

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

**THURSDAY, DECEMBER 18, 2014**

**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 9:47 P.M.**

**PRESENT:**

Donley  
Markewich  
McDonald  
Phillips  
Shonkwiler  
Smith  
Walkowski

**ABSENT:**

Henninger

**ALSO IN ATTENDANCE:**

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

**COMMUNICATIONS**

Commissioner Donley announced he has moved to a home outside the City limits but is still within the allowed radius for a planning commissioner as outlined in the rules and procedures. City Attorney Renee Congdon queried the other commissioners and determined no one else lived outside City limits, so the maximum of two commissioners rule was not exceeded.

Commissioner Shonkwiler announced that Commissioner Henninger was delayed due to traffic accidents and was on his way.

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**CONSENT CALENDAR**

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p><b>ITEM NO.: A</b> CPC ZC 14-00129 (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b> 5300000658</p> <p><b>PLANNER:</b> Meggan Herington</p>	<p>Request by Golden West Power Partners, LLC for approval of a zone change for 7.71 acres from R1-6000 (Single-Family Residential) to PF (Public Facilities) to accommodate a future expansion of the Jackson Fuller Substation. The property is located south of Woodmen Road, south of Rolling Thunder Way and directly south and adjacent to the existing substation property.</p>	
<p><b>ITEM NO.: B.1</b> CPC MP 87-00381-A13MN14</p> <p><b>ITEM NO.: B.2</b> CPC PUZ 14-00101</p> <p><b>ITEM NO.: B.3</b> CPC PUP 05-00139-A1MJ14 (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b> 5500000381</p> <p><b>PLANNER:</b> Meggan Herington</p>	<p>Request by NES, Inc. on behalf of Marksheffel-Woodmen Investments, LLC for consideration of the following development applications:</p> <ol style="list-style-type: none"> <li>1. An amendment to the Banning Lewis Ranch Master Plan that would allow for re-allocation and re-orientation of land uses and street layout changes for the portion of the Banning Lewis Ranch area known as Bradley Ranch.</li> <li>2. A change of zoning from PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays) to PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays).</li> <li>3. An amendment to the Bradley Heights PUD Concept Plan allowing a mix of residential, commercial, school and park uses.</li> </ol> <p>The subject property consists of 529 acres and is located at the southwest corner of Bradley Road and Marksheffel Road.</p>	

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**NEW BUSINESS CALENDAR**

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p><b>ITEM NO.: 4.A</b> CPC A 14-00010</p> <p><b>ITEM NO.: 4.B</b> CPC ZC 14-00011</p> <p><b>ITEM NO.: 4.C</b> CPC CP 14-00012 (Legislative)</p> <p><b>PARCEL NO.:</b> 5316000014</p> <p><b>PLANNER:</b> Meggan Herington</p>	<p>Request by Drexel, Barrell &amp; Company on behalf of Dublin Towne Centre, LLC for consideration of the following development applications:</p> <ul style="list-style-type: none"> <li>A. Annexation of the 8.66-acre Dublin Towne Centre property into the City of Colorado Springs.</li> <li>B. The establishment of an Intermediate Business District with Airport Overlay (C-5/AO) zone district.</li> <li>C. The Dublin Towne Centre Concept Plan that proposes commercial land use on five pad sites with a new public street and private internal access.</li> </ul> <p>The property is located southeast of the Dublin Boulevard and Marksheffel Road intersection and consists of 8.66 acres.</p>	

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**CONSENT CALENDAR**

**DATE:** December 18, 2014  
**ITEM:** A  
**STAFF:** Meggan Herington  
**FILE NO.:** CPC ZC 14-00129  
**PROJECT:** PF Zoning for future expansion of the Jackson Fuller Substation

**DECISION OF THE PLANNING COMMISSION**

Moved by Commissioner Walkowski, seconded by Commissioner Phillips, to approve **Item A-File No. CPC ZC 14-00129**, the change of zoning district from R1-6000 (Single Family Residential) to PF (Public Facilities) based upon the finding that it complies with the review criteria of City Code Sections 7.5.603.B and 7.3.402.A. Motion carried 8-0 (Commissioner Henninger excused).

December 18, 2014

Date of Decision

Planning Commission Chair

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**CONSENT CALENDAR**

**DATE:** December 18, 2014  
**ITEM:** B.1-B.3  
**STAFF:** Meggan Herington  
**FILE NO.:** CPC MP 87-00381-A13MN14, CPC PUZ 14-00101, CPC PUP 05-00139-A1MJ14  
**PROJECT:** Banning Lewis Ranch – Bradley Heights

**DECISION OF THE PLANNING COMMISSION**

Moved by Commissioner Walkowski, seconded by Commissioner Phillips, to approve **Item B.1-File No. CPC MP 87-00381-A13MN14**, the amendment to the Banning Lewis Ranch Master Plan Amendment, 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 with the following condition of approval:

1. The comprehensive document for the Banning Lewis Ranch master plan as a whole must be updated prior to final approval, including an update to the Banning Lewis Ranch Comprehensive Land Use Table.

Motion carried 8-0 (Commissioner Henninger excused).

Moved by Commissioner Walkowski, seconded by Commissioner Phillips, to approve **Item B.2-File No. CPC PUZ 14-00101**, the zone change from PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay) to PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay) 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 and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603. Motion carried 8-0 (Commissioner Henninger excused).



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**NEW BUSINESS CALENDAR**

**DATE:** December 18, 2014  
**ITEM:** 4.A-4.C  
**STAFF:** Meggan Herington  
**FILE NO.:** CPC A 14-00010, CPC ZC 14-00011, CPC CP 14-00012  
**PROJECT:** Dublin Town Centre Annexation

**STAFF PRESENTATION**

Ms. Meggan Herington, City Principal Planner, presented PowerPoint slides (Exhibit A). Ms. Herington stated the fifth technical modification listed under the concept plan is not required any longer by City Traffic Dept., and requested it stricken from the motion.

Commissioner Markewich inquired of right-in, right-out access on principal arterials. Ms. Herington stated Marksheffel south of Dublin Blvd. is a City-run PPRTA project and can accommodate a few access points as it develops further to the south. Mr. Steve Kuehster with City Engineering Dept. confirmed that access points are typically discouraged along principal arterials, but Marksheffel won't be developed for quite some time before the 2020 PPRTA plan is implemented.

**APPLICANT PRESENTATION**

Mr. Tim McConnell of Drexel Barrell & Co. stated the applicant met with Ms. Krager of City Traffic several times, and she agreed to limited access along Marksheffel with an additional turn lane. There was no mention of closing it in the future.

Commissioner Donley inquired of limited development upon or across the gas easement on the eastern portion of the site. Mr. McConnell stated no structural buildings are allowed, and grading or landscaping activities are severely restricted on the easement.

**CITIZENS IN FAVOR**

None

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### **CITIZENS IN OPPOSITION**

1. Mr. James Burnett stated his property is directly east of the site was not notified of this project until the most recent mailing prior to the Planning Commission hearing. He opposed piecemeal annexations, and felt this area needs to be annexed with a large master-planned area that contains bicycle and pedestrian trails. He objected to the potential noise and traffic of retail/commercial uses that could also allow undesirable uses (bars, sexually-oriented businesses). He was concerned that traffic would not be allowed along Marksheffel in future years and would burden Mountain Dale Drive.

### **APPLICANT REBUTTAL**

Mr. McConnell stated this property is brought into the City primarily for C-5 zoning and will be used as a primary intersection to support residential uses.

### **STAFF REQUESTED TO SPEAK**

Mr. Wysocki clarified the Planning Commission's review of access points and whether to change staff's recommendations.

### **DECISION OF THE PLANNING COMMISSION**

Commissioner Markewich had concerns with setting precedence by allowing right-in, right-out access along a principal arterial when they have been restricted in the past. The lengthening of the deceleration lane along Marksheffel is only partially controlled by the property owner, and the land owner to the south will be negatively impacted should they desire annexation. He suggested an additional technical modification on the concept plan.

Commissioner Walkowski appreciated the neighbor's comments regarding piecemeal annexation, but it is difficult to master plan an area owned by several property owners. Even if it were a larger annexation, this site may be zoned commercially due to its location. He found the applications met the City Code's review criteria.

Commissioner Gibson agreed with staff's recommendations.

Commissioner McDonald addressed Mr. Wysocki and inquired about access along a principal arterial. Mr. Wysocki stated a traffic analysis was conducted with two right-in, right-out points with a full access intersection east of the property. Eliminating one driveway potentially changes all access points. Location and type is within the Planning Commission's purview, but it needs to be tied to the City Code criteria.

Commissioner Donley stated this is an infill project because it is an enclave. There is a recognition that all enclaves may need to be piecemealed, but this is not optimal. The C-5

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zoning is appropriate. He supported the concept plan and wished the area followed an area master plan, but the current process limits this option. The City's Traffic Criteria Manual is not being followed, and the City Traffic Engineer is allowing excessive access. He desired principal arterials not have unlimited access.

Commissioner Smith supported the applications.

Commissioner Shonkwiler had concerns with access to major arterials.

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.A-File No. CPC A 14-00010**, the Dublin Towne Centre Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 subject to the following conditions of approval:

1. The final annexation agreement signed by the owners must be submitted to staff prior to scheduling the City Council Hearing.
2. The inclusion into the Southeastern Colorado Water Conservancy district shall be completed prior to recordation of the annexation plat.

Motion carried 8-0 (Commissioner Henninger excused).

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.B-File No. CPC ZC 14-00011**, the establishment of the C-5/AO (Intermediate Business with Airport Overlay) zone district, based upon the findings that the zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B). Motion carried 8-0 (Commissioner Henninger excused).

Moved by Commissioner Phillips, seconded by Commissioner Smith, to approve **Item No. 4.C-File No. CPC CP 14-00012**, the Dublin Towne Centre Concept Plan based upon the findings that the concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501 subject to the following Technical Modifications:

1. Add AO (Airport Overlay) to the zoning information.
2. Graphically add the location of the wastewater main.
3. Add a note to the concept plan that states "Dublin Towne Centre is subject to a cost recovery agreement for Dublin Boulevard as required in the annexation agreement."
4. Dimension the 20-foot wide segment of right-of-way to be dedicated to the City on the western edge of the property.
5. ~~Call out the correct width of the collector road to include on-street parking on one side.~~

Motion carried 8-0 (Commissioner Henninger excused).

