

**CITY OF COLORADO SPRINGS PLANNING COMMISSION
RECORD-OF-DECISION**

THURSDAY, MARCH 19, 2015

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

**CHAIRMAN SHONKWILER CALLED THE MEETING TO ORDER AT 8:30 A.M.
THE MEETING ADJOURNED AT 1:43 P.M.**

PRESENT:

Donley
Henninger
Markewich
McDonald
Gibson
Phillips
Shonkwiler
Smith
Walkowski

ABSENT:

ALSO IN ATTENDANCE:

Mr. Peter Wysocki, Planning and Development Director
Mr. Marc Smith, City Senior Corporate Attorney

RECORD OF DECISION

Moved by Commissioner Markewich, seconded by Commissioner Henninger, to approve the January 15, 2015 Record of Decision. Motion passed 9-0

Moved by Commissioner Markewich, seconded by Commissioner Henninger, to approve the February 19, 2015 Record of Decision. Motion carried 9-0

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COMMUNICATIONS

Mr. Wysocki had no announcements at this time, however requested that a change be made to how the Consent Items are read into the record; it was agreed that consent items would be read into the record by item and file number only.

CONSENT CALENDAR

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

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<p>ITEM.: B.3 CPC PUD 14-00157 (Quasi-Judicial)</p> <p>PARCEL NO.: 6209300007</p> <p>PLANNER: Meggan Herington</p>	<p>foot maximum building height).</p> <p>3. The Flying Horse Parcel #36 Molise Development Plan. For 40 new residential lots for single- family attached units (duplexes) at an overall density of 3.8 dwelling units per acre with landscape tracts and public roads.</p> <p>The property consists of 10.5 acres and is located at the Southeast corner of Ravenswood Drive and Flying Horse Club Drive.</p>	
<p>ITEM.: C.1 CPC PUZ 14-00151 (Quasi-Judicial)</p> <p>ITEM.: C.2 CPC PUD 14-00152 (Quasi-Judicial)</p> <p>PARCEL NO.: 6303406009</p> <p>PLANNER: Meggan Herington</p>	<p>A request by Classic Consulting Engineers on behalf of Matt Craddock for approval of the following development applications:</p> <ol style="list-style-type: none"> 1. A rezone from PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: Single-family residential, attached, 5.5 dwelling units per acre, 35 foot maximum building height). 2. The Lexington Crossing at Briargate Development Plan. The Development Plan illustrates 40 new residential lots for single-family attached units (duplexes) with public roads and landscape tracts. <p>The property consists of 7.21 acres and is located North of Lexington Drive, West of Bordeaux and South of Meadow Ridge Drive.</p>	32

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CONSENT CALENDAR

DATE: March 19, 2015
ITEM: A.1-A.2
STAFF: Katie Carleo
FILE NO.: CPC PUP 09-00017-A3MN14
CPC PUZ 15-00010
PROJECT: Polaris Pointe at Northgate: a minor amendment and zone change

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Markewich, seconded by Commissioner Gibson, to approve **Item A.1-File No. CPC PUP 09-00017-A3MN14**, the Polaris Pointe Concept Plan Amendment based upon the findings that the concept plan meets the review criteria as set forth in City Code Section 7.5.501.E., subject to compliance with the following conditions and technical plan modifications:

Conditions of Approval on Concept Plan Amendment:

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

Technical and Informational Modifications to the Concept Plan Amendment:

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

Motion passed 9-0

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Markewich, seconded by Commissioner Gibson, to approve **Item A.2-File No. CPC PUZ 15-00010**, the change of zoning district from A/PBC/PUD (Agriculture, Planned Business Center, Planned Unit Development) to PUD (Planned Unit Development) Commercial, max building height 65-feet based upon the findings that the zone change complies with the review criteria outlined in City Code Sections 7.5.603.B and development of a PUD zone as set forth in City Code Section 7.3.603. Motion passed 9-0

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Planning Commission Chair

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CONSENT CALENDAR: PLACED ON THE NEW BUSINESS CALENDAR

DATE: March 19, 2015
ITEM: B.1 – B.3
STAFF: Meggan Herington
FILE NO.: CPC MP 06-00219-A4MN14
CPC PUZ 14-00153
CPC PUD 14-00157
PROJECT: Flying Horse # 36

STAFF PRESENTATION

Commissioners and City Staff agreed that because the item was pulled off of the consent calendar and placed on the new business calendar that they would go to the applicant for questions and then to the citizen that pulled the item.

APPLICANT PRESENTATION

Applicant John Maynard: appeared for questions.

CITIZENS IN FAVOR

None present

CITIZENS IN OPPOSITION

- 1) Heather Henneman, a resident of the area had the following concerns:
 - That removal of the traffic light at Northgate and Diamond Rock Road will trap the people in the subdivisions.
 - Although there are planned traffic lights at Spectrum and Voyager and Old Northgate and Northgate Road this is not going to help the people at Northgate road.
 - The people living within Grey Hawk will have no way to make a left hand turn.
 - Would like the traffic light to remain in the master plan.

Kathleen Krager, Transportation Planning Manager advised that this intersection is far from meeting the city signal warrants, the City for legal and traffic reasons cannot leave the traffic light in the master plan.

Commissioner Shonkwiler asked Ms. Krager to explain what warrants a stop light.

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Kathleen Krager advised that there is a set of national standards that the City uses to make sure we are maintaining the traffic flow, and a stop light has to satisfy a series of warrants such as the amount of traffic coming in and out during certain time frames.

Commissioner Gibson asked how much volume would be needed to warrant the stop light for this area.

Kathleen Krager advised that there would have to be 75 vehicles turning left during the peak hours of the day.

Commissioner Markewich asked if the zone change from commercial to residential caused a reduction in the traffic levels.

Kathleen Krager responded, yes. Mr. Wysocki added that the signal and subject site are not adjacent, so there is no direct connection between the 2 items.

Commissioner Phillips wanted the opposing citizen to confirm that they understood the information Kathleen Krager has provided.

Ms. Henneman confirmed, yes she understood the requirements.

APPLICANT PRESENTATION

Applicant John Maynard, NES Inc., wanted to add that there has been a significant reduction in traffic due to the land use change from industrial to multi-family.

Commissioner Donley asked to clarify what notifications were completed for this project.

Principal Planner, Ms. Herington, advised that there were two mailing notices sent out to addresses 1000 feet from parcel #36 and the traffic signal intersection as well as a posting at the site prior to the City Planning Commissioner Meeting.

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DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Walkowski, seconded by Commissioner Smith, to approve **Item B.1-File No. CPC MP 06-00219-A4MN14**, the amendment to the Flying Horse Master Plan, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408. Motion passed 9-0

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Walkowski, seconded by Commissioner Gibson, to approve **Item B.2-File No. CPC PUZ 14-00153**, the zone change from A (Agriculture) to PUD (Planned Unit Development: Attached Single-Family Residential, 30 Feet Maximum Building Height, and 3.80 Dwelling Units per Acre), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603. Motion passed 9-0

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Walkowski, seconded by Commissioner Henninger, to approve **Item B.3-File No. CPC PUD 14-00157**, the PUD Development Plan for Flying Horse Parcel Number 36, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E. Motion carried 9-0

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CONSENT CALENDAR: PLACED ON THE NEW BUSINESS CALENDAR

DATE: March 19, 2015
ITEM: C.1-C.2
STAFF: Meggan Herington
FILE NO.: CPC PUZ 14-00151
CPC PUD 14-00152
PROJECT: Lexington Crossing

STAFF PRESENTATION

Commissioners and City Staff agreed that because the item was pulled off of the consent calendar and placed on the new business calendar that they would go to the applicant for questions and then to the citizen that pulled the item.

APPLICANT PRESENTATION

Applicant Kyle Campbell, Classic Consulting Engineers and Surveyors; appeared for questions.

CITIZENS IN FAVOR

None present

CITIZENS IN OPPOSITION

- 1) Greg Bishton is a resident of the area with the following concerns:
 - The volume of traffic has increased substantially on the intersection of Lexington and Bordeaux.
 - Bordeaux has become a short cut for the area and the 25 mph speed limit is ignored.
 - A death has occurred at this intersection within the last year.
 - Wants to see the flow of traffic corrected in and around the neighborhood to prevent safety concerns.
 - A petition with 100 signatures has been signed stating that neighbors are concerned about the existing traffic conditions.
 - Would like to see a traffic study completed and a light at the intersection of Bordeaux and Lexington.

Commissioner Walkowski: asked Mr. Bishton to clarify the location he is concerned with.

Mr. Bishton used a map to identify the area. (Exhibit A)

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Commissioner Markewich: asked Mr. Bishton to clarify if there were driveways with direct access along Bordeaux.

Mr. Bishton clarified, yes there were, but not adjacent to the site. The driveways are after you cross Lexington.

Kathleen Krager used a map to clarify the location in question and advised that she had turned the neighborhood over to the traffic calming program. From that, there will be neighborhood meetings and the City will research neighborhood traffic calming solutions appropriate for this neighborhood.

Commissioner Henninger asked Ms. Krager to advise of the classification of Lexington.

Kathleen Krager responded that Lexington was classified as a minor arterials and she spoke on the traffic calming process.

Commissioner Markewich asked Ms. Krager if calming the traffic on Lexington would reduce the amount of cut through traffic on Bordeaux.

Kathleen Krager responded, yes.

Commissioner Shonkwiler asked Mr. Bishton to confirm that he understood the information and his questions were addressed.

Mr. Bishton confirmed, yes he understood the information given.

APPLICANT PRESENTATION

None at this time.

COMMISSIONER DISCUSSION

Commissioner Donley stated that Mr. Bishton's concerns were not specifically relevant to the criteria for items C.1 and C.2, so he does support both items but notes that further studies should be conducted. The project meets the criteria as an infill project and it is compatible.

Commissioner Walkowski thanked the citizen, and advised Mr. Bishton that it sounds as if the City is aware of his concerns and is addressing it appropriately and in phases.

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Moved by Commissioner Walkowski, seconded by Commissioner Smith, to approve **Item C.1.- File No. CPC PUZ 14-00151**, the change of zone district from PIP-1 (Planned Industrial Park) and PBC (Planned Business Center) to PUD (Planned Unit Development: single-family residential, attached, 5.5 dwelling units per acre, 35 foot maximum building height), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603. Motion passed 9-0

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Walkowski, seconded by Commissioner Henninger, to approve **Item C.2-File No. CPC PUD 14-00152**, the Lexington Crossing at Briargate PUD Development Plan, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E with the following Technical Modifications:

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

Motion passed 9-0

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NEW BUSINESS CALENDAR

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

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

DATE: March 19, 2015
ITEM: 4.A – 4.C
STAFF: Lonna Thelen
FILE NO.: CPC ZC 14-00141
CPC CP 13-00108-A1MN14
CPC DP 14-00143
PROJECT: Barnes Center: A zone change and concept plan amendment

STAFF PRESENTATION

Principal Planner, Lonna Thelen delivered a power point presentation.

Ms. Thelen opened the presentation to questions.

Commissioner Shonkwiler asked if there was an agreement in place to complete the construction of the road.

Ms. Thelen advised that yes, this was a requirement the City has put in place.

APPLICANT PRESENTATION

Mr. Kyle Campbell, Classic Consulting Engineers and Surveyors; delivered a power point presentation. (Exhibit B)

Mr. Jason OClair, Vedula Residential; delivered a power point presentation on the on site design and goal of the project.

Mr. Campbell read the Integrity Center Point Agreement (Exhibit C) to address the agreement between the City and the Developers to extend Integrity Center Point.

Commissioner Shonkwiler asked for clarification if there was an agreement between City staff, and the property owners.

Mr. Campbell advised that he was aware of the agreement with City staff and applicant to meet the requirements of providing access to the North; however, he is unaware of any agreement with the property owner.

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Opened the presentation for questions:

Commissioner Walkowski asked if there are other emergency exits for the parcel.

Mr. Campbell advised there were not as they are not required by the fire code.

Commissioner Donley asked if the 66 ft distance from the boundaries of the 5 acre lots was a minimum distance for all of the structures.

Mr. Campbell advised he would go through and confirm.

Commissioner Donley asked what the maximum grade was on the slope going up Integrity Center Point.

Mr. Campbell advised that it was in the 3% and 4 % range, however he will confirm.

Commissioner Donley asked if it meets the grade requirements.

Mr. Campbell responded yes, that is correct.

Commissioner Donley asked if there are any limitations on the private road access.

Mr. Campbell advised that it is a private road in a public access easement.

Commissioner Shonkwiler asked if the sanitary sewer that extends to the north of the property is able to be tied in to.

Mr. Campbell responded yes, we have kept it at a normal depth to extend out into the lot.

Commissioner Shonkwiler asked what the expectations were for maintaining the open space.

Mr. Campbell advised that the contract indicates because it is private area the business owners association would be responsible for the maintenance of the open space.

CITIZENS IN FAVOR

- 1) John Olive, Barnes Center Inc., stated he was in support of the project.

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CITIZENS IN OPPOSITION

1) Mr. Fries, resident of the area had the following concerns:

- Preserving the protective ridge (Berm)
- Remove the northernmost building, closest to his property
- Air quality
- Noise pollution
- Crime & theft rates increasing
- Trespassing due to the placement of the sidewalk on Integrity Center Point

Commissioner Smith asked for clarification on the concerns regarding the extension of Integrity Center Point and the sidewalk.

Mr. Fries advised that the extension of Integrity Center Point will not be complete, so he would like to know why there will be a side walk all the way to his property.

Commissioner Walkowski asked Mr. Fries to clarify his concerns with the North Building,

Mr. Fries stated that he was not notified of the change in location of the North building and would like to know the reason for the change.

Commissioner Markewich asked if there was already an existing trail alongside the property if Mr. Fries would prefer that the trail be tied into the project and extended past his property to prevent trespassing.

Mr. Fries responded, yes this would be preferred.

Mr. David Burford, Burford Law who is representing Mr. and Mrs. Fries used photographs (Exhibit D) to identify Mr. and Mrs. Fries property and further clarify their concerns:

- The trail/sidewalk location
- Notice of the change in location of the North building was not given to Mr. and Mrs. Fries, and they are concerned that the minimum average boundary requirements are only met because the developer has extended the boundary line in front of other areas of the property and this minimum is not met with the new location of the North building.

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Mr. Burford stated that the placement of a cedar fence on the property is a concern; however, he believes they may have worked out a possible technical modification with the planner and developer to use a more durable material and to extend the fence/wall to the sidewalk so that traffic is prohibited from trespassing.

Commissioner Shonkwiler asked if Mr. Fries property was within City or County limits.

Mr. Burford replied, within City limits.

Commissioner McDonald asked if Mr. Burford could clarify who Mr. and Mrs. Fries thought was responsibility for maintenance of the cedar fence.

Mr. Burford advised that it was assumed that the developer would be responsible for the maintenance of the fence.

Commissioner Markewich asked if the material and length of the cedar fence was changed would that satisfy Mr. and Mrs. Fries concerns regarding trespassing.

Mr. Burford responded, yes this would have a substantial impact on Mr. and Mrs. Fries.

- 2) Terry and John Cline, property owners of tract 9 had the following concerns:
- Concern for the removal of the ridge (berm) which provides security and is a buffer from the noise on Powers Blvd.
 - Concern that the building of apartments will bring noise and air pollution
 - Destruction of the vegetation in the area

John Cline used a map to show that the drainage tract is on the property lines and gave a power point presentation regarding his concerns. (Exhibit E)

- 3) Mrs. Glasgow, a resident of the area had the following concerns:
- Placing apartments next to the least dense residential zone is not compatible and harmonious and will cause noise pollution and compromises privacy.
 - Placing buffers at the bottom of the property line are not going to help as a noise barrier.
 - Dust mitigation, building is already taking place in the area and the dust is causing medical problems.

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- Additional traffic congestion caused by the business from the car wash and the apartments
- Location of the water retention pond
- Request for a 60 foot wall to be placed in between the properties and the apartments

Mrs. Glasgow stated that she brought a petition regarding the master plan with 113 signatures against this project before City Council and is concerned that nothing resulted from that citizen feedback.

Ms. Thelen clarified some points about the citizen's concerns:

- Regarding the existing walkway Mr. Fries mentioned, there is no City trail in this location.
- Mr. Fries property is currently zoned as agricultural and Integrity Center Point was incorporated at this location to keep the residential and commercial properties separate.
- Regarding concerns with the change to the original plan, this version of the plan was not an official submitted plan; therefore, there would not have been a notice of a change.
- The Master Plan has entitled the multifamily use and that use is being incorporated in the Development Plan.

Commissioner Markewich asked when the zoning for the Master Plan took place.

Ms. Thelen advised that this area has been rezoned several times; however the most recent zone change was from Commercial to Multifamily residential in 2012.

Commissioner Markewich asked if it would not be more appropriate to end Integrity Center Point at the entrance of the apartment complex as there does not appear that Mr. Fries has any desire to develop his land for commercial use.

Ms. Thelen advised that the rationale for extending the roadway at this time was to prevent the cost of extending Integrity Center Point and the sidewalk from falling entirely on one landowner. She further explained that should Mr. Fries want to develop his land for commercial use in the future he would be responsible for the completion of Integrity Center Point.

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Commissioner Donley asked Kathleen Krager to speak about the safety of traffic on Barnes Road. Barnes has an 11% grade at the Chaparral intersection, well in excess of the arterial standard of a maximum 6% grade. Traffic queues at Integrity Center Point will back up to the base of the steep section creating a serious hazard. This concern was identified at the December 2013 hearing for the master plan, but the steep grades were denied by Ms. Krager.

Kathleen Krager advised that the updated plan was to place a signal at Integrity Center Point which should decrease the volume and regulate the traffic flow in this area resulting in a delay of the need for the signal on Chaparral.

QUESTIONS:

Mr. Campbell spoke on the concerns mentioned in the opposition:

- Regarding Commissioner Donley's question, the minimum distance for all structures was 8 feet 4 inches and all numbers are in the documents.
- Regarding the dust mitigation; if approved, they will be working with the City to limit dust.
- Regarding the request for a large wall; Mr. Campbell does not feel that a 50 foot wall would be an effective way to solve the concerns regarding privacy. He stated that there was a 500 feet separation from the homes.
- Regarding Mr. Fries property they agree to replace the cedar fence with a concrete wall that extends to the sidewalk.
- Regarding the questions of the "sidewalk to nowhere" to the north, they were advised to put in this sidewalk, and will extend the sidewalk to meet the wall and to satisfy Mr. Fries concern of trespassing. This wall will be maintained by the apartment owner.
- Regarding the comments from Mr. and Mrs. Clines; unfortunately this is El Paso County property.
- Regarding the questions about the detention pond; it was designed with two retaining walls to try and push the pond as low as they can get it and it should blend with the surroundings.

COMMISSIONER DISCUSSION

Commissioner Donley: Is opposed to 4.A, 4.B and 4.C because he struggles with the already approved master plan, grades on Barnes Road and safety of the area. He feels this would be a great way to provide a transition onto Powers as an infill project and from a zone standpoint meets the criteria. However his concerns about Barnes would need to be addressed before continuing.

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Commissioner Henninger: Is in support of the project, his overall concern is putting that high of a strain on the street; however, he feels that the development plan is good given the circumstances of the lot.

Commissioner Markewich: Is not in support of items 4.A, 4.B and 4.C, his concern is the congestion caused by the roadway system with one way in and one way out, as well as, the traffic from the commercial development on the south.

Commissioner Shonkwiler: Stated that the additional technical modification will need to be made in the motion.

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Henninger, seconded by Commissioner Phillips to approve **Item No. 4.A -File No. CPC ZC 14-00141**, the zone change from A/AO (Agriculture with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay) for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B. Motion passed 6-2 Commissioner Donley and Markewich Opposed (Commissioner Gibson excused).

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Henninger, seconded by Commissioner Smith, to approve **Item No. 4.B -File No. CPC CP 13-00108-A1MN14**, the concept plan amendment for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E. Motion passed 6-2, Commissioner Donley and Markewich Opposed (Commissioner Gibson excused).

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Henninger seconded by Commissioner Smith to approve **Item No. 4.C -File No. CPC DP 14-00143**, the development plan for the Barnes Center Apartments Filing No. 1 Plan, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan:

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

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

Commissioner Walkowski added an amendment to the technical modifications:

7. Modify the description on the Development Plan regarding the North boundary fence to change from a 6 foot cedar fence to a 6 foot concrete wall that will extend to the west property line temporarily until the road is extended in the future.

Motion carried 6-2, Commissioner Donley and Markewich Opposed (Commissioner Gibson excused).

March 19, 2015

Date of Decision

Planning Commission Chair

**CITY OF COLORADO SPRINGS PLANNING COMMISSION
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NEW BUSINESS CALENDAR

DATE: March 19, 2015
ITEM: 5
STAFF: Lonna Thelen
FILE NO.: CPC CU 14-00148
PROJECT: Creekside at Rockrimmon

STAFF PRESENTATION

Principal Planner, Lonna Thelen delivered a power presentation.

Ms. Thelen opened the presentation for questions:

Commissioner Walkowski asked Ms. Thelen to speak on the timing of the traffic light

Ms. Thelen advised that the traffic light is set to be completed in phase II.

APPLICANT PRESENTATION

Andrea Barlow, NES, Inc., delivered a power point presentation (Exhibit F)

CITIZENS IN FAVOR

None present at this time.

CITIZENS IN OPPOSITION

None present at this time.

QUESTIONS:

None

COMMISSIONER DISCUSSION

Commissioner Donley: Supports the project, notes that there are lots with high density to the south and there are proper buffers around the area. This project will help meet the housing needs for the surrounding community.

Commissioner Markewich: Did not previously support any aspect of the prior application and therefore does not support this item. He feels that a dormitory project is not harmonious and

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compatible with the surrounding neighborhood and feels that it will substantially damage the area.

Commissioner Phillips: Supports this item as it fits within the concepts plan. A major concern was the traffic and feels this will not be an issue any longer.

Commissioner Smith: Noted that he drove around the neighborhood and there are other apartments in the area; therefore, he believes this project will be harmonious and compatible with the surrounding developments.

Commissioner Walkowski: Supports item 5 as the intent and purpose for multi-family fits within the zone code and comprehensive plan. He does not feel there will be any damage to the surrounding neighborhood.

DECISION OF THE PLANNING COMMISSION

Moved by Commissioner Smith, seconded by Commissioner Walkowski, to approve **Item No. 5 - File No. CPC CU 14-00148**, the conditional use for Creekside at Rockrimmon, based upon the finding that the conditional use complies with the conditional use findings in City Code Section 7.5.704 and development review criteria in City Code Section 7.5.702.B, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Conditional Use:

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

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7. Include in the 2-4" rock mulch legend description 'planted rock mulch'. Revise the plans to shown some low plantings in the motor vehicles lot counts.
8. Contact Wastewater Planning and Design to determine what is required to update the previously-approved Wastewater Master Facility Report. The amendment must be accepted prior to conditional use approval.

Motion Passed 4-1, Commissioner Markewich Opposed (Commissioner Shonkwiler, Gibson, McDonald excused).

Commissioner Phillips read into the record the City Appeal Process.

March 19, 2015

Date of Decision

Planning Commission Chair