beautifying the built environment, etc.

Figure 9: pg 10, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

The following is a broad summary of policies and actions recommended by the committee. The policies and actions contained herein are organized by area of influence and characterized by how they meet the plan goals. Recommendations are intended to highlight key elements only but are not all-inclusive. While a given recommendation may not individually relate to all three of the guiding principles, each element is reflective of at least one of the three guiding principles: creating community benefit, removing barriers to infill, and minimizing infill investment risk.

Figure 10: pg 13, comment from Planning Commission; comment: remove statements about what this plan is not; modification type: modification of wording but not intent.

ORDINANCE NO. 16-_____

AN ORDINANCE CREATING A NEW INFILL AND REDEVELOPMENT CHAPTER WITHIN THE EXISTING CITY OF COLORADO SPRINGS COMPREHENSIVE PLAN IN ACCORD WITH SECTION 7.1.107.B OF THE CODE OF THE CITY OF COLORADO SPRINGS, 2001, AS AMENDED.

WHEREAS, on March 13, 2001, City Council adopted the current City of Colorado Springs Comprehensive Plan ("Comprehensive Plan") by Ordinance No. 01-43; and

WHEREAS, since that time the City has periodically adopted ordinances to update the 2020 Land Use Map associated with the Comprehensive Plan, and to adopt topical elements by reference. The substantive provisions of the Comprehensive Plan have not been amended since 2001; and

WHEREAS, the City Council, Planning Commission, the Infill Steering Committee, City staff, and interested citizens have engaged in an extensive process to evaluate and recommend policies and actions to better support infill and redevelopment throughout the City and to promote its importance for the fiscal integrity of the City and overall quality of life; and

WHEREAS, the Infill Steering Committee recommends adoption of a new Infill and Redevelopment Chapter ("Chapter") of the Comprehensive Plan; and

WHEREAS, the City Planning Commission reviewed the new Chapter and recommended approval; and

WHEREAS, City Code § 7.1.107(A) requires City Council to adopt the new Chapter by ordinance; and

WHEREAS, City Council finds it to be in the best interests of the public health, safety, and welfare to adopt the new Chapter.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That the 2001 Comprehensive Plan for the City of Colorado Springs is amended by the adoption and incorporation of a new Infill and Redevelopment Chapter, which is attached as "Exhibit A."

Section 2. This Chapter will supplement and augment the 2001 Comprehensive Plan for the purposes and in the manner stated in the new Infill and Redevelopment Chapter.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2016.

Finally passed: _____
Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

RESOLUTION NO. _____-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COLORADO SPRINGS, ENDORSING THE USE AND
MAINTENANCE OF AN INFILL ACTION PLAN

WHEREAS, by Ordinance No. 16---- City Council has adopted an Infill Comprehensive Plan Supplement (Infill Chapter) as an element of the City's Comprehensive Plan; and

WHEREAS, the Infill Chapter recommends the ongoing use and implementation of an adaptable, updatable, and reportable Infill Action Plan to include actionable and measurable City-initiated strategies to support infill and redevelopment; and

WHEREAS, an initial version of this Infill Action Plan (Exhibit 1) has been reviewed and recommend by a City Council-endorsed Infill Steering Committee; and

WHEREAS, on January 21, 2016, the Planning Commission similarly reviewed and recommended approval of this initial Infill Action Plan.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
COLORADO SPRINGS:**

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Council hereby finds and directs that this Infill Action Plan should supported, maintained and used as a guide for strategic direction in furthering the vision, principles, goals and recommendations included in the Infill Chapter during such time as the Infill Chapter remains in force and effect in its substantially current form.

Section 3. Council further directs that this Infill Action Plan shall be regularly maintained and updated by City staff to respond to progress, opportunities and future decisions as they arise.

Section 4. New or substantially modified recommendations should be consistent with the principles, goals and recommendations of the Infill Chapter.

Section 5. Council specifically notes and acknowledges that this Infill Action Plan is not constrained in terms of staff or financial resources necessary to implement all of the included recommendations; therefore prioritization within these recommendations will likely be necessary

and success should be measured in terms of continuous and effective progress consistent with available resources.

Section 6. Periodic (preferably annual) simple updates and reports should be provided to Council, with an opportunity to review and approve any substantive changes to the recommendations.

DATED at Colorado Springs, Colorado, this ----- day of ----- 2016.

Council President

ATTEST:

Sarah Johnson, City Clerk

NEW BUSINESS

CITY PLANNING COMMISSION AGENDA

ITEM NO: 5A – 5.B

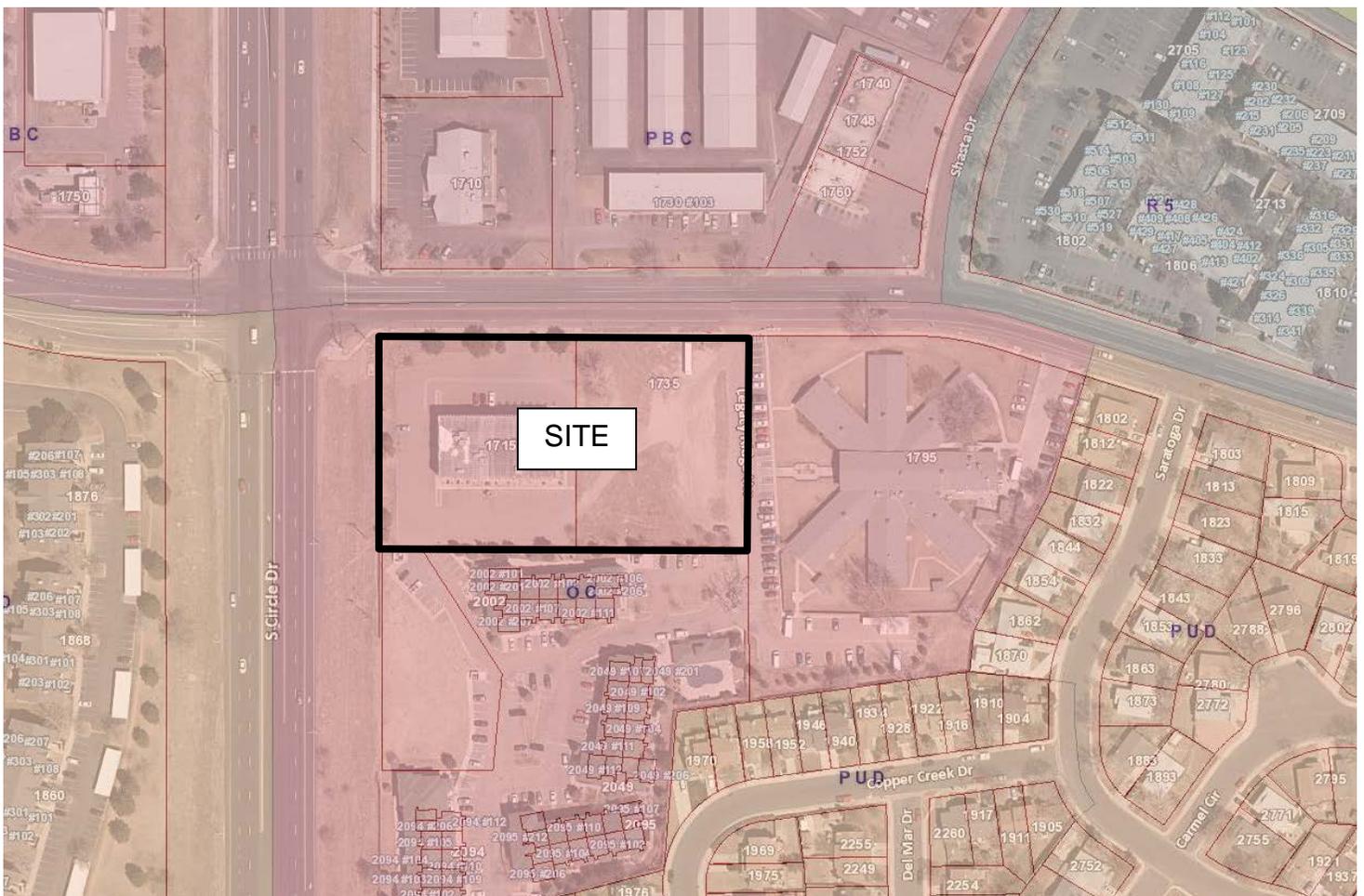
STAFF: LONNA THELEN

FILE NO(S):

A. – CPC ZC 15-00109 – QUASI-JUDICIAL

B. - CPC DP 15-00110 – QUASI-JUDICIAL

PROJECT: CIRCLE K
APPLICANT: CIRCLE K STORES INC
OWNER: CIRCLE K STORES



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a zone change and a development plan for a 2.42-acre site located southeast of Circle Drive and Monterey Road.

The applicant is requesting a zone change from OC (Office Complex) to PBC (Planned Business Center). In addition, the applicant is proposing a development plan for the property that includes a 4,480 square foot convenience store, a canopy with 10 fuel pumps, and a 920 square foot car wash. **(FIGURE 1)**

A waiver of replat is being processed administratively.

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

BACKGROUND:

1. Site Address: 1715 & 1735 Monterey Road
2. Existing Zoning/Land Use: OC / Office Building
3. Surrounding Zoning/Land Use: North: PBC / Commercial
South: OC / Multi-Family Residential
East: OC / Human Service Facility
West: PUD / Multi-Family Residential
4. Comprehensive Plan/Designated 2020 Land Use: Mature Redevelopment Corridor
5. Annexation: Pikes Peak Park Addition #5, 1963
6. Master Plan/Designated Master Plan Land Use: There is not a master plan for this site.
7. Subdivision: Monterey Office Park
8. Zoning Enforcement Action: No enforcement cases are active.
9. Physical Characteristics: The site has an office building on half of the site and the remainder of the site is vacant. The property is relatively flat.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process included posting of the site and sending postcards to 121 property owners within 500 feet during the internal review and prior to the City Planning Commission meeting. No public comments were received.

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, City Fire, City Landscape, Police and E-911.

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

1. Review Criteria / Design & Development Issues:
The Circle K project proposes to rezone a 2.42 acre property from OC (Office Complex) and previously used for an office to PBC (Planned Business Center) for a Circle K gas station. Currently, the site contains a 19,800 square foot office building on the east half of the lot, the west half is vacant and has never been built on. The existing office building would be removed to allow for the proposed gas station. The gas station includes a 4,480 square foot convenience store, a canopy with 10 fuel pumps, and a 920 square foot car wash. The property is located at the intersection of South Circle Drive and Monterey Road. The 2.4-acre site is large enough to accommodate the gas station use while still providing a buffer from the residential uses to the south and the human service facility (nursing home) use to the east. The fuel pumps and car wash are pushed away from the southern property line, the main building is setback from the southern property line and a 15' landscape buffer provides screening from the gas station use.

The main vehicular access point into the site is off of Monterey Road with a second access off of Legacy Ridge View, which is a shared private access road to the east of the property. The main

parking area is centrally located within the site. The lighting fixtures are full cutoff (inhibiting lighting glare) and centrally located near the gas pumps and away from the residential uses.

There is a shared access drive at the southwest corner of the site that allows access into the residential property to the south. This also serves as a second access point for fire to the southern residential property.

Staff has reviewed the zone change and development plan and has found that the applications are consistent with the review criteria and standards of City Code.

2. Conformance with the City Comprehensive Plan:

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.

Objective LU 7: Develop Shopping and Service Areas to be Convenient to Use and Compatible with Their Surroundings

Colorado Springs has numerous commercial areas that provide the necessary goods and services for visitors and regional, community, and neighborhood residents. The location and design of these areas not only has a profound effect on the financial success of commercial businesses, but also on the quality of life for the residents. Regardless of whether a commercial development is intended to serve neighborhood, community, citywide, or regional functions, it must be located and designed to balance pedestrian, bicycle, automobile, and, in many cases, transit access. In addition, the location and design of commercial uses must be integrated into surrounding areas, rather than altering the character of surrounding land uses and neighborhoods. Incorporating a mix of uses will increase the diversity and vitality of commercial areas.

The Circle K project will provide a commercial use within an area of residential and encourage mixed-use development. This infill project redevelops a busy corner and eliminates an existing vacant building. The gas station will serve the surrounding residential neighborhood as well as pass-through traffic. This project is in compliance with and supports the comprehensive plan.

3. Conformance with the Area's Master Plan:

This property is not part of a master plan.

STAFF RECOMMENDATION:

Item No: 5.A CPC ZC 15-00109 – ZONE CHANGE

Approve the zone change for Circle K, based upon the finding that the zone change complies with the zone change review criteria in City Code Section 7.5.603.B.

Item No: 5.B CPC DP 15-00110 – DEVELOPMENT PLAN

Approve the Circle K Development Plan, based upon the finding that development plan complies with the development plan review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan:

1. Include the file number on pages 12-15.
2. Include the Ordinance number for the zoning.
3. Call out note S30A as bike rack.
4. The resubmittal letter indicates that the hydrant disapproval comment was "Acknowledged"; however nothing appears to be changed on the plans. Hydrant still appears to be obstructed and no notes on the landscape plans found, revise.
5. The fire lane markings were removed where requested and kept as requested, however the legend item referencing the fire lane was also removed. Please replace the legend and add the note back at the remaining fire lane locations.
6. Revise the note on Page 9 to one of the two options listed below:
 - a. A final landscape plan, to include an irrigation plan, with applicable support material, shall be submitted at the time of building permit application. Review and approval of these plans shall occur thirty (30) days subsequent to building permit issuance or prior to issuance of a certificate of occupancy, whichever occurs first.
 - b. Upon request by the applicant, an irrigation plan, with applicable support material, shall be submitted ninety (90) days subsequent to building permit issuance and approved prior to issuance of a certificate of occupancy.
7. Title pages 9 and 10 as "Final Landscape Plan" in the title block.
8. Label the south 15' landscape buffer as buffer on the site plan page and the landscape page, not setback.

GreenbergFarrow
CDA
5500 Democracy Drive, Suite 125
Plano, TX 75024
1 972.362.6118

PROJECT TEAM

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ISSUE/REVISION RECORD

DATE	DESCRIPTION
08-24-15	DEVELOPMENT PLAN SUBMITTAL
11-10-15	DP RESUBMITTAL #1
11-24-15	DP RESUBMITTAL #2



11/24/15
PROFESSIONAL IN CHARGE
FARRAH SHIR, PE
PROFESSIONAL ENGINEER
LICENSE NO. 42391
PROJECT MANAGER
KEVIN HALL, PE
QUALITY CONTROL
FARRAH SHIR, PE
DRAWN BY
RYAN SCOTT, DT
PROJECT NAME
CIRCLE K

COLORADO SPRINGS
CO
1715
MONTEREY DR.



PROJECT NUMBER

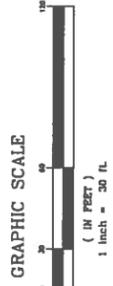
SHEET TITLE

SITE PLAN

SHEET NUMBER

2 OF 15

NOT ISSUED FOR CONSTRUCTION



EXISTING LEGEND:

- FOUND PROPERTY CORNER (SEE MONUMENT TABLE)
- ⊠ ELECTRIC TRANSFORMER
- ⊞ ELECTRIC WALL
- ⊞ ELECTRIC MANDOLE
- ⊞ ELECTRIC METER
- ⊞ UTILITY POLE
- ⊞ LIGHT POLE
- ⊞ GAS VALVE
- ⊞ GAS METER
- ⊞ FIRE HYDRANT
- ⊞ WATER METER
- ⊞ TELEPHONE CABINET OR CABINET
- ⊞ TELEPHONE MOUNT
- ⊞ FIBER OPTIC WALL
- ⊞ UNDERGROUND FIBER OPTIC SIGN
- ⊞ CABLE POST/SLAB
- ⊞ SIGN
- ⊞ CURB AND GUTTER
- ⊞ CONCRETE SURFACE
- ⊞ ASPHALT SURFACE
- ⊞ CONCRETE WALL
- ⊞ OVERHEAD ELECTRIC LINE
- ⊞ UNDERGROUND WATER LINE
- ⊞ UNDERGROUND GAS LINE
- ⊞ UNDERGROUND ELECTRIC LINE
- ⊞ WOOD FENCE
- ⊞ WROUGHT IRON FENCE
- (M) RECORD
- (R) RECORD
- U LANDSCAPE AREA
- ⊞ TRAFFIC SIGNAL POLE
- ⊞ TRAFFIC SIGNAL WALL
- ⊞ TRAFFIC SIGNAL BUTTON
- ⊞ SIGN

PROPOSED LEGEND:

- PROPERTY LINE
- PROPOSED CURB & GUTTER
- PROPOSED STAMPED BRICK CONCRETE
- MULTIPLE PRODUCT DISPENSER WITH CANNOPY COLUMNS AND BOLLARDS
- PROPOSED SITE LIGHT, SEE PHOTOMETRIC PLAN
- PROPOSED DRAINAGE STRUCTURES (SEE GRADING/DRAINAGE PLANS)
- ⊞ PROPOSED PARKING SPACES

GENERAL SITE NOTES:

- CONTRACTOR MUST SECURE ALL NECESSARY PERMITS PRIOR TO STARTING WORK.
- IF THE CONTRACTOR, IN THE COURSE OF THE WORK, FINDS ANY DISCREPANCIES BETWEEN THE PLANS AND THE PHYSICAL CONDITIONS OF THE LOCALITY, OR ANY ERRORS OR OMISSIONS, HE SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING AND THE ENGINEER SHALL PROMPTLY VERIFY THE SAME. ANY WORK DONE AFTER SUCH A DISCOVERY, UNLESS AUTHORIZED, WILL BE AT THE CONTRACTOR'S RISK.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS, EASEMENTS, AND DIMENSIONS SHOWN HEREON BEFORE BEGINNING CONSTRUCTION.
- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE TO THE STATE AND LOCAL GOVERNMENT AGENCY LATEST CONSTRUCTION SPECIFICATIONS AND DETAILS.
- ALL HATCHCAP SITE FEATURES SHALL BE CONSTRUCTED TO MEET ALL FEDERAL, STATE AND LOCAL CODE.
- WITHIN THE CITY INSPECTOR TWENTY-FOUR (24) HOURS BEFORE BEGINNING EACH PHASE OF CONSTRUCTION.
- THE CONTRACTOR SHALL CAREFULLY PRESERVE BENCHMARKS, REFERENCE POINTS, AND STAKES.
- ARCHITECTURAL PLANS ARE TO BE USED FOR BUILDING STAKE OUT.
- ALL DIMENSIONS ARE FROM FACE OF BUILDING, CURB, AND WALL UNLESS OTHERWISE SPECIFIED ON PLANS.
- CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKMEN AND PUBLIC SHALL BE PROTECTED FROM INJURY, AND ADJOINING PROPERTY PROTECTED FROM DAMAGE.
- CONTRACTOR IS RESPONSIBLE FOR DAMAGE TO ANY EXISTING ITEM AND/OR MATERIAL INSIDE OR OUTSIDE CONTRACT LIMITS DUE TO CONSTRUCTION OPERATION.
- ALL STREET SURFACES, DRIVEWAYS, CULVERTS, CURB AND GUTTERS, ROADSIDE DRAINAGE DITCHES AND OTHER STRUCTURES THAT ARE DISTURBED OR DAMAGED IN ANY MANNER AS A RESULT OF CONSTRUCTION SHALL BE REPLACED OR REPAIRED IN ACCORDANCE WITH THE SPECIFICATIONS.
- ALL ROAD WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE STATE AND LOCAL GOVERNMENT AGENCY SPECIFICATIONS.
- STANDARD/HEAVY DUTY PAVEMENT AND CONCRETE SECTIONS SHALL FOLLOW THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT PREPARED BY XXXXXXXX, INC., DATED XXXXX XX, XXXX.
- ALL CURB RADIUS SHALL BE 5' UNLESS OTHERWISE NOTED ON THE PLANS.

SITE KEY NOTES

- S1A CONCRETE CURB AND GUTTER
- S1 TAPER CURB TO MATCH EXISTING
- S4 LIMITS OF SWACUT AND PAVEMENT REDUNDANT
- S5A MATCH EXISTING PAVEMENT ELEVATION
- S6 STANDARD DUTY CONCRETE PAVING (PER PAVING DETAIL)
- S7 HEAVY DUTY CONCRETE PAVING (PER PAVING DETAIL)
- S8A CONCRETE SIDEWALK
- S15 DUMPSTER ENCLOSURE (PER ARCH. PLANS)
- S16 ADA ACCESSIBLE PARKING SPACE STRIPING & SYMBOL OF ACCESSIBILITY (TYPICAL - PER ADA AND LOCAL REQUIREMENTS)
- S17 ACCESSIBLE PARKING SIGN (TYPICAL PER ADA AND LOCAL REQUIREMENTS)
- S23 PARKING STALL STRIPING (SEE NOTE FOR COLOR)
- S26A PEDESTRIAN CROSSWALK STRIPING
- S27 FIRE HYDRANT (PER LOCAL CODES)
- S30 BOLLARD (SEE NOTE FOR NUMBER)
- S31A "MARKED" U' BOLLARD PER ARCH. PLAN (SEE NOTE FOR NUMBER)
- S32 LANDSCAPE AREA (PER LANDSCAPE PLAN)
- S33 LANDSCAPE ISLAND (PER LANDSCAPE PLAN)
- S81 UST VENT STACK, REFER TO FUELING PLANS
- S82 AIR/WIND HYDRANT
- S83 UNDERGROUND STORAGE TANKS, SEE FUELING PLANS FOR DETAIL
- S85 CANNOPY COLUMN
- S86 EXISTING SIDEWALK TO REMAIN
- S87 HANDICAP RAMP WITH INDICATED DOWNS, PER CITY STANDARDS
- S88 CAR WASH CLEARANCE BAR
- S89 CANNOPY COLUMN
- S90 CANNOPY SIGN (PER ARCH. PLANS)
- S93 Pylon SIGN (PER CITY OF COLORADO SPRINGS CODE STANDARD)
- S94 CAR WASH PAY STAND
- S95 REMOVE AND REPLACE EXISTING DRIVEWAY WITH CITY STANDARD D-7 CROSSWALK
- S96 PROPOSED BUS STOP EASEMENT
- S97 AIR & VAC PAD
- S98 CANNOPY OVERHANG

SITE DATA SUMMARY:

CIRCLE K TRACT:	2.41 ACRES/ 105,343 SF
CONVENIENCE FOOD SALES:	4,480 SF
FUEL CANNOPY:	6,511 SF
CAR WASH:	920 SF
FAR:	1:11.30
PARKING PROVIDED:	30 (2 ACCESS. PARKING SPACES)
PERVIOUS COVER:	38,884 SF
IMPERVIOUS COVER:	66,449 SF
LOT COVERAGE:	0.63 (66,449 SF)



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SIGNAGE NOT APPROVED WITH THIS PLAN

ALL CURB, GUTTER, PEDESTRIAN RAMPS AND SIDEWALK PAVING AROUND EXISTING OR PROPOSED STRUCTURES SHALL BE IN ACCORDANCE WITH THE CITY OF COLORADO SPRINGS STANDARD SPECIFICATIONS FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS FROM THE CITY OF COLORADO SPRINGS. THE INSPECTOR CAN BE REACHED AT 305-5977.

PER EASEMENT RECEPTION #098186176, THE ACCESS DRIVE AT THE SOUTHWEST CORNER SHALL REMAIN OPEN AND ACT AS A SECONDARY ACCESS TO THE PROPERTY TO THE SOUTH

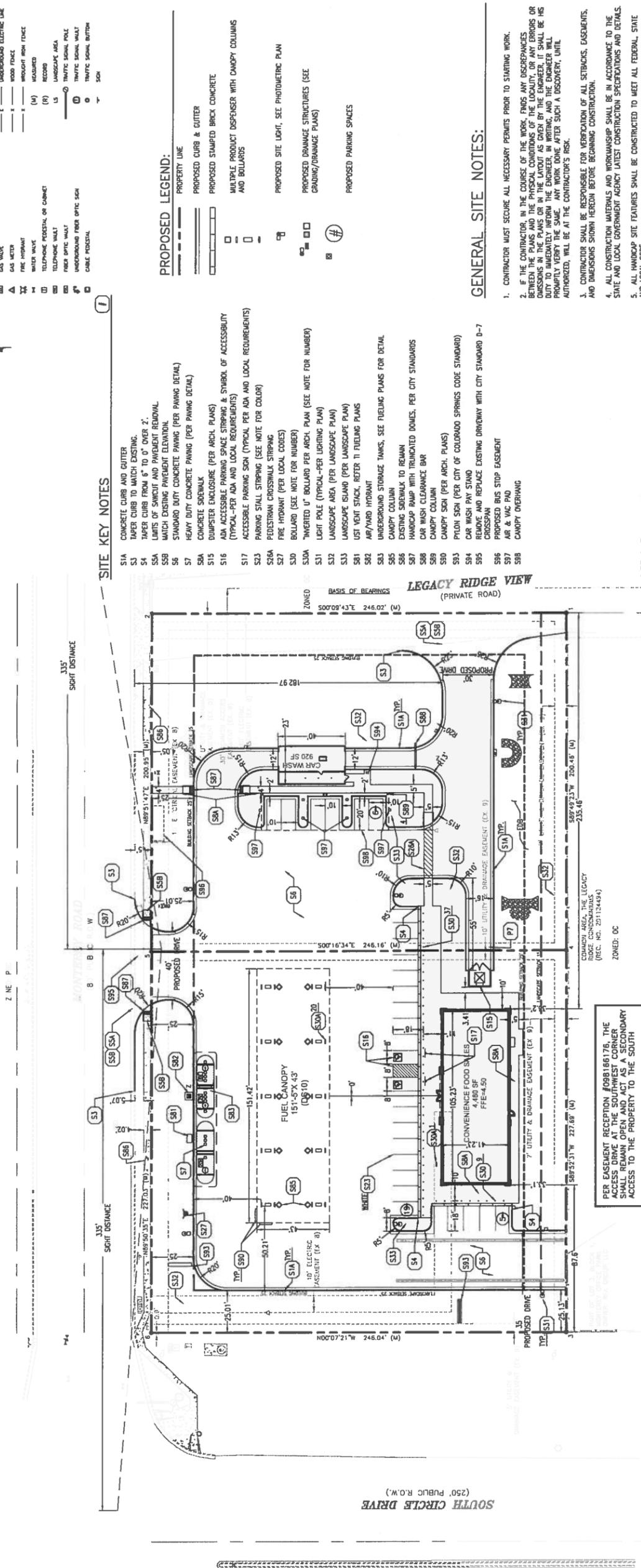


FIGURE 1

PROJECT TEAM

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT X SPREAD	KEY No	QTY.
ORNAMENTAL/DECIDUOUS TREES						
CC	CELTIS OCCIDENTALIS	COMMON LOCUST	2.5' CAL. / 8' H.	8' X 3'	2507DA	2
GS	GLENISTIA THIMARCHIDIOS	IBERIAN SPANDEMASTER	2.5' CAL. / 8' H.	8' X 3'	45A	18
JL	JULIA CORDATA X MONGOLICA	HARVEST GOLD / INDIAN HARVEST GOLD	2.5' CAL. / 8' H.	8' X 3'	45	7
ORNAMENTAL/EVERGREEN TREES						
PC	PRUNUS VIRGINIANA	CANADA RED CHOCCHERRY	2" CAL. / 8' H.	25' X 20'	12487BISA	6
EMERGENCY TREES						
BB	BABY BLUE EYES	COLORADO BLUE SPRUCE	6' H.T. / 1.5' W.	15' X 6'	87BS	8
PPZ	PRUNUS PENSILVANICA	PRUNUS	6' H.T. / 1.5' W.	25' X 1.5'	1256D	8
PN	PRUNUS NIGRA	AUSTRIAN BLACK PINE	6' H.T. / 1.5' W.	25' X 1.5'	2467BA	12
PERENNIALS/SHRUBS						
BA	BEGONIA	BEVERLY	5 GALLON	2' X 2'	45A	72
SS	SORBUS	SORBUS	5 GALLON	6' X 5'	457A	8
LL	LOOSESTRIFE	LOOSESTRIFE	5 GALLON	4' X 4'	A	48
ZA	ZINNIA	ZINNIA	5 GALLON	2' X 4'	170	60
BT	BUTTERFLY	BUTTERFLY	5 GALLON	4' X 4'	22456DA	10
RA	RIBES	RIBES	5 GALLON	4' X 4'	507BA	53
SV	STYBANIA	STYBANIA	5 GALLON	15' X 6'	589DA	2
VA	VIBURNUM	VIBURNUM	5 GALLON	6' X 6'	47A	3
EVERGREEN SHRUBS						
AB	ANEMONE	ANEMONE	5 GALLON	6' X 5'	288AA	8
BF	BUFFALO	BUFFALO	5 GALLON	1' X 1'	589A	85
JT	JUNIPER	JUNIPER	5 GALLON	2' X 2'	589A	48
PZ	PRUNUS	PRUNUS	5 GALLON	5' X 5'	1256D	7
ORNAMENTAL GRASSES						
ZH	ZOYSIA	ZOYSIA	1 GALLON	2' X 2'	1249D	18
GROUNDCOVERS						
EP	ERIGONIA	ERIGONIA	500		26787SE	26,787 SE
PT	POTENTILLA	POTENTILLA	FLAT		1' X 1'	131A

NOTE:
A preliminary landscape plan, with applicable support material, shall be approved concurrent with development plan review.

PROFESSIONAL SEAL

CIRCLE K

COLORADO SPRINGS CO
1715 & 1735
MONTEREY DR.

PROJECT NUMBER

SHEET TITLE

LANDSCAPE PLAN

SHEET NUMBER

9 OF 15

NOT ISSUED FOR CONSTRUCTION

PROFESSIONAL IN CHARGE
G. L. JOSEPH VAUGHAN, RLA
REGISTERED LANDSCAPE ARCHITECT
LICENSE NO. 950

PROJECT MANAGER
KEVIN KAM, PE

QUALITY CONTROL
FARAH SHIR, PE

DRAWN BY
RYAN SCOTT, ET

PROFESSIONAL SEAL

GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft

THIS DOCUMENT IS FOR CITY REVIEW AND DEVELOPMENT PLAN APPROVAL ONLY

THIS DOCUMENT IS NOT A CONSTRUCTION DOCUMENT UNLESS STAMPED BY THE LANDSCAPE ARCHITECT OF RECORD

DISCLAIMER:
IRRESPECTIVE OF ANY OTHER TERM IN THIS DOCUMENT, DESIGNER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION SEQUENCES OR PROCEDURES OR FOR CONSTRUCTION SAFETY OR ANY OTHER RELATED PROGRAM OR FOR PARTIES' ERRORS OR OMISSIONS OR FOR ANOTHER PARTY'S FAILURE TO COMPLETE THEIR WORK SERVICES IN ACCORDANCE WITH DESIGNER'S DOCUMENTS.

CPC DP 15-00110

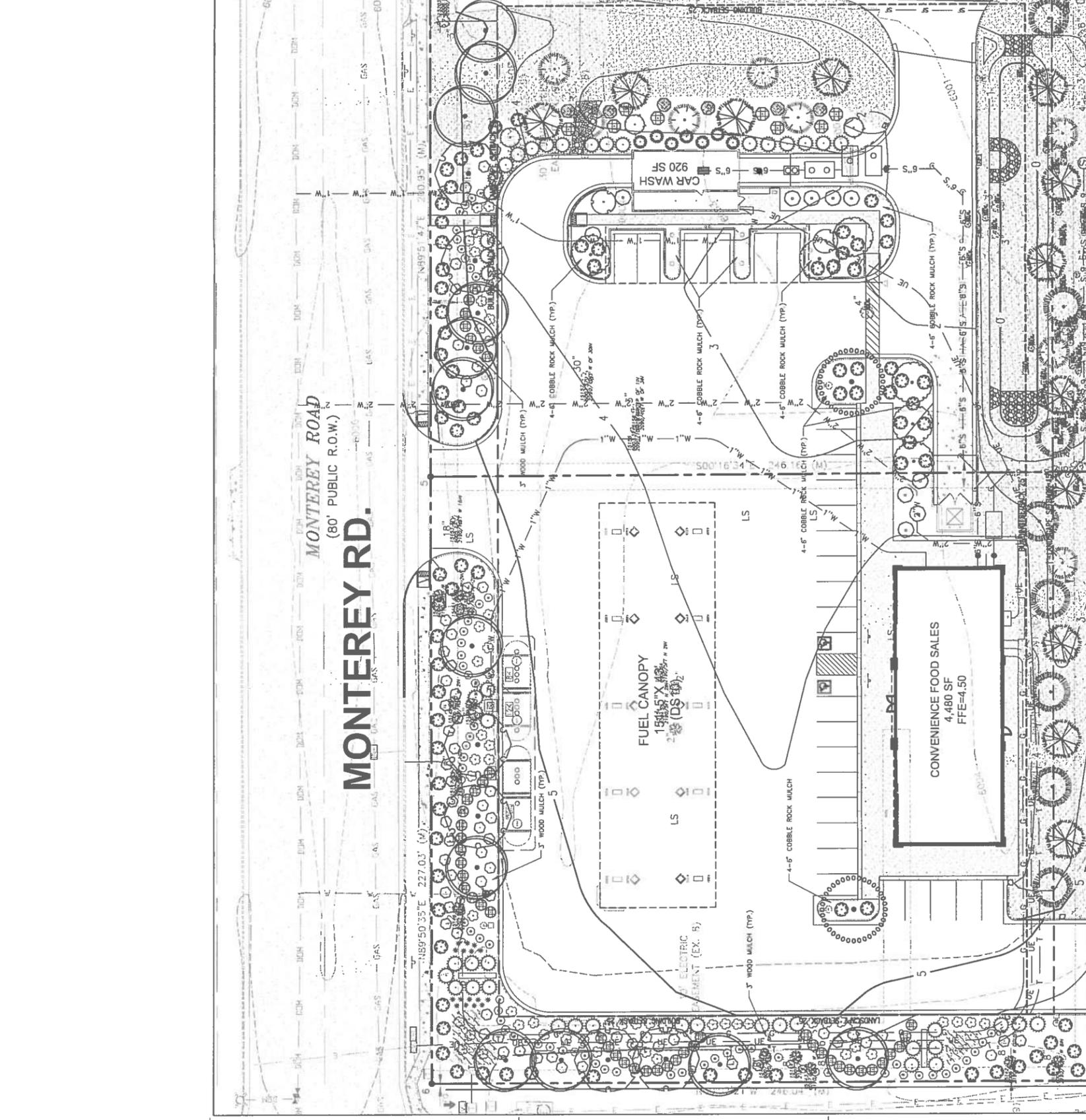
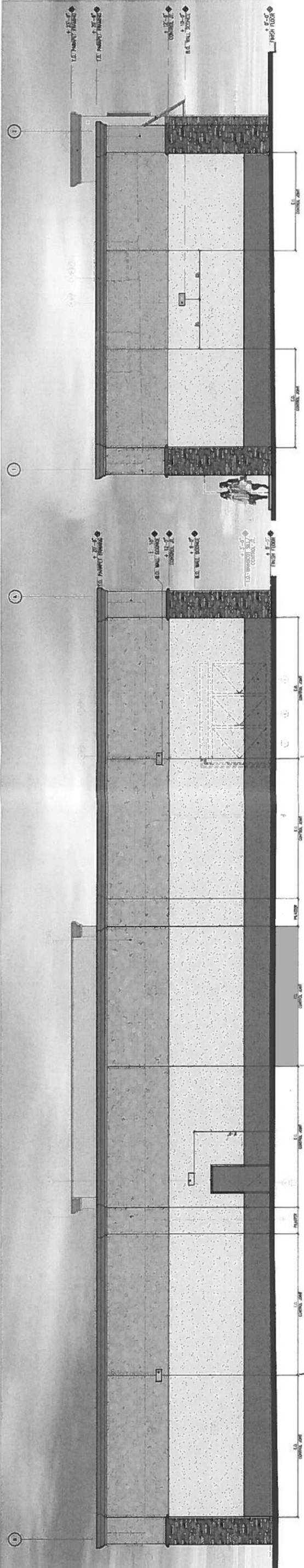
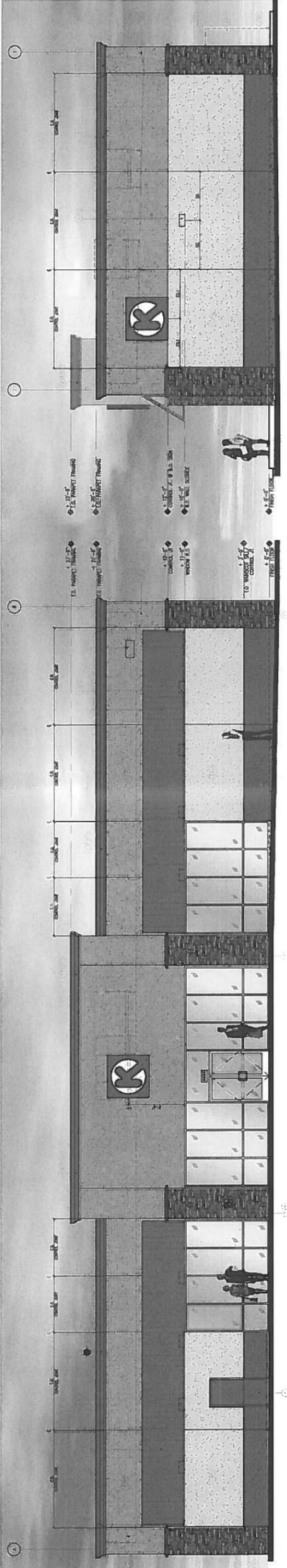


FIGURE 1



1 SOUTH ELEVATION
 1/2 of 15/ SCALE: 3/16" = 1' 0"

2 EAST ELEVATION
 1/2 of 15/ SCALE: 3/16" = 1' 0"



3 NORTH ELEVATION
 1/2 of 15/ SCALE: 3/16" = 1' 0"

4 WEST ELEVATION
 1/2 of 15/ SCALE: 3/16" = 1' 0"

FINISH SCHEDULE

FINISH MATERIAL	FINISH MATERIAL	FINISH COLOR
1 1 1/2" EPS, MEDIUM SAND FLOAT TEXTURE FINISH	9 STANDING SEAM METAL ROOFING (COLOR: "BRIDGE CHAMPAGNE") ON TUBE STEEL FRAMING. PROVIDE BY CONTRACTOR	P1 SHERWIN WILLIAMS - SW7883 "BUFF"
2 1 1/2" EPS, MEDIUM SAND FLOAT TEXTURE FINISH OVER FOAM AND METAL CAP FLASHING	T TEMPERED GLAZING PANELS	P2 SHERWIN WILLIAMS - SW6115 "TOTALLY TAN"
3 STONE VENEER		P3 SHERWIN WILLIAMS - SW6905 "TOASTY"
4 COMPACT FLUORESCENT EXTERIOR WALL SOURCE. SEE ELECTRICAL LIGHTING PLAN		W1 ENVIRONMENTAL STONEWORKS - "WEATHERED EDGE SERIES" CHARDONWAY OR EQUAL
5 ADDRESS SIGN NUMBERS MIN. 8" HIGH LETTERS & 1" STROKES ON CONTRASTING BACKGROUND		F1 CAP FLASHING: FIRESTONE UMA-CLAD; COLOR: "COLOR TO MATCH P2"
6 S.E.S. PANEL LOCATION. SEE ELEC. DWGS.		STOREFRONT: CLEAR ANODIZED ALUMINUM.
7 EMERGENCY SHUT OFF SWITCH MOUNTED AT 40" A.F.F.		
8 DOOR AND FRAME, PAINTED METAL. COLOR: MATCH ADJACENT SURFACE.		

Note:
 Doors shown on these elevations are for illustration purposes only. For exact colors, refer to manufacturers samples.



FIGURE 1

Project Statement

Proposed Circle K Store SEC S. Circle Dr. & Monterey Rd. Colorado Springs, Colorado

Circle K Stores Inc, is proposing to construct a new retail convenience grocery store with gasoline sales and car wash station on approximately 2.42-acre of land at the SEC of S. Circle Dr. and Monterey Rd. in Colorado Springs, Colorado. The property is currently occupied by a multiple story commercial building. The property is zoned OC (Office Complex) and has a proposed zone change to PBC (Planned Business Center).

Project Description

The proposed development will remove the existing commercial building, then replace it with a new 4,480 square foot retail convenience grocery store, ten gasoline dispensing pumps under a fuel canopy and 920 square foot car wash. All three structures will be architecturally integrated together. The parking lot will contain ample room for customer parking and vehicle maneuvering, and the development will be well landscaped. The proposed Circle K facility will be operating 24 hours a day, seven days a week.

a. Site Access/Circulation/Parking

The existing site has one (1) access drive on Monterey Road and two (2) on Legacy Ridge View, which borders the site to the south and east. The proposed development will keep all three access drives, but relocate the existing access drive on Monterey Road, farther away from the intersection of S. Circle Dr. and Monterey Rd. Primary access will be provided via an access drive on Monterey Rd. and the secondary access will be provided via an access drive on the east side of the site from Legacy Ridge View. These alterations will not affect the density or intensity of the existing and planned uses in the surrounding areas. The proposed on-site drive aisles range between 30 and 45 feet in width, and the parking lot will contain adequate parking stalls for Circle K's customers. Furth more, these changes will not change the predominant character of the surrounding area.

b. Site Landscaping/ Sidewalk

The conceptual site landscaping theme will use a combination of sod and hydroseed. In addition, a mixture of regional trees & plants (Fame Amur Maple, Columnar European Hornbeam, Shademaster locust, etc.) will be located around the perimeter of the site as well as within the parking lot area. This landscape perimeter consists of a minimum of twenty-five (25) feet buffer zone from all adjacent properties and right-of-ways.

c. Site Utilities

The proposed development will increase the demand for water due to the car wash. However, will not increase the demand on any other existing utilities (wastewater & stormwater) that are currently serving the existing buildings. A Water Quality/ Detention pond is proposed to capture EURV (Excess Urban Runoff Volume) and detain stormwater

runoff for a 2-year storm event. This was discussed as an acceptable amount, due to a downstream detention pond already sized to detain the site's runoff. Furthermore, the proposed site water runoff is nearly half of the existing site, due to its grading.

Circle K believes the proposed project will bring new, enhanced consumer products and services to the area. As with all new Circle K facilities, this project will include an architecturally integrated building and canopy, exceptional service, products and security for the consumers utilizing the store.

CITY PLANNING COMMISSION AGENDA

ITEM NO: 6.A – 6.B

STAFF: LONNA THELEN

FILE NO(S):

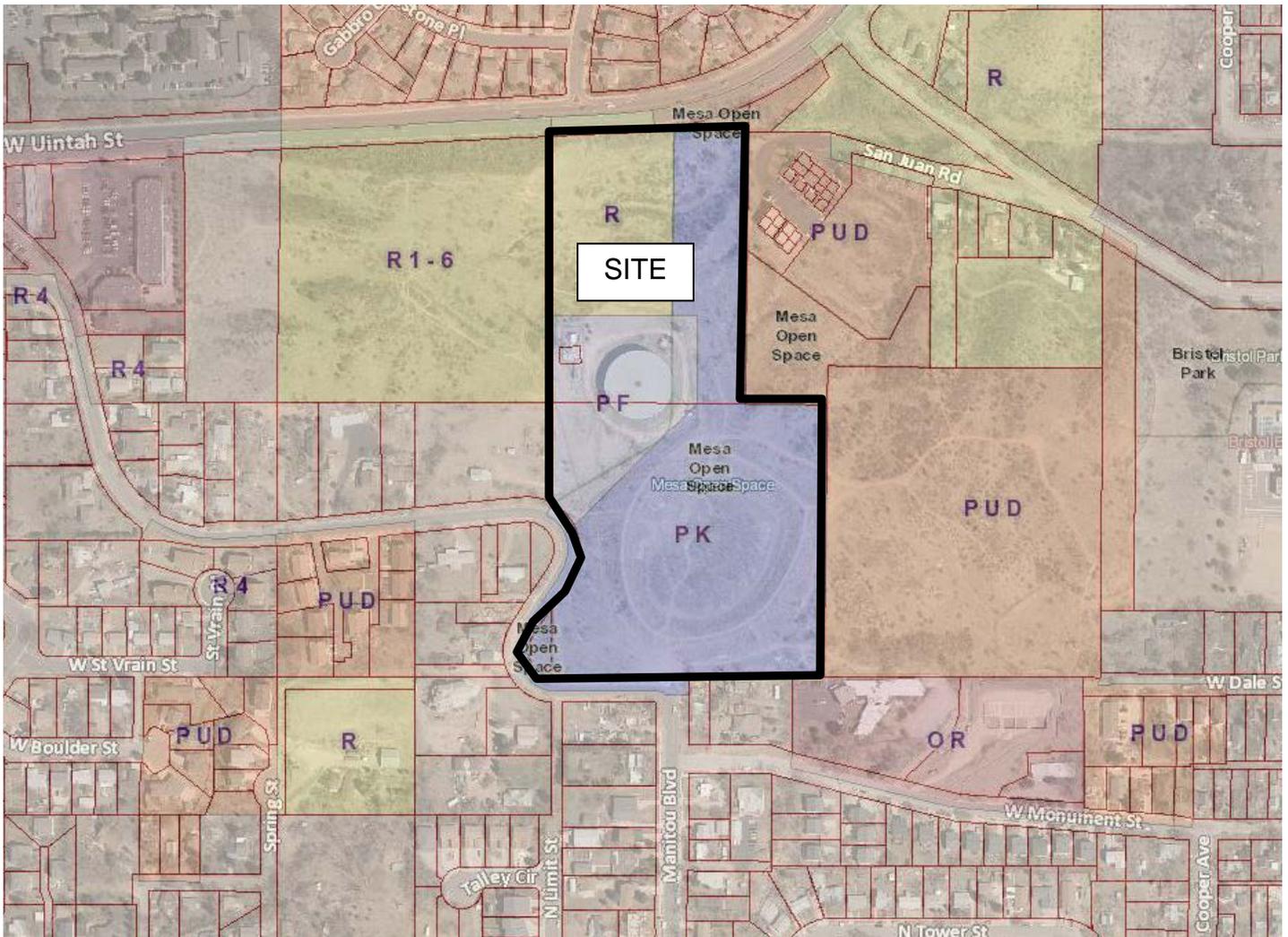
A. – CPC ZC 15-00122 – QUASI-JUDICIAL

B. - CPC DP 97-00346-A1MJ15 – QUASI-JUDICIAL

PROJECT: LITTLE MESA TANK RELOCATION PROJECT

APPLICANT: COLORADO SPRINGS UTILITIES

OWNER: COLORADO SPRINGS UTILITIES



PROJECT SUMMARY:

1. Project Description:

This project includes concurrent applications for a zone change and a development plan for a 17-acre site located north of Manitou Boulevard and West Monument Street; part of the Mesa Open Space.

The applicant is requesting a zone change from PK/PF/R/HS (Parks and Recreation, Public Facilities, Estate Single-Family Residential with Hillside Overlay) to PF/HS (Public Facility with Hillside Overlay). In addition, the applicant is proposing a development plan that includes the location of the new water tank and the demolition of the old water tank for the property. **(FIGURE 1)**

A final plat for Little Mesa Tank Subdivision Filing Number 2 is being processed administratively. The plat only applies to the portion of the property where the new tank will be built.

2. Applicant's Project Statement: **(FIGURE 2)**

3. Planning and Community Development Department's Recommendation: Staff recommends approval of the applications subject to modifications.

BACKGROUND:

1. Site Address: 1408 Manitou Boulevard
2. Existing Zoning/Land Use: PK PF R HS / CSU Water Tank and City Parks and Recreation Trails
3. Surrounding Zoning/Land Use: North: PUD/Single-Family Residential
South: R-2/Residential
East: PUD/Vacant Proposed for Residential
West: R1-6 & R2/Residential and Mesa Open Space
4. Comprehensive Plan/Designated 2020 Land Use: Existing Park Land or Open Space
5. Annexation: Town of Colorado Springs, 1872 and San Juan, 1958
6. Master Plan/Designated Master Plan Land Use: Westside Master Plan/Park
7. Subdivision: The majority of the site is unplatted. A 2,000 square foot area was platted previously as Little Mesa Subdivision Filing Number 1 for a cell tower.
8. Zoning Enforcement Action: There are no zoning enforcement actions.
9. Physical Characteristics: The site has a large grade change from north to south. The site is primarily undeveloped open space with a few public trails, one existing water tank and a cell tower.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to 118 property owners within 500 feet of the property. Comments from two neighbors were received. **(FIGURE 3)**

The concerns relate to access to the open space, safety of the new water tank, appearance of the new water tank and fencing around the tank. Colorado Springs Utilities has been in contact with the property owners who provided comments in an attempt to address their concerns.

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

1. Review Criteria / Design & Development Issues:

The Little Mesa Tank site is a 17-acre property that contains a number of different zone districts. This application serves to clean up the zoning in the area and proposes a zoning that accommodates the public utility and parks and recreation use that is currently on the site. The PF (Public Facilities) zone district permits both public facilities (the water tank) and parks and

recreation uses. The Little Mesa Tank site is a great example of joint use of property between two public agencies; Colorado Springs Utilities and City Parks and Recreation.

The existing water tank on this property is in need of replacement. Colorado Springs Utilities is planning to build a new water tank to replace the existing tank and then remove the existing tank in January of 2017. The new water tank will be located southeast of the existing water tank. In addition to being a water tank site, the property is also a part of Mesa Open Space and provides public recreational trails. The plan intends to maintain trails in the area for public recreation while accommodating the new water tank.

The new tank is proposed to be 24 feet tall and constructed of pre-tensioned steel and shotcrete and painted tan. The proposed structure will be very similar to the existing structure.

Because this site is to be partially used for parks and recreation, this application will be heard by the Parks and Recreation Advisory Board on January 14, 2016. The outcome of the Board meeting will be presented to City Planning Commission at the formal meeting.

Staff has reviewed the zone change and development plan and has found that the applications are consistent with the review criteria and standards of City Code. Staff recommends approval of both applications.

2. Conformance with the City Comprehensive Plan:

Objective CIS 1: Provide Efficient Services

Provide infrastructure and public services in an efficient, fair and effective manner. Individual developers determine the timing of development, which makes it difficult for the City to pro-actively determine future service requirements and thus plan for the provision and maintenance in a systematic fashion. SCIP will be used to address deficiencies in infrastructure and services in the city. Strategic planning will be utilized as the process for programming and funding new infrastructure and service needs. The Strategic Network of Long-range Plans will form the basis for identifying and programming future infrastructure and service needs.

Objective CIS 3: Provide Geographically Balanced Parks and Recreational Facilities

Balance the provision of parks and recreational facilities to serve all citizens of the community. Pay special attention to the geographical distribution of the system, balance of older vs. newer developments, and ease of access, consistent with the 2000-2010 Parks, Recreation and Trails Master Plan.

Strategy CIS 301c: Convenient Location

Locate neighborhood parks within walking distance (approximately ½ mile) of the neighborhoods they are intended to serve and locate community parks within two miles of the residential areas they are intended to serve.

The comprehensive plan designation for this site is park land and open space. This site provides an opportunity for the land owned by the City to be used for two City purposes – Utilities and Park and Recreation. The existing site accommodates both users and the proposal will accommodate both users in the future. This proposal is in conformance with the comprehensive plan.

3. Conformance with the Area's Master Plan:

This property is part of the Westside Master Plan and is designated for parks use. The majority of the site will be used for parks purposes with the tank area to be used by Utilities. The project as proposed is in compliance with the Westside Master Plan.

STAFF RECOMMENDATION:

Item No: 6.A CPC ZC 15-00122 – ZONE CHANGE

Approve the zone change from PK/PF/R/HS (Parks and Recreation, Public Facilities, Estate Single-Family Residential with Hillside Overlay) to PF/HS (Public Facility with Hillside Overlay), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B.

Item No: 6.B CPC DP 97-00346-A1MJ15 – DEVELOPMENT PLAN

Approve the Development Plan for the Little Mesa Tank Relocation Project, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan:

1. Clearly show the existing gravel private driveway that accesses the new water tank on all pages and include a reference to the recorded access easement.
2. Under general note #3 define what Tract A is and include the maintenance responsibility for the tract.
3. There is an access connection from the water tank site to Manitou Boulevard platted as part of the plat. Show this connection on the development plan.
4. The project boundary includes TSN 7412100020, 7412114028, and 7412400012, but does not include TSN 7412114026. Remove reference to that TSN under the legal description.

SHEET NO.



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LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 12, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, COLORADO DESCRIBED AS FOLLOWS:
THE WEST 7.0 ACRES OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 12, EXCEPT THAT PORTION LYING WITHIN SAN JUAN VILLAS ACCORDING TO THE OFFICIAL MAP THEREOF RECORDED APRIL 20, 1983 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 968418.

TOGETHER WITH:
OUTLOT 1 OF SAN JUAN VILLAS ACCORDING TO THE OFFICIAL MAP THEREOF RECORDED APRIL 20, 1983 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 968418.

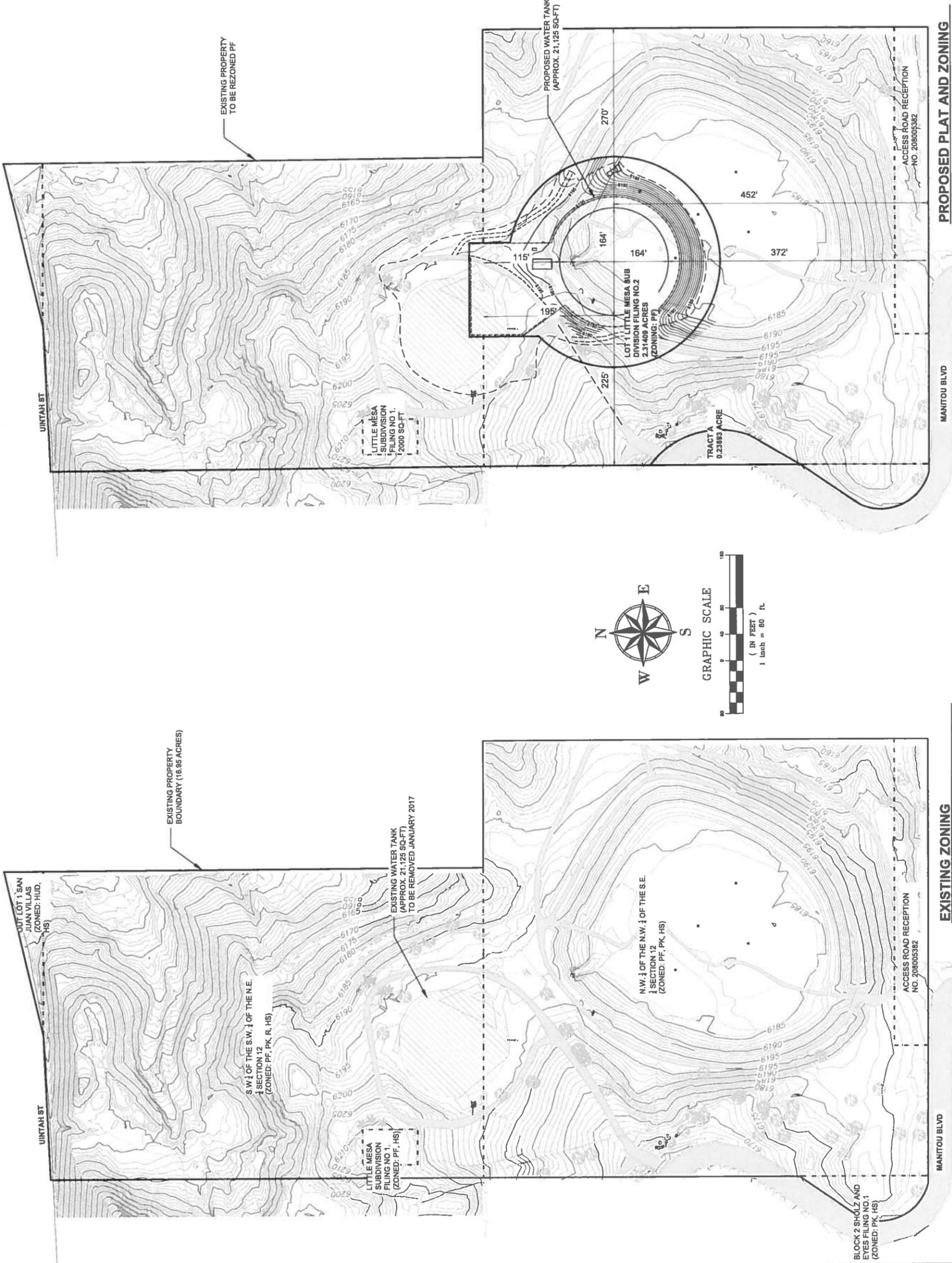
TOGETHER WITH:
LOT ONE OF LITTLE MESA SUBDIVISION FILING NO. 1 ACCORDING TO THE OFFICIAL MAP THEREOF RECORDED AUGUST 12, 1998 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 98113128.

TOGETHER WITH:
THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12 TOWNSHIP 14 SOUTH, RANGE 67 WEST, LYING EAST OF MANITOU BOULEVARD.

TOGETHER WITH:
ALL OF BLOCK 2 OF SHOLZ AND EYES ADDITION FILING NO. 1 ACCORDING TO THE OFFICIAL MAP THEREOF PREPARED APRIL 29, 1902 AND RECORDED IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER.

GENERAL NOTES:

- ELEVATIONS SHOWN ARE IN NAVD 88 VERTICAL DATUM. COLORADO SPRINGS UTILITIES MAPPING, RECORD DRAWINGS, AND HYDRAULIC MODELING ARE BASED ON NAVD 29 VERTICAL DATUM. TO CONVERT FROM NAVD 88 TO NAVD 29, SUBTRACT 3.5 FEET FROM THE ELEVATIONS SHOWN ON THESE DRAWINGS.
- UTILITIES SHOWN ARE BASED ON AVAILABLE RECORDS AND ARE APPROXIMATE. CONTACT COLORADO 811 FOR UTILITY LOCATES AT LEAST 2 FULL BUSINESS DAYS BEFORE BEGINNING EXCAVATION.
- TRACT A IS TO BE MAINTAINED BY COLORADO SPRINGS UTILITIES.



PROPOSED PLAT AND ZONING
1" = 80'

EXISTING ZONING
1" = 80'

REFERENCE DRAWINGS	DESCRIPTION	DATE	BY
Little Mesa Tank - 5th Topo map X-4002254			

COMPUTER FILE MANAGEMENT			
FILE NAME:	DATE:	DESCRIPTION:	BY:
S:\115.222.011.000 Little Mesa Tank Reloc Proj\Dwg\Development Plans\SITE LOCATION 12.15.15.dwg	December 16, 2015		

REVISIONS			
No.	DATE	DESCRIPTION	BY

SEAL

FOR AND ON BEHALF OF
MATRIX DESIGN GROUP, INC.
PROJECT NO. 15.222.011.000

DESIGNED BY: TJO
DRAWN BY: JTD
CHECKED BY: RM

SCALE
HORIZ: 1" = 80'
VERT: 1" = 10'

DATE ISSUED: DECEMBER 16, 2015
SHEET 2 OF 10
DRAWING NO. BLD1

PREPARED BY:
Matrix
DESIGN GROUP

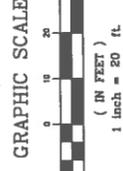
FILE NO. CPC DP 97-00346-A1MJ15	COLORADO SPRINGS UTILITIES
	LITTLE MESA TANK RELOCATION DEVELOPMENT PLAN
	SITE LOCATION/PROPOSED ZONING

FIGURE 1



GENERAL NOTES:

- ELEVATIONS SHOWN ARE IN NAVD 88 VERTICAL DATUM. COLORADO SPRINGS UTILITIES MAPPING, RECORD DRAWINGS, AND HYDRAULIC MODELING ARE BASED ON NAVD 29 VERTICAL DATUM. TO CONVERT FROM NAVD 88 TO NAVD 29, SUBTRACT 3.5 FEET FROM THE ELEVATIONS SHOWN ON THESE DRAWINGS.
- UTILITIES SHOWN ARE BASED ON AVAILABLE RECORDS AND ARE APPROXIMATE. CONTACT COLORADO 811 FOR UTILITY LOCATES AT LEAST 2 FULL BUSINESS DAYS BEFORE BEGINNING EXCAVATION.
- THERE IS NO PROPOSED LIGHTING IN THE PROPOSED PROJECT SITE.
- ALL CURB, GUTTER, PEDESTRIAN RAMPS AND SIDEWALK POSING A SAFETY HAZARD, WHICH ARE DAMAGED, EXHIBITING EXCESSIVE DETERIORATION OR WHICH DO NOT MEET CURRENT CITY ENGINEERING STANDARDS ALONG MANITOU BLVD, ADJACENT TO THE SITE, WILL NEED TO BE REMOVED AND REPLACED. AN ON-SITE MEETING CAN BE SET UP WITH THE CITY ENGINEERING INSPECTOR TO DETERMINE WHAT, IF ANY IMPROVEMENTS ARE REQUIRED. THE INSPECTOR CAN BE REACHED AT 719-385-5977.

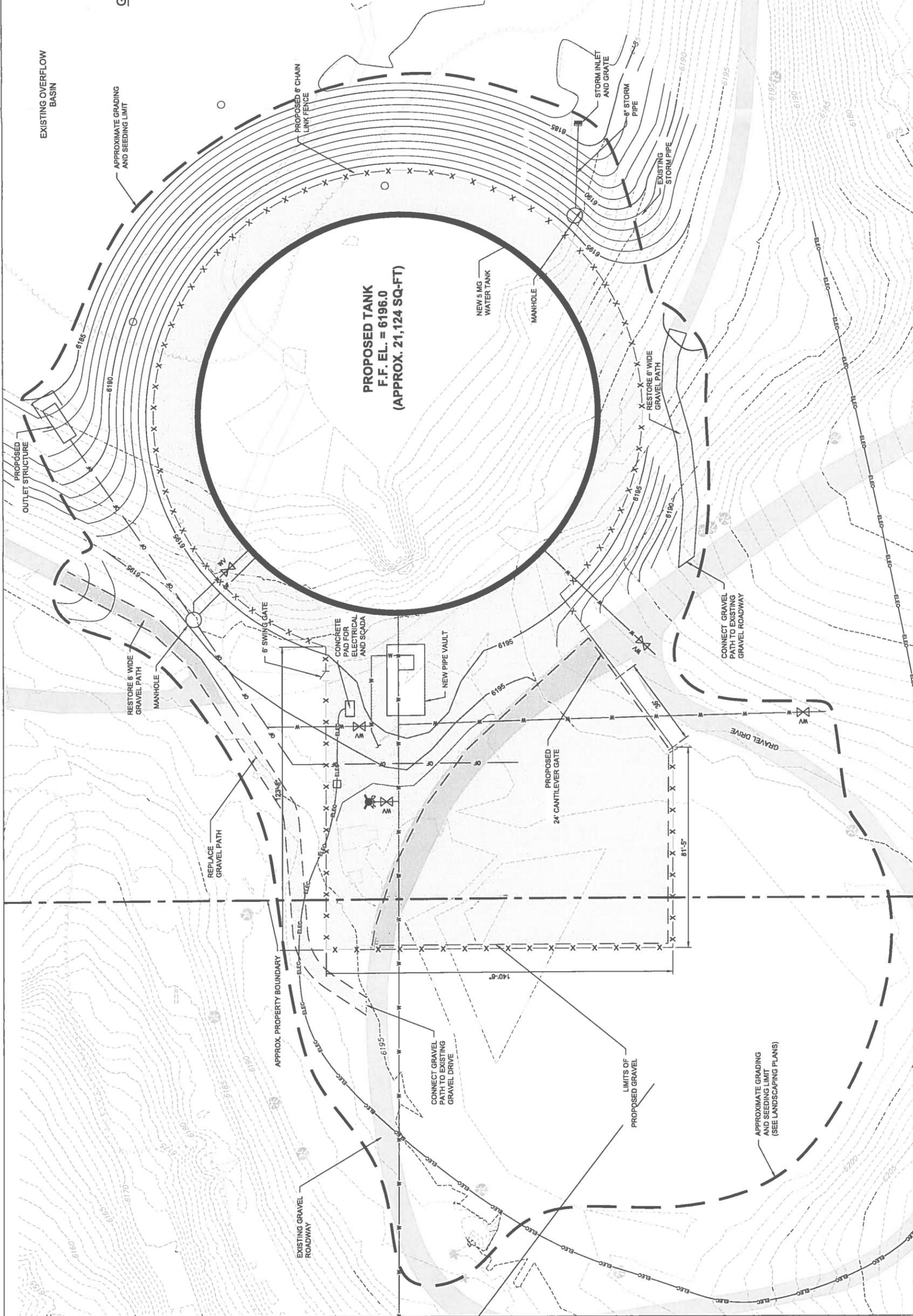


FILE NO. CPC DP 97-00346-A1MJ15

COLORADO SPRINGS UTILITIES
 LITTLE MESA TANK
 RELOCATION DEVELOPMENT PLAN
 SITE PLAN

DESIGNED BY: TJD
 DRAWN BY: RM
 CHECKED BY: RM
 SCALE: HORIZ 1" = 20'
 VERT. NA
 DATE ISSUED: DECEMBER 16, 2015
 SHEET: 4 OF 10
 DRAWING NO. SPR1

FOR AND ON BEHALF OF
 MATRO DESIGN GROUP, INC.
 PROJECT NO. 15.222.01.000



SHEET KEY

REFERENCE DRAWINGS	DESCRIPTION	DATE	BY
Little Mesa Tank - Site Topo v04 X:\003234			

NO.	DATE	DESCRIPTION	REVISIONS	BY

COMPUTER FILE MANAGEMENT
 FILE NAME: S:\15.222.011.000 Little Mesa Tank Reloc Proj\DWG\Development Plans\SITE DEVELOPMENT PLAN PROPOSED.dwg
 CTB FILE: —
 PLOT DATE: December 16, 2015
 THIS DRAWING IS CURRENT AS OF PLOT DATE AND MAY BE SUBJECT TO CHANGE.

FIGURE 1

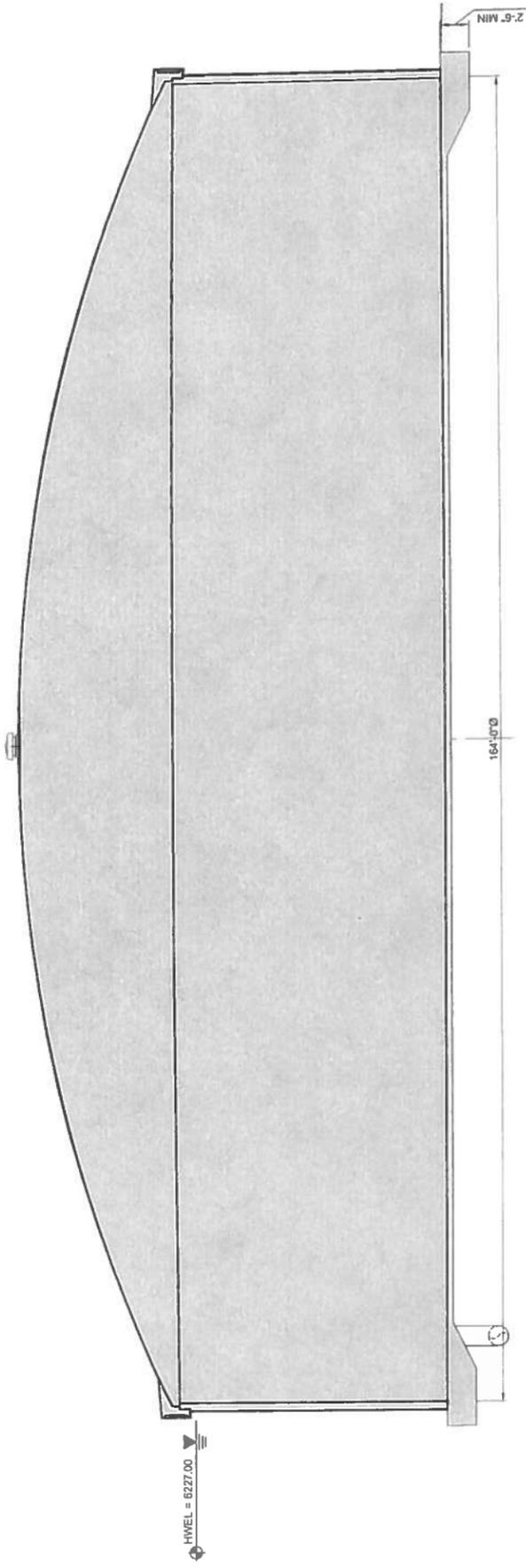
SHEET No.



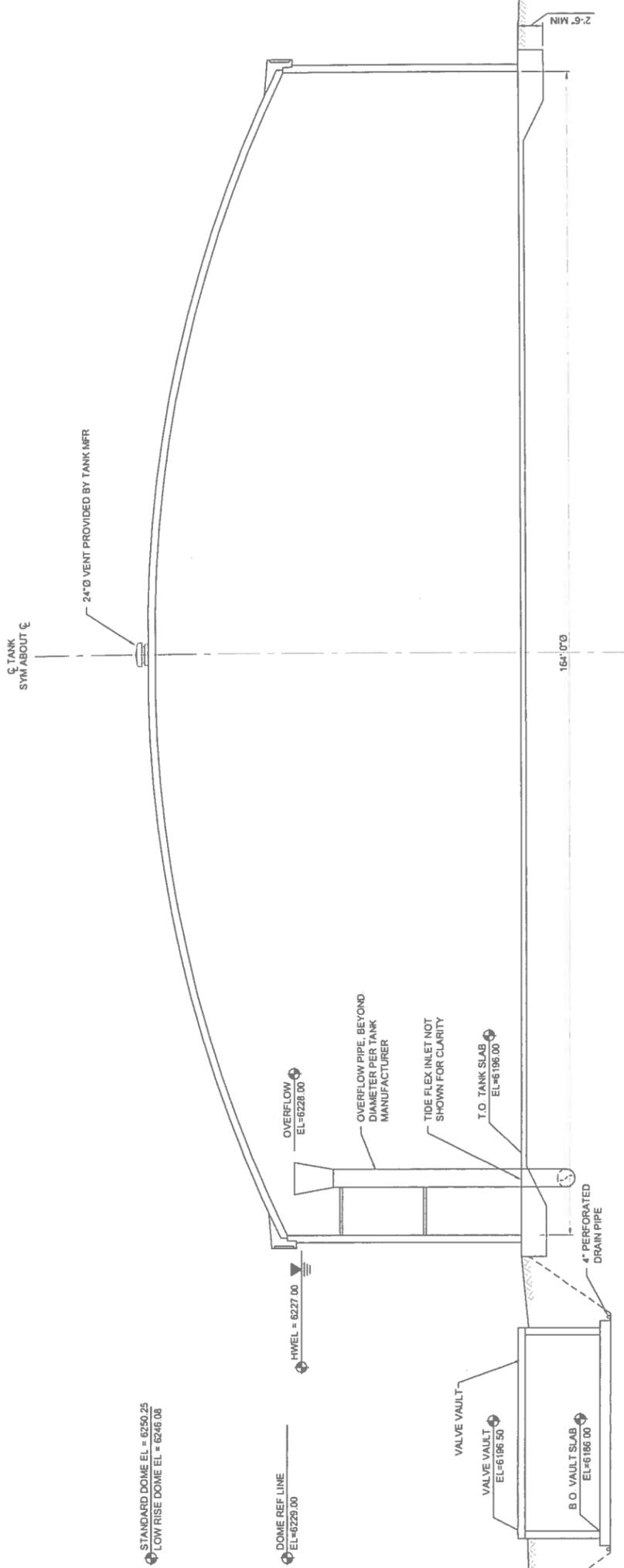
Know what's below.
 Call before you dig.

GENERAL NOTES:

1. TANK IS TO BE CONSTRUCTED OF PRE-TENSIONED STEEL AND SHOTCRETE, AND TO BE COATED IN A TAN EARTHEN TONE PAINT.



PROPOSED ELEVATION VIEW
 NTS



PROPOSED TANK SECTION VIEW
 NTS

FILE NO. CPC DP 97-00346-A1MJ15

COLORADO SPRINGS UTILITIES		DESIGNED BY: TJD	SCALE	DATE ISSUED: DECEMBER 16, 2015	DRAWING No
LITTLE MESA TANK		DRAWN BY: TJD	HORIZ: NTS	8 OF 10	WT01
RELOCATION DEVELOPMENT PLAN		CHECKED BY: RM	VERT: NTS	SHEET	
WATER TANK EXTERIOR ELEVATIONS		FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC PROJECT No. 15-222-011.000			

SEAL



NO.	DATE	DESCRIPTION	BY

REFERENCE DRAWINGS	COMPUTER FILE MANAGEMENT		
X: 14022624	FILE NAME:	S:\15-222-011.000 Little Mesa Tank Reloc Proj\Draw\Development Plan\WATER TANK ELEVATIONS 12.16.15.dwg	
	CTS FILE:		
	PLOT DATE:	December 16, 2015	
	THIS DRAWING IS CURRENT AS OF PLOT DATE AND MAY BE SUBJECT TO CHANGE		

FIGURE 1



2435 Research Parkway, Suite 300
Colorado Springs, Colorado 80920
Phone: 719.575.0100
Fax: 719.575-0208
matrixdesigngroup.com

To: City of Colorado Springs
From: Colorado Springs Utilities / Matrix Design Group
Date: October 29, 2015
Subject: Development Plan Application – Little Mesa Tank Relocation Project

Project Statement

Colorado Springs Utilities is constructing a new water tank at the Little Mesa Water Tank Site, adjacent to the Little Mesa Open Space Park located just east of Manitou Boulevard and south of Uintah Street. Due to the requirement that the tank remain in operation during the construction of the new tank, additional land use will be necessary to construct the new water tank. The proposed location of the new tank exists on property that is currently leased to the City of Colorado Springs by Colorado Springs Utilities for future park use. Therefore this property is under the *Park* (PK) land use designation and must be rezoned as *Public Facilities* (PF).

This proposed project poses minimal impacts to the area and is necessary as the current water tank requires replacement. Reasons for approval of the Development Plan include:

- Project design is harmonious with current land use as it simply proposes a reproduction of the current water tank facility in the immediate area of the existing tank.
- Negligible impact to current roadway capacities, parks, schools and other public facilities.
- The new water tank is a replacement of the existing and therefor minimizes its use or bulk on adjacent properties.
- Landscaping will be completed to provide adequate buffering from negative influences.
- Traffic in and out of the project location will not be impacted. The current access from Manitou Boulevard will remain the same while the existing gravel roadway around the existing water tank will be relocated around the new tank.
- There are currently no parking lots at the location of the existing tank; consequently there are no proposed parking lots necessary in the construction of the new tank. Additionally, there are no new roads to be constructed with the exception of the relocation of the existing gravel roadway, and therefore the addition of new asphalt is not relevant.
- Pedestrian walkways will be shifted to bypass the new project location; however, this relocation is not significant.
- The existing water tank will be removed and this area will be revegetated. Therefore, installation of the new tank will not significantly decrease the entire property vegetation.
- Irrigation plans will be submitted with the building permit application.
- Hydraulic grade line request is not necessary as the owner of the property is Colorado Springs Utilities, and this process will be completed internally.

Thelen, Lonna

From: Rjsavely@aol.com
Sent: Thursday, November 19, 2015 5:44 PM
To: Thelen, Lonna
Subject: CPC ZC 15-00122

Lonna,

As the property owner at 1424 Manitou Blvd, I support the proposed zoning change with the following conditions:

1. Our shared driveway remain accessible to 1424 Manitou Blvd (Block 2 of Sholz and Eyes Addition Filing Number 1) at all times.
2. The existing chain link fence surrounding the existing steel water tank remain in place.
3. Should any of the existing water mains under the shared driveway or under my property be relocated, the grade on the shared driveway be reduced to make it easier utilize the driveway with my 40' motorhome.
4. The new tank be fenced with a chain link fence like or similar to the existing chain link fence.

Should you have any questions, please contact me at either rjsavely@aol.com, 308 483 5088 (Home), or 970 580 6428 (Cell).

Thanks!

R. J. Savely, Jr.

Thelen, Lonna

From: Ivars Mankovs <ijmanko@gmail.com>
Sent: Monday, November 23, 2015 5:25 PM
To: Thelen, Lonna
Subject: water tank

To Lonna Thelen,

I have a few questions and concerns regarding the water tank project. First, where is "south east of the intersection of Manitou Boulevard and Mesa Road" these roads come no where close to intersecting. Second, why does the property need to be rezoned, it is already zoned PK PF R HS. Why does the park designation need to be removed ?

I am also concerned what the impact will be to the Mesa Open Space and to my property.

- Will the Mesa Open Space be shut down and fenced off like the current tank location, or is the park being expanded?
- Will the city be reducing the risk of fire on the entire property, or only the fenced in area as it currently does?
- In case of a breach of the tank will my property be safe from flooding? (it is my understanding that there was a tank/reservoir problem that flooded my house and others a number of years ago)
- Is there any plan to re vegetate/clean up the area to the south of the new tank (north of the intersection of Monument st. and Manitou Blvd) and prevent atvs and jeeps from doing donuts and driving around the old reservoir?

I am not completely opposed to relocating the water tank as long as it improves the Mesa Open Space and my experience living near the Mesa Open Space. Maybe a small parking area can be installed near the old tank?

One last thing, I would like to keep/gain legal access to the rear (north) of my property. so far my request has been ignored by planning and the city in general. How do I go about keeping/gaining legal access to the rear, north side of my property? (I believe my lot has had rear access for over one hundred years, however planning and developers have seemingly been unwilling to work with me over this issue)

Thank you for your time. Ivars Mankovs
744 W Monument st.
Colorado Springs CO 80904

PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a zone change and a development plan for a 15,782 square-foot site located on the northwest corner of the intersection of South 8th Street and Cheyenne Boulevard.

The applicant is requesting a zone change from R1-6000 (Single-Family Residential) to OR (Office Residential). In addition, the applicant is proposing a development plan for the property. **(FIGURE 1)**. The development plan illustrates an existing structure, landscaping, and a paved parking area.

The applicant has also requested administrative relief to allow seven (7) parking spaces where eight (8) are required. This application is being processed administratively.

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: 802 Cheyenne Boulevard
2. Existing Zoning/Land Use: R1-6000/Office Use
3. Surrounding Zoning/Land Use: North: R1-6000/Single-Family Residence
South: R1-6000/Single-Family Residence
East: R1-6000/Single-Family Residence
West: C-5/Office Use
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: Reannexation of Southwest Annexation Area/1980
6. Master Plan/Designated Master Plan Land Use: No master plan exists.
7. Subdivision: Cass Subdivision
8. Zoning Enforcement Action: No current zoning enforcement action
9. Physical Characteristics: The site is improved with an existing structure. There is very little grade change.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process for the review of these applications included posting of the site and sending of postcards on two separate occasions to 72 property owners within a standard 500-foot radius. Two (2) comments in opposition and three (3) comments of support were received from neighbors **(FIGURE 3)**. Concerns raised were that the zone change will eliminate a buffer between the commercially zoned properties on the west side of South 8th Street to the single-family residences on the east side of South 8th Street. There is also a concern that the zone change will create additional traffic in the area, in particular the South 8th Street and Cheyenne Boulevard intersection. Neither of the two (2) comments in opposition were from property owners immediately adjacent to the property in question. Two (2) of the three (3) comments of support were from the westerly and northerly adjacent property owners.

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

1. Review Criteria / Design & Development Issues:
The 802 Cheyenne Boulevard project proposes a zone change from R1-6000 (Single-Family Residential) to OR (Office Residential). Aside from minor parking stall re-stripping, there are no other changes proposed. The site has existing landscaping which City Staff has accepted as sufficient with the expectation that it be maintained and kept in a healthy condition.

In terms of the property's land use, this property has significant historical use that is different from the allowable uses in the R1-6000 (Single-Family Residential) zoning district. Over a period of several years, the property has served as both a real estate office and as an attorney's office.

Per a letter dated August 9, 1993, from the previous property owners submitted for Hearing Officer permit HO NCU 93-125, office uses have been in existence on the property for over 80 years (**FIGURE 4**).

Since the real estate office use was occurring on the property prior to annexation into the City in 1980, the use was determined to be legal non-conforming, meaning that the use was legally occurring per El Paso County regulations but no longer was permitted under the City's R1-6000 (Single-Family Residential) zoning district. As such, when the use changed from a real estate office to an attorney's office in 1993, the City required submittal of a use variance to allow the attorney office use, Hearing Office HO NCU 93-125. With the granting of Hearing Officer permit HO NCU 93-125, the property was allowed to continue operating within an office-use context for the next 22 years. However, the property is being placed on the market and the current property owner would like to include other types of office uses that fall out of context from the approved HO NCU 93-125. For example, if a new tenant were to occupy the building and pursue a real estate office use, they would need to apply for a use variance because the legal non-conforming has been discontinued (Section 7.5.1203.F.). Consequently, new uses would require use variance requests and to prevent this, the property owner feels it prudent to address changes of use through a zone change.

This issue came recently when potential purchasers of the property were inquiring with City staff about using the building as a therapy office. However, based on the definition of medical office uses in the City Code, a therapy office falls within the confines of a medical office (emphasis on italicized):

Medical Offices, Medical Labs, and Clinics: Use of a site for facilities which provide medical, psychiatric or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees or visitors. Medical offices, labs and clinics are operated by doctors, dentists, or other physical or *mental healthcare practitioners licensed for practice by the State of Colorado* and are characterized by a high proportion of vehicle trips attributable to visitors or clients in relation to employees (Section 7.2.302.B.4).

Consequently, the request for a therapy office on the property was classified as a medical office use and interpreted to be a deviation from the originally approved Hearing Officer permit HO NCU 93-125.

A zone change to OR (office residential) will allow for both general office and medical office uses. While this may seem as an intensification of use on the property, the structure's square footage and the limited availability of parking prevent the property from having a high volume of customers at any one given time. As such, the potential impact of medical uses on the property would most likely be contained to those pertaining to low-volume types of uses, including professional psychological and other mental/physical health services that tend to see one patient at a time.

In terms of the development plan, there are a total of seven (7) provided parking spaces, including two (2) compact spaces and one (1) ADA van accessible space. In order to accommodate potential medical office users on the property, the applicant is requesting an administrative relief to the maximum parking requirement of eight (8) spaces (AR R 15-00786). Additionally, the main vehicular access point onto the property will be from South 8th Street with a technical modification to prohibit vehicular access to Cheyenne Boulevard through the westerly adjacent property (Technical Modification #2).

Staff has reviewed the zone change and development plan and has found that the applications are consistent with the review criteria and standards of City Code. Staff recommends approval of both applications.

2. Conformance with the City Comprehensive Plan:

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.

Objective LU 7: Develop Shopping and Service Areas to be Convenient to Use and Compatible with Their Surroundings

Colorado Springs has numerous commercial areas that provide the necessary goods and services for visitors and regional, community, and neighborhood residents. The location and design of these areas not only has a profound effect on the financial success of commercial businesses, but also on the quality of life for the residents. Regardless of whether a commercial development is intended to serve neighborhood, community, citywide, or regional functions, it must be located and designed to balance pedestrian, bicycle, automobile, and, in many cases, transit access. In addition, the location and design of commercial uses must be integrated into surrounding areas, rather than altering the character of surrounding land uses and neighborhoods. Incorporating a mix of uses will increase the diversity and vitality of commercial areas.

Objective LU 8: Integrate Employment Centers into the Wider City Land Use Pattern

Colorado Springs has been successful at attracting and retaining major employers and growing small businesses, which has led to a healthy, thriving economy. However, the needs of employers, such as land requirements, location considerations, and availability of housing, must be balanced with overall quality of life issues. Employment activities that are not integrated into the community lead to higher infrastructure costs, increase traffic and congestion, and create a sense of separation from the community. Employment centers should be developed so they meet the needs of the employers, while at the same time contribute to the quality of life in Colorado Springs. The City's efforts should focus on creating opportunities for quality employment at various economic levels for its residents, and on environmentally responsible industries that make a positive contribution to the community.

The 802 Cheyenne Blvd. project will be a zone change from R1-6000 to OR and allow for additional office/medical uses. The impacts of the zone change are not determined to be significant. The zone change furthers re-adaptation and re-utilization of an existing urban area by allowing mixed and complimentary land uses, allowing for services to exist and grow, and serving as an employment source. As such, this project is in compliance with and supports the City's comprehensive plan.

3. Conformance with the Area's Master Plan:

This property is not part of a master plan.

STAFF RECOMMENDATION:

Item No: 7.A CPC ZC 15-00140 – ZONE CHANGE

Approve the zone change for 802 Cheyenne Boulevard, based upon the finding that the zone change complies with the zone change review criteria in City Code Section 7.5.603.B.

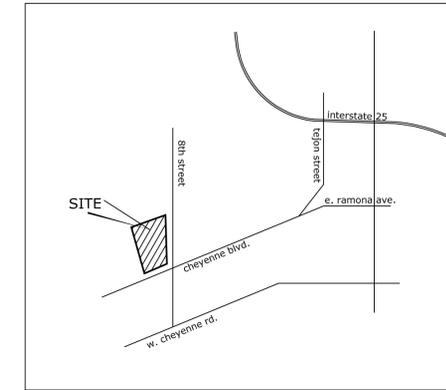
Item No: 7.B CPC DP 15-00141 – DEVELOPMENT PLAN

Approve the development plan for 802 Cheyenne Boulevard., based upon the finding that the development plan complies with the development plan review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan:

1. Include permit file numbers on site plan: CPC DP 15-00141 and AR R 15-00786.
2. Include the zone change ordinance number.
3. Include a note on site plan indicating that there shall be no through access to Cheyenne Blvd. via the westerly adjacent property.

VICINITY MAP



Land Planning
Landscape Architecture
Urban Design

N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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LEGAL DESCRIPTION:

LOT 1, CASS SUBDIVISION

SITE DATA

OWNER: JUDY HENLEY
330 ESTRELLA LANE
MONUMENT, CO 80132

Tax ID Number: 745200096
Site Address: 802 Cheyenne Blvd
Existing Zoning: R1-6
Proposed Zoning: OR
Lot Size: 15,782 SF

Existing Use: LAW OFFICE
(Per Use Variance HO NCU 93-125, Dated 09/01/13)
Proposed Use: OFFICE / MEDICAL
Building Size: 1,626 SF
Max Building Height: 35'

Building Setbacks:
-Front (E. Cheyenne Blvd) : 25'
-Side (8th Street) : 5'
-Rear : 20'

Landscape Setbacks:
-8th Street : 25'
-E. Cheyenne Blvd : 20'
-North Buffer: 15'
-West Buffer : 15'

Parking Requirements:
Medical Office Office 8 required @ 1 space / 200 sf (incl 1 h/c)
Office 4 required @ 1 space / 400 sf (incl 1 h/c)
7 provided (incl 1 h/c & 2 compact)*

Lot Coverage
-(%) building 10% (1,626 sf)
-(%) impervious 34% (5,383sf)

*ADMINISTRATIVE RELIEF REQUESTED

Landscape Setbacks

See Code Section/Policy 320 & 317

Street Name or Zone Boundary	Street Classification	Width (in Ft.) Req./Prov.	Linear Footage	Tree/Feet Required	No. of Trees Req. / Prov.
E. Cheyenne Blvd	Minor Arterial	20 / 20	92'	1 / 25'	4 / 2
8th Street	Major Arterial	25 / 25	151'	1 / 20'	8 / 8
Shrub Substitutes Required / Provided	Ornamental Grass Sub. Required / Provided	Setback Plant Abbr. Denoted on Plan	Percent Ground Plane Veg. Req. / Provided		
20 / 20	n/a	E. Cheyenne Blvd	75% / 75%		

Internal Landscaping

See Code Section/Policy 322 & 317

Net Site Area (SF)	Percent Minimum Internal Area (%)	Internal Area (SF) Required / Provided	Internal Trees (1/500 SF) Required / Provided
15,782 S.F.	5%	2,367sf / 2,367sf	5 / 5
Shrub Substitutes Required / Provided	Ornamental Grass Substitutes Required / Provided	Internal Plant Abbr. Denoted on Plan	Percent Ground Plane Veg. Req. / Prov.
0 / 0	0 / 0	()	75% / 75%

Motor Vehicle Lots

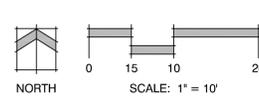
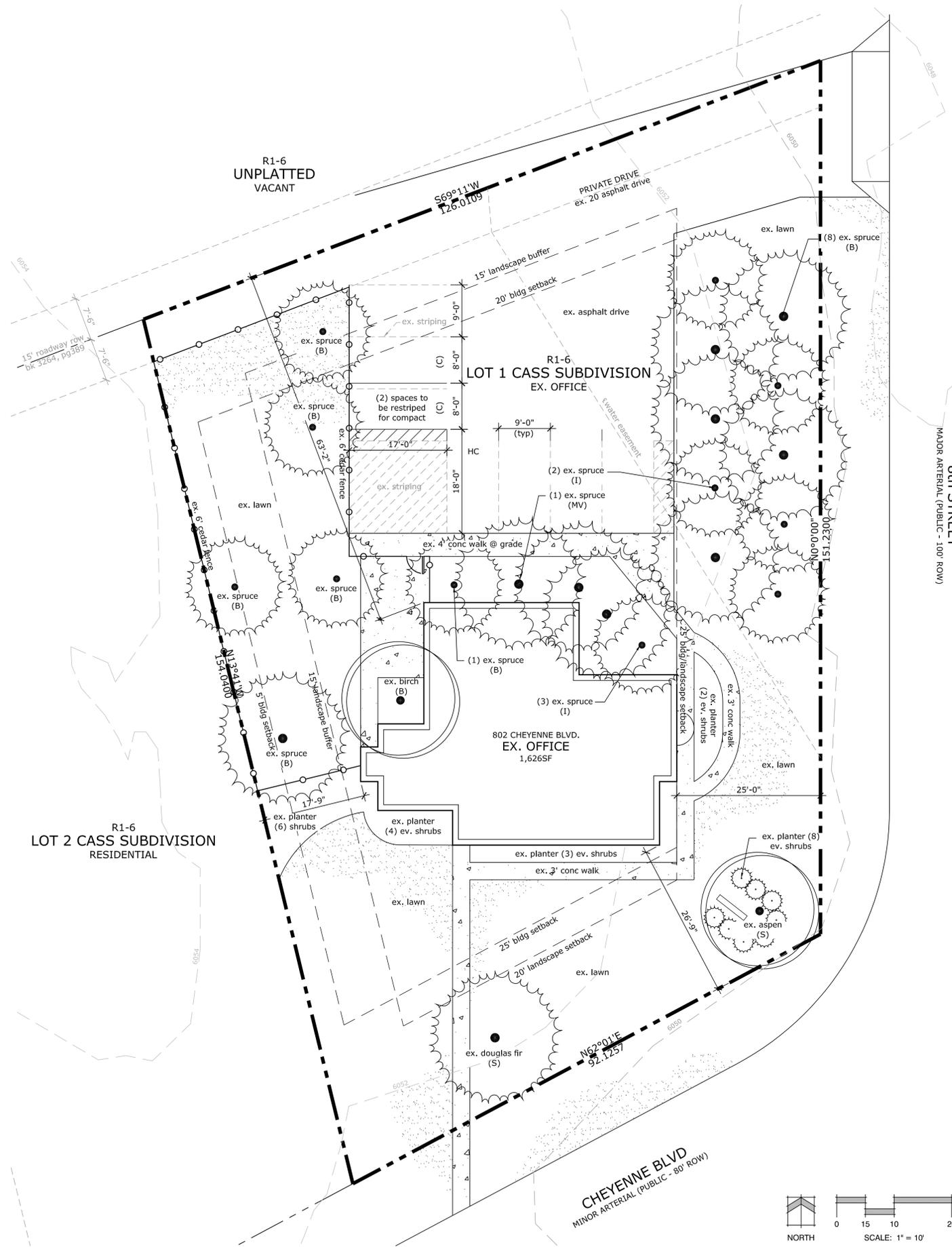
See Code Section/Policy 321 & 317

No. of Vehicles Spaces Provided	Shade Trees (1/15 spaces) Required / Provided	Vehicle Lot Frontages	Length of Frontage (excluding driveways)	2/3 Length of Frontage (ft.)
7	1 / 1	8th Street	54'	36'
Min. 3' Screening Plants Req. / Prov.	Evergreen Plants Req. (50%) / Prov.	Length of Screening Wall or Berm Provided	Vehicle Lot Plant Abbr. on Plan (MV)	Percent Ground Plane Veg. Req. / Prov.
3 / 3	3 / 3	n/a	(MV)	75% / 75%

Landscape Buffer & Screens

Street Name or Property Line	Width (in Ft.) Req. / Prov.	Linear Footage	Buffer Trees (1/20') Required / Provided	Evergreen Trees Req. (50%) / Prov.
West Boundary	15 / 15'	154'	7 / 7	4 / 7
*North Boundary	15 / 15'	126'	6 / 0	3 / 0
Length of 6' Opaque Structure Req./Prov.	Buffer Tree Abbr. Denoted on Plan	Percent Ground Plane Veg. Req. / Prov.		
75 / 75	(B)	75% / 100%		

* ALTERNATIVE COMPLIANCE REQUESTED.



NOTES:
1. FLOODPLAIN STATEMENT: THIS SITE, 802 CHEYENNE BLVD, IS LOCATED IN ZONE X. AREAS DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAIN DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 08041C0737 F, EFFECTIVE DATE MARCH 17, 1997.

802 CHEYENNE BLVD.

Development Plan

802 Cheyenne Blvd

DATE: 12.4.15
PROJECT MGR: A. Barlow
PREPARED BY: J. Romero

ENTITLEMENT

DATE: BY: DESCRIPTION:

DEVELOPMENT PLAN

1 OF 1

CPC #

FIGURE 1

P:\henley\802 Cheyenne Boulevard\Drawings\Planning\Development\802 E. Cheyenne_DPL.dwg [D] 12/21/2015 2:36:08 PM jromero

802 CHEYENNE BOULEVARD

PROJECT STATEMENT

4 DECEMBER 2015

REQUEST

N.E.S. Inc. on behalf of Tom and Judy Henley request approval of the following:

1. A Zone Change from R1-6000 to OR (Office Residential).
2. A Development Plan for office/medical office use.
3. Administrative Relief on parking requirement for medical office use.
4. Alternative Compliance for landscape buffer requirements.

LOCATION

The property is located at the northwest quadrant of the intersection of Cheyenne Boulevard and 8th Street. The application site is a 0.36 acres and is currently in use as a law office. To the north, west and south are single-family residential properties, zoned R1-6000. The property immediately to the north is currently vacant. To the west is substantial C5 zoned commercial center, which extends north along the east side of 8th street.



PROJECT JUSTIFICATION

ZONE CHANGE

The property is currently zoned R1-6000 but has a history of non-residential uses predating the annexation of the site into the City as part of the Southwest Annexation, at which time it was a sporting goods store. It was later converted to an interior decoration shop, then a real estate office, before becoming a law office in 1993 via a use variance (HO NCU 93-125) and has been in this use ever since.

The owner now wants to sell the property and wishes to maximize the opportunity for sale as a continued office use by rezoning to OR - Office residential. There will be no changes to the property itself; it is simply a matter of expanding the range of office uses allowed in the building. OR zoning is defined in the Zoning Code as a "transitional zone district" that can accommodate a variety of residential unit types and offices that are compatible with the surrounding neighborhood.

The property has functioned as an office use for many years without any complaints from neighbors and is compatible with the surrounding residential neighborhood to the north, west and south. The OR zoning will provide an appropriate transition with the more intense commercially zoned area to the east of 8th street.

The building itself is residential in character and the site is attractively and heavily landscaped and the rear parking area is enclosed and screened from adjacent properties and public views by mature evergreen trees and fencing. Photographs at the property are provided at the end of this statement.

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 property has been in non-residential use for many years and during that period has caused no detriment to the public interest, health, safety, convenience or general welfare. An office use is compatible with the surrounding neighborhood and provides a transition to the commercial development on the east side of 8th Street. The character of the building, the layout of the site and the landscaping of the property is harmonious with adjacent residential uses.

2. The proposal is consistent with the goals and policies of the Comprehensive Plan. The property is located in an area denoted as General Residential on the 2020 Land Use Map. The land to the east of 8th Street is identified as a Mature Redevelopment Corridor. OR zoning is consistent with these land use designations as a transitional zone

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. No Master plan exists for this area.

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 chapter. Not applicable.

DEVELOPMENT PLAN

A development plan is required at the time of the establishment of an OR zone district. The Development Plan submitted reflects the existing conditions on the property and does not propose any change to the building, site layout, parking, or landscaping.

The Zoning Code indicates that “emphasis in the development plan review will be placed on the compatibility of the development to the immediate surrounding property. Critical aspects of the plan include, but are not limited to, siting of the building, screening, landscaping and internal traffic movement.” These aspects are addressed in the assessment of the Development Plan review criteria below.

Development Plan Review Criteria (7.5.502)

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

The character of the building, the layout of the site and the landscaping of the property is harmonious with adjacent residential uses.

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? An office use is compatible with the surrounding neighborhood and provides a transition to the commercial development on the east side of 8th Street. The property has been in non-residential use for many years and during that period has not overburdened the capacities of existing streets, utilities, parks, schools and other public facilities. Its continued use as an office is unlikely to add any additional burden to public facilities.

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

The structure on the site is residential in scale and character. The mature trees on the property and existing fence along the western and northern boundary minimize the impact of the office use 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? The existing building and parking area are buffered from adjoining residential properties by extensive mature tree planting and a six foot cedar fence along the western and northern boundary. The front of the property has an attractive grass lawn and shrubs that enhances the Cheyenne Boulevard streetscape. (See below for Alternative Compliance request).

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? Access to the property is via an existing driveway off 8th Street, which is shared with the two properties immediately to the north and west of the subject site.

6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? The existing driveway provides logical, safe, and convenient access to the parking area at the rear of the building.

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 existing private driveway serving the site and two adjacent properties is a dead-end and does not allow through traffic.

8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? The property includes seven adequately sized parking spaces, including two designated for compact cars only (see below for Administrative Relief request for parking).

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? Per code requirements, one handicapped parking space is provided with a larger than required disembarking area, leading to an at-grade sidewalk that provides access to the entrance to the building

10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? Asphalt is minimal, and only 34% of the property is impervious surface.

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? An existing pedestrian walkway provides access from Cheyenne Boulevard to the main office entrance, which fronts 8th Street. This pedestrian walkway continues to the rear of the building, providing access to the parking area. The side-walk is at grade with the parking area which facilitates handicapped access.

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 natural features on the site.

ADMINISTRATIVE RELIEF REQUEST

Administrative relief up to a maximum of 15% reduction may be applied to any quantifiable development standard within the Zoning Code. Administrative relief is hereby requested for the medical office parking requirement for this property.

There are seven existing parking spaces on the property. The building is 1,626 square feet. The parking requirement for general office use is 1 space per 400 square feet, which equates to four spaces and is met on the site. The parking requirement for medical office is one space per 200 square feet, which equates to eight spaces. Applying 15% administrative relief to this requirement would allow a reduction to 6.8 parking spaces, which is met by the seven existing spaces on the property.

The Zoning Code indicates that to grant administrative relief, all of the following criteria must be met:

A. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief. As the property is an existing use, it would be unreasonable to strictly apply this parking standard as adequate parking is provided on the site for anticipated uses. The definition of Medical Offices in the Zoning Code includes “facilities which provide medical, psychiatric or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees or visitors. Medical offices, labs and clinics are operated by doctors, dentists, or other physical or mental healthcare practitioners licensed for practice by the State of Colorado and are characterized by a high proportion of vehicle trips attributable to visitors or clients in relation to employees.” The existing building on the property is too small and inadequately equipped for the majority of the medical office uses anticipated by this definition and more likely uses are for counselling/therapy type uses, which will generate fewer client trips.

B. The intent of this Zoning Code and the specific regulation in question is preserved. The intent of the off-street parking standards is “to ensure the provision, location and design of off street parking areas that accommodate motor vehicles”. This requirement is met by the seven existing spaces on the property.

C. The granting of the administrative relief will not result in an adverse impact on surrounding properties. The reduction in the parking requirement will not impact adjacent properties, as the parking lot on the property is the only feasible place to park for the existing office.

D. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel. Administrative relief shall not be used to create or modify lots to the extent that they no longer meet the minimum lot size for the zone district in which they are located. Not applicable.

ALTERNATIVE LANDSCAPING COMPLIANCE REQUEST

The request for alternative compliance relates to Landscaping Standard 7.4.323.F, which requires at least one tree to be planted for every twenty linear feet of buffer length or fraction thereof. As the proposed use of the property is non-residential, the Zoning Code requires a 15-foot buffer to adjacent residentially zoned properties, which includes the tree planting requirement referred to above and a 6-foot opaque structure. This requirement is met for the western boundary of the property but not for the northern boundary. The justification for the alternative compliance request is as follows:

- a. The existing landscaping on this small property is substantial, mature, and primarily evergreen, which effectively screens the building and parking area from adjacent residential properties.

- b. The residential property to the north is set back approximately 100 feet from the western edge of the subject property and does not directly overlook the rear parking area. The land directly to the north of the property is vacant.
- c. The north property line is the center line for the 15-foot shared driveway, adjacent to which is the parking area. It is not possible to plant trees in this asphalt area as it would restrict vehicular movements.
- d. There is an existing 6-foot cedar fence of approximately 36-feet in length along the western section of the northern edge of the property which screens the parking area from the properties to the north.
- e. The internal trees to the rear of the building entirely screen the building from the north.
- f. The property has functioned as an office for many years and there have been no objections from neighbors during that period. The proposed rezoning to OR will ensure a continued low intensity office use that will be compatible with the surrounding properties.

PHOTOGRAPHS









P:\Henley\802 Cheyenne Boulevard\Admin\Submittals\Project Statement.docx

Olmedo, Conrad

From: Richard Lawonn <rlawonn@comcast.net>
Sent: Sunday, December 20, 2015 10:02 AM
To: Olmedo, Conrad
Subject: CPC ZC 15-00140

Follow Up Flag: Follow up
Flag Status: Flagged

Respected Sir . I feel we have a good buffer between business and neighborhood in 8th st.. I realize the zoning and usage of this property over the past many years . I am sorry but feel a change in anything only adds to the incursion . That is to say east side 8th business , west side 8th neighborhood . Please consider this now and later . Richard Lawonn
116 Wolfe ave . THANK YOU

Olmedo, Conrad

From: HENRY J NANCY TRUJILLO <nanvirtruj@msn.com>
Sent: Sunday, December 20, 2015 11:15 AM
To: Olmedo, Conrad
Subject: File CPC ZC 15-00140

Follow Up Flag: Follow up
Flag Status: Flagged

After reading the proposed zone change at 802 Cheyenne Blvd, please note that we are against this zone change. If office use is allowed, traffic will increase, which is all ready heavy in that area. We don't need more people cutting through our area (Three Eagles to beat the light, etc).

That is a busy intersection as is and continues to be more troublesome without adding more traffic.

When zoning changes, other issues appear. That continues to happen in our neighborhood - it WAS a quiet residential neighborhood.

Please reconsider.

Thank you,

Nancy and Hank Trujillo

617 Three Eagles St

Colorado Springs, C) 80905

719-632-4006

Alten...
Conrad Olmedo, AICP, MPA
Planner I
City of Colorado Springs
Planning & Development Team
Development Review Enterprise
2880 International Circle, Suite 200-7
Colorado Springs, CO 80910

Dear Mr. Olmedo

I am an immediately adjacent neighbor to Mr. Tom Henley, the owner of 802 Cheyenne Boulevard, which is currently in use as Henley law offices. Mr. Henley has explained his plans to rezone the property to Office Residential (OR) in order to allow more flexibility in selling the property. I understand that the allowed uses under this zone include general office, medical office, or office/residential use and that a Development Plan is to be submitted that specifies only these uses. I also understand that there are no proposals to alter the building or make improvements to the property at this time

I am writing to inform you that I am supportive of this proposed rezone to OR for the proposed general office, medical office, or office/residential use. I reserve my right to comment through the City process if there are any changes to the proposed uses listed above or to any changes to the building or property.

This letter of approval of zoning change is expressly conditioned on the understanding that we are not creating or approving the use by third parties of the driveway entrance on 8th Street to 802 Cheyenne Blvd as a means of driving around the back of our property at 804 Cheyenne Blvd.

Regards,



Signature

12-16-2015

804 Cheyenne Blvd.

Colorado Springs, CO 80905

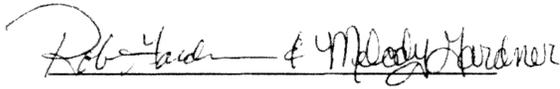
Conrad Olmedo, AICP, MPA
Planner I
City of Colorado Springs
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Regards,



Signature

1788 S. 8th St 80905

Address

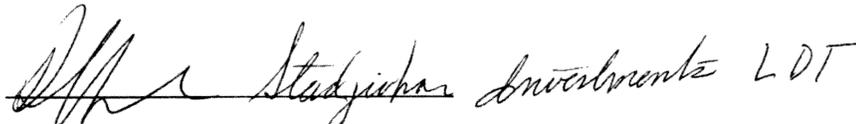
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I am writing to inform you that I am supportive of this proposed rezone to OR for the proposed general office, medical office, or office/residential use. I reserve my right to comment through the City process if there are any changes to the proposed uses listed above or to any changes to the building or property.

Regards,


Signature

RE. 1796 S 8th st.

Address

Charles F.

Bennett  **Company**

Commercial & Residential Real Estate

Receipt # 252153

635-9905

August 9, 1993

Ms. Jan Fetrow
Hearing Officer
C/O Development Services
P.O. Box 1575
Colorado Springs, CO 80901

Re: Application for change of legal, non-conforming use of premises at:
802 West Cheyenne Blvd.
Lot 1, Cass Sub-division - Tax Schedule No. 74252-00-055

Dear Ms. Fetrow:

I am the owner of the above described property which was approved for use as a real estate office under a legal non-conforming use approved by the City of Colorado Springs on May 7, 1986. I have entered into a contract for the sale of this property to Thomas C. Henley, which contract is contingent upon Mr. Henley being able to use the property as a law office. A brief history of the use of the property and information pertaining to Mr. Henley are set forth below.

The property has been used for nearly 80 years for commercial and retail purposes which preceded zoning of the area. Its location and characteristics detract from possible residential use.

Mr. Henley will use the property as a law office for his law practice. He is a sole practitioner employing one secretary and a legal assistant. Mr. Henley's practice is primarily confined to family law. He has been licensed to practice in Colorado since 1969.

It is submitted that a change in the non-conforming use to a law office would be of the same intensity as the existing non-conforming use as a real estate office. There will be no change in the amount of required parking if this application is granted. There will also be no increase in the amount of traffic to and from the property, and the intended use would be no more harmful to the surrounding neighborhood.

Applicant has personally contacted the owner's of the adjoining properties situated at 804 West Cheyenne Boulevard and 1796 South Eighth Street, and has been authorized to state that they have no objection to the granting of this request.

I respectfully request that the existing non-conforming use as a real estate office be changed to use as a law office.

Very truly yours,


Charles F. Bennett

FIGURE 4

THIS VARIANCE DOES NOT SUPERSEDE NOR NULLIFY PRIVATE COVENANTS THAT MAY LAWFULLY IMPOSE OTHER RESTRICTIONS ON THE USE OF YOUR PROPERTY.

CITY OF COLORADO SPRINGS
Record-of-Decision for Variances

File: HO NCU 93-125
Hearing Date: September 1, 1993

INFORMATION

Name of applicant: Charles F. Bennett
Address of premises involved: 802 West Cheyenne Boulevard
Zone: R-1 6000 Tax Schedule Number: 74252-00-055
Request: A change from a non-conforming use (Commercial/Retail) to a non-conforming use (Law Office).

ANALYSIS

CRITERIA TO GRANT A VARIANCE

1. 14.1-3-101:A Continuation of non conforming use
2. 14.1-3-101:B Repairs and Alterations
3. 14.1-3-101:C Change of Use less objectionable

CRITERIA MET	CRITERIA NOT MET
X	
X	
X	

Staff Recommendation: Approval with conditions (Willard)

PUBLIC HEARING

Applicant Present: Charles Bennet, 802 West Cheyenne Boulevard
Property Posted: Yes
Present in support: Tom Henley, 322 South Cascade Avenue
Audrey Zega, 1780 South 8th Street
Present in opposition: No one

DECISION OF HEARING OFFICER

CRITERIA TO GRANT A VARIANCE

1. 14.1-3-101:A Continuation of non conforming use
2. 14.1-3-101:B Repairs and Alterations
3. 14.1-3-101:C Change of Use less objectionable

CRITERIA MET	CRITERIA NOT MET
X	
X	
X	

The Hearing Officer cites the following findings of fact: Based upon the evidence submitted and staff analysis, the Hearing Officer finds that the three criteria are met; therefore, the request is approved with the following condition: 1) The law office use shall be limited to the four (4) persons working in the building (two (2) attorneys, one (1) secretary, and one (1) legal assistant). A copy of this Record-of-Decision shall be released to the applicant on August 13, 1993.

Sept. 1, 1993
DATE OF DECISION

Janice E. Tetrow
HEARING OFFICER

Sept. 13, 1993
FINAL AGENCY ACTION DATE

APPLICANTS: YOU MUST COMPLY WITH ALL OTHER APPLICABLE REQUIREMENTS OF THE CITY OF COLORADO SPRINGS AND THE REGIONAL BUILDING DEPARTMENT. THE DECISION OF THE HEARING OFFICER PERTAINS ONLY TO THE APPLICATION YOU SUBMITTED AND DOES NOT RELEASE YOU FROM COMPLYING WITH ANY OTHER REQUIREMENTS, SUCH AS LANDSCAPING, SCREENING, PARKING, SIGNS, HILLSIDE PLOT PLAN, SETBACKS, ETC. THE DECISION OF THE HEARING OFFICER DOES NOT CONSTITUTE APPROVAL OF YOUR PLAN FOR ISSUANCE OF A BUILDING PERMIT. YOU MUST HAVE THIS DECISION WITH YOU WHEN YOU APPLY FOR A BUILDING PERMIT.

HO NCU 93-125 - Willard

Request by Charles F. Bennett for approval of a change of non-conforming use from real estate office to law office, consisting of .603 acres zoned R-1-6000 located NW of Cheyenne Bd and 8th St at 802 W Cheyenne Bd.

Posting: The property was posted at the time of my site inspection.

Departmental Reports: All reporting Depts/Divs had standard or no comment.

Neighborhood Input: A call was received indicating support of the request, provided that the use actually is limited to three persons working in the building (one attorney, one secretary, and one legal assistant) as indicated by the applicant.

Description of Site: The property consists of a platted lot developed with a building which is not residential in character; paved parking exists north of the building. The property has a history of non-residential uses predating the annexation of the site to the City as part of the Southwest Annexation. A sporting goods store occupied the site at the time of annexation. Later it was converted to an interior decorating shop and currently it is a real estate office.

Criterion for Approval: The criterion for approval of this request, per Section 14.1-13-101-C of the Zoning Ordinance, is that the proposed use be no more harmful to the surrounding neighborhood from the standpoint of zoning than the existing non-conforming use. One of the standard indicators of intensity of a given use is the required parking ratio for that use. In this case, both the current and proposed uses are considered to be professional offices and have the same 1:400 parking ratio. Given the small number of persons which the applicant has stated will be involved in the operation of the office, the impact on the neighborhood could actually be less than the current use.

NOTE: After he was furnished a copy of my recommendation (approval, but limited to 3 people working in the building), the attorney made me aware that while the current practice includes only three people, the intent had been to have his brother join him in the new office, but no further staff

Recommendation: Approval, subject to the condition that the use be limited to four persons working in the building (two attorneys, one secretary, and one legal assistant).

POSTING AFFIDAVIT

Date 9-1-93

I, Charles F. Bennett, do hereby certify that a Notice was visibly and continuously posted on the property concerned with File No. (S)

HO NCU 93-125 Willard
from August 27, 1993 to August 31, 1993

Also, on the following dates, this property was checked to ensure the poster was visible and readable:

1. Each Day
2. _____

[Signature]
Signature

- **PUBLIC HEARING ITEMS:** Please return the Posting Affidavit to the Secretary at the Public Hearing.
- **ADMINISTRATIVE REVIEW:** Please return the Affidavit to the Development Services Division at the CONCLUSION of the posting period shown on the poster. Your item cannot be approved until the affidavit is returned.

FIGURE 4



**PLANNING & COMMUNITY DEVELOPMENT
DEPARTMENT**

MEMORANDUM

Date: January 12, 2016
To: City Planning Commission
From: Peter Wysocki, AICP, Planning and Community Development Director
Subject: City Planning Commission Meeting January 21, 2016
Marijuana Consumption Club Ordinance

Background:

The City of Colorado Springs (“City”) currently does not have specific zoning regulations or licensing requirements for marijuana consumption clubs. In 2014, during a zoning violation appeal hearing pertaining to Studio A64 – a marijuana consumption club located in downtown Colorado Springs - the City Council directed staff to develop regulations for marijuana consumption clubs. At that time, the City Council granted an appeal of a zoning violation which was issued to the club alleging a violation of the City’s Zoning Code. Specifically, the zoning violation alleged that a marijuana consumption club facility was not a permitted use in any zone district in the City. In permitting Studio A64’s land use, the City Council interpreted that Studio A64 was operating a “similar use” to a *social club*, which falls under the parent definition of a “(*membership*) club” as established in Chapter 7 of the City Code. Based on that interpretation, the Manager made an official similar use determination pursuant to § 7.2.108 of the City Code that marijuana consumption club facilities are either permitted or conditionally permitted in zoning districts where (*membership*) clubs are permitted or conditionally permitted, including multi-family residential, commercial and industrial zone districts. Marijuana consumption club facilities operating within parameters of the Manager’s similar use determination must comply with all other laws and all applicable zoning, subdivision, building and fire code requirements.

On September 22, 2015, the City Council enacted a 6-month moratorium on the establishment of any new marijuana consumption clubs. The City Council directed staff to present for adoption draft regulations prior to the expiration of the moratorium. Pursuant to City Council direction, the marijuana consumption club regulations were excluded from a separate medical marijuana task force established by City Council (through the adoption of a separate moratorium on new medical marijuana facilities), which is focused on preparing new regulations for medical marijuana facilities and home-grow operations.

The purpose of the proposed ordinance is to establish land use and zoning standards for private marijuana consumption clubs. The proposed ordinance was developed collaboratively by the Planning Department, City Clerk’s Office, CSPD and the City Attorney’s Office with input from the Mayor’s Office. As currently drafted, the proposed ordinance includes the following:

30 S. Nevada Ave., Suite 105 • Tel: 719-385-5905 • Fax: 719-385-5167
Mailing Address: P.O. Box 1575, Mail Code 155 • Colorado Springs, CO 80901-1575

- Permitted only in M1 and M2 zoning districts
- A 1000-foot separation between other marijuana facilities, schools, daycare centers, and drug or alcohol treatment facilities
- A 1000-foot separation from residentially used or zoned properties
- Requirement for an air filtration system

In conjunction with the proposed zoning regulations, City staff is also preparing an ordinance establishing licensing requirements and procedures similar to other business licenses already established in Chapter 2 of the City Code. Since these types of licenses are not included in the Zoning or Subdivision Code within Chapter 7, those particular ordinances do not fall under the purview of the City Planning Commission.

Recommendation:

Move to recommend approval to the City Council of an ordinance amending Section 302 (Definitions of Use Types) of Part 3 (Land Use Types and Classifications) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) and Sections 203 (Permitted Conditional and Accessory Uses) and 205 (Additional Standards for Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to marijuana consumption club facilities.

ORDINANCE NO. 16-_____

AN ORDINANCE AMENDING SECTION 302 (DEFINITIONS OF USE TYPES) OF PART 3 (LAND USE TYPES AND CLASSIFICATIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS AND LAND USE TYPES AND CLASSIFICATIONS) AND SECTIONS 203 (PERMITTED, CONDITIONAL AND ACCESSORY USES) AND 205 (ADDITIONAL STANDARDS FOR SPECIFIC LAND USES) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO MARIJUANA CONSUMPTION CLUB FACILITIES

WHEREAS, the City of Colorado Springs ("City") is a home rule city and Colorado municipal corporation created and organized pursuant to Art. XX of the Colorado Constitution and the Charter of the City of Colorado Springs; and

WHEREAS, City Code § 7.2.102 sets forth the purpose and intent of the City's zoning and land use regulations is "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 obstructions"; and

WHEREAS, in the November 2012 general election, the voters of the State of Colorado approved Amendment 64; and

WHEREAS, Amendment 64 added Section 16 of Article XVIII to the Colorado Constitution and created a limited exception from criminal liability under Colorado law for the cultivation, manufacturing, and transportation of marijuana and marijuana products; and

WHEREAS, Amendment 64 authorizes the City to prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, marijuana retail stores, and retail marijuana establishments; and

WHEREAS, the City has exercised its local option and ordained it "unlawful for any person to operate a retail marijuana establishment within the City of Colorado Springs"; and

WHEREAS, on September 22, 2015 the City Council ordained a six (6) month moratorium on the establishment of any new marijuana consumption clubs within the City limits; and

WHEREAS, the situation regarding marijuana uses statewide and within the City have fundamentally changed since 2011 and requires a new analysis regarding the land uses related to approval of new medical marijuana facilities in the future and the change of location or expansion of currently operating medical marijuana facilities; and

WHEREAS, the increasing number of and new types of uses for medical marijuana facilities has created increasing health, safety and welfare concerns throughout the City; and

WHEREAS, marijuana consumption club facilities are not specifically defined in the City's Zoning Code as permitted land uses in any zone district and present unique health, safety and welfare issues that are not addressed in the City's zoning and land use regulations; and

WHEREAS, City Code § 7.2.107 ordains "it shall be unlawful to use any building, structure, or land or to erect, move, structurally alter, convert, extend, or enlarge any building or other structure except in conformity with the requirements established in the zone district in which said structure, building, or land is located and in accord with the provisions of this Zoning Code."; and

WHEREAS, marijuana consumption club facilities operate throughout the City without land use approvals from the City; and

WHEREAS, the lack of specific land use regulations for marijuana consumption club facilities has illustrated the need for a comprehensive zoning and land use regulations to sufficiently protect the public health, safety and welfare and to mitigate the impacts of marijuana consumption club facility activities in accord with City Code § 7.2.102.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 302 (Definitions of Use Types) of Part 3 (Land Use Types and Classifications) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of Chapter 7 (Planning, Development and Building) of the

Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.2.302: DEFINITIONS OF USE TYPES:

E. * * *

10. MARIJUANA CONSUMPTION CLUB FACILITY (MCC Facility): An establishment licensed by the City of Colorado Springs used for the operation of a private club allowing on-site consumption of marijuana and/or marijuana products on the premises.

~~10-11.~~ * * *

~~11-12.~~ * * *

~~12-13.~~ * * *

~~13-14.~~ * * *

~~14-15.~~ * * *

~~15-16.~~ * * *

~~16-17.~~ * * *

~~17-18.~~ * * *

~~18-19.~~ * * *

~~19-20.~~ * * *

Section 2. Section 203 (Permitted, Conditional and Accessory Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.203: PERMITTED, CONDITIONAL AND ACCESSORY USES:

Use Types	OR	OC	PBC	C-5	C-6	PIP-1	PIP-2	M-1	M-2	PF	PK	PCR	APD	TND
Industrial Use Types														
* * *														
Marijuana Consumption Club Facility								P	P					
* * *														

Section 3. Section 205 (Additional Standards for Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.205: ADDITIONAL STANDARDS FOR SPECIFIC LAND USES:

* * *

K. Marijuana Consumption Club Facility (MCC facility): A marijuana consumption club facility shall be subject to the following additional standards:

1. The MCC facility must hold a valid local MCC license and local and State sales tax licenses, as applicable.
2. If necessary, the facility shall install, maintain and operate an air filtration system so that odor is not detectible beyond the facility.
3. A MCC facility shall be located no less than one thousand feet (1000') from any public or private elementary, middle, junior high or high school, residential childcare facility, drug or alcohol treatment facility, or any residentially used or zoned property. This minimum distance shall be measured from the nearest portion of the building

FIGURE 1

used for the MCC facility to the nearest property line of the school, residential childcare facility or drug and alcohol treatment facility using a route of direct pedestrian access.

4. No MCC facility located in a zone district in which it is not permitted shall be declared a legal nonconforming use or be granted any "grandfathered" land use rights unless prior to September 22, 2015 the MCC facility was lawfully operating pursuant to the "similar use determination" of the Manager, dated May 28, 2014.

KL. * * *

LM. * * *

MN. * * *

NO. * * *

OP. * * *

PQ. * * *

QR. * * *

RS. * * *

ST. * * *

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2016.

Finally passed: _____
Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk



**PLANNING & COMMUNITY DEVELOPMENT
DEPARTMENT**

MEMORANDUM

Date: January 12, 2016
To: City Planning Commission
From: Peter Wysocki, AICP, Planning and Community Development Director
Subject: City Planning Commission Meeting January 21, 2016
Construction Defects Ordinance

Background:

The proposed ordinance amends City Code, Chapter 7, Article 7 (Subdivision Regulations) by adding a requirement to add a reference (a “note”) of declarations of common interest communities on final plats. This ordinance is one part of a two-part change to City Code to address construction defects claims by associations or owners of common interest communities. The second ordinance (already adopted by City Council on December 8, 2015) amended Chapter 6 (Neighborhood Vitality/Community Health) by establishing the builders right to repair the alleged defect before a construction defect claim can be made. Both ordinances were presented to the City Council at the November 9, 2015 City Council Work Session. Although initiated by the City Council, the Chapter 7 ordinance was deferred to the Planning Commission pursuant to Chapter 7, Section 7.5.605, which states that any changes to Chapter 7 must be first reviewed by the Planning Commission.

This initiative is sponsored by Council Member Jill Gaebler. Please see the attached City Council staff reports for more detailed background. The ordinance that amended Chapter 6 is attached for your convenience and information – no action is necessary or required by the Planning Commission. The Chapter 6 ordinance establishes the construction defects claims requirements, while the Chapter 7 ordinance requires that a note referencing the requirements be placed on final plats. The two ordinances will be implemented in tandem.

Recommendation:

Move to recommend approval to the City Council of an ordinance amending Section 303 (Final Plat Requirements) of Part 3 (Final Platting Procedures) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the reference to declarations of common interest communities.

ORDINANCE NO. 16-_____

AN ORDINANCE AMENDING SECTION 303 (FINAL PLAT REQUIREMENTS) OF PART 3 (FINAL PLATTING PROCEDURES) OF ARTICLE 7 (SUBDIVISION REGULATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE REFERENCE TO DECLARATIONS OF COMMON INTEREST COMMUNITIES.

WHEREAS, the City Code of Colorado Springs requires certain information to be shown upon the final subdivision plat, including recorded information concerning maintenance districts, metropolitan districts, and homeowners associations, concerning ownership and/or maintenance responsibilities; and

WHEREAS, the Colorado Common Interest Ownership Act, C.R.S. § 38-33.3-101 *et seq.*, provides for declarations that address important obligations and rights concerning the ownership and maintenance of common interest communities; and

WHEREAS, such obligations and rights may include provisions applicable to addressing construction defects and repairs, such as arbitration and owner consent requirements for homeowners associations to take legal action; and

WHEREAS, *Vallagio at Inverness Residential Condo Ass'n v. Metro. Homes*, 2015 CAO 65 upholds limitations on the amendment of declaration provisions concerning alternate dispute resolution for construction defect claims without declarant consent; and

WHEREAS, the reliance by both developers and owners of common interest communities on the terms and conditions of declarations related to obligations and rights with respect to ownership and maintenance, as well as the means for resolution of construction defect claims, is important for managing risks and encouraging common interest communities; and

WHEREAS, the holdings in *Vallagio* are, therefore, consistent with the public policy of Colorado Springs; and

WHEREAS, development of condominiums and townhomes within common interest communities plays an important role in infill and redevelopment because such development creates affordable housing alternatives and homeownership opportunities that foster community stabilization and community vibrancy and vitality; and

WHEREAS, requiring recording information concerning declarations for common interest communities on subdivision plats will support development and ownership in common interest communities in Colorado Springs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City council hereby finds the inclusion of recording references for applicable declaration instruments will provide the public with notice of matters affecting land use, including applicable ownership obligations and rights concerning ownership, maintenance, and homeowners associations, as well as notice of other important provisions set forth in such declarations.

Section 2. Section 303 (Final Plat Requirements) of Part 3 (Final Platting Procedures) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, shall be amended as follows:

7.7.303: FINAL PLAT REQUIREMENTS:

* * *

C. * * *

29. ~~Districts, And~~ **Districts, And Associations, And Common Interest Communities:** Recordation information (reception number, etc.) shall be given on the plat for any maintenance district, metropolitan district, owners' association, **or declaration of a common interest community as set forth in C.R.S. § 38-33.3-101 et seq.**, etc., that is referenced on the plat as a body for any ownership and/or maintenance responsibility per the plat.

D. * * *

7. Reception Numbers: Reception numbers of all applicable easements, agreements and documentation as may be referenced on the subdivision plat drawing, **including declarations of common interest communities**, or accompanying documentation for recording.

* * *

Section 3. This ordinance shall be in full force and effect after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____ 2015.

Finally passed: _____

Council President

Mayor's Action:

Approved: _____

Disapproved: _____, based on the following objections:

Mayor

Council Action After Disapproval:

Council did not act to override the Mayor's veto.

Finally adopted on a vote of _____, on _____.

Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO 80903



Legislation Text

File #: 15-00646, Version: 1

An ordinance modifying Section 303 (Final Plat Requirements) of Part 3 (Final Platting Procedures) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the reference to declarations of common interest communities

From:

Council President Pro Tem Jill Gaebler

Summary:

This ordinance, which relates to plat notations, as well as the associated ordinance relating to construction defects, are designed to encourage condominium and townhome construction within the City of Colorado Springs by encouraging arbitration and mediation of disputes related to construction defect claims. The ordinances are similar in many respects to laws considered in other Colorado municipalities in 2015.

The proposed ordinances apply only to construction defect claims in common interest communities (generally condominiums and townhomes with "unit" ownership) filed by a homeowners association (hereinafter "HOA"). The ordinances do not affect homeowner rights for typical single family, detached homes.

The ordinances address the following: enhanced HOA notice and informed homeowner consent to file HOA claims, (2) builder rights to repair construction defects and/or offer cash settlements for construction defect claims, (3) limitation of the applicability of local building code standards to support claims for minor or immaterial construction defects, and (4) enhanced notice of arbitration provisions in condominium declarations that apply to construction defect claims.

Previous Council Action:

N/A

Background:

In 2015, the Colorado state legislature had broad, bi-partisan support for reform of construction defects laws that apply to common interest communities (generally condominiums and townhomes with "unit" ownership), but these measures did not receive a full vote. SB 15-177 proposed changes to CRS 13-33-101, et seq. (the Colorado Common Interest Ownership Act), that supported arbitration/mediation of construction defect claims through: 1) prohibiting amendment of condominium declaration provisions that require arbitration/mediation of construction defect claims and 2) requiring informed consent by majority of unit owners before HOA executive boards file construction defects lawsuits.

New condominium construction has lagged behind apartments and single family homes in the front

File #: 15-00646, Version: 1

range. Municipalities, including Aurora and Denver have considered local measures to encourage condominium construction by reining in construction defects claims. Legislative alternatives are discussed more fully below.

The construction and insurance industries contend fewer condominium starts are caused by increased insurance costs and litigation risks in Colorado. They also claim that current laws encourage proliferation of construction defect claims related to condominium and townhome developments. Opponents of construction defect reforms argue that the lack of condominium starts stems from a lack of demand. They also argue that developers should employ better construction methods.

Financial Implications:

N/A

Board/Commission Recommendation:

N/A

Stakeholder Process:

The internal stakeholder process has included input from construction, insurance, and legal professionals involved with common interest community development and litigation. City staff has followed developments with the adoption of similar construction defects ordinances throughout the front range over the last six (6) months, as well as the status of pending construction defects cases with the Colorado Court of Appeals and Supreme Court.

Alternatives:

Front range municipalities have considered various home rule options that augment state statutes including: (1) enhanced HOA notice and informed homeowner consent to file claims, (2) builder rights to repair construction defects, (3) facilitation of cash settlements for construction defect claims, (4) prohibitions on amendments to declaration provisions requiring arbitration of construction defects claims, and (5) limitation of the applicability of local building code standards to support claims for minor or immaterial construction defects.

Proposed Motion:

Refer ordinance to the City Planning Commission for consideration and potential recommendation to Council.

An ordinance modifying City Code Section 303 (Final Plat Requirements) of Part 3 (Final Platting Procedures) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building), pertaining to the reference to declarations of common interest communities

City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO 80903



Legislation Text

File #: 15-00647, Version: 2

Ordinance No. 15-93 creating a new Article 14 (Construction Defect Claims in Common Interest Communities) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to required homeowner consent for construction defect claims related to common interest communities, builder rights to repair construction defects in common interest communities, and the effect of the City Building Code in construction defect claims related to common interest communities.

From:

Council President Pro Tem Jill Gaebler

Summary:

This ordinance, which relates to construction defect claims, as well as the associated ordinance relating to plat notes, are designed to encourage condominium and townhome construction within the City of Colorado Springs by encouraging arbitration and mediation of disputes related to construction defect claims. The ordinances are similar in many respects to laws considered in other Colorado municipalities in 2015.

The proposed ordinances apply only to construction defect claims in common interest communities (generally condominiums and townhomes with "unit" ownership) filed by a homeowners association (hereinafter "HOA"). The ordinances do not affect homeowner rights for typical single family, detached homes.

The ordinances address the following: enhanced HOA notice and informed homeowner consent to file HOA claims, (2) builder rights to repair construction defects and/or offer cash settlements for construction defect claims, (3) limitation of the applicability of local building code standards to support claims for minor or immaterial construction defects, and (4) enhanced notice of arbitration provisions in condominium declarations that apply to construction defect claims.

Previous Council Action:

N/A

Background:

In 2015, the Colorado state legislature had broad, bi-partisan support for reform of construction defects laws that apply to common interest communities (generally condominiums and townhomes with "unit" ownership), but these measures did not receive a full vote. SB 15-177 proposed changes to CRS 13-33-101, et seq. (the Colorado Common Interest Ownership Act), that supported arbitration/mediation of construction defect claims through: 1) prohibiting amendment of condominium declaration provisions that require arbitration/mediation of construction defect claims and 2) requiring informed consent by majority of unit owners before HOA executive boards file construction defects lawsuits.

File #: 15-00647, **Version:** 2

New condominium construction has lagged behind apartments and single family homes in the front range. Municipalities, including Aurora and Denver have considered local measures to encourage condominium construction by reining in construction defects claims. Legislative alternatives are discussed more fully below.

The construction and insurance industries contend fewer condominium starts are caused by increased insurance costs and litigation risks in Colorado. They also claim that current laws encourage proliferation of construction defect claims related to condominium and townhome developments. Opponents of construction defect reforms argue that the lack of condominium starts stems from a lack of demand. They also argue that developers should employ better construction methods.

Financial Implications:

N/A

Board/Commission Recommendation:

N/A

Stakeholder Process:

The internal stakeholder process has included input from construction, insurance, and legal professionals involved with common interest community development and litigation. City staff has followed developments with the adoption of similar construction defects ordinances throughout the front range over the last six (6) months, as well as the status of pending construction defects cases with the Colorado Court of Appeals and Supreme Court.

Alternatives:

Front range municipalities have considered various home rule options that augment state statutes including: (1) enhanced HOA notice and informed homeowner consent to file claims, (2) builder rights to repair construction defects, (3) facilitation of cash settlements for construction defect claims, (4) prohibitions on amendments to declaration provisions requiring arbitration of construction defects claims, and (5) limitation of the applicability of local building code standards to support claims for minor or immaterial construction defects.

Proposed Motion:

Approve construction defects ordinance as proposed.

An ordinance creating a new City Code article pertaining to homeowner consent for construction defect claims, builder rights to repair construction defects, and the effect of the City Building Code in construction defect claims, all relating to common interest communities.

ORDINANCE NO. 16-_____

AN ORDINANCE CREATING A NEW ARTICLE 14 (CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES) OF CHAPTER 6 (NEIGHBORHOOD VITALITY/COMMUNITY HEALTH) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO REQUIRED HOMEOWNER CONSENT FOR CONSTRUCTION DEFECT CLAIMS RELATED TO COMMON INTEREST COMMUNITIES, BUILDER RIGHTS TO REPAIR CONSTRUCTION DEFECTS IN COMMON INTEREST COMMUNITIES, AND THE EFFECT OF THE CITY BUILDING CODE IN CONSTRUCTION DEFECT CLAIMS RELATED TO COMMON INTEREST COMMUNITIES.

WHEREAS, the City of Colorado Springs is a home rule municipal corporation organized pursuant to Article 20 of the Colorado Constitution and the Charter of the City of Colorado Springs; and

WHEREAS, by virtue of Article 20 of the Colorado Constitution, and as further authorized by state law, including but not limited to, C.R.S §§ 31-15-401 and 31-23-301, the City of Colorado Springs has broad authority to exercise its police powers to promote and protect the health, safety and welfare of the citizenry; and

WHEREAS, land use, planning, adoption, implementation and enforcement of building codes, and general business regulation concerning neighborhood vitality and community health are well-established as matters of purely local concern and, therefore, subject to regulation by home rule cities; and

WHEREAS, the City's Zoning Code and Comprehensive Plan both contemplate a diverse housing stock, consisting of a mix of single-family and multi-family developments, with both owned and rented units, designed to serve the needs of all Colorado Springs residents; and

WHEREAS, almost no owner-occupied multi-family developments, townhomes or condominiums, are being developed in Colorado Springs; and

WHEREAS, the construction of condominiums and other common interest communities in Colorado Springs has been adversely affected by a litigation climate that puts builders and developers at risk of claims for alleged construction defects; and

WHEREAS, the risk of exposure to large damage awards has increased insurance related costs for the development of owner-occupied, common interest communities; and

WHEREAS, the health, safety and welfare of residents of Colorado Springs is negatively affected by the lack of condominium and townhome, common interest communities, available as affordable, owner-occupied housing options; and

WHEREAS, C.R.S. § 13-20-801, *et seq.*, the Construction Defect Action Reform Act, provides procedures for the remedy and litigation of construction defects that generally work equitably for homeowners and construction professionals in the context of single family homes; and

WHEREAS, lawsuits brought for alleged construction defects in common interest, , townhome and condominium projects are often brought at the direction of an executive board of a homeowners association, without the informed consent of the unit owners; this deprives the unit owners of the opportunity to: (i) become educated about the advantages and disadvantages of pursuing litigation, (ii) give meaningful input regarding the consideration of such decision, and (iii) vote on such decision; and

WHEREAS, claims for construction defects frequently allege violations of applicable building codes that may not be remedied, if at all, until after the conclusion of litigation, which can take many months or years; and

WHEREAS, construction that is inconsistent with the Pikes Peak Regional Building Code, as adopted under City Code 7.10.101, *et seq.*, may in some circumstances present risks to the health, safety, and economic well-being of the residents of Colorado Springs; and

WHEREAS, C.R.S. § 38-33.3-101, *et seq.*, the Colorado Common Interest Ownership Act, provides that private, recorded instruments known as “declarations,” being defined in C.R.S. § 38-33.3-103(13), may govern the rights of homeowners in common interest communities; moreover, *subject to the provisions of such declarations*, a homeowners association may file lawsuits on behalf of the association and the homeowners pursuant to C.R.S. § 38-33.3-302(1); and

WHEREAS, the Colorado Common Interest Ownership Act also “encourages” the use of alternate dispute resolution, including mediation and arbitration, for the resolution of disputes under C.R.S. § 38-33.3-124, and declaration provisions requiring arbitration have been upheld by Colorado courts. *See, Vallagio at Inverness Residential Condo Ass’n v. Metro. Homes*, 2015 CAO 65; and

WHEREAS, the City Council encourages builders and developers to avail themselves of the legal protections afforded under state law to assist in managing the litigation risks associated with the construction of condominiums and other common interest communities; and

WHEREAS, the City Council desires to take reasonable steps within its power as a home rule city to encourage the development of owner-occupied, multi-family residential projects through the adoption of regulations designed to reduce the risk and exposure to builders and developers of such projects, while still protecting homeowners’ rights to pursue legitimate construction defect claims; and

WHEREAS, the City Council also desires to establish that consumers purchasing residences within the City that are located within a common interest community, managed by a homeowners association or similar governing body, have the right to participate in the consideration and determination of whether to pursue litigation concerning alleged construction defects; furthermore, for such purposes, the City Council desires to take reasonable steps within its power as a home rule city to assure that such consumers have the opportunity to become educated about the advantages and disadvantages of pursuing litigation concerning alleged construction defects, to have meaningful input concerning the decision, and to be able to vote on such decision; and

WHEREAS, the City Council also desires to take reasonable steps within its power as a home rule city to encourage the prompt and voluntary correction of construction defects that may constitute violations of City building codes in order to enhance the health and safety of residents of Colorado Springs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Colorado Springs:

Section 1. The foregoing recitals are incorporated by reference into and made part of this ordinance as legislative findings.

Section 2. A new Article 14 (Construction Defect Claims in Common Interest Communities) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, shall be added as follows:

ARTICLE 14 CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES

PART 1 CONSENT TO COMMENCE CONSTRUCTION DEFECT ACTION

SECTION:

- 6.14.101 Legislative Declaration**
- 6.14.102 Applicability**
- 6.14.103 Definitions**
- 6.14.104 Notice to Homeowners**
- 6.14.105 Consent of Homeowners**

6.14.101 LEGISLATIVE DECLARATION:

The purposes of this ordinance are to:

- A. Encourage the construction of owner-occupied, multi-family, townhome and condominium common interest communities in the City of Colorado Springs;
- B. Facilitate the implementation of the City's Comprehensive Plan and Zoning Code, both of which contemplate owner-occupied, multi-family developments in and throughout the City;
- C. Provide homeowners in common interest communities with an enhanced opportunity to participate in the governance of their communities by empowering individual owners to give or withhold their informed consent with respect to homeowners association actions to pursue construction defects claims; and
- D. Encourage prompt and voluntary correction of construction defects in order to enhance the health and safety of residents of Colorado Springs.

6.14.102 APPLICABILITY:

This article shall apply only to construction in residential, common interest communities created after the effective date of this ordinance. The provisions of this article are not intended to abrogate or limit obligations under any building code, warranty or contract. To the extent a claim involves a construction defect as defined herein, this article shall apply to a breach of implied warranty, express warranty, and/or contract. This article shall not, however, be deemed to require a beneficiary of an express warranty or contract to comply with the provisions of parts 1 and 2 hereof for ordinary warranty service requests in accordance with the terms and conditions of such warranty or ordinary requests for performance in accordance with such contract. Moreover, this article shall not be deemed to affect or limit any requirement imposed by the terms and conditions of an express warranty or contract that is applicable to a beneficiary.

6.14.103 DEFINITIONS:

This article is to be construed harmoniously with C.R.S. § 38-33.3-101, *et seq.*, the Colorado Common Interest Ownership Act, and C.R.S. § 13-20-801, *et seq.*, the Construction Defect Action Reform Act, and words and phrases in such acts shall have the same meaning in this article, unless the context of this article specifically indicates otherwise, or unless the meaning is expressly set forth herein. The following terms, as used in this article, shall have the meanings designated, unless the meaning is modified by an express provision herein:

BUILDER: Any entity or individual, including but not limited to a builder, developer, general contractor, contractor, subcontractor, architect, engineer or original seller who performs or furnishes the design, supervision, inspection, construction or observation of

any improvement to real property that is intended to be occupied as a dwelling or to provide access or amenities to such an improvement.

COMMON INTEREST COMMUNITY: A community as defined in C.R.S. § 38-33.3-103(8).

CONSTRUCTION DEFECT: A defect in the design or construction of any improvement to real property that causes: (i) actual damage to real or personal property, (ii) actual loss of use of real or personal property, (iii) bodily injury or wrongful death, or (iv) a substantial risk of bodily injury or death to, or a threat to the life, health, or safety of, the occupants of residential real property.

DECLARANT: Any person or entity as defined in C.R.S. § 38-33.3-103(12).

HOMEOWNER: Any person or entity that is a unit owner in a residential, common interest community, including the homeowners association, but excluding any declarant or any person having an interest in a unit solely as security for an obligation.

HOMEOWNERS ASSOCIATION: An entity or association defined in C.R.S. § 38-33.3-103(3).

6.14.104 NOTICE TO HOMEOWNERS:

Homeowners shall be informed by the executive boards of homeowners associations of actions regarding construction defects and shall have the right to: (i) give meaningful input, (ii) make well considered judgments, and (iii) give, or withhold, informed consent, as provided herein. Accordingly, if a governing board of a homeowners association intends to institute an action asserting one or more construction defects that affects five (5) or more units, the board must do each of the following:

- A. Before filing any action under C.R.S. § 38-33.3-303.5, mail or deliver a written notice to each homeowner at the homeowner's last known address.
- B. The notice required by this section must contain the following information:
 1. The nature of the action and the relief sought;
 2. The amount of expenses, fees, and attorney's fees the executive board anticipates will be incurred in prosecuting the action;
 3. The last date(s) upon which a claim(s) may be filed under applicable statutes of limitation or repose;
 4. The expected range of recovery if the association prevails, excluding attorney's fees and other fees and expenses associated with litigation.
 5. If the executive board has, or intends, to enter into a contingency fee arrangement, the percentage of the gross or net recovery for the attorney's fee,

and other fees and expenses of litigation that are in addition to the contingency fee;

6. The estimated amount of attorney's fees and costs for which the homeowners association may be liable if it is not the prevailing party, including the opposing party's attorney's fees and costs;

7. A statement that if the association does not prevail, it may also have to repair the construction defects;

8. A statement that until the construction defects are repaired, and while the construction defect claim is pending, (i) the market value of units may be adversely affected, (ii) unit owners may experience problems with refinancing, and (iii) prospective purchasers may experience problems with financing;

9. An estimated range of time during which the construction defect claim may remain pending;

10. Whether the builder has offered to make any repairs and, if so, whether the builder has made any repairs; and

11. The steps taken by the builder to address the alleged construction defects, including any acknowledgments, inspections or repairs.

C. Nothing in this section shall: (i) require the disclosure in the notice or the disclosure to a homeowner of attorney-client communications or other privileged communications; (ii) permit the notice to serve as a basis for any person to assert the waiver of any applicable privilege or right of confidentiality resulting from, or to claim immunity in connection with, the disclosure of information in the notice; or (iii) limit or impair the ability of the executive board to contract for legal services, or limit or impair its ability to enforce such a contract for legal services, consistent with consent provided under section 6.14.105.

D. To the extent the forgoing notice includes information that is an amount, estimate, or range, the notice must provide either the basis for such determination, which may be the good faith belief of the executive board of the homeowners association, or a statement that such information is unknown.

6.14.105 CONSENT OF HOMEOWNERS:

The homeowners association may not commence an action under C.R.S. § 38-33.3-303.5 and such an action is not authorized unless such homeowners association complies with this part.

A. The homeowners association must obtain the written consent of homeowners holding at least a majority of the voting rights in the homeowners association; however, such percentage of voting rights shall be determined without including units or interests owned by the declarant or persons not otherwise defined as homeowners in this article.

B. Homeowners may vote either directly or through a written ballot signed by the homeowner, which written ballot must specifically recite the contents of the executive board notice under this section.

ARTICLE 14 CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES

PART 2 MONETARY SETTLEMENT OR BUILDER RIGHT TO REPAIR

SECTION:

- 6.14.201 Homeowners Association Notice of Claim to Builder**
- 6.14.202 Builder Responsibilities After Notice**
- 6.14.203 Monetary Settlement or Builder Right to Repair**
- 6.14.204 Warranty of Repairs**
- 6.14.205 Subsequently Discovered Defects**

6.14.201 HOMEOWNERS ASSOCIATION NOTICE OF CLAIM TO BUILDER:

Upon the discovery of any alleged construction defect affecting more than one (1) unit, or affecting common areas or facilities within a common interest community, a homeowners association shall, if duly authorized, give written notice of such claim to a builder under this section.

A. A notice of claim under this section shall be provided by either personal delivery or by certified mail, return receipt requested, to the builder's last known address or the builder's registered agent if there is one.

B. The notice of claim must state that one or more construction defects exist in units or in common areas or facilities.

C. The notice of claim must provide the following information:

1. The homeowners association's name, address and preferred method of contact;
2. An allegation of a construction defect pursuant to this article against the builder; and

3. A description of each construction defect in sufficient detail to allow the builder to determine the nature and location of each of such defect.

6.14.202 BUILDER RESPONSIBILITIES AFTER NOTICE:

Following the receipt of a notice of claim under this part, a builder must do the following:

A. A builder must acknowledge the notice of claim in writing. Such acknowledgement must be mailed within fifteen (15) days after receipt of the notice of claim. The acknowledgment shall be sent to the homeowners association or to its attorney, if any, noted on the notice of claim. If the builder has retained legal counsel, the builder's counsel shall communicate with a homeowners association's legal representative, if any.

B. Unless the builder is a sole proprietor, the builder shall maintain a registered agent with the Colorado Secretary of State to whom the homeowners association's notice of claim may be sent.

C. If requested in the notice of claim, the builder must, within forty-five (45) days from receipt thereof provide to the homeowners association, or its attorney, the documents requested pursuant to this subsection; provided, however, that this subsection shall not limit the homeowners association's rights to request other documents as authorized by law. A builder may charge reasonable copying costs for the documents provided under this subsection, which shall be paid by the homeowners association upon delivery. The following documents may be requested:

1. Copies of all relevant plans, specifications, grading plans, soils reports and available engineering calculations pertaining to the alleged construction defects;
2. All maintenance and preventative maintenance recommendations pertaining to the alleged construction defects; and
3. Information concerning any applicable warranty provided by the builder, or otherwise.

D. In addition to the foregoing requirements, if the builder elects to inspect the alleged construction defects, the builder shall notify the homeowners association, or its attorney, in writing of such election and shall complete the initial inspection and testing, if any, within forty-five (45) days after the builder's receipt of the notice of claim. Such inspection shall be made at a mutually agreeable date and time. The builder shall bear all costs of inspection and testing, including the costs to repair any damage caused by the inspection and testing. Before entering onto the premises for the inspection, the builder shall supply the homeowners association with proof of liability insurance

coverage. The builder shall, upon request, allow the inspection to be observed and recorded or photographed. Nothing that occurs during a builder's inspection may be used or introduced as evidence to support a defense of spoliation of evidence by any potential party in subsequent litigation, except as otherwise permitted by law. Within three (3) days after completion of both the inspection and the provision of any documents requested pursuant to the notice of claim, the builder shall provide the homeowners association, or its attorney, written notice that the inspection and testing is completed and that requested documents have been provided, if applicable.

E. A builder who fails to comply with any of the foregoing requirements within the time specified may not elect to proceed under section 16.14.203, and the homeowners association shall not be subject to any obligation under such section.

6.14.203 MONETARY SETTLEMENT OR BUILDER RIGHT TO REPAIR:

Within thirty (30) days after the initial inspection or testing is completed, the builder may, in writing, offer to settle the claim by payment of a sum certain and/or provide a notice that the builder will repair the construction defects. If the builder elects to repair the construction defects, it has the right to do so and the homeowners association and affected homeowners may not, directly or indirectly, impair, impede or prohibit the builder from making repairs. For purposes of this article, an "affected homeowner" means a unit owner with alleged construction defects to, or affecting the use and enjoyment of, any portion of such owner's unit that is not commonly owned or possessed. Any notice to repair shall offer to compensate the homeowners association and any affected homeowner for the reasonable expenses, if any, which will be incurred by the homeowners association or affected homeowners, such as, without limitation, expenses for lodging, moving, and storage. Any notice of repair shall include: (i) an explanation of the particular construction defect being repaired, (ii) the method by which the defect is being repaired, and (iii) a reasonable completion date for the repair work, (iii) the contact information for any contractors the builder intends to employ to complete the repairs, (iv) a statement that the builder waives and will not assert any statute of limitation or repose as a defense to any action that could be brought by the homeowners association or affected homeowners within the time prior to the actual completion, inspection, and acceptance of the repairs under subsection F below, and any warranty period provided hereunder, and (v) a statement that the builder indemnifies and will hold harmless the homeowners association and affected homeowners from any lien or claim for materials or labor.

A. Within fifteen (15) days after receipt of a builder's offer to settle the claim by payment of a sum certain, or such longer period, if any, stated in the offer, the homeowners association may, to the extent duly authorized, accept such offer by delivering to the builder written acceptance thereof. Moreover, the homeowners association, to the extent duly authorized, may make a written offer to the builder to

settle the claim by payment of a sum certain at any time prior to the builder's commencement of repair, with acceptance to be made by the builder in writing within fifteen (15) days after the offer, or such longer period, if any, stated in the offer. The monetary settlement shall be paid in accordance with the terms of the accepted offer. Neither the builder nor the homeowners association shall be obligated to make or accept a settlement by payment of a sum certain. Any offer to settle for payment of a sum certain shall be made and accepted in full settlement and release of all claims with respect to, or arising out of, the alleged construction defects. An offer to settle for payment of a sum certain may, to the extent permitted by law, apply to construction defects that are discovered after settlement; moreover, such offer may require execution of a settlement agreement, in recordable form, to be filed in the office of the Clerk and Recorder of El Paso County, Colorado, so that constructive notice of a binding settlement may be provided to persons acquiring any interest in the subject property.

B. Within fifteen (15) days after receipt of the builder's notice to repair, a homeowners association may deliver to the builder a written objection to the proposed repairs if it believes in good faith will not remedy the alleged construction defects. The builder may elect to modify its proposal, in whole or in part, in accordance with the objection, and proceed with the modified scope of work, or may proceed with the scope of work set forth in the original notice to repair. Provided the builder notifies the homeowners association in writing at least five (5) days before the required completion date that the repair work will not be completed on time, the builder shall be entitled to one (1) extension of the completion date, not to exceed forty-five (45) days.

C. The homeowners association and any affected homeowner must cooperate with the builder to schedule any repair work.

D. If the homeowners association or affected homeowners, directly or indirectly, impair, impede, or prohibit the builder from making any repairs, the builder may seek such relief as is available under Colorado law.

E. If the builder, within the time required, fails: (i) to provide an offer to settle by payment of a sum certain or notice to repair in compliance with this section, (ii) to make payment of a monetary settlement as provided in an accepted offer to settle, or (iii) to complete repairs within the time set forth in the notice to repair with any applicable extension, or as otherwise agreed, the homeowners association shall be released from the requirements of this part and may proceed with the filing of any available action against the builder, subject to applicable notice and consent as required by sections 6.14.104 and 105.

F. Within three (3) days after substantial completion of the repairs, the builder shall notify the homeowners association of such substantial completion. The homeowners

association shall have forty-five (45) days following the substantial completion date to have the premises inspected to verify that the repairs are complete and satisfactorily resolve the alleged construction defects. A homeowners association or affected homeowner who believes in good faith that the repairs do not resolve the construction defects may proceed with the filing of an available action, subject to applicable notice and consent as required by sections 6.14.104 and 105.

G. The builder and homeowners association may by written mutual agreement alter the time requirements and procedures set forth in this part.

6.14.204 WARRANTY OF REPAIRS:

The repair work performed by the builder shall be warranted against material defects in design or construction for a period of one (1) year after the repairs are substantially completed, which warranty shall be in addition to any express warranties on the original work. In the event the builder fails to perform any warranty work with respect to any construction defect that has been previously repaired within a reasonable time after the builder's receipt of written notice of a warranty claim, the homeowners association or an affected homeowner may proceed with the filing of an action, subject to applicable notice and consent as required by sections 6.14.104 and 105.

6.14.205 SUBSEQUENTLY DISCOVERED DEFECTS:

Any alleged construction defect discovered after repairs have been completed shall, to the extent not covered in a settlement agreement or barred by applicable statutes of limitation or repose, be subject to the same requirements of this part if the builder did not have previous notice or an opportunity to repair the particular defect.

ARTICLE 14 CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES

PART 3 CITY BUILDING CODE, EFFECT ON CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES

SECTION:

6.14.301 City Building Code, Effect on Construction Defect Claims in Common Interest Communities

6.14.301 CITY BUILDING CODE, EFFECT ON CONSTRUCTION DEFECT CLAIMS IN COMMON INTEREST COMMUNITIES:

With respect to construction in residential, common interest communities, covered by this article, a violation of, or failure to substantially comply with, the Pikes Peak Regional Building Code, as adopted under City Code 7.10.101, *et seq.* (the "City Building

Code”), shall not: (i) create a private cause of action or (ii) support or prove any construction defect claim, regardless of the statutory or common law theory under which the claim is asserted, unless such defect constitutes a construction defect as defined under this article or such defect constitutes a breach of an express warranty or contract.

A. A violation of, or failure to substantially comply with, the City Building Code shall not under any circumstances support or prove any construction defect claim based upon a theory of strict liability or under the common law doctrine of negligence *per se*.

B. The City Building Code is intended to establish a minimum standard for safe and sound construction. Therefore, any particular element, feature, component or other detail of any improvement to real property that is specifically regulated under the City Building Code, which is constructed or installed in substantial compliance with such code, shall not be considered defective for purposes of proving any construction defect claim. Provided, however, that higher standards than those established by the City Building Code may imposed through the provisions of an express warranty and/or contract, so nothing in this article shall prevent the enforcement of such warranty or contract standards.

Section 3. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion; provided, however, that such remaining portions or application of this ordinance are not determined by the court to be inoperable.

Section 4. This ordinance shall be in full force and effect after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____ 2016.

Finally passed: _____
Council President

Delivered to Mayor on _____.

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

APPENDIX

DEVELOPMENT APPLICATION REVIEW CRITERIA

7.5.501 (E): CONCEPT PLAN REVIEW CRITERIA:

E. 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; Ord. 12-72)

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; Ord. 12-72)

7.5.603: ZONE CHANGE REVIEW CRITERIA:

A. Amendments To This Zoning Code: Amendments to the text of this Zoning Code may be approved by the City Council.

B. Establishment Or Change Of Zone District Boundaries: 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 chapter. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157; Ord. 12-76)

7.3.605: REVIEW CRITERIA FOR PUD CONCEPT PLANS

Substantial compliance with the criteria is necessary for the approval of the PUD concept plan.

The Manager may determine that certain criteria are not applicable based on the characteristics of the individual project. PUD concept 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. 09-70; Ord. 09-80; Ord. 12-68)

7.1.107B: REVIEW CRITERIA FOR ADOPTION OF COMPREHENSIVE PLANS

B. Before adopting the Comprehensive Plan or individual parts, the City Council shall hold at least one duly advertised public hearing. At the hearing the City Council shall consider the recommendations of the Planning Commission and the Comprehensive Plan Task Force. (Ord. 91-30; Ord. 01-42; Ord. 01-43)