



CITY PLANNING COMMISSION AGENDA

**THURSDAY, OCTOBER 15, 2015
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, October 15, 2015 at 8:30 a.m.** in the City Hall Council Chambers at 107 North Nevada Avenue, Colorado Springs, Colorado.

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

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

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

VIEW LIVE MEETINGS:

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

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, October 26, 2015

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

CITY PLANNING COMMISSION MEETING AGENDA THURSDAY, October 15, 2015

1. Approval of the Record of Decision (minutes) for the September 17, 2015 City Planning Commission Meetings
2. Communications
3. Consent Calendar.....Page 8
4. Unfinished Business Calendar (Item 4.A-4.B).....Page 27
5. New Business Calendar (Item 5)Page 47
 Appendix – Review Criteria.....Page 117

CONSENT CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>ITEM NOS.: A.1-A.2 CPC ZC 15-00070 (Quasi-Judicial)</p> <p>CPC CP 15-00071 (Quasi-Judicial)</p> <p>PARCEL NO.: 6303104005</p> <p>PLANNER: Meggan Herington</p>	<p>A request by NES, Inc. on behalf of Colorado Springs Union, LLC for approval of the following development applications:</p> <ol style="list-style-type: none"> 1. A zone change of 16.4 acres from PIP-I (Planned Industrial Park) to OC/CR (Office Complex with Conditions of Record). 2. The Mountain Vistas at Briargate Concept Plan. The concept plan illustrates future office development for the vacant 16.4 acres that is currently part of the Checks Unlimited campus. <p>The property is located east of North Union Boulevard and north of Meadow Ridge Drive.</p>	8
<p>ITEM NO.: B.1-B.2 CPC ZC 15-00077 (Quasi-Judicial)</p> <p>CPC CP 15-00078 (Quasi-Judicial)</p> <p>PARCEL NO.: 6326202081</p> <p>PLANNER: Hannah Van Nimwegen</p>	<p>A request by Thomas & Thomas on behalf of Another Attic Ltd for approval of the following development applications:</p> <ol style="list-style-type: none"> 1. A zone change for a potential commercial pad. The property is proposed to be rezoned from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center). This is a proposal to remove the existing Conditions of Record set in place by Ordinance 00-139. 2. A concept plan for a potential commercial pad. The concept plan is to accompany a rezoning and the site consists of 36,762 square feet. This is a proposal to remove the existing Conditions of Record. <p>The property consists of .84 of an acre and is located at 4216 Date Street.</p>	19

UNFINISHED BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>4.A-4.C CPC MPA 04-00043-A2MN15 (Quasi-Judicial)</p> <p>CPC PUZ 15-00051 (Quasi-Judicial)</p> <p>CPC PUP 15-00052 (Quasi-Judicial)</p> <p>PARCEL NO.: 7336200001</p> <p>PLANNER: Lonna Thelen</p>	<p>A request by RTA Architects on behalf of Turtle Creek Grandview Office LLC for the approval of the following development applications:</p> <ol style="list-style-type: none"> 1. A minor amendment to the Hill Master Plan. The amendment proposes revising the land use designations for the property located at the northeast corner of Fillmore Street and Centennial Boulevard. 2. A zone change from PBC (Planned Business Center), OC (Office Complex) and PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development: hospital, office, commercial, 200' maximum building height). 3. The Penrose-St. Francis New Campus concept plan. The plan shows a hospital with a maximum building height of 200' and office and commercial uses. <p>The property consists of 51.05 acres is located at the northeast corner of Fillmore Street and Centennial Boulevard and is zoned PBC (Planned Business Center), OC (Office Complex) and PIP-1 (Planned Industrial Park).</p>	27

NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>5.A-5.B CPC ZC 15-00067 (Quasi-Judicial)</p> <p>CPC DP 15-00068 (Quasi-Judicial)</p> <p>PARCEL NO.: 5330201002</p> <p>PLANNER: Hannah Van Nimwegen</p>	<p>A request by Rockwell Consulting, Inc. on behalf of Tutt Commercial, LLC for approval of the following development applications:</p> <ol style="list-style-type: none"> 1. A zone change for Fairfield Inn and Suites Central. The property is proposed to be rezoned from C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay) to C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay). This is a proposal to only alter existing Conditions of Record. 2. The Fairfield Inn and Suites Central development plan. The development plan proposes a 3-story hotel with 80 rooms on 2.06 acres. The proposed building 45,021 square feet and 82 parking spaces, are shown on the site. <p>This is a proposal to only alter existing Conditions of Record. The property consists of 2.06 acres and is located at 4081 Tutt Boulevard.</p>	47

<p>ITEM 6</p> <p>FILE NO: CPC MP 15-00102-URA</p> <p>PLANNER: Peter Wysocki</p>	<p>Determination of whether or not the proposed South Nevada Avenue Area Urban Renewal Plan is consistent with the City of Colorado Springs 2001 Comprehensive Plan. The proposed South Nevada Area Urban Renewal Plan generally covers the area between Interstate 25 and East Cheyenne Road, and South Tejon Street and Wahsatch Avenue.</p>	<p>65</p>
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CONSENT CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS.: A.1 – A.2

FILE NO(S):

A.1 - CPC ZC 15-00070 – QUASI-JUDICIAL

A.2 - CPC CP 15-00071 – QUASI-JUDICIAL

STAFF: MEGGAN HERINGTON

PROJECT: MOUNTAIN VISTAS AT BRIARGATE

APPLICANT: NES, INC

OWNER: COLORADO SPRINGS UNION, LLC



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for rezoning and a concept plan for 16.4 acres, located east of North Union Boulevard and north of Meadow Ridge Drive. The 16.4 acres is a vacant portion of the Checks Unlimited campus to be redeveloped.

The property will be rezoned from PIP-1 (Planned Industrial Park) to OC/CR (Office Commercial with Conditions of Record) restricting a number of uses that are typically permitted in the OC zone. The concept plan illustrates future uses as permitted in the OC/CR zone district along with setbacks and major points of access. **(FIGURE 1)**

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

BACKGROUND:

1. Site Address: The property is a portion of 8145 North Union Boulevard.
2. Existing Zoning/Land Use: The 16.4 acre site is zoned PIP-1 (Planned Industrial Park) and is vacant.
3. Surrounding Zoning/Land Use:
 - North: PIP-1 & R1-6000/Office-Warehouse parking & Single-family Residential
 - South: PIP-1 & PBC/Vacant & Skating Venue
 - East: PIP-1/Office-Warehouse
 - West: PK/Ford Frick Park
4. Comprehensive Plan/Designated 2020 Land Use: This property is designated as Employment Center.
5. Annexation: The property was annexed in 1978 as part of Briargate Addition Number 2.
6. Master Plan/Designated Master Plan Land Use: This property is within the Briargate Master Plan which is designated as "Implemented". When a property is in the implemented area, a master plan amendment is not required concurrent to a zone change.
7. Subdivision: The property is currently a portion of Lot 2 Hewlett-Packard Filing Number 2. A final plat application is being reviewed administratively to create the new lot to be rezoned with this request.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant and includes no significant natural features.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site and sending postcards to 226 property owners within 500 feet. No neighbor comments were received.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, Police and E-911 and the US Air Force Academy.

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

1. Review Criteria / Design & Development Issues:

Rezone from PIP-1 to OC/CR

The property will be rezoned from PIP-1 (Planned Industrial Park) to OC/CR (Planned Business Center with Conditions of Record). The rezone will accommodate future commercial/office development as permitted in the office commercial (OC) zone district with conditions of record related to use restrictions. The following uses are proposed to be prohibited in this OC/CR zone district in order to maintain land use compatibility:

Automotive Rental
Specialty Food Sales
Hotel/Motel
Pharmacy
Fast Food Restaurant
Medical Marijuana Centers
Neighborhood Retail
Quick Serve Restaurants
Sit-down Restaurants

These uses were negotiated as prohibited as a hybrid between the PIP-1 and the OC zones. The current zone for the PIP-1 allows light manufacturing and warehouse uses. Some of the permitted and conditional uses in the OC zone were maintained because they are similar to uses allowed in the original PIP-1 zone. Other more commercial uses are being conditioned as prohibited to insure that the property does not become more commercial in nature. Similar prohibitions were placed on the PBC property to the south.

The associated concept plan allows uses within the proposed OC/CR zone district. The concept plan outlines the prohibited uses, building heights and lot coverage as well as the maximum building square footage for permitted uses. Building and landscape setbacks per City Code are also illustrated. A development plan for specific uses will be required prior to any future development. That development plan may be reviewed administratively.

2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map designates this property as Employment Center.

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

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

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

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

Policy LU 301: Promote a Mixed Land Use Pattern

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

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

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

Policy CCA 601: New Development Will Be Compatible with the Surrounding Area

New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

It is the finding of the Land Use Review Division that the Mountain Vistas at Briargate zone change 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 property is in the Briargate Master Plan. However, this specific master plan designates a large area as "Implemented". In the implemented area of the master plan, an amendment to the plan is not required with a change of land use.

STAFF RECOMMENDATION:

ITEM NO.: A.1 CPC ZC 15-00070 – CHANGE OF ZONE

Approve the change of zoning district from PIP-1 (Planned Industrial Park) to OC/CR (Office Commercial with Conditions of Record), based upon the findings that the zone change complies with the review criteria outlined in City Code Sections 7.5.603.B with the following conditions of record:

Prohibited Uses:

Automotive Rental
Specialty Food Sales
Hotel/Motel
Pharmacy
Fast Food Restaurant
Medical Marijuana Centers
Neighborhood Retail
Quick Serve Restaurants
Sit-down Restaurants

ITEM NO. : A.2 CPC CP 15-00071 – Mountain Vistas at Briargate

Approve the Mountain Vistas at Briargate Concept Plan based upon the findings that the concept plan meets the review criteria as set forth in City Code Section 7.5.501.E.

ZONE BOUNDARY DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 2, AS PLATTED IN HEWLETT-PACKARD SUBDIVISION FILING NO. 2 PLAT BOOK G-5, PAGE 48, RECORDS OF EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY OF LOT 2, AS PLATTED IN HEWLETT-PACKARD SUBDIVISION FILING NO. 2 PLAT BOOK G-5, PAGE 48, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A 1" YELLOW PLASTIC SURVEYORS CAP STAMPED 13830 AND AT THE EASTERLY END BY 1 1/2" ALUMINUM SURVEYORS CAP STAMPED 10377, AND IS ASSUMED TO BEAR S60°00'56"E, A DISTANCE OF 1639.75 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 2, AS PLATTED IN HEWLETT-PACKARD SUBDIVISION FILING NO. 2 PLAT BOOK G-5, PAGE 48, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE BOUNDARY OF CHARLESTON PLACE FILING NO. 1, RECORDED UNDER RECEPTION NO. 097047291:

THENCE S60°17'28"W, A DISTANCE OF 1542.28 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MEADOW RIDGE DRIVE AS PLATTED IN CIPHER DATA PRODUCTS FILING NO. 1 RECORDED IN PLAT BOOK O-3, PAGE 75 SAID POINT BEING THE POINT OF BEGINNING;

THENCE S88°45'53"W, ON SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 433.36 FEET TO THE SOUTHEASTERLY CORNER OF LOT 1, AS PLATTED IN HEWLETT-PACKARD SUBDIVISION NO. 2, RECORDED IN PLAT BOOK W-3, PAGE 48;

THENCE ON THE EASTERLY BOUNDARY OF SAID LOT 1 THE FOLLOWING (5) FIVE COURSES:
 1. N01°14'07"W, A DISTANCE OF 20.00 FEET;
 2. S88°45'53"W, A DISTANCE OF 20.00 FEET;
 3. N01°14'07"W, A DISTANCE OF 128.53 FEET TO A POINT ON CURVE;
 4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N30°20'16"E, HAVING A DELTA OF 78°14'18", A RADIUS OF 438.84 FEET AND A DISTANCE OF 599.24 FEET TO A POINT ON CURVE;
 5. N34°29'28"W, A DISTANCE OF 166.58 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF UNION BOULEVARD;

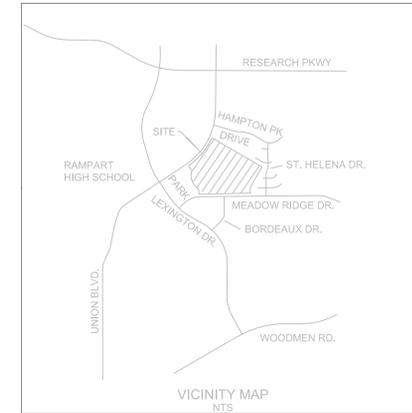
THENCE ON SAID EASTERLY LEFT OF WAY LINE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N34°29'28"W, HAVING A DELTA OF 13°37'57", A RADIUS OF 1940.00 FEET AND A DISTANCE OF 461.58 FEET TO A POINT ON CURVE;
 THENCE S48°07'24"E, A DISTANCE OF 112.53 FEET;
 THENCE S60°06'35"E, A DISTANCE OF 728.13 FEET;
 THENCE S29°53'25"W, A DISTANCE OF 638.80 FEET;
 THENCE S01°16'20"E, A DISTANCE OF 106.93 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 16.406 ACRES

CONCEPT PLAN

MOUNTAIN VISTA AT BRIARGATE
COLORADO SPRINGS, CO

VICINITY MAP



LEGAL DESCRIPTION:

LOT 2, HEWLETT-PACKARD SUBDIVISION FILING NO. 2

SITE DATA

OWNER: Colorado Springs Union LLC
11100 Santa Monica Blvd Ste 850
Los Angeles CA 90025

Tax ID Number: 6303104005
Master Plan: Briargate
Current Zoning: PIP1
Proposed Zoning: OC
Use: All permitted under the OC Zone District EXCEPT the following:

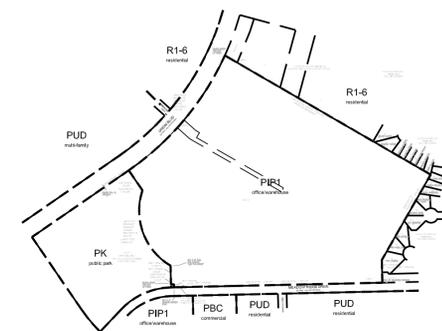
- Automotive Rentals
- Specialty Food Sales
- Hotel/Motel
- Pharmacy
- Fast Food
- Medical Marijuana Centers
- Neighborhood Retail
- Quick Serve Restaurant
- Sit-down Restaurants

Max Building Height: 45'
Max Lot Coverage: 40%
Max Bldg SF: Manufacturing/Office - 300,000sf
Residential - per unit mix and City Std parking requirements (see note 4).
Parking: Manufacturing - 400 spaces @ 1/750sf
Office - 750 spaces @ 1/400sf

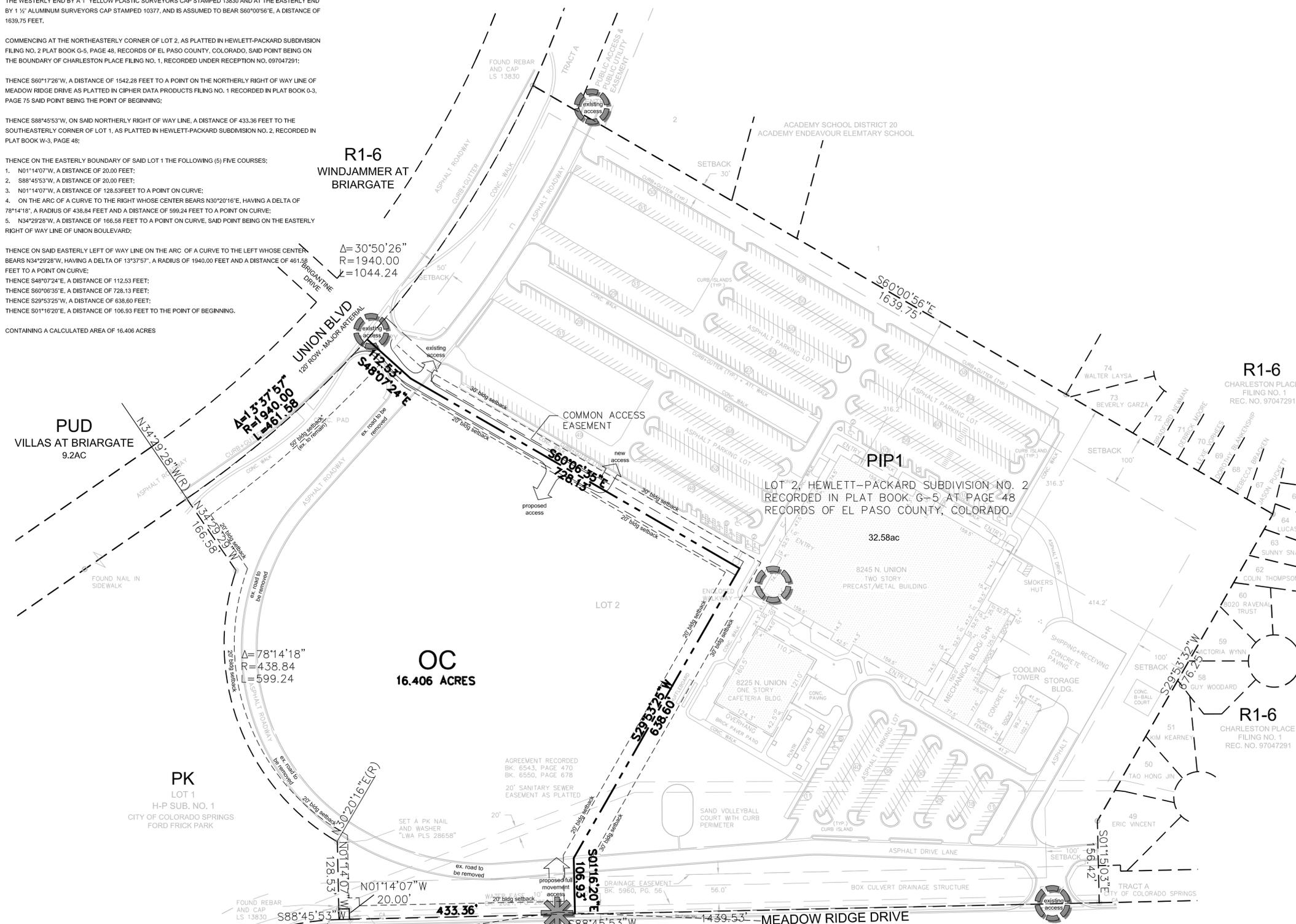
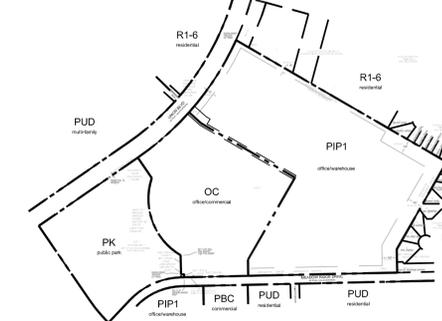
Building Setbacks:
-Front: 25'
-Side: 20'
-Rear: 20'

Landscape Setbacks:
-Front: 25'
-Side: 20'
-Rear: 20'

EXISTING ZONING

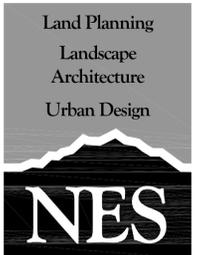
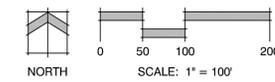


PROPOSED ZONING



NOTES

1. This Concept Plan is for Preliminary Platting purposes.
2. Per FEMA Flood Plain Map number 08041C0509F, effective on 03/17/1997 this area is shown to be Zone X, areas determined to be outside the 500yr floodplain.
3. Traffic Signal escrow will be required in the amount of \$75,000 prior to building permit where a signal is anticipated at the intersection of N. Union Blvd. with the existing access and Brigantine Drive.
4. All residential uses allowed within the zone district are restricted to maximum lot coverage, building heights and City Standard parking ratios based on unit mixes.



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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MOUNTAIN VISTA
at Briargate
CONCEPT PLAN
8425 N. UNION

DATE: PROJECT MGR: PREPARED BY: A. BARLOW J. ROMERO

CONCEPT PLAN

DATE:	BY:	DESCRIPTION:
8.24.15	JR	CITY COMMENT
9.8.15	JR	CITY COMMENT

CONCEPT PLAN/ZONE MAP

1
1 OF 1

CPC CP 15-00071

FIGURE 1

P:\Colorado Springs Union, LLC\2015 North Union Boulevard\Drawings\Planning\Concept\Union_ZONE-CP.dwg [2x436] 9/19/2015 10:38:43 AM jromero



6385 Corporate Drive
Colorado Springs, Colorado 80919

(719) 785-0790
(719) 785-0799(Fax)

JOB NO. 2373.10-01
JUNE 8, 2015
PAGE 1 OF 2

LEGAL DESCRIPTION:

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THENCE S60°17'26"W, A DISTANCE OF 1542.28 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MEADOW RIDGE DRIVE AS PLATTED IN CIPHER DATA PRODUCTS FILING NO. 1 RECORDED IN PLAT BOOK 0-3, PAGE 75 SAID POINT BEING THE POINT OF BEGINNING;

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THENCE ON THE EASTERLY BOUNDARY OF SAID LOT 1 THE FOLLOWING (5) FIVE COURSES;

1. N01°14'07"W, A DISTANCE OF 20.00 FEET;
2. S88°45'53"W, A DISTANCE OF 20.00 FEET;
3. N01°14'07"W, A DISTANCE OF 128.53 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N30°20'16"E, HAVING A DELTA OF 78°14'18", A RADIUS OF 438.84 FEET AND A DISTANCE OF 599.24 FEET TO A POINT ON CURVE;
5. N34°29'28"W, A DISTANCE OF 166.58 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF UNION BOULEVARD;

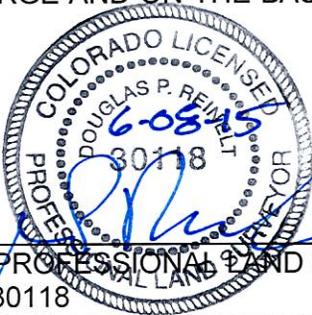
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CONTAINING A CALCULATED AREA OF 16.406 ACRES

JOB NO. 2373.10-01
JUNE 8, 2015
PAGE 2 OF 2

LEGAL DESCRIPTION STATEMENT:

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



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

JUNE 08, 2015
DATE

MOUNTAIN VISTA AT BRIARGATE

PROJECT STATEMENT

14 JULY 2015

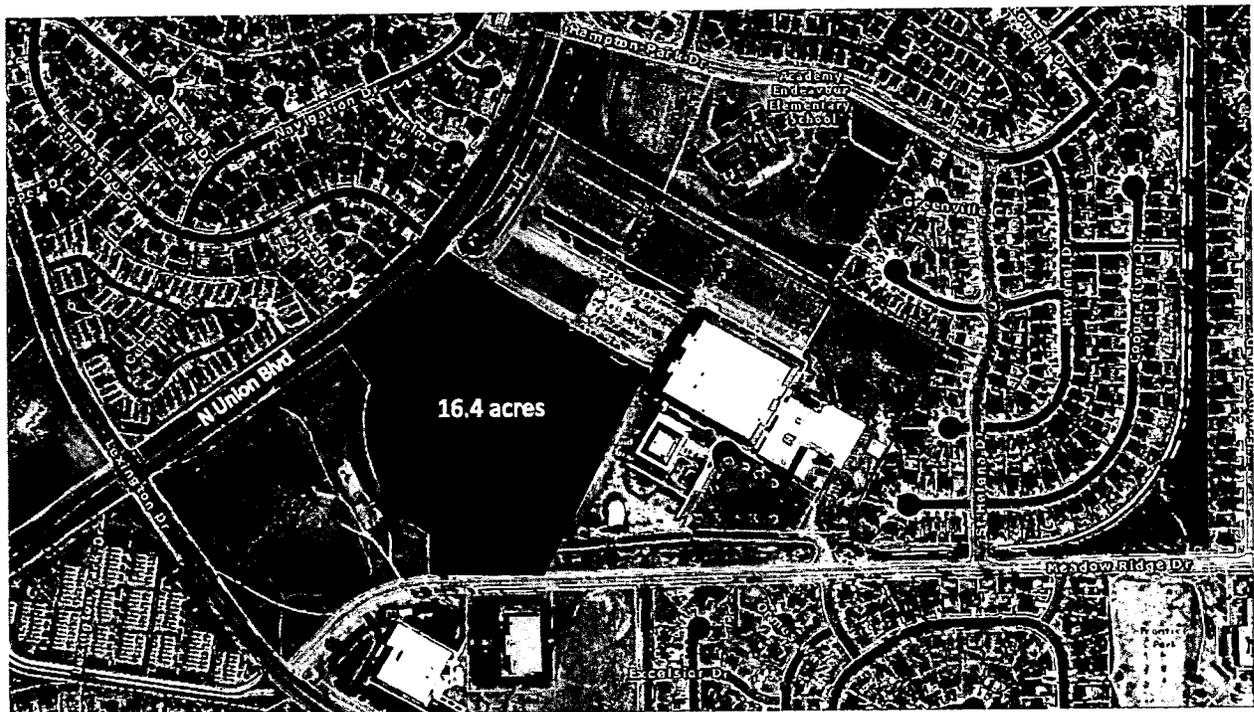
REQUEST

Colorado Springs Union LLC requests approval of the following applications:

1. A zone change from Planned Industrial Park (PIP1) to Office Complex (OC) zoning on 16.4 acres of land at 8245 North Union Boulevard.
2. A Concept Plan for OC uses on the same 16.4 acres.
3. A Replat of Lot 2 Hewlett-Packard Subdivision No. 2, to lots 1 and 2 Mountain Vista at Briargate Filing No. 1.

LOCATION

The property is located to the east of the intersection of North Union Boulevard and Lexington Drive, and north of Meadow Ridge Drive. The application site is part of the 49 acre Checks Unlimited property (Lot 2 Hewlett-Packard Subdivision No. 2), which comprises a 250,000 square foot, 2-story office building with associated parking, a 21,000 square foot adjoining cafeteria, and a 16.4 acre vacant, undeveloped parcel. This proposal relates to the 16.4 acre vacant parcel.



PROJECT JUSTIFICATION

ZONE CHANGE

It is proposed to rezone the 16.4 acre parcel from Planned Industrial Park (PIP1) to Office Complex (OC). This rezoning will provide flexibility for the redevelopment of the property, as it will extend permitted uses to include residential and retirement/nursing facilities, while retaining many of the less intense permitted/conditional uses within the PIP1 zone. This will ensure continued compatibility with the nearby residential neighborhoods. The OC zoning standards restrict building height to 45 feet, which is the same as the current PIP1 zone.

The principal difference between the development standards of the two zones is the setback requirements, which are less for the OC zone. However, this part of the site does not border any residential uses and it is proposed to maintain the 50 foot front setback to Union Boulevard and Meadow Ridge Drive.

To further ensure the compatibility with the adjacent residential neighborhoods, it is proposed to exclude the followings uses from the new OC zone:

- Automotive Sales
- Specialty Food Sales
- Hotel/Motel
- Pharmacy
- Fast Food

Zone Change Criteria (Section 7.5.603):

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

The proposed OC uses will be equally, if not more, compatible with the surrounding land uses and neighborhood than the permitted PIP1 uses.

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

The property is part of a larger area designated as an employment center on the 2020 Land Use Map. The proposed OC zoning is compatible with that designation. The rezoning of the property to OC is intended to provide greater market opportunities for the vacant 16.4 acre parcel. This is consistent with Objective LU 4 of the Comprehensive Plan, which encourages infill and redevelopment appropriate to the character and context of the existing, surrounding development; as such developments make good use of the City's infrastructure

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

The site is part of the implemented portion of the Briargate Master Plan, in which it is identified as part of a larger area designated for Research and Development uses. The proposed OC zoning is consistent with this designation.

CONCEPT PLAN

The Concept Plan simply identifies the entire 16.4 acre property for future OC zone uses, subject to the exclusions identified above and on the plan. Access to the site will be via a shared driveway off the existing access on Union Boulevard. A second potential access point is also identified off Meadow Ridge Drive.

Concept Plan Review Criteria (Section 7.5.501)

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?

The proposed OC uses will be harmonious with the surrounding land uses and will provide an appropriate transition between the existing PIP1 zone on the remainder of the property and the park and residential areas to the west and north.

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?

At this Concept Plan level insufficient information is known about the likely density and/or square footage of the development. The types of land uses likely to be developed on this site can be designed in such a manner that they permit adequate light and air on and off site.

3. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?

The proposed OC uses will have a maximum height limit of 45-feet, which is the same as the current PIP1 zoning. The bulk of any future buildings can be mitigated through siting, building design, and placement of landscaping within the proposed landscape buffers and internally within the site. The property is separated from adjacent residential areas by the existing office building and by Union Boulevard.

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?

At this Concept Plan level insufficient information is known about the internal circulation and parking. Access to the site will be via a shared driveway off the existing access on Union Boulevard. A second potential access point is also identified off Meadow Ridge Drive.

5. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?

The proposed OC zoning is compatible with the Master Plan Research and Development designation, for which the existing streets and public facilities have been specifically planned.

6. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?

The rezoning of this 16.4 acre parcel will improve the market potential of the site, which will ensure the ongoing viability of the overall property holding. This will ensure that the existing property and surrounding neighborhood is preserved.

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?

No detrimental use to use relationships are anticipated. The proposed OC uses are compatible with and provide an appropriate transition to the adjacent PIP1 zone and the park and residential areas to the west and north.

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?

Yes – as noted above.

FINAL PLAT

The Zone Change and Concept Plan are accompanied by a Final Plat that proposes to replat the existing Lot 2 of Hewlett-Packard Subdivision No. 2 into Lots 1 and 2 Mountain Vista at Briargate Filing No. 1. The 16.4 acre parcel will become Lot 2 and the residual of the property will become Lot 1. The Final Plat meets all the requirements of the Subdivision Code.

CITY PLANNING COMMISSION AGENDA

ITEM NOS.: B.1 – B.2

STAFF: HANNAH VAN NIMWEGEN

FILE NO(S):

B.1 - CPC ZC 15-00077 – QUASI-JUDICIAL
B.2 - CPC CP 15-00078 – QUASI-JUDICIAL

PROJECT: ANOTHER ATTIC LTD

APPLICANT: THOMAS & THOMAS; JASON ALWINE

OWNER: ANOTHER ATTIC LTD; PAUL FIELDS



PROJECT SUMMARY:

Project Description: This project includes concurrent applications for a zone change and a concept plan for a 0.84-acre site at 4216 Date Street, located east of the southeast corner of Austin Bluffs Parkway and Beverly Street. The applicant is requesting a zone change from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center). The accompanying concept plan illustrates a potential drive-through restaurant use, accessory parking, and approximate access point locations onto Date Street and the shared access drive. **(FIGURE 1)**

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

BACKGROUND:

1. Site Address: The property is addressed as 4216 Date Street.
2. Existing Zoning/Land Use: PBC with Conditions of Record / vacant, undeveloped
3. Surrounding Zoning/Land Use: **(FIGURE 3)**
 - North: PBC/CR / carwash
 - South: PBC / drive-through fast food and office
 - East: County zoned RM-30 and City zoned R-5 / vacant
 - West: R-5 / church
4. Comprehensive Plan/Designated 2020 Land Use: Commercial Center
5. Annexation: Park Vista 2000 / 2000
6. Master Plan/Designated Master Plan Land Use: No master plan exists for this site
7. Subdivision: The property is Lot 1 of the Park Vista Addition Filing Number 2
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is undeveloped with no significant changes in grade or other natural features.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process involved with the review of these applications included the posting of the site and sending of postcards to 66 property owners within 500 feet. No public comments were received. Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed.

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

1. Review Criteria / Design & Development Issues:

The application under review is for a zone change from PBC/CR to PBC in order to remove the existing Conditions of Record. On September 26, 2000 City Council approved the annexation of 1.82 acres known as Park Vista 2000, a zone change from County to PBC subject to Conditions of Record, and a concept plan illustrating a commercial use. Due to concerns regarding traffic from the neighboring office use at the time, the following Conditions of Record were placed on the property:

 1. The following uses are prohibited:
 - a. Service Stations
 - b. Convenience Stores
 - c. Car Sales
 - d. Drive In/Fast Food Restaurants

The request is to remove these conditions. Since establishing the zoning in 2000, this portion of Austin Bluffs Parkway has grown into a commercial corridor with several of the above mentioned prohibited uses including a drive-through fast food restaurant immediately adjacent to the subject

site. While the existing conditions of record may have been justified 15 years ago, the surrounding land uses, the existing traffic patterns, and absence of stakeholder concerns, supports the removal of the restrictions.

The concept plan shows a 3,200 square foot proposed drive-through fast food restaurant use, 32 parking stalls, an access point from the shared drive aisle to the northeast, and second access point from Date Street to the southeast. No direct access from Austin Bluffs Parkway is planned. The proposal is conceptual and would require development plan approval prior to a building permit being issued for the site.

2. Conformance with the City Comprehensive Plan:
Comprehensive Plan 2020 Land Use Map designates this property as Commercial Center.

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

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

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

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

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

It is the finding of the Land Use Review Division that the Another Attic Ltd. zone change 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:
There is not a Master Plan for this site.

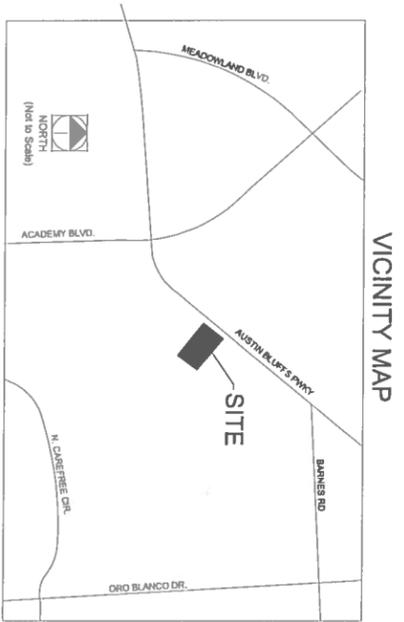
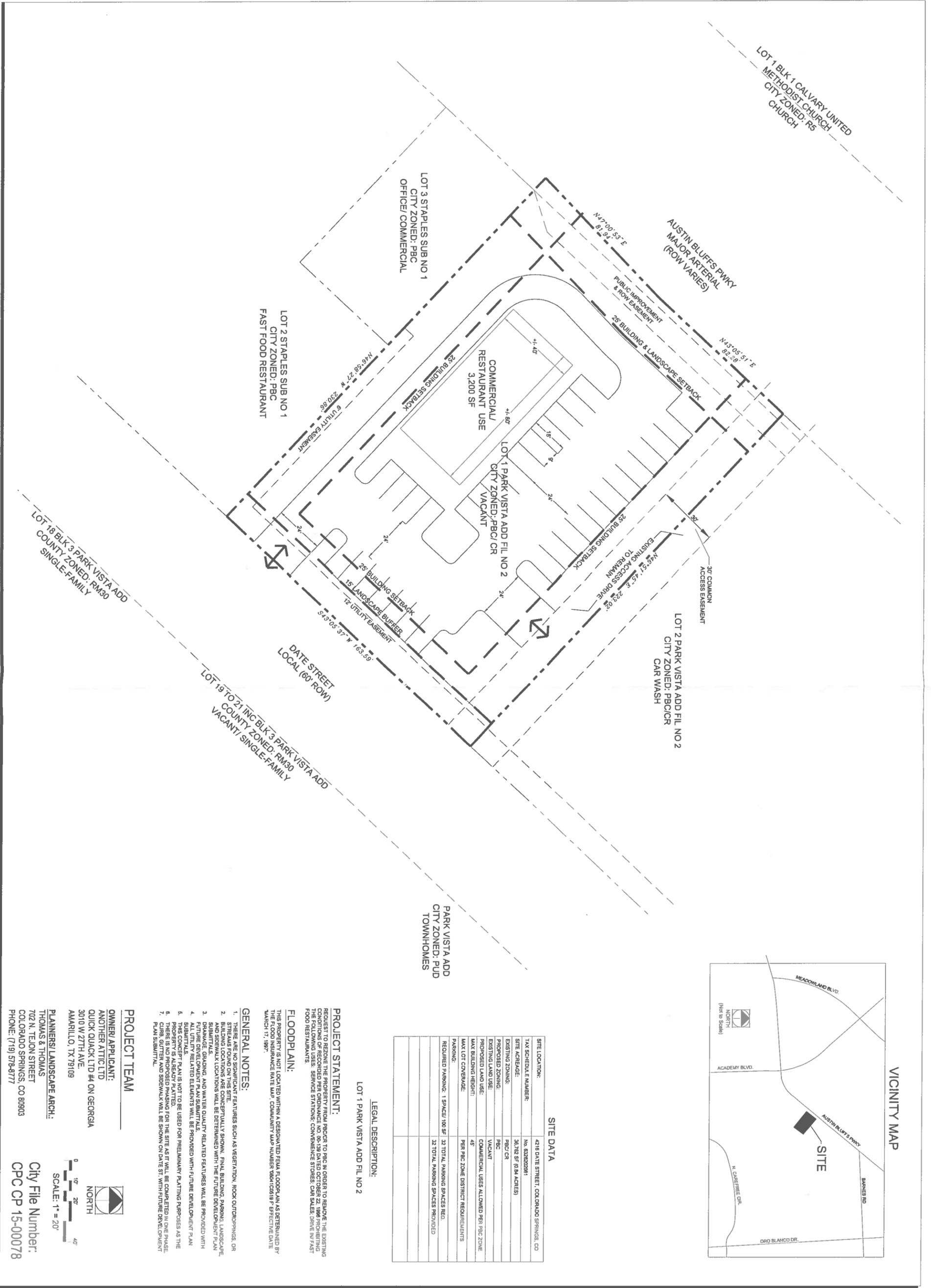
STAFF RECOMMENDATION:

ITEM NO.: B.1 CPC ZC 15-00077 – CHANGE OF ZONE

Approve the change of zoning district from PBC/CR (Planned Business Center with Conditions of Record) to PBC (Planned Business Center), based upon the finding that the zone change complies with the review criteria outlined in City Code Sections 7.5.603.B

ITEM NO. : B.2 CPC CP 15-00078 – CONCEPT PLAN

Approve the concept plan for Another Attic Ltd. based upon the finding that the concept plan meets the review criteria as set forth in City Code Section 7.5.501.E.



SITE DATA

SITE LOCATION:	4218 DATE STREET, COLORADO SPRINGS, CO
TAX SCHEDULE NUMBER:	NO. EX3020081
SITE ACREAGE:	36,782 SF (0.84 ACRES)
EXISTING ZONING:	PBC/CR
PROPOSED ZONING:	PBC
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	COMMERCIAL USES ALLOWED PER PBC ZONE
MAX BUILDING HEIGHT:	45'
MAX LOT COVERAGE:	PER PBC ZONE DISTRICT REQUIREMENTS
PARKING:	
REQUIRED PARKING:	1 SPACE/100 SF
	32 TOTAL PARKING SPACES PROVIDED

LEGAL DESCRIPTION:
 LOT 1 PARK VISTA ADD FIL NO 2

PROJECT STATEMENT:
 REQUEST TO REZONE THE PROPERTY FROM PBC/CR TO PBC IN ORDER TO BRING THE EXISTING CONDITIONS OF RECORDED PER ORDINANCE NO. 00-139 DATED OCTOBER 22, 1998 INTO COMPLIANCE WITH THE FOLLOWING USES: SERVICE STATIONS; CONVENIENCE STORES; CAR SALES; DRIVE IN FAST FOOD RESTAURANTS.

FLOODPLAIN:
 THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 10001001919 P EFFECTIVE DATE MARCH 17, 1997.

- GENERAL NOTES:**
1. THERE ARE NO SIGNIFICANT FEATURES SUCH AS VEGETATION, ROCK OUTCROPPINGS, OR STREAMS FOUND ON THIS SITE.
 2. THE PROPOSED DEVELOPMENT, INCLUDING BUT NOT LIMITED TO, FINAL BUILDING, PARKING, LANDSCAPE, AND SIDEWALK LOCATIONS WILL BE DETERMINED WITH THE FUTURE DEVELOPMENT PLAN SUBMITTALS.
 3. DRAINAGE, GRADING, AND WATER QUALITY RELATED FEATURES WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
 4. ANY RELATED ELEMENTS WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
 5. THIS CONCEPT PLAN IS NOT TO BE USED FOR PRELIMINARY PLATTING PURPOSES AS THE PROPERTY IS ALREADY PLATTED.
 6. THE SITE AND PROPOSED PHASING FOR THE SITE AS IT WILL BE COMPLETED IN ONE PHASE OF DEVELOPMENT AND SIDEWALK WILL BE SHOWN ON DATE ST. WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.

PROJECT TEAM

OWNER/APPLICANT:
 ANOTHER ATTIC LTD
 QUICK QUACK LTD #4 ON GEORGIA
 3010 W 27TH AVE.
 AMARILLO, TX 79109

PLANNERS/LANDSCAPE ARCH.:
 THOMAS & THOMAS
 702 N. TELON STREET
 COLORADO SPRINGS, CO 80903
 PHONE: (719) 578-8777



City File Number:
 CPC CP 15-00078

DESIGNED	JRA	08.10.15
DRAWN	JRA	00.00.00
CHECKED	LT	00.00.00
PROJECT NUMBER: 3517.00		
SCALE: AS NOTED		

REV #	REVISIONS	DATE	DRAWN	CHECKED	APPROVED
1	RESPONSE TO CITY COMMENTS	9/14/15	JRA		
2					
3					
4					
5					
6					

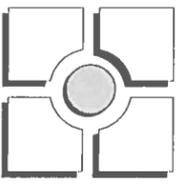


FIGURE 1



August 10, 2015

Revised September 14, 2015

**Hannah Van Nimwegen
Planner II
Land Use Review Division
Planning and Development Team
30 S. Nevada Ave, Suite 105
Colorado Springs, CO 80903**

RE: 4216 Date St. Request for Rezone and Concept Plan: CPC ZC 15-00077 & CPC CP 15-00078

PROJECT DESCRIPTION:

Thomas & Thomas on behalf of Another Attic LTD, is requesting a Rezone and Concept Plan for the parcel located at 4216 Date St, with frontage to Austin Bluffs Pkwy in north central Colorado Springs. The site is 0.84 acres and is currently zoned PBC/ CR. The Conditions of Record were attached to the property during a rezoning process approved with Ordinance No. 00-139 on October 22, 1996. The conditions of record prohibit the following uses: Service Stations; Convenience Stores; Car Sales; and Drive In/ Fast Food Restaurants. The proposed application is seeking to rezone the parcel from PBC/ CR to PBC in order to simply remove the conditions of record to allow the parcel to be developed per the allowed uses under the PBC zoning. The site is adjacent to commercial uses to the east and west, a church to the north, and townhomes to the south. At this time there is no defined use for the property but any required reports, platting, etc. would be done at the time of an official Development Plan submittal. It is anticipated that any future uses will be commercial in nature per the allowed PBC zoning.

PROJECT JUSTIFICATION:

It is believed the conditions of record were attached to this parcel as part of an annexation process in the mid 1990's when commercial development was not yet prevalent along the Austin Bluffs Pkwy corridor. Since then, the Austin Bluffs Pkwy corridor has seen numerous commercial developments and uses, including those parcels immediately adjacent to the proposed rezoning site. These existing commercial developments include uses that are currently restricted on this site such as several fast food restaurants, gas stations, a car wash, and even a car sales dealership just a few parcels to the east. The justification for the rezoning results from a change in character of the area since the original ordinance outlining the prohibitive uses was approved and the actual development of said prohibited uses adjacent to the requested rezoning parcel. In fact, this parcel is perhaps the only remaining vacant parcel of land between Academy Blvd. and Barnes Rd along this section of Austin Bluffs Pkwy. Given the commercial character of this area, this parcel should no longer carry prohibited uses that have been permitted on adjacent land areas.

702 NORTH TEJON COLORADO SPRINGS, COLORADO 80903 P: 719.578.8777

FIGURE 2

The site is currently vacant and contains no significant natural features, stands of vegetation, or wildlife habitat. Detailed access locations, utilities, drainage, etc., for the site will be determined with future development plan submittals once a definitive use has been identified.

CONCEPT PLAN REVIEW CRITERIA:

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?*

The proposed development will not have a detrimental effect on the surrounding neighborhood as the proposed use is in line with current approved and existing uses found throughout the Austin Bluffs corridor. There are no out of character uses being proposed for this site.

2. *Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off site?*

The proposed development will meet or exceed PBC zoning requirements with respect to setbacks, land uses, building size, etc. and will provide adequate light and air to meet city requirements.

3. *Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?*

The permitted uses, bulk requirements and landscaping are appropriate for the use and will be consistent with existing uses adjacent to this site. The development standards of the PBC zoning, including landscaping, will be met or exceeded with no waivers being requested at this time.

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?*

There is no requested access off of Austin Bluffs Pkwy with the access points being located off of Date St. to the south and via the shared access with the existing car wash to the east. There is an existing sidewalk along Austin Bluffs that will remain. As noted on the drawings curb, gutter and sidewalk will be provided where necessary to promote safe pedestrian circulation around and through the site.

5. *Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?*

The proposed use will not overburden existing public facilities as this area has been planned to accommodate intense commercial uses. There are no residential uses planned for this site.

6. *Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?*

The proposed use is permitted within the PBC zone and in conformity with existing commercial land uses to the north, west and east. The proposed use and development standards as illustrated within the PBC requirements will ensure the site continues to provide stabilization to this area.

7. *Does the concept plan show how any potentially detrimental use to use relationships will be mitigated? Does the development provide a gradual transition between uses of differing intensities?*

The proposed use does not introduce any potentially detrimental use relationships to the area as it will be similar to those uses already existing along the Austin Bluffs corridor. The site is the only vacant piece of commercial land along this stretch of the Austin Bluffs corridor and the proposed uses fit into the context of the neighborhood. The site sits next to a fast food restaurant to the west, a car wash to the east, and a multi-family zoned parcel to the south providing transitional uses between commercial and single-family detached housing.

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?*

The proposed concept plan is in conformance to applicable city codes, ordinances, and statues as required.

ISSUE LIST:

- Removal of Conditions of Record from the current PBC zoning
- No current defined use for the site, to be determined with future submittals

Please let me know of any questions or concerns. Thank you.

Sincerely,

Jason Alwine, RLA

FIGURE 3: SURROUNDING LAND USES

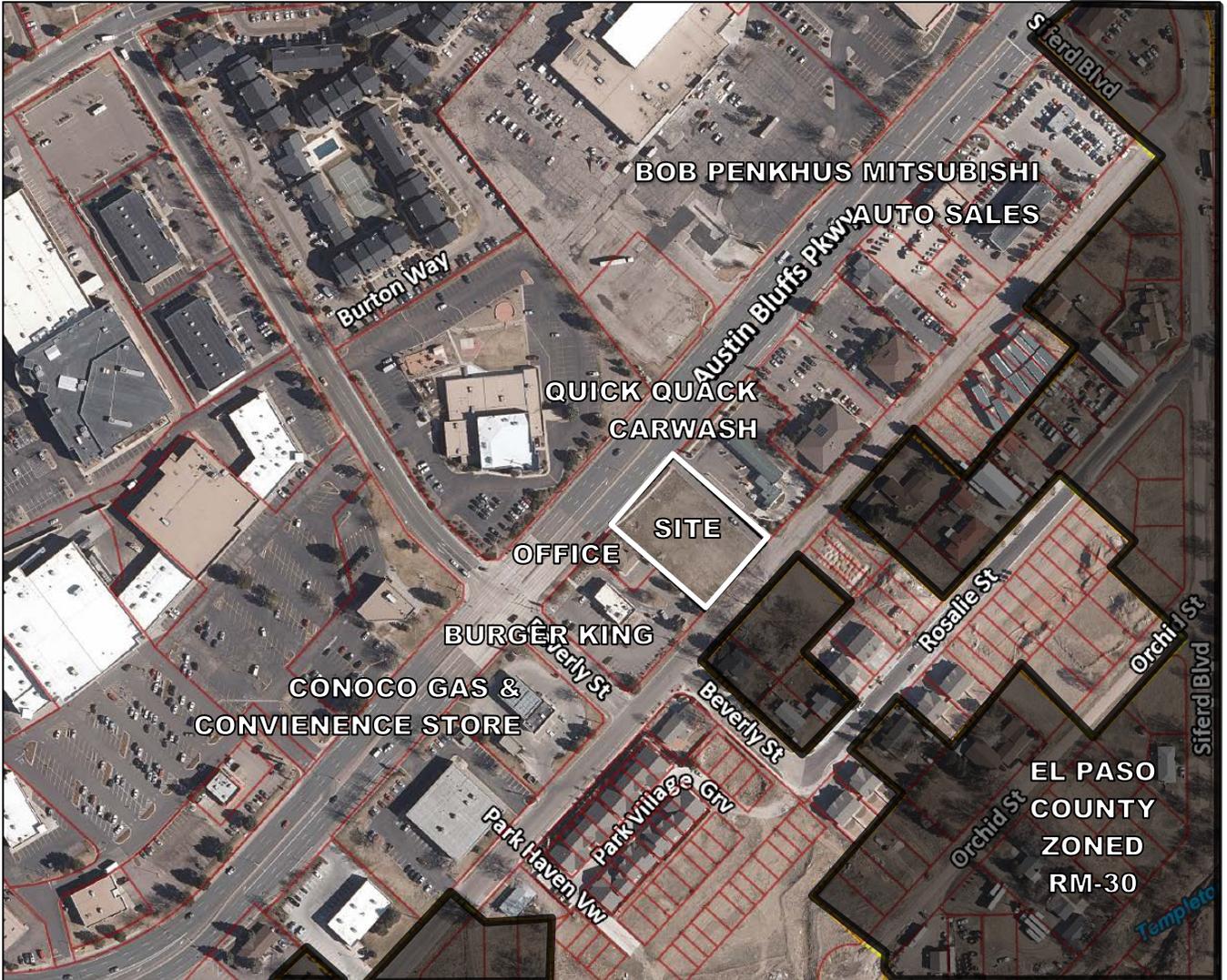


FIGURE 3

UNFINISHED BUSINESS CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 4.A- 4.C

FILE NOS:

4.A - CPC MPA 04-00043-A2MN15 – QUASI-JUDICIAL

4.B - CPC PUZ 15-00051 – QUASI-JUDICIAL

4.C - CPC PUP 15-00052 – QUASI-JUDICIAL

STAFF: LONNA THELEN

PROJECT: PENROSE-ST. FRANCIS NEW CAMPUS

APPLICANT: RTA ARCHITECTS

OWNER: TURTLE CREEK GRANDVIEW OFFICE LLC



PROJECT SUMMARY:

1. Project Description: There are three applications as part of this project: a minor master plan amendment, a zone change, and a concept plan. The master plan amendment is a request for a change from office, neighborhood commercial, and general industrial to office, hospital, and community commercial. **(FIGURE 1)** The zone change request is from PIP-1 (Planned Industrial Park), OC (Office Complex), and PBC (Planned Business Center) to PUD (Planned Unit Development with 1,032,000 square feet maximum of commercial, office, civic, 200-foot maximum building height). The PUD concept plan is a proposal for hospital, office/medical office, and commercial. **(FIGURE 2)** The 51.05 acre site is located northeast of Fillmore Street and Centennial Boulevard.
2. Applicant's Project Statement: **FIGURE 3**
3. Planning and Development Team's Recommendation: Approve the amendment to the Hill Properties Master Plan, approve the zone change from PBC, OC and PIP-1 to PUD (Planned Unit Development with 1,032,000 square feet maximum of commercial, office, civic, 200-foot maximum building height) and approve the concept plan subject to significant and technical modifications to the plan.

BACKGROUND:

1. Site Address: Not currently addressed
2. Existing Zoning/Land Use: PBC, OC, PIP-1/vacant
3. Surrounding Zoning/Land Use:
North: R-5, R-1 6000/multi-family residential, single family residential, and open space due to landslides
South: PUD/medical office, vacant
East: R, PIP-2/asphalt batch plant, industrial
West: PBC, OC/commercial, vacant, office
4. Comprehensive Plan/Designated 2020 Land Use: Commercial Center
5. Annexation: Mesa Addition #2, 1971
6. Master Plan/Designated Master Plan Land Use: Hill Properties Master Plan / Neighborhood Commercial, Office and General Industrial
7. Subdivision: Not platted
8. Zoning Enforcement Action: None
9. Physical Characteristics: The 51.05-acre site is relatively flat on the west side, but slopes dramatically on the east side down towards Fillmore Ridge Heights.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 137 property owners within 1,000 feet of the property on two occasions: 1) after the submittal of the applications, and 2) prior to the Planning Commission meeting of September 17, 2015. This project was postponed at the September 17, 2015 meeting to a date certain of October 15, 2015, therefore no additional public notice was necessary. **FIGURE 4** is the correspondence received during the review of the applications. The primary concerns heard from the neighborhood were related to drainage and geologic hazards.

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

1. Review Criteria/Design & Development Issues:
The project site contains a total of 51.05 acres and is located northeast of W. Fillmore Street and Centennial Boulevard. The purpose of the master plan amendment, zone change, and concept plan applications are to allow hospital and medical office uses on the north portion of the site, as well as, a commercial zone in the southwest corner of the site.

The site is part of the Hill Properties Master Plan which was approved in October of 2014 for 15.3 acres of Office, 12.5 acres of General Industrial, 19 acres of neighborhood commercial and 2.7 acres of private open space. **(FIGURE 5)** The applicant's request is for 6.0 acres of office, 36.5 acres of Hospital, and 8.5 acres of Community Commercial.

The site is currently zoned PBC, OC and PIP-1 and the applicant is requesting a zone change to PUD to allow a mix of commercial, office and civic uses. The PUD concept plan identifies five use zones: Hospital Building Zone (High Rise), Office / Medical Office Zone, Commercial Zone, Parking Zone, and Landscape Zone. The hospital building zone of the concept plan would allow a maximum building height of 200 feet. The significant building height allowance is being requested specifically for the hospital zone to allow for efficient and effective configuration of the functions in the hospital building. Emergency services, diagnostic and treatment services, surgery, and building support functions are located on the lower floors while patient rooms are provided in the upper floors. The eleven or twelve story building would have likely floor heights of 15-20 feet thereby creating a building nearly 200 feet tall. The site is located 420' south of the northern property line within a commercial area. The proposed bulk and scale will not have an unacceptable impact on the surrounding properties.

There are two proposed access point off of Centennial Boulevard and one access point off of Fillmore into the site. Because the site is adjacent to the asphalt batch plant, the central utility plan and helipad along with landscaping and drainage areas have been placed next to the asphalt plant to screen the use from the new hospital building. More details of the screening will be provided at the development plan stage. The main hospital structure has also been placed away from the northern property line to ensure a buffer between the single-family residences and the multi-family to the north.

During the review of the project, there were two major concerns from the neighborhood. The first concern was geologic hazards on the property. The geologic hazard report submitted by the applicant was sent to Colorado Geologic Survey (CGS) for review. A review letter from CGS was provided on August 24, 2015 **(FIGURE 6)**. The letter identifies two major areas of concern: 1) landslides, unstable slopes and potentially unstable slopes and, 2) deep debris-laden and undocumented fill materials. The proposal under review is for a concept plan and at this time no additional studies were required of the applicant. Instead, a technical modification was added to require that at the time of development plan a geologic hazard study must be provided and reviewed by CGS. At the development plan stage additional borings will be required to determine the effects of a 200 foot tall building on adjacent developments and what steps would be required to construct a new structure.

The second concern was drainage. The neighborhood directly to the east has industrial users located off of Fillmore Heights. The association for the owners, Fillmore Heights Owners Association provided a letter of concern. The letter is part of **FIGURE 4**. A drainage report was provided as part of this application and reviewed by City Engineering. A more detailed drainage report will be required as part of the development plan review process to ensure drainage criteria are met for the site.

Staff has reviewed the master plan amendment, zone change, and concept plan and find that the applications are consistent with the review criteria and standards of City Code. Staff recommends approval of all three applications.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Plan within the Comprehensive Plan includes the site within the Commercial Center designation. The Commercial Center is to be used for large scale commercial uses serving the wider community. The proposed hospital, office/medical office and commercial uses will serve the wider community. The comprehensive plan also supports a mix of land uses and encourages infill. This site will allow for both a mix of land uses and is an infill project on property that has never developed.

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.

3. Conformance with the Area's Master Plan:

The applicant is requesting an amendment to the Hill Properties Master Plan to allow the site to be used for a hospital facility with supporting uses of office/medical office and commercial. The previously approved plan allowed for office, neighborhood commercial, and general industrial. The general industrial use was compatible with the properties to the east, but generally not compatible with the office and neighborhood commercial uses proposed to the west. The change to a hospital use is more compatible with proposed uses to the east and the comprehensive plan designation of Commercial Center.

STAFF RECOMMENDATION:

Item No: 4.A CPC MPA 04-00043-A2MN15 – MASTER PLAN AMENDMENT

Approve the amendment to the Hill Properties Master Plan, based on the finding the request complies with the review criteria in City Code Section 7.5.408.

Item No: 4.B CPC PUZ 15-00051– Zone Change

Approve the zone change from PBC, OC and PIP-1 to PUD (with 1,032,000 square feet maximum of commercial, office, civic, 200-foot maximum building height), 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).

Item No: 4.C CPC PUP 15-00052 – Concept Plan

Approve the concept plan for Penrose-St. Francis New Campus, based on the finding the plan complies with the review criteria in City Code Section 7.3.605 (Review Criteria for PUD Concept Plans) subject to compliance with the following significant modifications and technical and/or informational modifications to the concept plan:

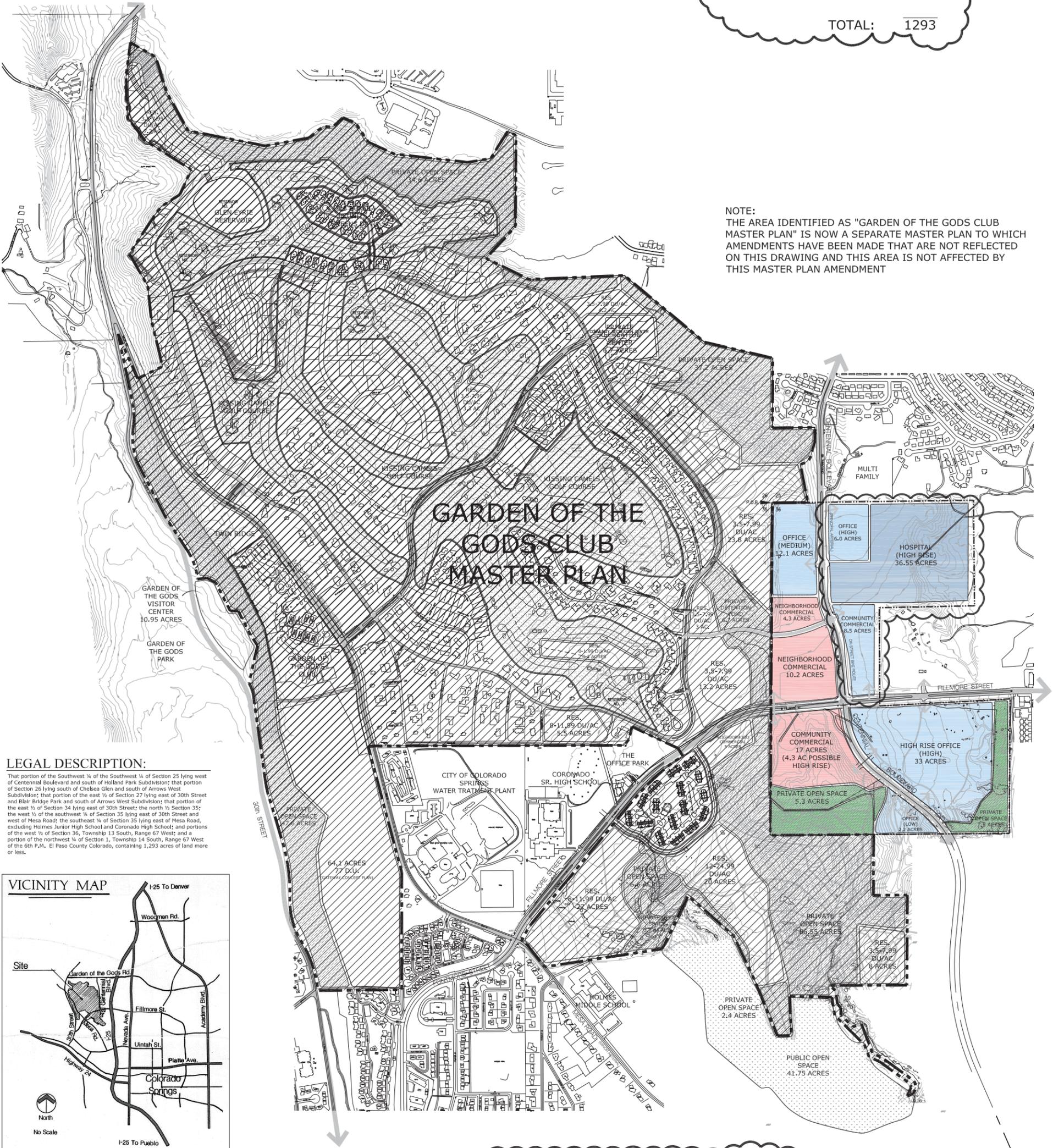
Technical and Informational Modifications to the Concept Plan:

1. Include a note on the concept plan that states "A geologic hazard report will be required with the submittal of a development plan for the hospital building zone and the parking zones north and east of the hospital building zone."
2. To the west of the property identify the land uses as office, medical office, vacant and financial institution. The note has been added, but is not entirely readable. Ensure the note is legible.
3. Scale the site plan to a typical scale, for example 1"-100'.

LEGEND:

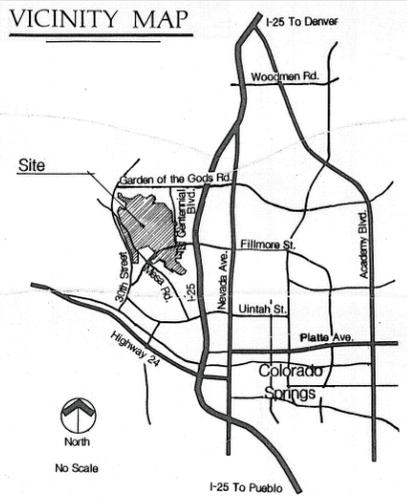
	ACRES
 GARDEN OF THE GODS CLUB MASTER PLAN	1139
 OFFICE	61.8
 COMMERCIAL	30.35
 HOSPITAL	36.55
 PUBLIC ROW ROADS	11.7
 PRIVATE ROW ROADS	0.8
 PRIVATE OPEN SPACE	12.8
TOTAL:	1293

NOTE:
 THE AREA IDENTIFIED AS "GARDEN OF THE GODS CLUB MASTER PLAN" IS NOW A SEPARATE MASTER PLAN TO WHICH AMENDMENTS HAVE BEEN MADE THAT ARE NOT REFLECTED ON THIS DRAWING AND THIS AREA IS NOT AFFECTED BY THIS MASTER PLAN AMENDMENT

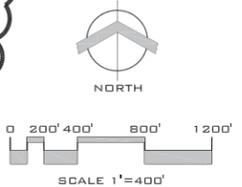


LEGAL DESCRIPTION:

That portion of the Southwest 1/4 of the Southwest 1/4 of Section 25 lying west of Centennial Boulevard and south of Holland Park Subdivision; that portion of Section 26 lying south of Chelsea Glen and south of Arrows West Subdivision; that portion of the east 1/2 of Section 27 lying east of 30th Street and Blair Bridge Park and south of Arrows West Subdivision; that portion of the east 1/2 of Section 34 lying east of 30th Street; the north 1/2 Section 35; the west 1/2 of the southwest 1/4 of Section 35 lying east of 30th Street and west of Mesa Road; the southeast 1/4 of Section 35 lying east of Mesa Road, excluding Holmes Junior High School and Coronado High School; and portions of the west 1/2 of Section 36, Township 13 South, Range 67 West; and a portion of the northwest 1/4 of Section 1, Township 14 South, Range 67 West of the 6th P.M., El Paso County Colorado, containing 1,293 acres of land more or less.



File Number:	Approval Date:	Amendment:
CPC MPA 04-00493-A1MN14	Oct. 14, 2014	37.3 Acres of General Industry & 11 acres of Neighborhood Commercial changed to 12.5 acres General Industrial, 19 acres Neighborhood Commercial, & 15.3 acres Office. The 2.7 acres of Private Open Space remains unchanged.

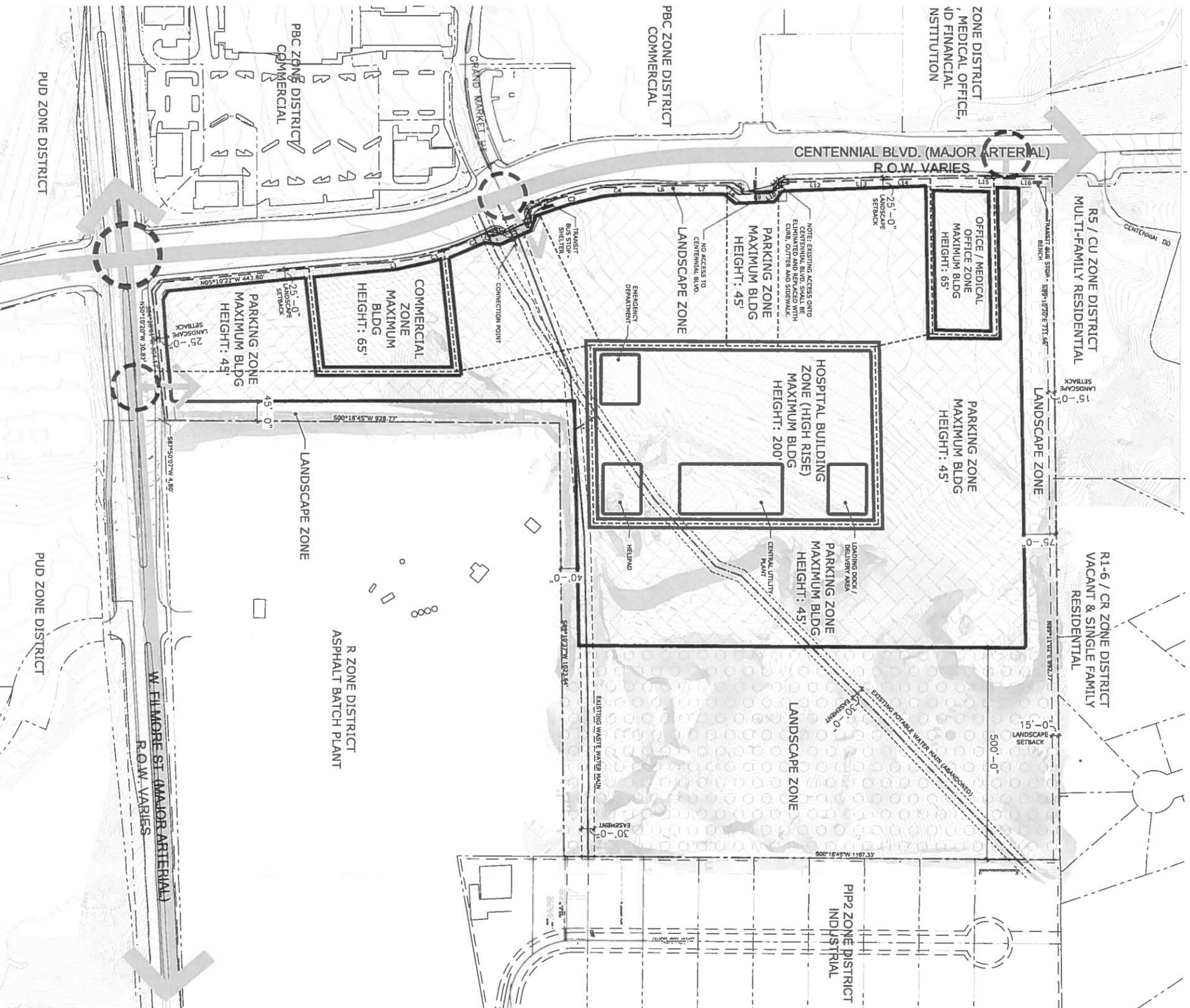


APPLICANT
RTA ARCHITECTS
 19 SOUTH TEJON STREET, SUITE 300
 COLORADO SPRINGS, CO 80903
 (P) 719-471-7166
 (F) 719-471-1174
 CONTACT: MARK E. PIERSON
 Date: 8-14-2015

HILL PROPERTIES
 AMENDED MASTER PLAN
 HILL DEVELOPMENT CORPORATION
 COLORADO SPRINGS, COLORADO

FIGURE 1

USER:PW.HPIERSOMTESLA L:\2015\15003.01 PRH CONCEPT PLAN\2015\003.01-CP-202.DWG 14 AUG 2015 - 1:58PM XREFS:



PROPOSED LAND USES

Hospital Building Zone (High Rise): Hospital, Hospice, General Office and Medical Office
 Office/Medical Office Building Zone: General Offices, Medical Offices, Labs and/or Clinics
 Commercial Zone: Commercial (including all Commercial uses in the Land Use Table in Section 7.1.203 of the City Code), General Office and Medical Office.
 Landscape Zones: Landscape areas of varying sites and configurations, and Stormwater Quality and Detention Ponds
 Parking Zone: Parking for surface parking (Public and Private), Parking Structure (Public and Private)

GENERAL NOTES

1. Platting: This concept plan is not to be used for preliminary platting purposes.
2. Floodplain Statement: This site, Section 36, Township 13 South, Range 67 West of the 6th P.M. in El Paso County, Colorado, is not within a designated F.E.A. Floodplain as determined by the Flood Insurance Rate Map, Community Plan Number 0804103149, Effective March 17, 1997.
3. MPA 04-00043-4-2010(15) site is part of the Hill Properties Master Plan (CPC MPA 04-00043-4-2010(15)).
4. Platting: At this time, there are no plans for phased construction. However, the final design will allow for future expansion. Construction is anticipated to begin in February 2017 and be completed in May 2019.
5. The proposed zoning for the site is PUD. The proposed zones include a hospital zone with 200' maximum height, Office/Medical Office/Commercial zones with 65' maximum height, and Parking zones with 45' maximum height.
6. The Hospital's emergency services, provisions will be taken to minimize noise impacts to the residential areas to the North of the site. These measures include locating the Helipad away from the residential area, and may include also include designating flight paths to and from the hospital that avoid flying over the residential areas and adopting the Helicopter Association International Fly Neighborhood Program.
7. Helicopter services are anticipated at the site for flight for life as part of the Hospital's emergency services. Provisions will be taken to minimize noise impacts to the residential areas to the North of the site. These measures include locating the Helipad away from the residential area, and may include also include designating flight paths to and from the hospital that avoid flying over the residential areas and adopting the Helicopter Association International Fly Neighborhood Program.
8. The final design will address the lighting for safety lighting due to the height of the building and helicopter operations during the development phase of the project.
9. Signage for the project will be addressed during the Development Plan phase of the project.
10. All signal modifications and improvements to the intersection of Grand Market Point and Centennial Boulevard will be at the expense of the property owner.

LEGEND

ACRES	DESCRIPTION
5.77	ACCESS POINT
2.71	PRIVATE PEDESTRIAN CIRCULATION
18.24	PUBLIC PEDESTRIAN CIRCULATION
24.33	EXISTING POTABLE WATER MAIN (ABANDONED)
51.05	EXISTING WASTE WATER MAIN

TABLE OF CURVES

NO.	DELTA ANG.	RADIUS	ARC LEN.	CHORD BRG
C1	08°12'56"	763.67'	109.50'	N08°44'51"
C2	11°29'32"	762.59'	152.96'	N20°19'13"
C3	15°04'37"	645.00'	169.73'	N17°08'35"
C4	08°47'51"	643.21'	98.75'	N03°08'07"

TABLE OF LINES

NO.	BEARING	DIST.
L1	N03°15'35"	79.67'
L2	N15°28'26"	31.66'
L3	N24°52'40"	75.00'
L4	S65°07'20"	12.00'
L5	N64°49'00"	22.58'
L6	N01°05'59"	72.62'
L7	N00°48'46"	140.00'
L8	N39°06'33"	31.94'
L9	N00°48'46"	75.00'
L10	N89°11'14"	12.00'
L11	N40°27'17"	22.73'
L12	N00°48'46"	138.00'
L13	N01°46'03"	180.03'
L14	N00°48'46"	66.00'
L15	N01°05'47"	180.10'
L16	N00°48'46"	68.54'



15003.01
 8-14-2015
 DATE

PENROSE - ST. FRANCIS NEW CAMPUS

NORTHEAST CORNER OF CENTENNIAL BLVD & W. FILLMORE ST.
 COLORADO SPRINGS, CO 80908

CONCEPT PLAN -
 SITE PLAN

FIGURE 2

PENROSE-ST. FRANCIS NEW CAMPUS

Master Plan Amendment, Zone Change, and Concept Plan

PROJECT DESCRIPTION

The property is located to the northeast of the intersection of Centennial Boulevard and W. Fillmore Street, in Colorado Springs, Colorado. The site is part of the Hill Properties Master Plan, CPC MPA 04-00493-A1MN14, approved by the City on October 14, 2014. In this area, the Master Plan proposed 19.0 acres of Neighborhood Commercial, 15.3 acres of Office, 12.5 Acres of General Industry, and 2.7 acres of Private Open Space, a total of approximately 51.05 acres. The current zoning for this area is Office Complex - OC (18.470 acres), Planned Industrial Park - PIP1 (13.578 acres) and Planned Business Center - PBC (10.952 acres). A proposed Private Open Space occupies area on both the OC and PIP1 zones in the northeast corner of the property.

The purpose of this application is to amend the previously approved Master Plan, provide for a Zone Change, and establish a new Concept Plan and for the entire 51.05 acre site as a Planned Unit Development (PUD). The proposed Master Plan amendment would revise the land uses on the site to allow for Hospital and Office uses. The Concept Plan identifies four use zones: Hospital Building Zone (High Rise), Office/Medical Office Building Zones, Landscape Zones and Parking Zones. As part of the Concept Plan, access to the site is provided by three separate access points – two from Centennial Boulevard and one from W. Fillmore St. In addition to the features noted above the proposed development would need to provide for high rise construction and establish strategies for mitigating the impact of the adjacent Asphalt Plant on W. Fillmore St.

The proposed hospital use requires allowing high rise construction on the site. A high rise hospital building allows for an efficient and effective configuration of functions in the building. Emergency Services, Diagnostic and Treatment Services, Surgery and Building Support functions are allocated to the lower floors. Patient Rooms are provided in the upper floors. On the lower floors this configuration allows for related functions to be efficiently grouped together. On the upper floors this configuration allows for patients to be effectively moved by elevator to the functions housed on the lower floors. Floor to floor heights are 15 feet to 20 feet high depending on the functions on each floor. As a result an 11 or 12 story building would be nearly 200 feet tall.

As part of the proposed development, the impact of the adjacent Asphalt Plant on the project site will be mitigated in part by strategically placing site/building elements as a buffer to the Asphalt Plant site. These functions could include building support areas, central plant, and service area functions of the building, as well as detention areas and landscaping.

PROJECT JUSTIFICATION

Master Plan Amendment

The proposed Master Plan amendment would revise the land uses on the site to allow for Hospital and Office uses. First, the proposed amendment conforms to the policies and strategies of the Comprehensive Plan and the 2020 Land Use Map. The Comprehensive plan and the 2020 Land Use Map identify the project area at the intersection of Centennial Boulevard and Fillmore Street as a 'Commercial Centre'. The land uses in the proposed amendment are consistent with this use. Second, the proposed Public and Commercial land uses in the amendment are also compatible with the surrounding Commercial, Office, Medical Office, and High Rise Office uses. Third, the proposed changes to the land use category designations will not have a significant impact upon the transportation system, utility infrastructure, public facilities, or the provision of public safety services and facilities. Finally, the proposed land use changes will accommodate the environmental goals of the city's land use standards.

Zone Change

Per the requirements of Chapter 7, Article 5, Part 6 of the Zoning Code, the proposed changes to the zone district boundaries on the subject property are acceptable for the following reasons:

1. The proposed Planned Unit Development (PUD) will not be detrimental to the public interest, health, safety, convenience or general welfare. The proposed hospital and associated medical office/ambulatory services uses are consistent with the Comprehensive Plan for the area and in the public interest as they provide vital health care service to the community. To address public safety and convenience, the site will allow for three access points – two from Centennial Boulevard and one from W. Fillmore St. – providing a safe and convenient means of vehicular access to the public. Finally, the proposed hospital and associated medical office/ambulatory services will help to create a district of medical services by adding to the existing services (Medical Offices, Rehabilitation Center and Veteran's Administration Clinic) already present in the vicinity, which supports the general welfare of the community.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan. The 2014 Comprehensive plan identifies the project area at the intersection of Centennial Boulevard and Fillmore Street as 'Commercial Centre'. The PUD uses proposed by this application are consistent with this overall land use designation.
3. The proposal is consistent with the proposed amendment to the approved Master Plan. The site is part of the Hill Properties Master Plan that has historically designated over two-thirds of the uses on the site as Commercial or Office. Consistent with the approved Master Plan, the proposed PUD rezoning retains the Office uses, allows for a diverse mix of other uses, and adds the Hospital use, which is compatible with the adjacent mostly Commercial uses.

Concept Plan

The Concept Plan identifies the types of uses that are anticipated in the respective PUD Zones. While each Zone has a wide range of permitted uses, not all are appropriate or desirable in this location. The anticipated range of uses for this site is as follows:

Hospital Building Zone (High Rise): Hospital, Hospice, Consumer convenience services, Convenience food sales, General food sales, Specialty food sales, Quick serve restaurant, Sit down – served at table, Public Assembly, Public park and recreation, Religious institution, Semipublic community recreation.

Office/Medical Office Building Zone: General Offices, Medical offices, labs and/or clinics, Mixed office/residential use, .Commercial center, Consumer convenience services, Convenience food sales, General food sales, Specialty food sales, Hotel/motel, Mixed commercial-residential, Personal consumer services, Personal improvement services, Indoor sports and recreation, Outdoor sports and recreation, Neighborhood serving retail, Daycare services, Commercial greenhouse.

Landscape Zones: Landscape areas of varying sizes and configurations

Parking Zone: Parking lot/surface parking (Public and Private), Parking Structure (Public and Private).

These uses are intended to be compatible with the existing commercial uses in the vicinity and to provide a transition to the Camelback Pointe multifamily residential development to the north.

In accordance with the requirements of Chapter 7, Article 5, Part 5 of the Zoning Code, the proposed concept plan is acceptable for the following reasons:

A. The proposed development is 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 trail. The Comprehensive plan and the 2020 Land Use Map identify the project area at the intersection of Centennial Boulevard and Fillmore Street as 'Commercial Centre'. The Planned Unit Development (PUD) uses proposed by this application are consistent with this overall land use designation.

B. The proposed uses are consistent with the primary and secondary land uses identified in the 2020 Land Use Map of the Comprehensive Plan, as amended. The 2020 Land Use Map identifies the project area at the intersection of Centennial Boulevard and Fillmore Street as 'Commercial Centre'. The Planned Unit Development (PUD) uses proposed by this application are consistent with this overall land use designation.

C. The proposed development is consistent with the City approved master plan that applies to the site. The site is part of the Hill Properties Master Plan that has historically designated over two-thirds of the uses on the site as Commercial or Office. Consistent with the approved Master Plan, the proposed rezoning retains the Office uses, allows for a diverse mix of other uses, and adds the Hospital use, which is compatible with the adjacent mostly Commercial uses.

D. The proposed development is consistent with the intent and purposes of the Zoning Code (Section 7.2.102). The proposed land uses for this property are appropriate given the nature of the surrounding land uses and the master plan proposal for this location. The site's development will provide for infill growth of the City and will reduce congestion in the streets due to the proximity of similar uses. The hospital itself will facilitate the provision of public infrastructure services. As a result, the proposed concept plan will promote the health, safety and general welfare of the city.

E. The development pattern proposed within the PUD concept plan promotes the stabilization and preservation of the existing or planned land uses in adjacent areas and surrounding residential neighborhoods. The proposed PUD uses are compatible with the adjacent mostly Commercial uses and the proposed Landscape zone will provide a buffer between the site and the multifamily residential to the north.

F. The development pattern proposed within the PUD concept plan provides an appropriate transition or buffering between uses of differing intensities both on site and off site. The proposed Hospital and Office uses on the property are compatible with the light industrial uses to the east and south. The proposed Hospital and Office uses are consistent with the existing and proposed commercial and office developments to the west and south. The proposed Landscape Zone provides an appropriate transition between the Hospital and Office uses and the multi-family residential to the north.

G. The nonresidential development pattern proposed within the PUD concept plan promotes integrated activity centers and avoids linear configurations along roadways. The proposed Hospital use zone and Office/Medical Office use zone will provide for numerous types of services that effectively create an activity center. The PUD concept plan arranges use zones on the site allow for a varied streetscape that avoids linear configurations along roadways.

H. The permitted uses, bulk requirements and required landscaping are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community. The proposed hospital and associated medical office/ambulatory uses are compatible with the existing services (Medical Offices, Rehabilitation Center and Veteran's Administration Clinic) already present in the surrounding neighborhood. While the final areas and heights are not completely known at this time, the proposed areas and heights are appropriate to the overall size of the site (51.05 acres), and compatible with the adjacent development types. The proposed Landscape zones will provide a buffer between the site and the multifamily residential to the north, the asphalt plant to the south, and provide transitions to the surrounding neighborhood and city open space.

I. The PUD concept plan provides adequate mitigation for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single-family homes). The concept plan shows how any potentially detrimental use to use relationships will be mitigated and provides a gradual transition between uses of differing intensities. The proposed PUD uses provide a transition between the more intense commercial and industrial uses to the west, south and east of the site and the multifamily residential to the north. The existing Landslide Open Space and the proposed Landscape zone at the

North of the site provide a buffer between the existing Holland Park neighborhood of single-family homes.

J. The PUD concept plan accommodates automobile, pedestrian, bicycle and transit modes of transportation as appropriate, taking into consideration the development's primary function, scale, size and location. The proposed PUD concept plan allows for three access points – two from Centennial Boulevard and one from W. Fillmore St. – providing a safe and convenient means of automobile access to the site. The plan also allows for multiple pedestrian access points to the site. The existing bicycle lanes on both Centennial Blvd. and W. Fillmore St. provide ample access for bicycle access to the site, and would allow for recreational access to surrounding trails in the neighborhood.

K. Although the scale of the proposed PUD concept plan does not merit perimeter and internal arterial, collector and local streets. The proposed plan 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. Three vehicular access points – two from Centennial Boulevard and one from W. Fillmore St. – are provided. Both streets are Principal Arterials and provide direct or indirect access to Interstate 25 allowing for easy access to and from the site for the entire community.

L. Streets and drives within the project area are 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. The three vehicular access points – two from Centennial Boulevard and one from W. Fillmore St. – direct traffic to Principal Arterial streets and will not generate through traffic in adjacent residential neighborhoods. The proposed traffic access will improve connectivity, mobility choices and access to jobs, shopping and recreation in the community.

M. The PUD concept plan provides 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. The PUD concept plan proposes internal circulation and access to uses adjacent to the development to quickly and safely move vehicular and pedestrian traffic from surrounding streets and through the site. This is accomplished in part by utilizing the existing full movement signalized intersection on Centennial Blvd. as the main access point to the site.

N. Adequately sized parking areas will be located to provide safe and convenient access, to avoid excessive parking ratios and avoid excessive expanses of pavement. This will be accomplished by providing multiple parking zones distributed across the site, and possibly by providing structured parking.

O. Open spaces, consisting of Landscape zones, are 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. Multiple areas of Landscape zones are proposed to provide connections to the existing Landslide Open Space, accommodate walking trails on the site, and to act as buffers between adjacent uses.

P. The proposed development does not overburden the capacities of existing or planned streets, utilities and other public facilities. As demonstrated in the provided Traffic Impact Analysis, the proposed development of this site will not overburden planned streets. As demonstrated in the provided Drainage Study, HGL, and Wastewater report, the proposed development of this site will not overburden utilities and other public facilities.

Q. There are no existing areas with unique or significant natural features on the site to be incorporated into the design of the project.

Thelen, Lonna

From: Mark Pierson <mpierson@rtaarchitects.com>
Sent: Wednesday, September 23, 2015 4:00 PM
To: Thelen, Lonna
Subject: FW: Filmore/Centennial Hospital proposal

Lonna – See message from Steve Tuck below.

From: Tuck, Steve [<mailto:STuck@springsgov.com>]
Sent: Thursday, July 09, 2015 10:23 AM
To: John Vandervalk
Cc: Mark Pierson
Subject: RE: Filmore/Centennial Hospital proposal

John,
Thank you for the comments. I will provide them to the applicant and send you the City review letter once completed.
Let me know if you have questions.
Steve

From: John Vandervalk [<mailto:johnvandervalk@yahoo.com>]
Sent: Thursday, July 09, 2015 10:21 AM
To: Tuck, Steve
Subject: Filmore/Centennial Hospital proposal

Hi Steve,

Thanks for taking the time to sit down with my neighbor John Patterson and myself. This will probably be the first of a few emails, I want to make sure you have everything that you need from me and my other neighbors.

After hearing that Turtle Creek/Penrose Hospital wants to rezone the property from 45' maximum height to 200' or greater I have a plethora of questions.

1. I was on the crew that hauled in the fill dirt and material in 2004 with R.E. Monks. We were bringing in about 10-20 loads per hour and definitely not compacting it. A bulldozer would level it off and we would keep dumping.
2. It wasn't just fill dirt but plenty of broken up asphalt was in the loads. Does that pass EPA regulations or is that not an issue at all?
3. It is deep fill as stated by the topography maps. Rezoning to put in essentially the tallest skyscraper in the city sounds absurd to me. Wouldn't the foundation have stability issues? Is the city/Turtle Creek/Penrose willing to acknowledge this could be a devastating problem?? My house has shifted this spring, I can't imagine the magnitude of how much a building in the same area would shift if it was that much bigger. This land is moving every year especially with excess rain!

4. USGS has stated and documented proof that mesa is moving. FEMA condemned the land adjacent to the north and removed 8 houses. Why would the city want to risk a potential leaning tower of Pisa? Is the USGS survey not taken into consideration?

5. Drainage is a HUGE issue. The businesses (to the East) at the bottom of the hill have been dealing with flooding due to improper mitigation of storm water drainage. How is Turtle Creek going to resolve this issue.

6. Hofstead Terrace and Hofstead Court homes have been dealing with excess water and basement flooding again this past May. There is no drainage mitigation down these streets which get far too much water coming off the surrounding hills. Is the city prepared to address this issue? Can we residents be assured no water will come off the Mesa if building ensues up top?

That's all for now, would you kindly email me back so I know you received this email? I will have plenty of other questions coming in the next couple of days if that is alright?

Hope you have a wonderful day, sorry to bombard you with all these concerns!

John 719-649-1030

Mr. Steve Tuck

Reviewing Planner

Dear Mr. Tuck,

We received your "Public Notice" informing us of the proposed plan to develop a large hospital complex at the northeast corner of Fillmore Street and Centennial Blvd. We live on Hofstead Terrace in the Holland Park neighborhood . This street is the cul-de-sac where a major landslide occurred in 1999, destroying a number of homes on Hofstead Terrace and Hofstead Court. It was thought by many, although never proven, that the construction of the Camel Point Apartment complex on Centennial could have had some part in this very destructive landslide. Almost every remaining home on these two streets has suffered significant flooding in those homes with basements.

We have reviewed the proposed plans and summarized geological report at your office last week. Although the report does not state that a development should not be built on the proposed site due to geological instability, it is made clear that this is a possibility that should be carefully considered before proceeding with such a development here.

There are other reasons why this should not be built above and in such close proximity to a large residential neighborhood. These include greatly increased traffic and noises from sirens night and day.

Finally, we seriously question the wisdom of building a **health care** facility in close proximity to an operating asphalt plant.

Surely there are other sites in Colorado Springs away from long established neighborhoods for the Penrose Hospital complex to be built. We, therefore, urge your company to *not* follow through with this potentially dangerous and unwise construction at this proposed site.

Respectfully ,

Rhona Fletcher and Hans Mehnert

1232 Hofstead Terrace

Colorado Springs, CO 80907

719-264-1722

FLYNN WRIGHT & FREDMAN, LLC
ATTORNEYS AT LAW

PLAZA OF THE ROCKIES, SUITE 202
111 SOUTH TEJON
COLORADO SPRINGS, COLORADO 80903

BRUCE M. WRIGHT

(719) 578-8444

FACSIMILE (719) 578-8836
FWF File No. 3041.010

August 27, 2015

Via Email and U.S. Mail
(stuck@springsgov.com)

Steve Tuck
City of Colorado Springs
Planning Department
30 South Nevada Avenue, #105
Colorado Springs, CO 80903

Re: Penrose - St. Francis New Campus / Fillmore and Centennial

Dear Steve:

This office represents the Fillmore Heights Owners Association which consists of owners within the Fillmore Heights project. As you may know, this project is directly to the east and down slope from the proposed new Penrose - St. Francis medical campus on the northeast corner of Fillmore and Centennial. The proposed medical / hospital campus is an exciting project and will definitely be a valuable addition to Colorado Springs and the surrounding area. However, as planning for this project goes forward, there are some significant constraints which need to be addressed. The purpose of this letter is to highlight these issues now while it is early in the process, rather than having to address them at a later stage when solutions could become more problematic. The concerns basically fall into two categories -- drainage and geo-hazard. To take these one at a time:

Drainage. When Fillmore Heights was developed in 1998-1999, a 66" RCP culvert was installed to convey stormwater flows from the project as well as offsite (i.e., to the west) to the outfall point. This culvert was designed to accept and convey historic upstream flows (82 CFS in a 100 year storm, using then-adopted criteria), as well as developed flows from Fillmore Heights. (See Preliminary / Final Drainage Report for Fillmore Heights Filing No. 1 dated June 29, 1998 prepared by Associated Design Professionals, Inc., "Proposed Development Characteristics"). The concept plan for the hospital campus suggests approximately thirty-two acres of the fifty-one acre site will be developed as impervious area, thus significantly increasing historic runoff. If more than 82 CFS (in a 100 year storm) is diverted east on to Fillmore Heights, it will overwhelm the existing storm drainage system at Fillmore Heights. This constraint must be addressed in the final drainage plans for the hospital campus. An additional constraint exists in that facilities to convey stormwater from Fillmore Heights' outfall point to the new detention pond just constructed by CDOT on the southeast corner of Chestnut and Fillmore (as well as the capacity of that pond itself) are also not sized to accept any developed flows from the proposed hospital campus.

Steve Tuck
City of Colorado Springs
August 27, 2015
Page 2

Geo-Hazard Concerns. The Geological Hazards Evaluation prepared by CTL/Thompson for the hospital campus refers to potentially unstable slopes and historic landslide areas to the east. This may understate existing conditions. The surface of the steep slope to the east is underlain by a downsloping impervious shale formation which “daylights” just to the west of Fillmore Ridge Heights. Ground water intercepted by this shale layer flows continuously and year round from this “daylight” outfall, even in past drought years. Thus, the existing slopes to the east of the hospital campus are resting on a well lubricated downsloping shale layer. I would be happy to put the CTL/Thompson folks in touch with representatives of the Fillmore Heights association to inspect this discharge area, since they may not have been aware of it. This condition raises issues with the safety of placing substantial additional overburden on this unstable slope, which the concept plan suggests will occur with fills to extend the “parking area” to the east of the existing crest and placing the weight of the proposed ten-story hospital right next to the potentially unstable crest. We would suggest these issues be more thoroughly evaluated as they may impact placement of the proposed structures and fill areas on the site.

I trust this letter is helpful to highlight these issues early in the planning process when they can be best addressed. I am certain representatives of the Fillmore Heights association would be more than happy to meet with you or the project’s representatives if you think such a meeting would be beneficial to the project.

Sincerely,

A handwritten signature in black ink that reads "Bruce". The letters are stylized and connected.

BRUCE M. WRIGHT

BMW/gad

cc: Peter Wysocki
Tim Mitros
Joy Focht
Mark Pierson, RTA Architects

AMENDMENTS HAVE BEEN MADE THAT ARE NOT REFLECTED ON THIS DRAWING AND THIS AREA IS NOT AFFECTED BY THIS MASTER PLAN AMENDMENT

from: Hill Master Plan
File No. CPC MPA 04-
00493-AI MN14
app: 10/14/14 by City
Council

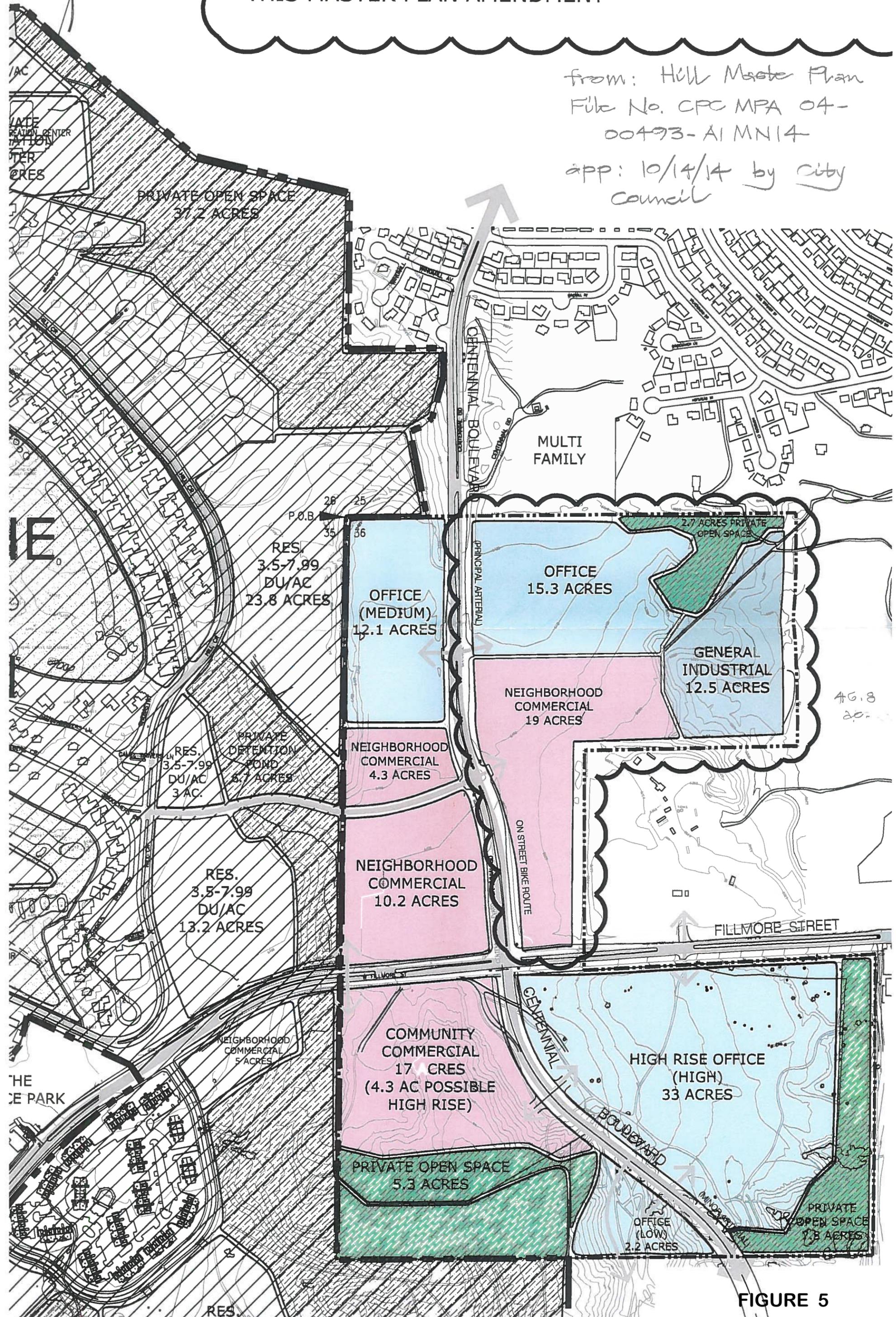


FIGURE 5

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

August 24, 2015

Steve Tuck, Principal Planner
Planning & Development, Land Use Review Division
City of Colorado Springs
P.O. Box 1575, Mail Code 155
Colorado Springs, CO 80901

Location:
NW $\frac{1}{4}$ Section 36,
T13S, R67W of the 6th P.M.
38.8804, -104.8447

Subject: Penrose-St. Francis New Campus – Concept Plan
City of Colorado Springs, El Paso County, CO; CGS Unique No. EP-16-0002

Dear Mr. Tuck:

Colorado Geological Survey has reviewed the above-referenced concept plan referral. I understand the applicant proposes an 11-story, 200 ft. tall hospital, two medical office buildings, a parking garage, and a central utility plant on 51 or 55 acres located northeast of Centennial Boulevard and W. Fillmore Street. With this referral, I received a letter requesting CGS's review (July 24, 2015), a Due Diligence Geologic Hazards Evaluation and Preliminary Geotechnical Investigation (CTL/Thompson, February 27, 2015), a Conceptual Drainage Letter (Kiowa Engineering, June 1, 2015), and a set of two Concept Plans (RTA Architects, June 12, 2015).

CTL's geologic hazard study contains appropriate *preliminary* recommendations for mitigating the site's potential hazards and geotechnical constraints, which include landslide head scarp areas, unstable and potentially unstable slopes, and areas of deep, debris-laden, uncontrolled fill.

- 1) **Landslides, unstable slopes, and potentially unstable slopes.** Extreme care must be exercised in developing the northeastern portion of the site, in the head scarp area of the Holland Park landslide. Other landslides have been observed and mapped on the east side of the site as well (MS-42 and CTL's Surficial Geologic Conditions map [Figure 2]). Structural loading and changes to existing vegetation and drainage patterns could cause renewed or accelerated movement and damage to the apartment complex to the north, residential lots to the northeast, and the commercial development to the east. CGS agrees with CTL (page 12) that the landslide complex's "relationship to the location of the CUP [central utility plant], or other buildings in close proximity, will need to be evaluated," and that "If site development is to occur in or above this area [the area north of the asphalt plant], it will need to be studied in detail."

No stability analysis has been done, and the borings that are included in CTL's report may not extend through potential slope failure surfaces – the borings near the east slope are only 20-25 ft deep, and the slope is 110-140 ft in elevation. **CGS strongly recommends that the city require detailed slope stability analyses for both the area above the Holland Park landslide scarp and the portion of the site between the asphalt plant and the northern boundary.** The stability analyses should be based on subsurface investigations, including coring to look for evidence of failure planes (bentonite seams, slickensides, and other evidence of shear) extending through lowermost possible failure planes, and should use site-specific, measured shear strength values, existing and planned slope geometry, seismic

Steve Tuck
August 24, 2015
Page 2 of 2

loading (ground acceleration) due to the close proximity of the Rampart Range fault, and planned structural loads.

Building locations may need to be adjusted westward depending on stability analysis results and the applicant's mitigation strategy and methods. Control of surface and subsurface drainage will be critical, both to reduce water infiltration in slope areas, and to help mitigate expansive soils if present.

- 2) **Deep, debris-laden, and undocumented fill materials.** CTL provides a good description of the current understanding of the depth, lateral extent, and content of the extensive fill materials present on the site. CGS agrees that the lateral extent, thickness and composition of the debris-laden fill needs to be more accurately characterized and factored into development plans.

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

Sincerely,



Jill Carlson, C.E.G.
Engineering Geologist

NEW BUSINESS CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS.: 5.A – 5.B

FILE NO(S):

5.A - CPC ZC 15-00067 – QUASI-JUDICIAL

5.B - CPC DP 15-00068 – QUASI-JUDICIAL

STAFF: HANNAH VAN NIMWEGEN

PROJECT: TUTT COMMERCIAL CENTER

APPLICANT: ROCKWELL CONSULTING; KENT ROCKWELL

OWNER: TUTT COMMERCIAL, LLC.



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a zone change and a development plan on a 4.31 acre site at 4081 Tutt Boulevard, located south of the southeast corner of Tutt Boulevard and Barnes Road. The applicant is requesting a zone change from C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay) to C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay); the only difference between the existing and proposed zone is the removal of two Conditions of Record.

The accompanying development plan illustrates a three-story, 80 room Fairfield Inn and Suites on the northern portion of the 4.31 acre site (**FIGURE 1**). A Final Plat application is being reviewed administratively.

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

BACKGROUND:

1. Site Address: 4081 Tutt Boulevard.
2. Existing Zoning/Land Use: C-5 with Conditions of Record and Airport Overlay / undeveloped
3. Surrounding Zoning/Land Use:
North: A/AO / Sky Sox Stadium parking
South: C-5/CR/AO / commercial retail center
East: A/AO/SS / Sand Creek Drainage Basin
West: PF and C-6 / Police substation and auto sales
4. Comprehensive Plan/Designated 2020 Land Use: Commercial Center
5. Annexation: Springs Ranch Addition / 1984
6. Master Plan/Designated Master Plan Land Use: Springs Ranch / Community commercial
7. Subdivision: Lot 1 of the Tutt Commercial Center at Springs Ranch, 2005
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is undeveloped with no significant changes in grade or other significant natural features

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notice was provided to 29 property owners within 500 feet of the site and to property owners potentially affected in the Island at Springs Ranch Subdivision to the east of Sand Creek (**FIGURE 3**) on three occasions: 1) after the submittal of the applications, 2) prior to the neighborhood meeting held on 8/11/15 and 3) prior to the Planning Commission meeting. Approximately nine people attended the neighborhood meeting, four of which were representing the proposal. Issues discussed at the meeting were: building height in relation to the surrounding properties; on-site lighting; and building signage which faces northeast. Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed.

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

1. Review Criteria / Design & Development Issues:

On August 26, 2008 City Council approved a zone change from C-5/CR/AO to C-5/CR/AO and a Conditional Use Development Plan to allow automotive sales in the C-5 zoning district. Due to concerns from property owners in the Island at Springs Ranch neighborhood, Conditions of Record were placed on the property through Ordinance 08-125 (**FIGURE 4**). The approved Conditions of Record cover a wide range of topics including principal use restrictions, setbacks, signage, and accessory outdoor use restrictions.

The application under review is for a zone change from C-5/CR/AO to C-5/CR/AO in order to remove the following two Conditions of Record:

3. No portion of the building or signage shall be higher than 33 feet, 6 inches.

4 (b). No building signage will be allowed on the east elevation.

Condition of Record number three in Ordinance 08-125 (**FIGURE 4**) effectively limits the building height and signage to no higher than 33'6". The proposed Fairfield Inn and Suites is a three-story, 44 foot tall building (**FIGURE 1**) with wall mounted signage approximately four feet below the highest point of the building. The C-5 zone district development standards, Section 7.3.204 of the Zoning Ordinance, allows for a maximum building height of 45 feet, and the removal of this condition would allow the hotel to construct to the proposed height and still within the maximum set by City Code.

The hotel is oriented to face southwest along Tutt Boulevard, meaning the rear of the building will face northeast (**FIGURE 1**). Condition 4 (b) states there shall not be building signage on the east elevation. Staff determined that while the proposed building does not face due east, the proposed northeast facing building signage could be construed as a violation of this condition and recommended the condition be considered for removal. Staff furthermore determined the intent of the condition was to avoid signage facing the residential homes located across the Sand Creek Drainage Basin and Springs Ranch golf course to the east. The northeast facing building signage will not be opposite any residential homes, but instead is aimed towards the Sky Sox Stadium located directly to the northeast of the subject site. To ensure this signage will not affect those who live to the east, the northeast facing building mounted signage shall be restricted to back-lit channel letters only as indicated on the building elevations (**FIGURE 1**). The back-lit channel letters was proposed by the applicant at the neighborhood meeting to which the neighbors in attendance accepted.

2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map designates this property as Commercial Center.

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

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

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

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

Policy CCA 601: New Development Will Be Compatible with the Surrounding Area

New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

It is the finding of the Land Use Review Division that the Tutt Commercial Center zone change and development plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:

The proposal is in conformance with the Springs Ranch Master Plan which is considered an Implemented master plan.

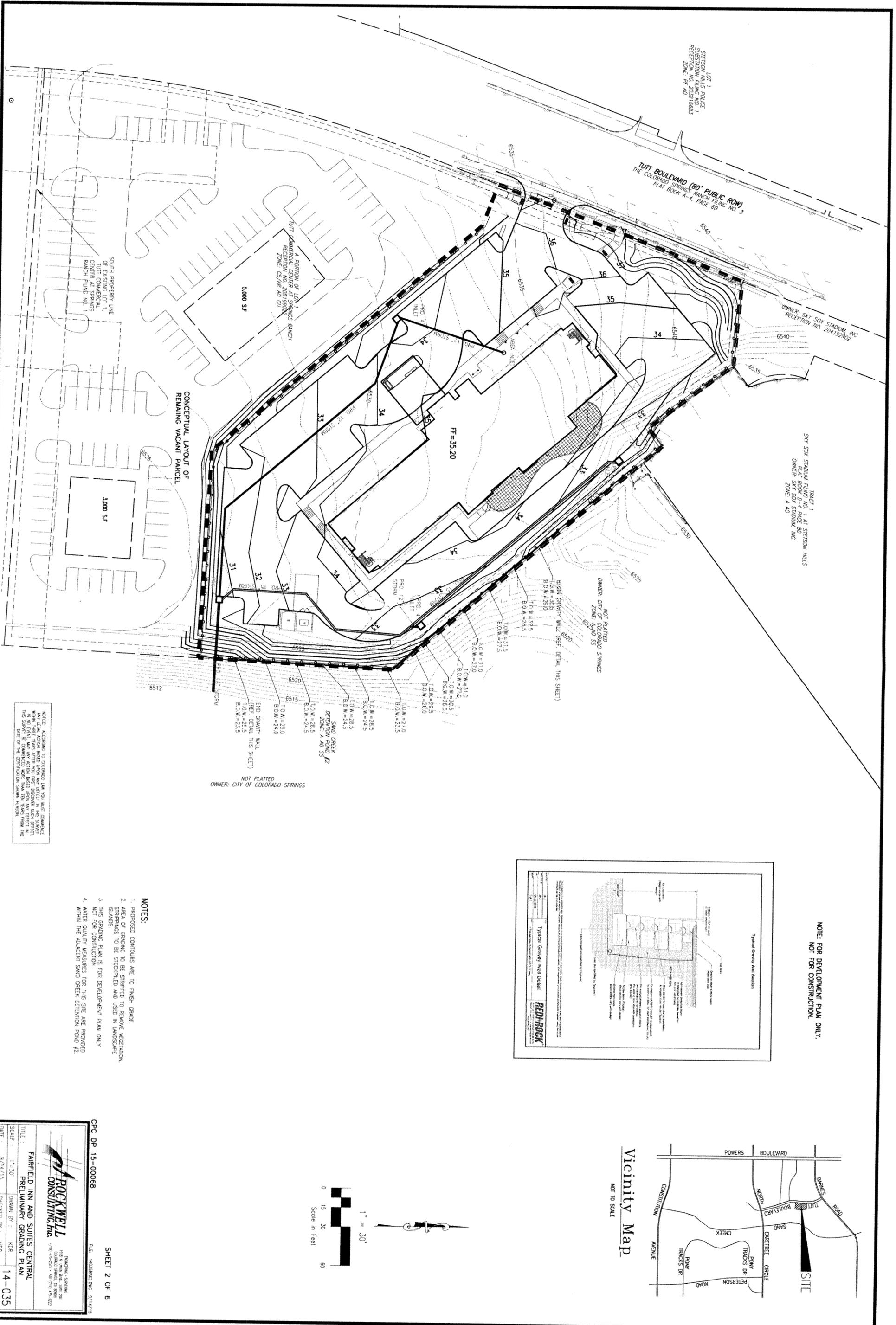
STAFF RECOMMENDATIONS:

ITEM NO.: 5.A CPC ZC 15-00067 – CHANGE OF ZONE

Approve the change of zone district from C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay) to C-5/CR/AO (Intermediate Business with Conditions of Record and Airport Overlay), based upon the finding that the zone change complies with the review criteria outlined in City Code Sections 7.5.603.B.

ITEM NO. : 5.B CPC DP 15-00068 – DEVELOPMENT PLAN

Approve the development plan for Tutt Commercial Center based upon the finding that the development plan meets the review criteria as set forth in City Code Section 7.5.502.E.



LOT 1
 STETSON HILLS POLICE
 STATION FILING NO. 1
 RECEPTION NO. 202216663
 ZONE: P1 A0

TUTT BOULEVARD (60' PUBLIC ROW)
 THE COLORADO SPRINGS RANCH FILING NO. 3
 PLAT BOOK A-4, PAGE 60

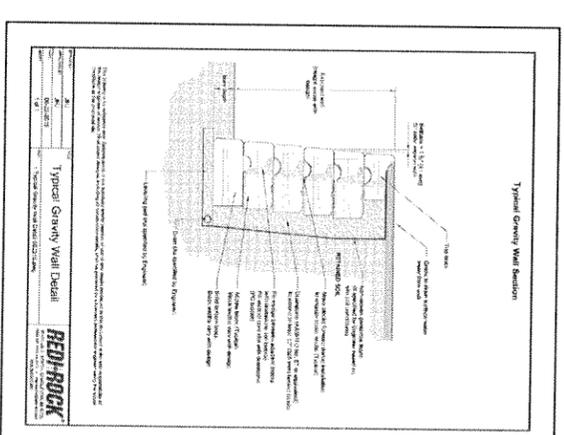
OWNER: SKY SOX STADIUM, INC.
 RECEPTION NO. 204192902

TRACT 1, LOT 1 AT STETSON HILLS
 SKY SOX STADIUM FILING NO. 1
 PLAT BOOK D-4, PAGE 80
 OWNER: SKY SOX STADIUM, INC.
 ZONE: A A0

NOT PLATTED
 OWNER: CITY OF COLORADO SPRINGS
 ZONE: A A0 SS

NOT PLATTED
 OWNER: CITY OF COLORADO SPRINGS

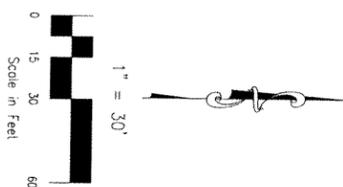
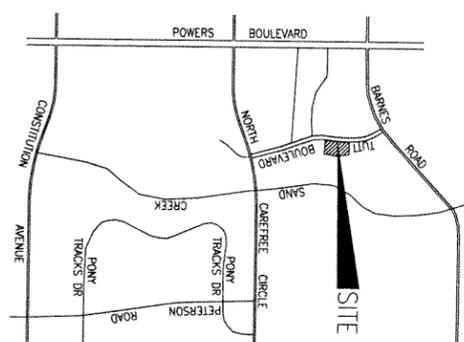
NOTE: FOR DEVELOPMENT PLAN ONLY.
 NOT FOR CONSTRUCTION.



- NOTES:**
1. PROPOSED CONTOURS ARE TO FINISH GRADE.
 2. AREA OF GRADING TO BE STRIPPED TO REMOVE VEGETATION STRIPPINGS TO BE STOCKPILED AND USED IN LANDSCAPE ISLANDS.
 3. THIS GRADING PLAN IS FOR DEVELOPMENT PLAN ONLY NOT FOR CONSTRUCTION.
 4. WATER QUALITY MEASURES FOR THIS SITE ARE PROVIDED WITHIN THE ADJACENT SAND GREEN DETENTION POND #2.

NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS GRADING PLAN WITHIN 180 DAYS OF THE DATE OF THE GRADING PLAN. ANY DEFECT IN THIS GRADING PLAN MUST BE COMMENCED WITHIN 180 DAYS FROM THE DATE OF THE GRADING PLAN. ANY DEFECT IN THIS GRADING PLAN MUST BE COMMENCED WITHIN 180 DAYS FROM THE DATE OF THE GRADING PLAN.

Vicinity Map
 NOT TO SCALE



CPC DP 15-00068

ROCKWELL CONSULTING, INC.
 CONSULTING - GRADING
 1025 N. PULASKI ST., SUITE 200
 DENVER, CO 80202
 (303) 733-2025 • FAX (303) 455-8023

FAIRFIELD INN AND SUITES CENTRAL
 PRELIMINARY GRADING PLAN

DATE: 9/14/15
 SCALE: 1"=30'
 DRAWN BY: KDR
 CHECKED BY: KDR

14-035

SHEET 2 OF 6

FIGURE 1

SCHEMATIC LANDSCAPE DIAGRAM

- CLIMATE ZONE: FOOTHILLS FOOTHILLS & PLAINS PLAINS
- PLANT COMMUNITIES (LABELLED BY NUMBERS) ON DIAGRAM
1. SEMI-ARID SHRUBLANDS
 2. PINON-JUNIPER WOODLANDS
 3. PRAIRIE
 4. LOWER ELEVATION RIPARIAN
 5. FOOTHILL SHRUBLANDS
 6. PONDEROSA PINE FOREST
 7. UPPER ELEVATION RIPARIAN
 8. DOUGLAS-FIR FOREST
- HYDROZONES (LABELLED BY LETTERS ON DIAGRAM)
- V - VERY LOW (0 TO 7 INCHES)
 L - LOW (7 TO 15 INCHES)
 M - MODERATE (15 TO 25 INCHES)
 H - HIGH (MORE THAN 25 INCHES)

WATER REQUIREMENTS

- D - DRY - REQUIRES 13.2" OF PRECIPITATION
 A - ADAPTIVE - REQUIRES 18.2" OF PRECIPITATION
 S - STEADY - REQUIRES 23.3" OF PRECIPITATION
 W - WET - REQUIRES OVER 36" OF PRECIPITATION

SITE CATEGORY CALCULATIONS

LANDSCAPE SETBACKS (LSA) AND BUFFER (BUF)

STREET NAME OR ZONE BOUNDARY	STREET CLASSIFICATION	WIDTH (IN FT.)	LINEAR TREEFEET REQUIRED	NO. OF TREES REQUIRED	25% OF TREES MAX. SHRUB SUBSTITUTES REQUIRED/PROVIDED	ORNL GRASS SUBST. REQUIRED/PROVIDED	SETBACK PLANT ABR. DENOTED ON PLAN	PERCENT GROUND PLANE VEG. REQ./PROVIDED
TUTT BLVD.	MINOR ARTERIAL	20/20'	188'	1/25 FT.	6/0/6	0/0	TUTT-LSA	75%/75%
NORTH BOUNDARY	BUFFER	15/15'	433'	1/20 FT.	220/16	6/0/0	NSS	N.A.
EAST BOUNDARY	BUFFER	15/15'	152'	1/20 FT.	8/0/6	0/0	BUF	N.A.
SOUTH BOUNDARY	NON-STREET	0/10'	494'	1/30 FT.	150/18	0/0	BUF	N.A.

INTERNAL LANDSCAPE AREAS (IIA)

TOTAL SITE NET AREA	THIS SUBMITTAL 5% REQUIRED LANDSCAPE	THIS SUBMITTAL NO. OF TREES REQUIRED/PROVIDED	SHRUB SUBSTITUTES REQUIRED/PROVIDED	ORNL GRASS SUB. REQ./PROVIDED	PERCENT GROUND PLANE VEG. REQ./PROVIDED
807282 SF.	40364 SF./5.0%	5041	10000	10000	75%/75%

MOTOR VEHICLE LANDSCAPE AREAS (MVL)

PARKING ONTY ON SITE	NO. OF TREES REQ./PROVIDED	PARKING LOT BY STREET FRONTAGE	LENGTH OF FRONTAGE	LENGTH OF FRONTAGE	MIN. 3 SCREEN PLANTS REQ./PROVIDED	EVERGREEN PLANTS REQ. (50%/PROVIDED)	VEHICLE LOT PLANT ABR.	PERCENT GROUND PLANE VEG. REQ./PROVIDED
9-NORTH LOT	10/1	CITY PROPERTY	73 L.F.	49 L.F.	12	6	M/V	75%/75%
11-WEST LOT	10/1	TUTT BLVD.	288 L.F.	.	.	.	M/V	75%/75%
41-SOUTH LOT	30/3	PRIVATE PROPERTY	29 L.F.	.	.	.	M/V	75%/75%
10-EAST LOT	10/1	OPEN SPACE	N/A	N/A	N/A	N/A	N/A	75%/75%
83-TOTAL	60/6							

*ALTERNATIVE COMPLIANCE REQUESTED: USE EVERGREEN TREES AND GRADES ALONG EAST AND SOUTH TO SCREEN PARKING LOT.

PLANT SCHEDULE

NOTE: QUANTITIES SHOWN FOR CITY SUBMITTAL ONLY/NOT FOR CONSTRUCTION

EXIST SYMBOL	ABBREV	PRO QNTY	KEY FROM BOTANICAL NAME	MATURE COMMON NAME	PLANTING APPENDIX B*	WIDTH***	SIZE	NOTES
AG	8	ACER GINNALA FLAME	GLAME AMUR MAPLE	457A	15-20'	6-8" CAL	BBB, M/L-1-TRUNK	
CO	6	CELTIS OCCIDENTALIS	WESTERN HACKBERRY	3457DA	40-50'	2" CAL	BBB	
GT	3	GLEDITSIA TRICANTHUS SKYLINE	SKYLINE HONEYLOCUST	45A	30-50'	2" CAL	BBB	
MF	6	MALUS SP. 'SPRING SNOW'	SPRING SNOW CRABAPPLE	467S	15-20'	1-1 1/2" CAL	BBB	
PE	12	PINUS EDULIS	PINON PINE	1298D	12-15'	8-8 HT	BBB	
PP	25	PINUS PONDEROSA	PONDEROSA PINE	2078D	20-30'	6-8 HT	BBB, 8-12 HT.	
QM	5	QUERCUS MACROCARPA	BURR OAK	4DA	40-60'	2" CAL	BBB	

PERCENT SIGNATURE TREES: 100%
 (90% MINIMUM - POLICY 333.3(K))

SIGNATURE TREES: 65
 TOTAL NO. OF TREES: 65 = 100% SIGNATURE TREES

*CLASSIFIED AS N, B, H, OR M IN APPENDIX B. SELECTED PLANTS FOR COLORADO SPRINGS
 N - NATIVE PLANT
 B - "BORROWED" NATIVE PLANT
 C - COMPATIBLE PLANT
 H - HISTORICAL V ADAPTED PLANT
 C - COMPATIBLE PLANT
 S - FORESTRY STREET TREE

A FINAL LANDSCAPE AND IRRIGATION PLAN SHALL BE SUBMITTED AND REVIEWED CONCURRENT WITH BUILDING PERMIT SUBMITTAL AND APPROVED PRIOR TO ISSUANCE OF A BUILDING PERMIT

PRELIMINARY LANDSCAPE - NOT FOR CONSTRUCTION

design COLLABORATIVE
 landscape architecture-landscape architecture
 1925 S. Union Blvd., Ste. 200
 Colorado Springs, CO 80902
 Phone: 719-271-9873
 Fax: 719-271-9860 (f)

FAIRFIELD INN & SUITES CENTRAL
 RED RIVER DEVELOPMENT
 COLORADO SPRINGS, COLORADO

REVISION

DATE: 8/26/15

SHEET TITLE: PRELIMINARY LANDSCAPE COVER SHEET

SHEET NO.:

CITY NO.:

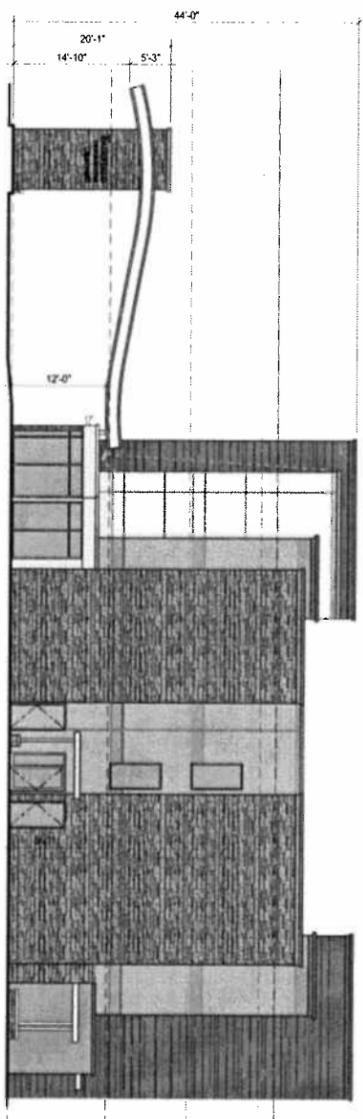
LP-001
 SHT. 4 OF 6

CPC DP 15-00068

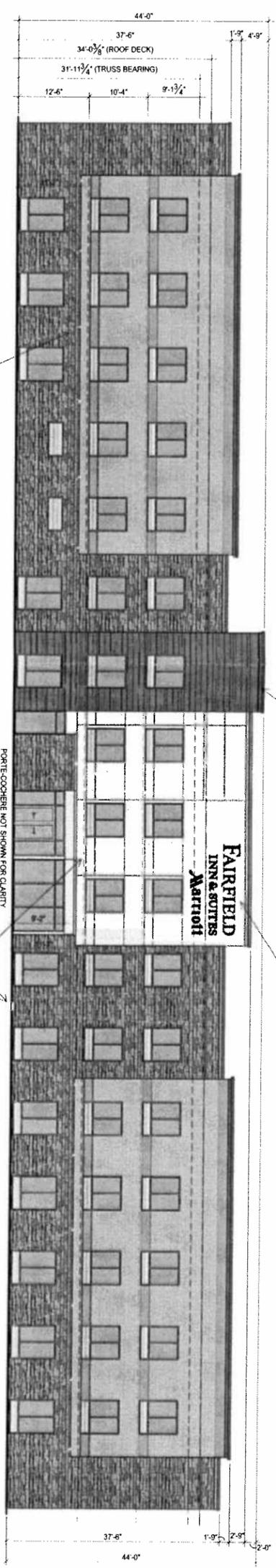
FIGURE 1



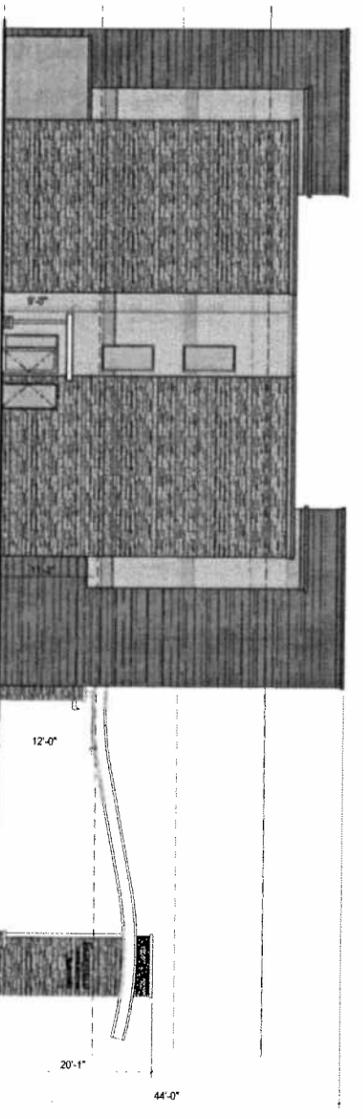
FINISH LEGEND	
	STONE VENEER POMPERICO LEDGE STONE
	EIFS Blend of browns and tans (earth tones)
	EIFS COLOR TBS
	Off white
	EIFS COLOR TBS
	Tan
	EIFS COLOR TBS
	Light brown matching one of the stones
	FIBER REINFORCED CONCRETE PANELS MANUFACTURE TBS COLOR: CEDAR TBS
	Cedar w/ wood grain texture
	GLAZING THERMALLY BROKEN POWDER COATED ALUMINUM FRAMES, LOW-E COATED GLASS



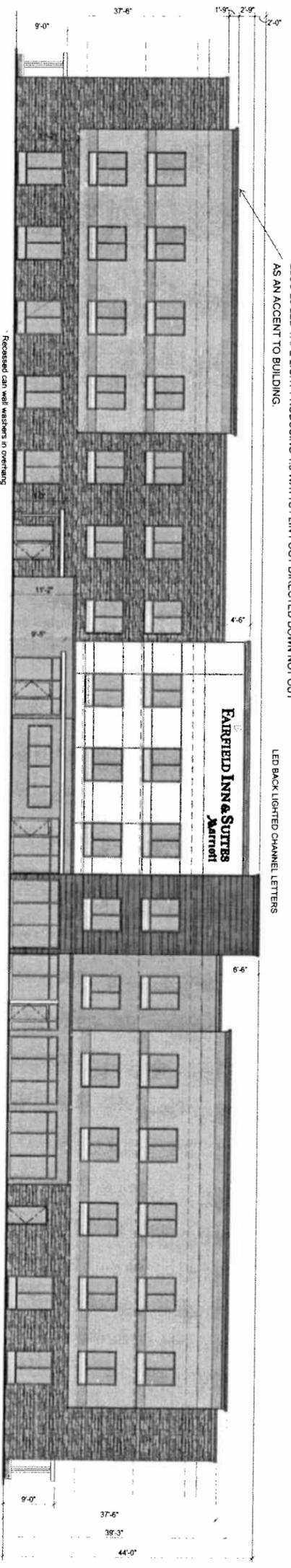
2 SIDE ELEVATION
 SCALE: 3/32" = 1'-0"



1 FRONT ELEVATION
 SCALE: 3/32" = 1'-0"



3 SIDE ELEVATION
 SCALE: 3/32" = 1'-0"



4 REAR ELEVATION
 SCALE: 3/32" = 1'-0"

Z3 FIXTURE
 HORIZONTAL LED LIGHT STRIPS - 1.5 W / LIN FOOT
 EICO - EM 7480

INDIVIDUAL CHANNEL LETTERS WITH LED BACK LIGHTING
 SIGNAGE IS NOT APPROVED WITH THIS PLAN.

Recessed can wall washers in overhang
 lighting the stone below.

PORTICO/BENCH NOT SHOWN FOR CLARITY

VERTICAL LIGHT FROM LED FIXTURES ILLUMINATING WALL SURFACE BETWEEN WINDOW. A SOFT GLOW OF LIGHT ONLY ON THE FRONT ELEVATION OF THE BUILDING.

EICO Z3 LED TAPE LIGHT PRODUCING 1.5 WATTS / LIN FOOT DIRECTED DOWN NOT OUT
 AS AN ACCENT TO BUILDING.

LED BACK LIGHTED CHANNEL LETTERS

Recessed can wall washers in overhang
 lighting the stone below.

CASE NUMBER
 CPC DP 15-00068

EXTERIOR
 ELEVATIONS
 6 of 6

REVISIONS
08-25-2015

FAIRFIELD INN & SUITES
 MARRIOTT #9280523, COLORADO SPRINGS, CO
 FOR
 RED RIVER DEVELOPMENT GROUP

JCCrowds ARCHITECTS LLC
 7838 E. 63rd Pl., Suite 300, Tulsa, OK 74133 • 918-682-4200
 www.JCCArchitects.com • RFI@JCCArchitects.com

THIS DOCUMENT IS
 PRELIMINARY IN NATURE
 AND IS NOT THE FINAL
 FIGURE AND SEALED
 DOCUMENT. THIS
 DOCUMENT SHALL NOT
 BE USED FOR
 CONSTRUCTION.

FIGURE 1



September 14, 2015

Ms. Hanna Van Nimwegen
City of Colorado Springs Land Use Department
30 S. Nevada Avenue
Colorado Springs, CO 80901

RE: Fairfield Inn and Suites Central
A Portion of Lot 1, Tutt Commercial Center at Springs Ranch Filing No. 1

Dear Ms. Van Nimwegen:

DESCRIPTION:

The subject site is located approximately 900 feet south of Barnes Road on the east side of Tutt Boulevard. The site consists of 2.06 acres and is a portion of Lot 1, Tutt Commercial Center at Springs Ranch Filing No. 1. The site is currently vacant. Sand Creek Detention Pond #2 is located directly east of the subject site and the Sky Sox parking lot is located northeast of the site.

The proposed development of the site includes an 80-room, 3 story hotel building with associated parking. The site is accessed from Tutt Boulevard and will have a looped driveway around the entire building. The on-site parking lot will provide 79 regular parking stalls and 4 handicap stalls where 80 total spaces are required.

A zone change request is included as part of this submittal. The current zoning for the parcel is C5 with a height restriction of 33 feet per the Condition of Record (Ordinance No. 08-125. The proposed zone change involves eliminating the Condition of Record height restriction and allowing the height of the building to be 45 feet as per allowable building height for C5 zoning. The Zone Change request also involves the removal Condition of Record Item 4b from the previous Conditions of Record, allowing signage on the northeast corner of the building.

JUSTIFICATION:

According to Zoning Code Section 7.2.204, building height in C5 zone area is 45'. The maximum height of the proposed building is 44 feet, with a majority of the building height being 40 feet and the proposed roof type is a flat roof. Therefore, the proposed building height would be below the allowed C5 zone area allowable building height.

According to Zoning Code Section 7.2.201, building height in a non-hillside zone is measured 5 feet below the highest point of the roof surface of a flat roof. Therefore, the maximum building height is 39 feet tall (for the 44 feet building height) and the majority of the building height is 35feet tall (for the majority of the building height of 40 feet).

In addition, on the west side of Tutt Blvd., the existing police station building has a top of building elevation of 6573.30 as shown in a recent survey. The proposed top of building elevation for the hotel building is 6584.00 for the highest roof line and 6579.00 for the majority of the rest of the roof line; therefore, is only 5.5 feet higher than the police building. Therefore, along Tutt Blvd., the scale of buildings will be similar.

The removal of Condition of Record 4b is justified due to the buildings orientation to the northeast instead of directly to the east where there are existing residential homes.

The rest of the site complies with the C5 zone area requirements.

Therefore, it is requested that the zone change be approved which would eliminate the building height restriction of 33' and establish the allowed building height restriction of 45'.

ISSUES LIST:

1. The site will need to be rezoned to account for a 44 feet total structure height. As noted in the Justification above, a rezoning request to eliminate the existing 33 feet maximum height restriction is part of this process..
2. There is also a slight encroachment of the perimeter drive isle into the 15' landscape setback along the northeasterly property line. An alternative compliance was submitted with the Development Plan submittal and is being reviewed by the City's Landscape Architect to determine acceptability. The justification for the alternative compliance includes the loop road requirement around the entire site; the 15' landscape buffer exists remaining east property and the south landscape buffer ranges from 18'-27' in depth; and the area near this encroachment will be planted with screen plantings.
3. Site lighting was a concern of the neighbors. Full cut off lighting fixtures will be used to direct parking lot lighting downward onto the proposed parking lot.
4. Building signage on the (rear) of the building, along with this signage being lit, was also a concern with planning and neighbors. The building signage on both the front and rear elevations of the building consist of individual letters being back-lit to reduce off-site light emission. Also, there is no proposed building signage on the end of the building facing southeast.

Should you have any questions regarding this development, please contact us at 719-475-2575.

Sincerely,

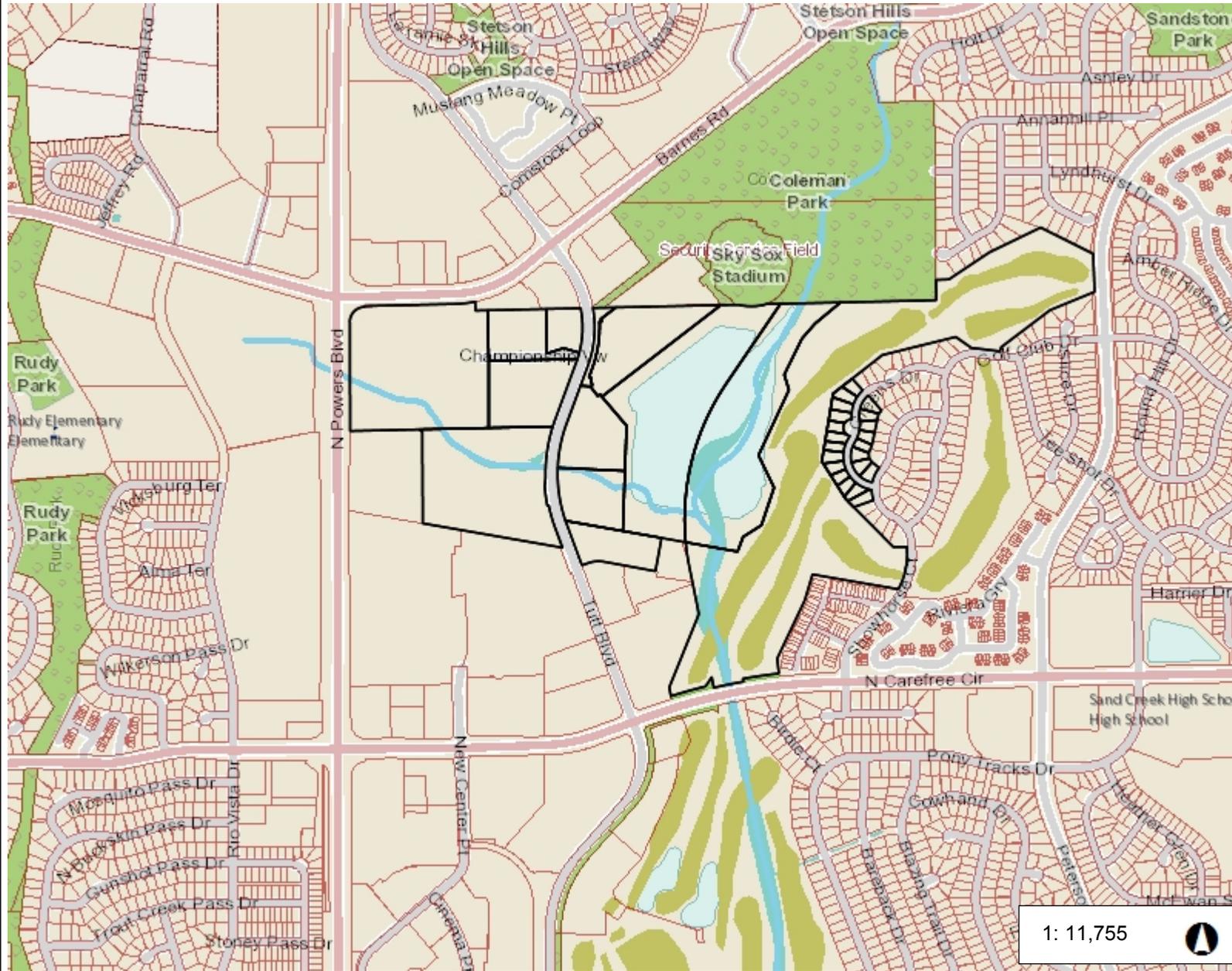


Rockwell Consulting, Inc.

Kent Rockwell



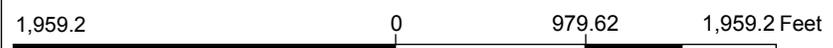
CPC DP 15-00068 Tutt Commerical Center



Legend

- Parcels
- National Forest
- Parks
- Military
- Towns
- County Boundary
- Place Labels
- Bus Stops
- Hospitals
- Schools
- Streets**
- Interstate
- Major Roads
- Local Roads
- Ramps
- Trails_Parks
- Trails_Urban_Paved
- Trails_Urban_Gravel
- Trails_Urban_Natural
- Creeks
- Railroads
- Parcels
- Golf Fairways
- Streams
- Parks
- Lakes

1: 11,755



NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet
 © Latitude Geographics Group Ltd.

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Notes

FIGURE 3

ORDINANCE NO. 08- 125

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 4.3 ACRES LOCATED AT 4081 TUTT BOULEVARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The zoning map of the City of Colorado Springs is hereby amended by rezoning 4.3 acres from C-5/cr/AO-CAD (Intermediate Business with conditions of record and Airport Overlay - Commercial Airport District) to C-5/cr/AO-CAD (Intermediate Business with conditions of record and Airport Overlay - Commercial Airport District) located at 4081 Tutt Boulevard for the property described in Exhibit A, attached hereto and made a part hereof by reference, pursuant to the Zoning Ordinance of the City of Colorado Springs, subject to the following conditions of record:

Conditions of Record:

1. The following uses shall not be permitted:
 - a. All residential uses
 - b. Construction / contractor yard
 - c. Sexually oriented businesses
 - d. Crematory
 - e. Bars, to include taverns, lounges, nightclubs, and other like uses, with the exception of restaurants
2. The following minimum yard dimensions apply:
 - a. Front yard: twenty five feet (25')
 - b. Side yard: twenty five feet (25')
 - c. Rear yard: twenty five feet (25')
 - d. Setbacks are to be measured from the exterior property line of the zone district. Setbacks from the interior lot lines are as per the development plan.
3. No portion of the building or signage shall be higher than 33 feet, 6 inches.
4. Signage requirements:
 - a. Freestanding signs shall be limited to the following:
 1. one sign at a maximum of 150 square feet and twenty-five (25) feet tall.
 2. two signs at a maximum of 75 square feet and twelve (12) feet tall.
 - b. no building signage will be allowed on the east elevation.
5. No outdoor repair or service of vehicles is allowed.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read and passed on first reading and ordered published this 12th day of August, 2008.



Mayor

ATTEST:



City Clerk

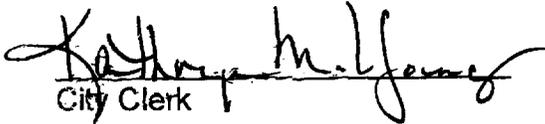
CPC ZC 08-00069 / II

Finally passed, adopted and approved this 26th day of August, 2008.

ATTEST:



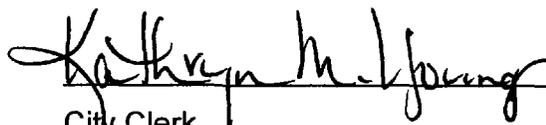
Mayor



City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled **"AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 4.3 ACRES LOCATED AT 4081 TUTT BOULEVARD"** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 12, 2008; that said ordinance was passed at a regular meeting of the City Council of said City, held on the 26th day of August, 2008, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Daily Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 26th day of August, 2008.



City Clerk

EXHIBIT A

CPC ZC 08-00069 – CHANGE OF ZONING

Legal Description:

Lot 1, Tutt Commercial Center at Springs Ranch

City Clerk's Office only: item # 3-B-12A

08-125



FORMAL AGENDA ITEM

COUNCIL MEETING DATE : August 12, 2008

TO: Honorable Mayor and Members of City Council

VIA: *Penelope Culbreth-Graft*
Penelope Culbreth-Graft, DPA- City Manager

FROM: William T. Healy, Planning and Community Development Director
Lonna Thelen, Planner II

W. T. Healy

SUBJECT: Phil Long Valucar – 4081 Tutt Blvd

Strategic Goal(s) this item supports:



SUMMARY:

A request by Art C. Klein Construction on behalf of Tutt Commercial Center, LLC for approval of the following:

- a) A zone change, and
- b) A conditional use development plan

The 4.3-acre site is located southeast of Powers Blvd. and Barnes Road on Tutt Blvd. and zoned Intermediate Business with conditions of record and Airport Overlay – Commercial Airport District (C-5/cr/AO-CAD). Minor changes were made to the signage and lighting for the development plan and conditions of record by the City Planning Commission.

BACKGROUND:

The attached Planning Commission Record-of-Decision and staff report from the July 17, 2008 meeting provide the background information.

BOARD/COMMISSION RECOMMENDATION:

The Planning Commission voted 5-3 to approve all of the requests at their July 17, 2008 meeting. The revised conditions of record and technical modifications are contained in the Record-of-Decision.

City Council Memo
Phil Long Valucar – 4081 Tutt Blvd.
Page 2

STAKEHOLDER PROCESS:

A neighborhood meeting was held on May 5, 2008, with approximately 42 neighbors and staff in attendance. A second neighborhood meeting was held on June 5, 2008, with approximately 28 neighbors and staff in attendance.

The public process involved with the review of these applications included posting of the site and sending postcards on three separate occasions to all property owners within a customized buffer area (to include portions of the Island at Springs Ranch). The site was posted again for the City Planning Commission hearing and the City Council hearing.

ALTERNATIVES:

1. Uphold the action of the City Planning Commission.
2. Modify the decision of the City Planning Commission.
3. Reverse the action of the City Planning Commission.
4. Refer the matter back to the City Planning Commission for further consideration.

RECOMMENDATION:

City Planning staff recommends City Council approve the requested land use applications.

PROPOSED MOTION:

CPC ZC 08-00069 – CHANGE OF ZONING

Approve the zone change from C-5/cr/AO-CAD (Intermediate business with conditions of record and Airport Overlay – Commercial Overlay District) to C-5/cr/AO-CAD (Intermediate business with conditions of record and Airport Overlay – Commercial Overlay District) subject to modifications to the conditions of record as recommended by City Planning Commission, based on 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

CPC CU 08-00070 – CONDITIONAL USE DEVELOPMENT PLAN

Approve the Phil Long Valucar Development Plan with revisions as recommended by City Planning Commission based upon the finding that the development plan complies with the conditional use review criteria in City Code Section 7.5.704.

- c: Dick Anderwald, Land Use Review Manager
File Copy (CPC ZC 08-00069, CPC CU 08-00070)

List of attachments for this item:

- Zoning Ordinance
- Development Review Criteria
- CPC Record-of-Decision
- CPC Staff Report

NEW BUSINESS CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NO: 6

FILE NO: CPC MP 15-00102-URA

STAFF: PETER WYSOCKI

PROJECT: SOUTH NEVADA AVENUE AREA URBAN RENEWAL PLAN
APPLICANT: COLORADO SPRINGS URBAN RENEWAL AUTHORITY AND
CITY OF COLORADO SPRINGS
OWNER: N/A



PROJECT SUMMARY:

1. Project Description: This is a request by the Colorado Springs Urban Renewal Authority for the Planning Commission to determine that the proposed South Nevada Avenue Area Urban Renewal Plan is consistent with the City of Colorado Springs 2001 Comprehensive Plan.
2. Applicant's Project Statement: The proposed urban renewal plan was adopted by the City of Colorado Springs Urban Renewal Authority and is supported by the City of Colorado Springs as a proactive initiative to assist in the redevelopment of the South Nevada Avenue corridor.

3. Planning and Development Department's Recommendation: Staff recommends that the City Planning Commission find that the proposed South Nevada Avenue Urban Renewal Plan is consistent and complies with the City of Colorado Springs 2001 Comprehensive Plan.

BACKGROUND:

1. Existing Zoning/Land Use: Majority of the area is zoned C5; peripheral areas are zoned R2 and R5.
2. Surrounding Zoning/Land Use: Commercial and residential.
3. Comprehensive Plan/Designated 2020 Land Use: Mature Development Corridor.
4. Zoning Enforcement Action: None identified.
5. Physical Characteristics: The area is relatively flat and is mostly consists of mature development. The majority of the area is within both the 100 and 500-year floodplains. It should be noted that the existence of the floodplain does not preclude the establishment of an urban renewal plan, nor does the urban renewal plan address floodplain mitigation. However, the floodplain does pose development challenges and likely increases the cost of redevelopment.

ZONING AND FLOODPLAIN MAP



STAKEHOLDER PROCESS AND INVOLVEMENT:

The Colorado Springs Urban Renewal Authority has followed the requirements of Colorado Revised Statutes (CRS) 31-25-107. Notification of a blight conditions survey was sent to the property owners with the proposed urban renewal plan area. Colorado Springs Urban Renewal Authority (CSURA) held a public open house on August 18, 2015. CSURA Board held a public hearing on the conditions survey on August 26, 2015 and a public hearing on urban renewal plan on September 23, 2015. The CSURA Board approved the conditions survey at the August 26th meeting and adopted the plan at the September 23rd meeting.

In addition to the “official” hearings and a neighborhood meeting, City and CSURA staff have discussed the redevelopment of this area with several key property owners for quite some time; and in fact, the City’s Economic Development Office has formed an internal working group to review and address several multi-disciplinary issues including: planning/land use, floodplain, access/traffic and utilities.

Review by other City departments and external agencies is not necessary at this point. Development related reviews will occur once development applications are submitted for specific projects.

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

1. Approval of an Urban Renewal Designation:

Urban renewal authorities, urban renewal plans and the use of tax increment financing (TIF) are regulated by CRS Title 31, Article 25. The intent of urban renewal plans is to encourage and facilitate redevelopment and to eliminate blight within the designated area, ideally consistent with a city's comprehensive plan. For the purpose of urban renewal, "blighted area" is defined in CRS. In order for an area to be classified as blighted, it must exhibit 4 of 12 characteristics also stipulated in CRS.

In accordance with CRS 31-25-107(2), prior to City Council approval of an urban renewal plan or a substantial amendment to an existing plan, the plan or amendment must first be reviewed and a recommendation offered by the City Planning Commission regarding its conformity to the City Comprehensive Plan. If no recommendation is offered by the City Planning Commission within 30 days of submittal, the City Council may proceed to act upon the submitted plan or amendment.

Pursuant to CRS, urban renewal plans sunset 25 years after their adoption. The URA has several methods it can fund eligible improvements including: issuance of bonds, borrowing, creation of indebtedness, and reimbursement. Whichever method is used the URA repays the funds or debt by using the revenue generated from the incremental increase in sales and property taxes collected within the urban renewal area - this is commonly referred to as tax increment financing or "TIF". It should be noted that creation of an urban renewal area does not change the tax rate - the tax increment yields are generated by the increases in property values and sales of taxable goods above the taxes collected prior to the adoption of the plan. (Typically, the year prior to or the year a plan was adopted serves as the "base year" from which the increment is determined. The "base year" rates are later adjusted every two years to establish a new base.) It should be noted that CSURA normally receives 100% of the property tax increment; however, the portion of the City's 2% of the general sales tax increment is negotiated through a separate agreement with the City. Other special City taxes such as PPST or TOPS are not subject to the TIF.

Comprehensive Plan/Master Plan Conformance: The role of the Planning Commission is clearly defined in CRS. The Planning Commission is responsible for determining if the proposed urban renewal plan is consistent with the City's Comprehensive Plan.

Staff believes that the South Nevada Avenue Area Urban Renewal Plan is consistent with and implement the Policies and Strategies of the 2001 Comprehensive Plan. Specifically:

- a. Neighborhood Chapter Policies and Strategies, which generally state that the City should promote neighborhood revitalization, redevelopment, utilize incentives and improve infrastructure. The proposed urban renewal plan provides a mechanism to fund improvements that otherwise may not be feasible due to the blighted conditions of the area and improvements needed to redevelop in a 100-year floodplain. The area is located in a mature and highly visible corridor that has not seen redevelopment or reinvestment like other parts of the City. Eliminating blight is critical to continued successful revitalization of the Southern portion of the City.
- b. Land Use Chapter Policies and Strategies, which encourage varying neighborhood patterns and mix of land uses. In its entirety, the South Nevada Avenue redevelopment area consists of and provides an even a greater opportunity for mix of residential and commercial uses. In a larger context, the South Nevada Avenue redevelopment area is compatible with the surrounding neighborhoods and development patterns.

Big Picture Analysis: As presented to the Planning Commission at the August 13, 2015 informal meeting, the objective of this urban renewal plan is to assist several key landowners in improving the South Nevada Avenue corridor by offering TIF financing for various public improvements such as South Nevada Avenue streetscape, utilities, drainage and floodplain. Unlike most other urban renewal plans, this has been a somewhat hybrid approach – meaning its genesis was from CSURA's (and the City's) new vision

to become more proactive in utilizing urban renewal as a tool to eliminate blight and revitalize neighborhoods, particularly City gateway corridors. At its 2015 strategic planning meeting, the CSURA Board identified the South Nevada Avenue corridor as one of the highest priority areas ripe for redevelopment and utilization of urban renewal.

In addition to CSURA's objective to become a more proactive agency, City staff has been working with landowners on redeveloping several sections of the South Nevada area. Together, the landowners, CSURA and the City, feel that redevelopment of key commercial and residential nodes and improvement to public infrastructure will stimulate the revitalization of the entire corridor.

Future Actions: Upon Planning Commission's recommendation, the urban renewal plan will be forwarded to the City Council for their consideration and adoption. Urban renewal plans do not determine tax sharing or other financial obligations. A tax sharing agreement will be determined based upon the cost of redevelopment, financial gaps, final project design and negotiations with the City. Once final project financials, economic analysis, and pro-forma are finalized, a separate tax sharing agreement will be presented to the City Council.

STAFF RECOMMENDATION:

ITEM No. 6: CPC MP 15-00102-URA

Recommend approval of the South Nevada Avenue Area Urban Renewal Plan to the City Council based on the finding that it is consistent with the City's 2001 Comprehensive plan.

Attachments

FIGURE 1 – South Nevada Avenue Area Urban Renewal Plan
FIGURE 2 – Conditions Survey



South Nevada Avenue Area Urban Renewal Plan

City of Colorado Springs, Colorado

September 2015

Prepared for:

Colorado Springs Urban Renewal Authority (CSURA)
City of Colorado Springs City Council

Prepared by:

Ricker|Cunningham
8200 South Quebec Street, Suite A3-104
Centennial, CO 80112

303.458.5800 phone
303.458.5420 fax

www.rickercunningham.com

South Nevada Avenue Area Urban Renewal Plan

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South Nevada Avenue Area

Urban Renewal Plan

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South Nevada Avenue Area Urban Renewal Plan

City of Colorado Springs, Colorado

1.0 Introduction

1.1 Preface

This South Nevada Avenue Area Urban Renewal Plan (the “**Plan**” or the “**Urban Renewal Plan**”) has been prepared for the City of Colorado Springs (“**City**”). It will be carried out by the Colorado Springs Urban Renewal Authority (the “**Authority**” or “**CSURA**”), pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “**Act**”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the **Authority**.

1.2 Blight Findings

Under the **Act**, an urban renewal area is a blighted area, which has been designated as appropriate for an **Urban Renewal Project**. In each urban renewal area, conditions of blight, as defined by the **Act**, must be present, and in order for the **Authority** to exercise its powers, the **City Council** must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.”

The South Nevada Avenue Area Urban Renewal Plan Area Conditions Survey (the “**Survey**”), prepared by RickerCunningham, dated August, 2015, and presented to the **Authority** under separate cover, demonstrates that the South Nevada Avenue Area (the “**Area**”), as defined in the **Survey** (therein referred to as the “**Study Area**”), is a blighted area under the **Act**.

1.3 Other Findings

The **Area**, as described in more detail in Section 1.4 below, will be eligible for one or more urban renewal activities and undertakings authorized by the **Act** to be advanced by the **Authority**. To this end, it is the intent of the **City Council** in adopting this Plan that the **Authority** has available to it any and all powers authorized in the **Act** which are necessary and appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the **Authority** exercises these powers for the elimination of qualifying blighting conditions in the **Area** and furtherance of the goals and objectives of the community's general plan. Because powers conferred by the **Act** are intended to advance improvements for which public money may be expended, the intent of this Plan is considered to be in the public interest and a necessity -- such finding being a matter of legislative determination by the **City Council**.

1.4 Urban Renewal Area Boundaries

The **Area** is comprised of 240 parcels representing approximately 96 acres including adjacent rights-of-way. All of the properties and improvements are located in the south central portion of the city of Colorado Springs between East Cheyenne Road on the south, Interstate 25 on the north, South Wahsatch Avenue on the east, and South Cascade Avenue on the west in the city of Colorado Springs and El Paso County, Colorado all within the city limits, and the vast majority of parcels are owned by a local individual or business interest. Uses in the Area include a mix of commercial retail, lodging, employment (office and industrial), higher-density residential product types and parks, trails and open space, with commercial being the dominant land use.

1.5 Public Participation

All property owners were notified of the Conditions Survey by postcard as required by the Act and a notice was published in the Colorado Springs Gazette. A public open house was conducted on August 18, 2015 to explain the urban renewal planning process and address questions posed by the attendees. The **CSURA** will consider the **Plan** on September 23, 2015 at a regular meeting of the **Authority**. The Planning Commission will review the **Plan** on October 15, 2015 and determine if it is consistent with the City's **Comprehensive Plan**, adopted 2001. The Colorado Springs City Council will consider adoption of the Plan at a public hearing on November 24, 2015. All property owners of record were notified of the public hearing, and as required by the **Act**, notice appeared

Figure No. 1: South Nevada Avenue Area Urban Renewal Plan Area



South Nevada Avenue Area Urban Renewal Plan (9.23.2015)

FIGURE 1

in the Colorado Springs Gazette, the community's designated legal newspaper of general circulation.

2.0 Definitions

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as currently in effect. Unless otherwise stated, all capitalized and bolded terms herein shall have the same meaning as set forth in the **Act**.

Area or Urban Renewal Area – means the South Nevada Avenue Area Urban Renewal Plan Area as depicted in Figure No. 1.

Authority – means the City of Colorado Springs Urban Renewal Authority (the **Authority**).

Base Amount – means that portion of *property taxes* which are produced by the levy at the rate fixed each year by or for taxing entities upon the valuation for assessment of taxable property in the single **Tax Increment Area**, the boundaries of which are coterminous with the **Plan Area** boundaries, last certified prior to the effective date of approval of the **Plan**; and, that portion of *municipal sales taxes* collected within the boundaries of the **Tax Increment Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the Plan.

El Paso County Impact Report – means the South Nevada Avenue Area Urban Renewal Plan - El Paso County Impact Report prepared by Ricker|Cunningham, dated September, 2015 and presented to the **Authority** Board under separate cover.

Comprehensive Plan – means the City of Colorado Springs Comprehensive Plan, adopted 2001.

Cooperation Agreement – means any agreement between the **Authority** and the City, or any public body (the term “public body” being used in this Plan as defined by the **Act**) respecting action to be taken pursuant to any of the powers set forth in the **Act** or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the **Authority** under this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time to time.

Plan or Urban Renewal Plan – means this South Nevada Avenue Area Urban Renewal Plan (the **Plan**).

Redevelopment / Development Agreement – means one or more agreements between the **Authority** and developer(s) and / or property owners or such other individuals or entities as may be determined by the **Authority** to be necessary or desirable to carry out the purposes of this **Plan**.

Study Area – means the geographic area defined for the **Survey**.

Survey – means the South Nevada Avenue Area Urban Renewal Plan Area Conditions Survey, prepared by RickerCunningham, dated August, 2015 and presented to the **Authority** Board under separate cover.

Tax Increment – means that portion of property and / or municipal sales taxes in excess of the **Base Amount** set forth in Section 7.3.2 of this **Plan** allocated to and, when collected paid into the **Authority's Tax Increment Revenue Fund**.

Tax Increment Area – means the single geography designated as a **Tax Increment Area**, as defined and pursuant to the procedures set forth in Section 6.12 of this **Plan**, the boundaries of which are coterminous with the boundaries of the **Plan Area**.

Tax Increment Finance (or Financing) (TIF) - means a financing mechanism which uses future revenues resulting from private investment within an established area (**Tax Increment Area**) to fund improvements for the public benefit.

Tax Increment Revenue Fund - means a fund established by law and belonging to the **Authority** for use in accordance with the **Act**, the resources of which include incremental ad valorem property and municipal sales tax revenue resulting from investment and reinvestment in an established urban renewal area.

City Council – means the **City Council** of the City of Colorado Springs.

Urban Renewal Project – as defined in the **Act**.

3.0 Plan Purpose

The purpose of this **Plan** is to reduce, eliminate and prevent the spread of blight and to stimulate and catalyze growth and investment within the **Area** boundaries. To accomplish this

purpose, the **Plan** is intended to promote local objectives expressed in adopted community plans and advance the vision and priorities of the City of Colorado Springs Comprehensive Plan, adopted in 2001. These objectives and priorities are referenced in the discussion that follows and more specific excerpts (taken verbatim) presented in Appendix A of this **Plan** and further addressed in Section 5.0 below.

3.1 Plan Approach - Eliminating Conditions of Blight

As explained above, the purpose and intent of this, and all urban renewal plans, is to both remove conditions of blight and advance local objectives. The approach to eliminating conditions of blight in the **Area** will be to actively promote investment within its boundaries; where necessary participate in investment within its boundaries; and, to make financial resources available to assist property and business interests with the same, especially investment that otherwise would have been infeasible due to the presence of these conditions.

3.2 Plan Approach - Advancing Local Objectives

The approach to advancing local objectives is to ensure the vision aligns with that of the community; and, to further stated principles, both as expressed in the 2001 **Comprehensive Plan** and presented below.

3.2.1 Plan Vision

Renewal of the South Nevada Avenue Area will involve new development, redevelopment and stabilization of both public and private spaces. Key to all initiatives will be acknowledgement of the Area's historic roots and role in the community. While commercial at its core, surrounding residential neighborhoods give the Area its character and lifeblood; therefore, new uses will be both local- and region-serving. Given its strategic location at a critical gateway to destinations beyond the I-25 corridor including the Ivywild and Broadmoor neighborhoods, future improvements will be of an appropriate quality. Natural features including parks, open spaces, trails, tree stands and waterways will be improved and maintained so that they are a true amenity rather than an obstacle. Finally, efforts will be made to maintain the Area's diversity of uses and markets they serve while enhancing both its environment for businesses and quality of life for its residents.

3.2.2 Plan Principles

While an overriding goal of the **Plan** is to facilitate reinvestment in the **Area** sufficient to fund public improvements, particularly those that serve to mitigate conditions of blight; in order to effectively advance local objectives, development and redevelopment within its boundaries will need to reflect intentions expressed in the general plan for the community. Specific elements of the 2001 **Comprehensive Plan** that this **Plan** will advance through revitalization of the South Nevada Avenue **Area** are presented in Appendix A.

3.3 Plan Implementation

As the **Plan's** administrator, the **Authority** will seek to advance its objectives through the completion of projects which leverage private investment and reinvestment within its boundaries. Specifically, the **Authority** will work in cooperation with the City to: advance investment in the public realm (drainageways, roads and sidewalks, parks, trails, open space), encourage infill development of a quality exceeding existing conditions and prevailing standards; and, judiciously use limited resources which benefit the community at-large.

All development in the **Area** shall conform to existing municipal codes and ordinances and any site-specific regulations or policies which might impact improvements within its boundaries, all as are in effect and as may be amended from time to time. Although the **Act** authorizes the **Authority** to regulate land uses, establish maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this **Plan**, the **Authority** anticipates that these will be the responsibility of the City.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by the City, the proposed urban renewal area must be determined to be "blighted" as defined in Section 31-25-103(2) of the **Act**, which provides that *"in its present condition and use, the presence of at least four (or five in cases where the use of eminent domain is anticipated) of the following factors (see below) substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare."* Statutory factors include:

- (a) Slum, deteriorated, or deteriorating structures;

- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

A study of conditions was completed during the Summer of 2015 and presented to the **Authority** on August 26, 2015. The general methodology for conducting the **Survey** was to: (i) define the **Study Area**; (ii) gather information about properties, infrastructure and other improvements within its boundaries; (iii) evaluate evidence of blight through field reconnaissance, review of aerial photography, discussions with representatives of various City departments; and, (iv) record observed and documented conditions listed as blight factors in the **Act**.

Among the 11 qualifying factors identified in the **Act**, the **Survey** showed the presence of the following ten (10) blight factors in the area which is the subject of this **Plan** and reflected herein as Figure 1.

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;

- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property; and
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

5.0 Plan Relationship to Other Community Documents

5.1 Plan Conformity

As supported by specific references presented herein, implementation of this **Plan** will further the principles and objectives of the **Comprehensive Plan** (and any subsequent updates) with respect to redevelopment of its community's commercial corridors and preservation of its historic neighborhoods. In addition, as also stated previously, development in the **Area** shall conform to all regulating documents, including the current building code and other rules, regulations, and policies promulgated pursuant thereto. Any planning documents that might impact development in the **Area** including, but not limited to, City-approved site, drainage, and public improvement plans, and any applicable City design standards that are in effect and may be amended from time to time, will also be adhered to. Finally, conditions of blight within the **Area** will be remedied by improvements, public and private and funded in part by incremental taxes, to the extent deemed appropriate by the **Authority** in consultation with the City and affected property owners.

5.2 Consistency with the Comprehensive Plan

As explained earlier, a general plan for the City known as the City of Colorado Springs Comprehensive Plan, was adopted in 2001. The **Authority**, with the cooperation of the City, private enterprise and other public bodies, will engage in undertakings and activities in order to eliminate the identified conditions of blight while also implementing the goals and objectives of the **Comprehensive Plan** and all other relevant City-adopted plans for the **Area**. Key elements of that plan which this South

Nevada Avenue Area Urban Renewal Plan will advance are described above and in greater detail in Appendix A.

City of Colorado Springs Comprehensive Plan 2001

Introduction

Our Community Envisions a Colorado Springs ...

- That is the most livable city on the Front Range of the Rocky Mountains,
- That respects its heritage and its natural setting
- That projects a highly attractive image and protects its unique character and scenic beauty
- That provides an incomparable system of open spaces, natural areas, and greenways
- That is truly a city of neighborhoods - with affordable housing, walkable destinations, convenient parks, and quality schools
- That establishes positive connections between different land uses and achieves a well designed balance between their location and mix encourages innovation and creativity in development and the creation of an aesthetically appealing community
- That successfully integrates the uses and activities that meet the daily needs of residents, including housing, shops, work places, schools, parks, and civic facilities.

5.3 Correlation with Other Community Plans

Implementation of this **Plan** will be consistent with objectives expressed in all City-adopted and accepted plans that speak specifically to improvements in the **Area**.

6.0 Authorized Authority Undertakings and Activities

Whereas the **Act** allows for a wide range of activities to be used in the furtherance of the goals of an urban renewal plan, it is the **Authority's** intent to provide financial assistance and deliver public improvements only as shown to be necessary, in partnership with property owners and other affected parties, in order to accomplish the objectives stated herein. Partnerships and other forms of cooperative agreements are an essential component of the **Authority's** strategy for preventing the spread of and eliminating existing blighting conditions. Representative undertakings of the **Authority** in the furtherance of this **Plan** are described in the discussion that follows.

6.1 Complete Public Improvements and Facilities

The **Authority** may, or may cooperate with others to, finance, install, construct, and reconstruct any public improvements. Additionally, the **Authority** may, or may cooperate with others to, demolish and clear existing improvements for the purpose of promoting the objectives of the **Plan** and the **Act**.

Whereas public improvements or investment should, whenever possible, stimulate directly and indirectly desired private sector investment, it is the intent of this **Plan** that the combination of public and private investment that occurs in the **Area** will benefit the properties within its boundaries, as well as the community at-large.

As described in Section 4.0 of this **Plan**, ten (10) qualifying conditions of blight, as defined in Section 31-25-103(2) of the **Act**, are evident in the **Area**. The **Plan** proposes to remedy these conditions (presented below) by making specific improvements or providing resources for improvements including the following:

- (a) Slum, deteriorated, or deteriorating structures -- demolition of vacant and obsolete structures which endanger the health and welfare of individuals;
- (b) Predominance of defective or inadequate street layout -- curb and gutter, driveway, pedestrian, and safety improvements;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness -- vehicular access and other roadway improvements; pedestrian and safety improvements;
- (d) Unsanitary or unsafe conditions -- enhanced lighting within public rights-of-way; pedestrian improvements within public spaces; floodway and drainage improvements; and, any required improvements deemed reasonable and for the public benefit;
- (e) Deterioration of site or other improvements -- removal of trash and remnant infrastructure, parking lot improvements, fencing and other physical improvements within properties and public spaces;
- (f) Unusual topography or inadequate public improvements or utilities -- grading to improve drainage, completion of roadways and undergrounding of utility lines, as well as improvements which will leverage private investment within the Area;
- (h) The existence of conditions that endanger life or property by fire or other causes -
- roadway improvements that lessen the number of traffic incidents within adjacent rights-of-way and mitigation of environmentally contaminating substances;

- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities -- see factor (a) above;
- (j) Environmental contamination of buildings or property -- mitigation and removal of environmentally contaminating substances; and
- (k5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements -- investments which lessen both traffic and criminal incidents, participation in eligible expenses (as per the Act) that make development in the **Area** feasible, and put vacant properties into productive use.

6.2 Complete Other Improvements and Facilities

To the extent that non-public improvements in the **Area** may be required to accommodate development and redevelopment and still benefit the public, the **Authority** is hereby authorized to assist in the financing or construction of such improvements to the extent authorized by the **Act**.

6.3 Promote Development and Redevelopment

A key concept associated with implementation of the **Plan** is commitment to priority public investments that serve to catalyze and make feasible private investment that generates resources to fund the same. The potential impact of this investment to El Paso County is quantified in the South Nevada Avenue Area Urban Renewal Plan – El Paso County Impact Report which was presented to the **Authority** Board under separate cover.

6.4 Adopt Standards

As stated earlier, all development shall conform to applicable rules, regulations, policies, other requirements, and standards of the City and any other governmental entity with jurisdiction in the **Area**. While the **Act** allows for the adoption of standards and requirements applicable to projects undertaken in an urban renewal area, in the context of this **Plan**, it is the **Authority's** intention that investment in the **Area** conform to City-approved documents.

6.5 Modify the Plan

The **Authority** may propose, and the **City Council** may make, modifications to this **Plan** as may be necessary provided they are consistent with the **Comprehensive Plan** and any subsequent updates. Additionally, any such amendments made in accordance with this **Plan** and as otherwise contemplated, must also be compliant with the **Act** and protect the contractual rights of owners, developers, and holders of **Authority** bonds, notes, loan obligations, and other forms of indebtedness authorized by the **Act**. Finally, the **Authority** may, in specific cases, allow non-substantive variations from the provisions of this **Plan** if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.6 Review the Plan

An ongoing process of review is recommended as a mechanism to allow those parties responsible for administering and implementing key projects within its boundaries to periodically evaluate its effectiveness and potentially make adjustments. Modifications may be developed from suggestions by the **Authority**, property and business owners, and City staff operating in support of the **Authority** and advancement of this **Plan**.

6.7 Provide Relocation Assistance

It is not anticipated, as of the date of this **Plan**, that acquisition of real property will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the **Authority** will adopt a relocation plan in conformance with the **Act**.

6.8 Demolish, Clear and Prepare Improvements

The **Authority** may, on a case-by-case basis, elect to demolish or cooperate with others to clear buildings, structures and other improvements within the **Area** in an effort to advance activities and undertakings deemed consistent with the vision stated herein including those instances where deteriorated structures have been demolished and cleared for safety reasons in anticipation of the adoption of this **Plan**. Additionally, existing **Development** or **Cooperation Agreements** may require or approve such demolition or site clearance to: eliminate unhealthy, unsanitary, and unsafe conditions, obsolete uses deemed detrimental to the public welfare; and, otherwise remove and prevent the spread of deterioration.

6.9 Acquire and Dispose of Property

While the **Act** allows for the acquisition of property by negotiation or any other method, it is not the intent of this Plan that the **Authority** uses its resources to acquire property by eminent domain. Further, while the urban renewal law permits acquisition by eminent domain, within this **Plan Area**, any decisions considering the use of eminent domain will be made by the Colorado Springs City Council. Properties acquired by entities other than the **Authority** may temporarily be operated, managed and maintained by the **Authority** if requested to do so by the acquiring entity and deemed in the best interest of the **Urban Renewal Project** and the **Plan**. Such property shall be under the management and control of the **Authority** and may be rented or leased pending its disposition for redevelopment

The **Authority** may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements in accordance with the **Act** and this **Plan**.

6.10 Enter Into Redevelopment / Development Agreements

The **Authority** may enter into Redevelopment / Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities determined to be necessary to carry out the purposes of this **Plan**. Further, such Agreements, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking the activities contemplated by this **Plan** and the Act. Any existing agreements between the City and private parties that are consistent with this **Plan** are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

6.11 Enter Into Cooperation Agreements

For the purpose of this **Plan**, the **Authority** may enter into one or more **Cooperation Agreements** pursuant to the **Act**. Whereas the City and the **Authority** recognize the need to cooperate in the implementation of this **Plan**, these **Cooperation Agreements** may include without limitation the planning, financing, installation, construction and / or reconstruction of public or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

6.12 Create Tax Increment Area

The boundaries of the **Urban Renewal Area** shall be as set forth in Section 1.4 and illustrated in Figure 1. It is the intent of the **City Council** in approving this **Plan** to authorize, and the **City Council** hereby authorizes, the use of **Tax Increment Financing** by the **Authority** as part of its efforts to advance the vision, objectives and activities described herein. The **Authority** is specifically authorized to expend the revenue from **Property and Sales Tax Increments** to the extent authorized by the **Act** and this **Plan**.

While this **Plan** contemplates that the primary method of assisting with financing eligible expenses in the **Area** will be through the use of **Property Tax Increment** revenue, the **City Council** may allocate **Municipal Sales Tax Increment** if requested to do so by the **Authority** and only after receipt of a financing plan outlining the proposed amounts and purpose for which the **Municipal Sales Tax Increment** is to be used. As such, the use of **Sales Tax Increment** is hereby authorized pursuant to Section 31-25-107(9), **C.R.S.**, which is by this reference incorporated herein as if set forth in its entirety, but any such pledge of **Sales Tax Increment** by the **Authority** in a **Development** or **Redevelopment Agreement** shall not be authorized until a separate **Cooperation Agreement** between the **Authority** and the City setting forth the allocation of **Sales Tax Increment**. The approval of such **Cooperation Agreement** by the City and the **Authority** is hereby found by the City not to be a substantial modification of the **Urban Renewal Plan**, and is not an addition of a new **Urban Renewal Project**, does not alter the boundaries of the **Plan Area**, does not change the mill levy or sales tax component of the **Plan** (up to 100% of the **Sales Tax Increment** being hereby authorized by the **Plan**), and is not an extension of the **Plan** or the duration of a specific **Urban Renewal Project**, regardless of when such **Cooperation Agreement** may be approved. The entire **Plan Area** is hereby designated as a single **Tax Increment Area**.

7.0 Project Financing

7.1 Public Investment Objective

A critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources is critical as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Possible public investments for which the **Authority**, with the support of the City, may participate include (but are not limited to): pedestrian improvements such as sidewalks, street lights and other design enhancements intended to improve safety for vehicular and non-vehicular movement; roadway improvements

including curbs, gutters, and traffic lights; and, infrastructure for drainage and utilities under the authority of the City. The **Authority** may also provide financial assistance for other expenses considered eligible under the **Act**.

7.2 Financial Mechanisms

The **Authority** may finance undertakings pursuant to this **Plan** by any method authorized under the **Act** or any other applicable law, including without limitation of the following: issuance of notes, bonds and other obligations as defined in the **Act** in an amount sufficient to finance all or part of this **Plan**; borrowing of funds and creation of indebtedness; reimbursement agreements; and / or, utilization of federal or state loans or grants, interest income, annual appropriation agreements, agreements with public or private entities, loans, advances, and grants from any other available sources. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the **Authority**.

Debt incurred by the **Authority** may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

7.3 Tax Increment Financing

Activities may be financed by the **Authority** under the TIF provisions of the **Act**. Such incremental revenues may be used for a period not to exceed the statutory requirement, which is presently twenty-five (25) years after the effective date of the Plan adoption which authorizes and creates the single **Tax Increment Area**, the boundaries of which are coterminous with the **Plan Area** boundaries.

7.3.1 Special Fund

In accordance with the requirements of the law, the **Authority** shall establish a **Tax Increment Revenue Fund** for the deposit of all funds generated pursuant to the division of ad valorem property and municipal sales tax revenue described in this section.

7.3.2 Base Amount

The **Base Amount** includes that portion of property taxes which are produced by the levy at the rate fixed each year by or for each public body upon the

valuation for assessment of taxable property in the **Tax Increment Area**, which in the context of this **Plan** shares its boundaries with the **Plan Area** last certified prior to the effective date of approval of the **Plan**; and, that portion of municipal sales taxes collected within the boundaries of the **Tax Increment Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the **Plan** and paid to the public body, as are all other taxes collected by or for said public body.

7.3.3 Incremental Revenues

Incremental revenues including that portion of said property, and as authorized by the **City Council** pursuant to Section 6.12 above, municipal sales taxes in excess of the **Base Amount** set forth in Section 7.3.2 above shall be allocated to, and when collected, paid into the **Authority's Tax Increment Revenue Fund**. The **Authority** shall use these funds to pay the principal of, the interest on, and any other premiums due in connection with the bonds, loans or advances to, or indebtedness incurred (whether funded, refunded, assumed, or otherwise) by the **Authority**, for financing or refinancing, in whole or in part, any portion of an **Urban Renewal Project** considered eligible under the **Act**. Unless and until the total valuation for assessment of the taxable property in the **Tax Increment Area** exceeds the base valuation, all of the taxes levied upon taxable property in the single **Tax Increment Area** within the **Plan Area** shall be paid into the funds of the respective public bodies. Also, when such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the same taxable property shall be paid to the respective public bodies.

Further, the incremental portion of said taxes, as described in this subsection 7.3.3, shall be irrevocably pledged by the **Authority** for the payment of, principal and interest on, and any premiums due in connection with such bonds, loans, advances and / or indebtedness incurred by **Authority** to finance an **Urban Renewal Project** (as defined in the **Act**); except:

- (a) Any offsets collected by the County Treasurer for return of overpayments or any funds reserved by the **Authority** for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), **C.R.S.**
- (b) Any reasonable (as determined by the **Authority**) set-asides or reserves of incremental taxes paid to the **Authority** for payment of expenses associated with administering the **Plan**.

If there is any conflict between the **Act** and this **Plan**, the provisions of the **Act** shall prevail, and the language in the **Plan** shall be automatically deemed to conform to the statute.

7.4 Other Financing Mechanisms / Structures

The **Plan** is designed to provide for the use of **TIF** as one tool to facilitate investment and reinvestment within the **Area**. However, in addition to **TIF**, the **Authority** shall be authorized to finance implementation of the **Plan** by any method authorized by the **Act**. The **Authority** is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this **Plan** to use these tools either independently or in various combinations. Given the obstacles associated with infill development and redevelopment, the **Authority** recognizes that it is imperative that solutions and resources be put in place which are comprehensive, flexible and creative. Finally, the **Authority** may contract with the City to administer various incentives.

8.0 Severability

If any portion of this **Plan** is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the **Plan**.

South Nevada Avenue Area

Urban Renewal Plan

City of Colorado Springs, Colorado

Appendix A:

Chapter 1: Land Use

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

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

Strategy LU 201c: Evaluate Fiscal and Operational Impacts of New Development

Evaluate the impact of proposed developments on the City's fiscal and operational ability to provide and maintain the services and infrastructure necessary to support such development.

Policy LU 203: Develop a Land Use Pattern that is Mutually Supportive with the Intermodal Transportation System

Develop a land use pattern that supports, and is in turn supported by, increased pedestrian, bicycle, and transit travel and that reduces the need for automobile use.

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 203b: Concentrate and Mix Uses

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

Land Use Mix

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

South Nevada Avenue Area Urban Renewal Plan (9.23.2015)

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.

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 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.

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.

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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.

Residential Development

Objective LU 5: Develop Cohesive Residential Area

Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city's transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.

Strategy LU 501a: Link Neighborhood Layout and Design to a Larger Residential Area

In master plans and in community planning areas, layout and design individual neighborhoods to form a coherent residential area.

Strategy LU 502c: Plan Community Activity Centers to Serve Residential Areas

Plan community activity centers to serve more than one neighborhood in a residential area.

Strategy LU 502d: Plan Residential Areas to Conserve Natural Features

Plan neighborhoods in areas that contain significant natural features and environmental constraints to conserve those features through lower average densities or clustering of development.

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

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

Housing

Strategy LU 601d: Integrate Affordable Housing into Neighborhoods

Integrate housing that is affordable to a broad range of incomes and households within neighborhoods, whether by location or design. Ensure that affordable housing will complement the formation of a neighborhood. Avoid the segregation of affordable housing.

Policy LU 602: Integrate Housing with Other Supportive Land Uses

Integrate housing with supportive land uses, such as employment, education, health facilities, recreation and shopping, to ensure functional and attractive neighborhoods.

Commercial Development

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.

Strategy LU 701b: Locate and Design Neighborhood Centers to be Local Pedestrian-Oriented Amenities

Design neighborhood centers primarily for walk-up pedestrian access with low-impact uses and a limited range of convenience goods and services that benefit neighborhood residents. Locate neighborhood centers to take advantage of daily activity patterns, such as the corner of a residential collector street, at the entrance to a neighborhood, or in conjunction with a park, school, civic use, or public space. Prohibit auto-related uses and other uses that produce noxious fumes or excessive light and noise.

Strategy LU 701c: Locate and Design Community Activity Centers to Serve Multiple Neighborhoods

Locate community activity centers to serve multiple neighborhoods in a residential area with a mix of retail, office,

South Nevada Avenue Area Urban Renewal Plan (9.23.2015)

service civic, and attached residential uses. Design community activity centers to balance automobile access from arterial streets with transit orientation, pedestrian access and circulation, and good transitions and connections from the surrounding neighborhoods.

Strategy LU 701d: Locate and Design Commercial Centers to Serve Multiple Residential Areas in the Wider Community

Locate commercial centers as major concentrations of retail activity with a broad mix of supportive uses to serve several residential areas within the larger community. Design commercial centers as major destinations with good automobile access and transit service from the adjoining arterial streets via collector streets to an internal street and parking system. Balance auto and transit access with strong pedestrian orientation, gradual transitions in density and scale, and direct accessibility from surrounding residential areas.

Policy LU 702: Design Commercial Redevelopment and Infill Projects as Activity Centers

Design all commercial redevelopment and infill projects as activity centers that incorporate a mix of uses, pedestrian orientation, and transit service wherever possible.

Strategy LU 702a: Redevelop Obsolete Commercial Areas as Activity Centers

Redevelop commercial areas that are obsolete or underutilized either as community activity centers, commercial centers, or employment centers, depending on their size, location and primary function.

Chapter 2: Neighborhoods

Objective N 2: Enhance Neighborhoods

Preserve and enhance existing and established neighborhoods and support developing and redeveloping neighborhoods. While neighborhoods change over time, there are certain fundamental characteristics of most neighborhoods, such as natural features and landscaping, building and street patterns, historic and cultural features, parks, open space and schools, which need to be preserved in order to maintain their character. At the same time, there are new and developing residential areas that need to be supported so that they emerge as well-functioning neighborhoods.

Policy N 201: Protect Established and Stable Neighborhoods

Protect the character of established and stable neighborhoods through neighborhood planning, assistance to neighborhood organizations, and supportive regulatory actions.

Strategy N 201a: Preserve and Enhance the Physical Elements that Define a Neighborhood's Character

In considering development proposals, preserve the physical elements that contribute to a neighborhood's identity and character, such as natural features, buildings and development patterns, historic and cultural features, parks, open space and schools. Where appropriate, utilize historic preservation districts and conservation districts as tools to achieve preservation and enhancement of historic and cultural resources.

Policy N 202: Assist and Support Established and Redeveloping Neighborhoods

Assist established and redeveloping neighborhoods in neighborhood planning, improving transportation and infrastructure systems, and promoting redevelopment efforts.

Strategy N 202b: Provide Incentives to Foster Reinvestment

Utilize incentives to encourage redevelopment. Regulatory incentives may be used to expedite the development approval process. Change zoning classifications when consistent with neighborhood redevelopment plans. Target financial incentives, such as rehabilitation loans/grants, offsets of development fees, and tax-advantaged project financing, to leverage additional investment in redeveloping neighborhoods and assist current residents to remain.

Strategy N 202e: Encourage Development of Public Gathering Places in Redeveloping Neighborhoods

Encourage the development of a landscaped, outdoor center in each redeveloped neighborhood to serve as a focal point and gathering place for the public. This may occur in conjunction with existing schools, parks, recreational facilities, supporting retail uses, community centers, neighborhood life centers, or other civic or institutional uses. Where existing facilities are inappropriate, a new center may be developed.

Mixed-Use

Objective N 3: Vary Neighborhood Patterns

Integrate a variety of housing types and densities with amenities, services, and retail uses to generate opportunities and choices for households. When the character, context and scale of the surrounding neighborhood are taken into account, mixed-use developments can provide unique opportunities for employment, shopping, housing choice, and public gathering space, while having a positive impact on the neighborhood.

Chapter 6: Community Character/Appearance

Unique Areas

Objective CCA 3: Improve the Character of Individual Areas and Elements of the City

Colorado Springs is made up of individual and unique areas and elements that contribute to the overall character and identity of the City. The man-made counterpart to the City's natural setting is its historic character and legacy. This legacy is continually evolving and being created anew in the City's diverse areas. It is important that the appearance and character of these individual areas, old and new, are preserved and enhanced in order to maintain their individuality and to ensure the overall character of the city is upheld. Defining and improving the image of individual areas and elements will enhance the City's overall character and appearance and reinforce its unique identity.

Policy CCA 301: Foster the Character of Individual Areas and Elements within the Community

The City will help to define and foster the unique character, image, and identity of individual areas and elements within the community.

Mixed Uses

Objective CCA 4: Integrate Different Land Uses

The separation of land uses that exists in Colorado Springs increases the reliance on the automobile and detracts from the dynamic urban setting. Integrating land uses increases the opportunities for various modes of travel and contributes to a more interesting and appealing land use pattern. Colorado Springs will encourage new development to integrate a diversity of land uses.

Policy CCA 401: Support Mixed Land Uses

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

Public Places

Objective CCA 5: Design of Public Spaces

Public spaces and civic buildings are often prominent features in the urban setting and contribute to the character and appearance of a community. The design and location of public spaces and civic buildings will serve as focal

points to structure the layout and design of private uses.

Policy CCA 501: Support Enhanced Civic Design

Place civic facilities, such as community buildings, government offices, recreation centers, post offices, libraries, and schools, in central locations, and make them highly visible focal points. The urban design and architectural quality will express quality design, permanence, importance, community identity, and sensitivity to climate.

Strategy 501b: Locate and Design Public Places to Give Quality, Identity, and Focus to the Community

Locate and design public spaces and civic facilities to set a standard in quality design, to provide a focal point and meeting place, and to express community identity within the context of the surrounding private development.

Compatibility

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

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

South Nevada Avenue Area

Urban Renewal Plan

City of Colorado Springs, Colorado

Appendix B:

South Nevada Avenue Area Urban Renewal Area Legal Description

South Nevada Avenue Area

Conditions Survey Findings

26 August 2015

Presented to:

Colorado Springs Urban Renewal Authority

Presented by:

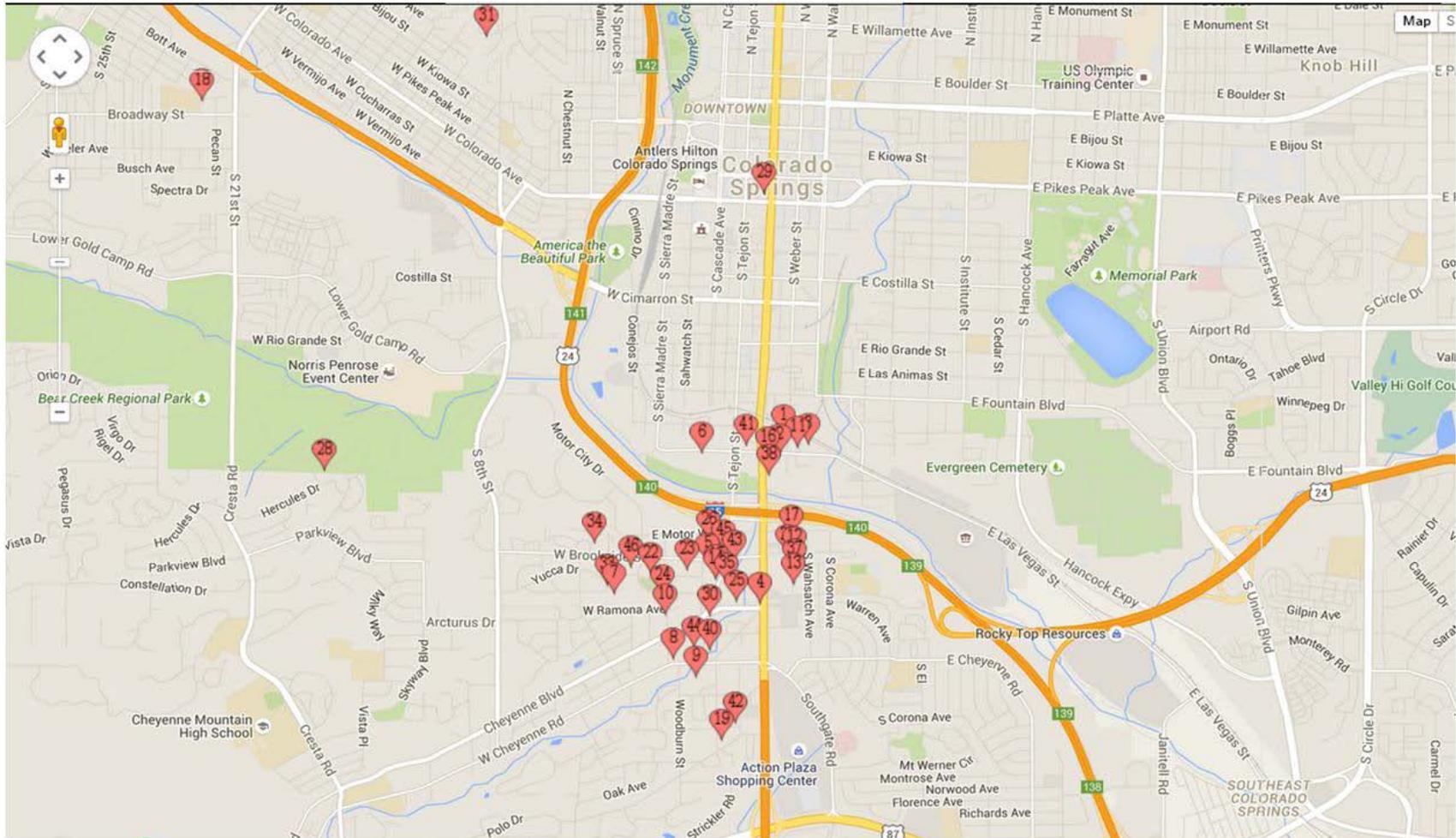


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FIGURE 2

Open House Participants



Creating an **Urban Renewal Area**

- Determine official survey area boundaries
- Notify property owners within those boundaries that a survey is being conducted
- Verify the presence and location of “blighting” conditions (field survey)
- Prepare **conditions survey**

- Define boundaries for urban renewal area (may be the same as survey area boundary or less)
- Complete market analysis or forecast of market growth for early TIF districts
- Define future role of urban renewal area in the community
- Prepare **urban renewal plan** (s)

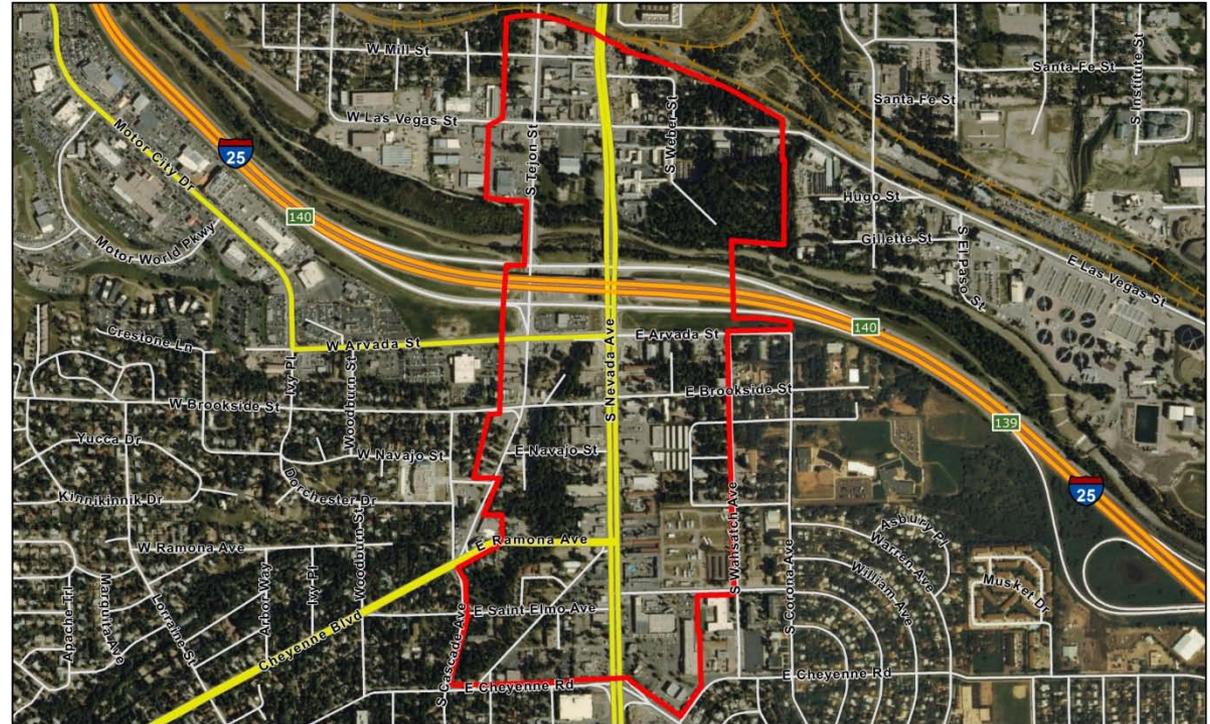
Creating an **Urban Renewal Area** (cont'd)

- Complete financial analysis (tax increment finance – TIF)
- Complete **impact analysis** (es) for impacted taxing bodies
- Notify property owners and tenants within the plan boundaries of the date of a public hearing to consider adoption of the plan (s)
- Present findings and plan to Planning Commission (for consideration of its consistency with the community plan)
- Present survey findings to urban renewal entity and council for acceptance and urban renewal plan to urban renewal entity and council for adoption

- Work with owners and developers to determine possibilities for redevelopment
- Implement plan

Study Area

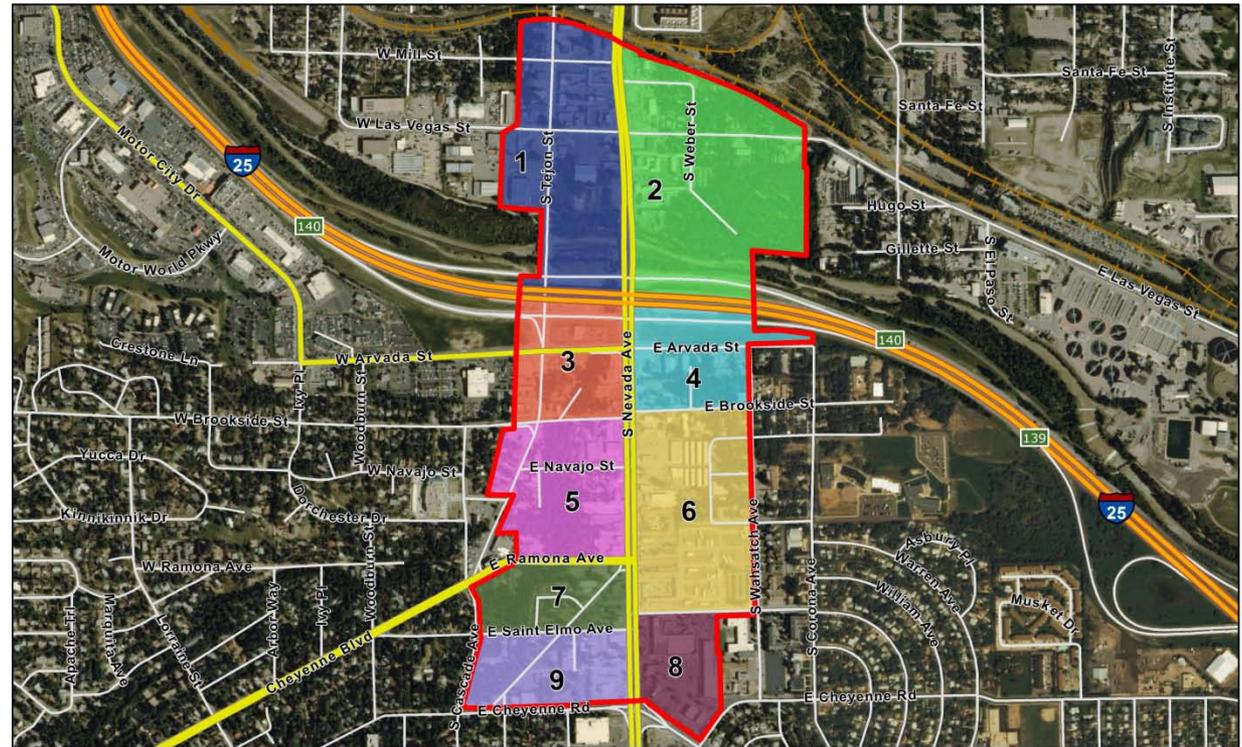
- Located in the south central portion of the city of Colorado Springs
- Between **East Cheyenne Road** on the south, **Union Pacific Railroad** on the north, **South Wahsatch Avenue** on the east, and **South Cascade Avenue** on the west



South Nevada Avenue Survey Area

Subareas and Specifics

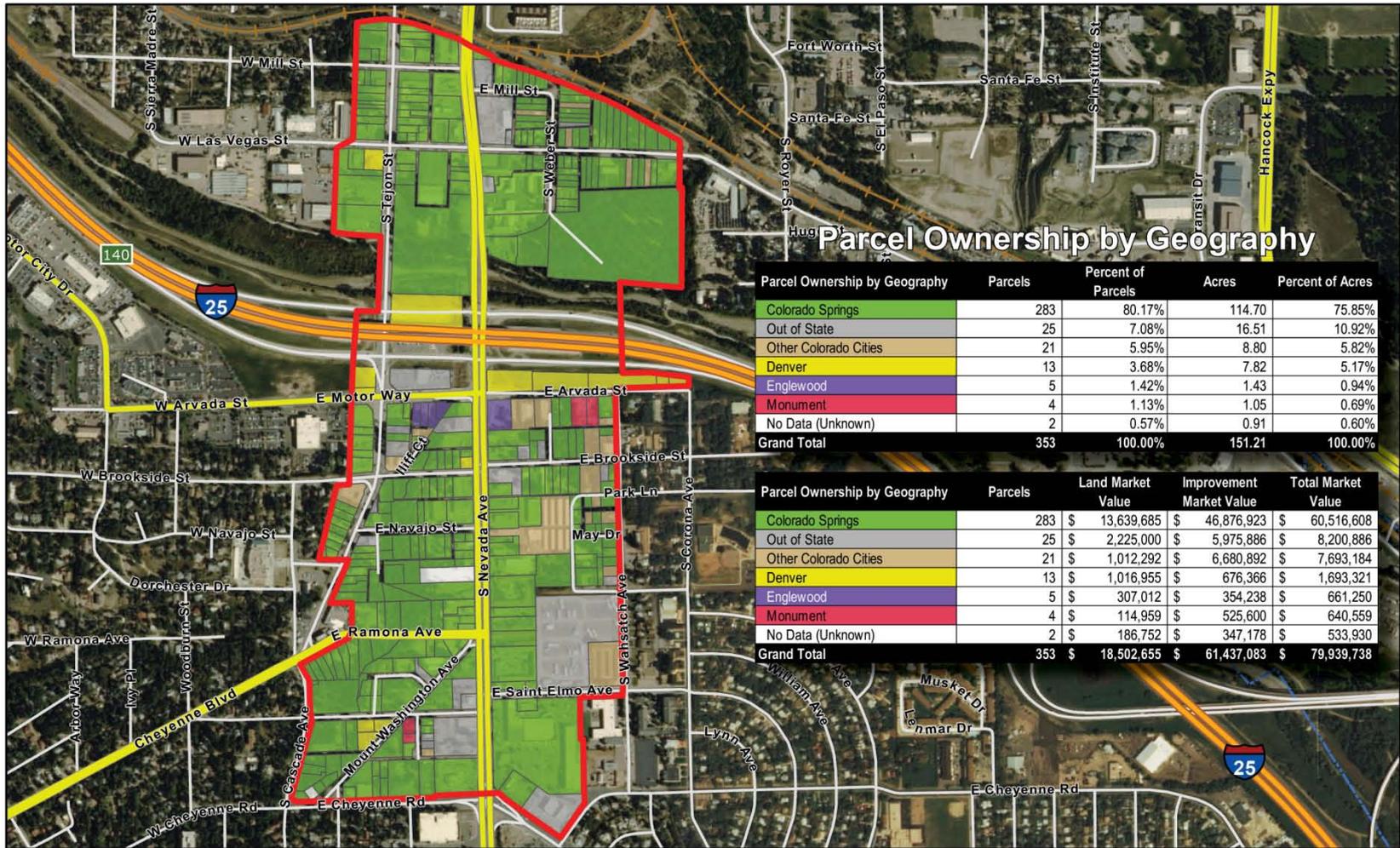
- 151 acres
- 353 parcels
- 10 of 11 factors found
- 76% of total land area owned by local interests
- \$80 million in total market value today



South Nevada Avenue Survey Area

Date: Sunday, August 23, 2015

COLORADO SPRINGS, COLORADO South Nevada Avenue Survey Area - Parcel Ownership



0 0.125 0.25 Miles

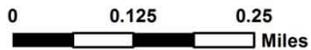
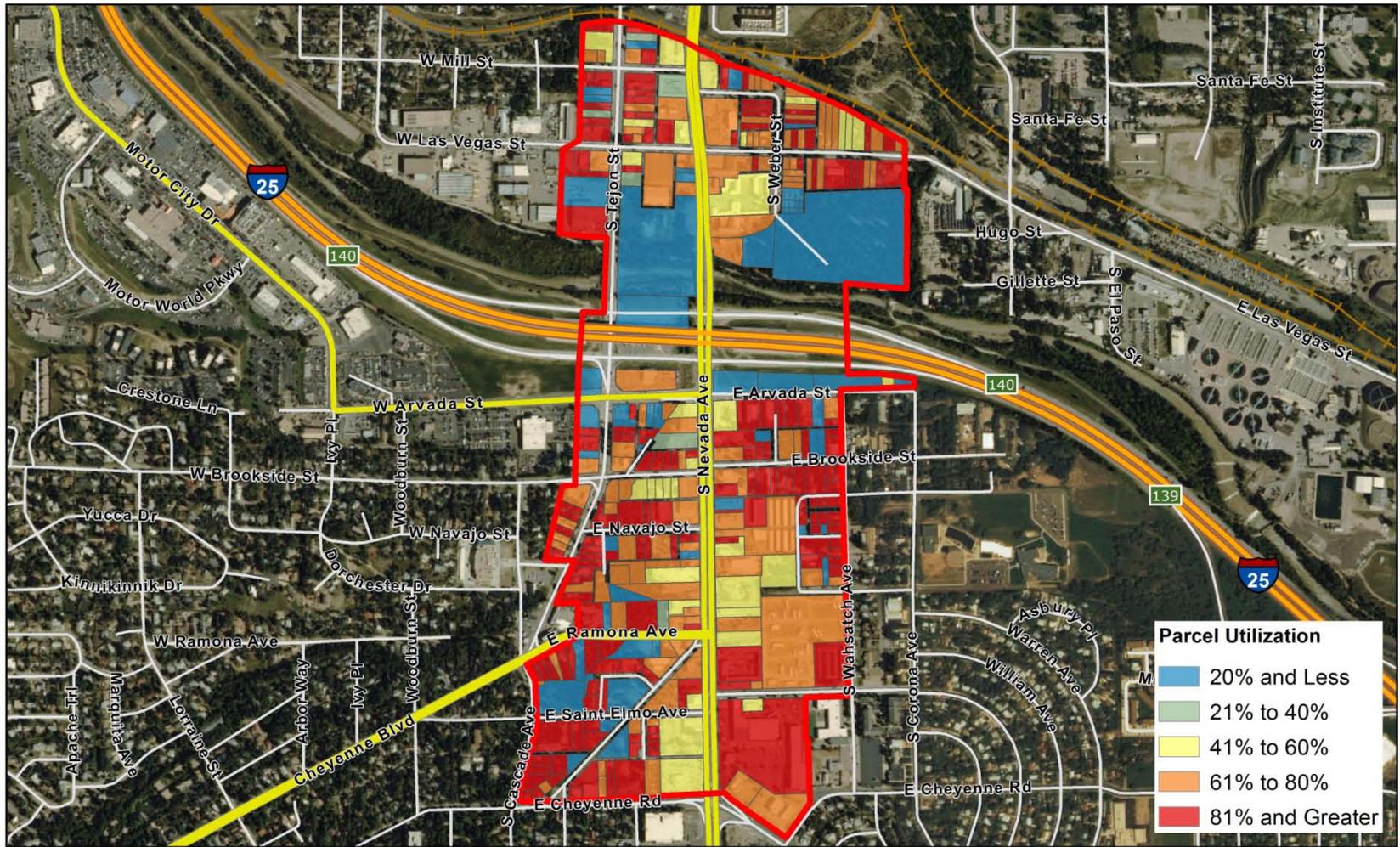
South Nevada Avenue Survey Area



FIGURE 2

Date: Monday, August 24, 2015

COLORADO SPRINGS, COLORADO South Nevada Avenue Survey Area - Parcel Utilization



South Nevada Avenue Survey Area

Date: Monday, August 24, 2015



FIGURE 2

Colorado Urban Renewal Statute

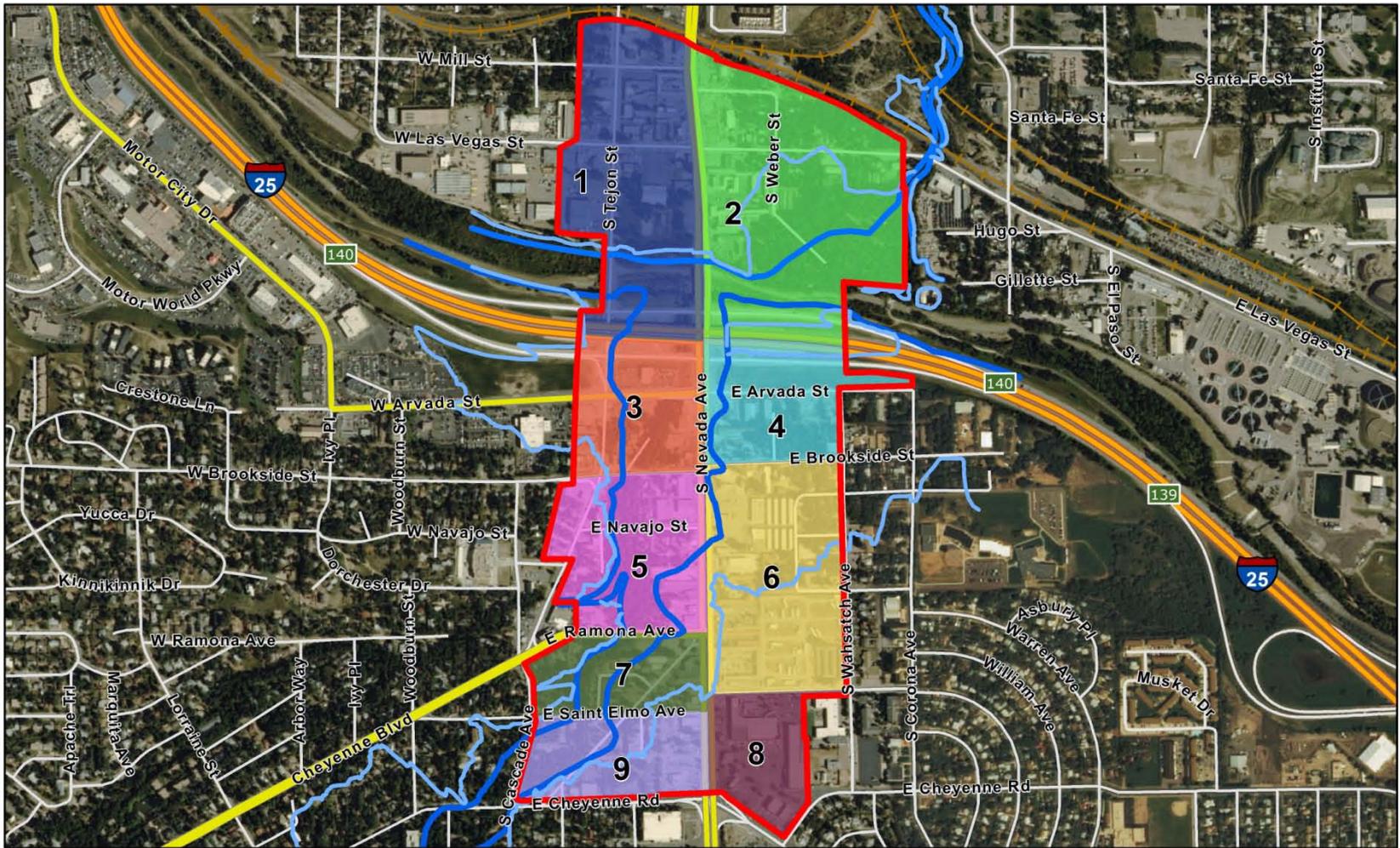
11 Qualifying Factors

- a. Deteriorated or deteriorating structures
- b. Defective or inadequate street layout
- c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
- d. Unsanitary or unsafe conditions
- e. Deterioration of site or other improvements
- f. Unusual topography or inadequate public improvements or utilities
- g. Defective or unusual conditions of title rendering the title non-marketable
- h. Conditions that endanger life or property by fire or other causes
- i. Buildings that are unsafe or unhealthy for people to live or work in
- j. Environmental contamination of buildings or property
- k5. Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial underutilization or vacancy of buildings, sites, or improvements

Factor Thresholds

- **If there is no objection** by the property owner or owners and the tenant or tenants of such owner or owners, if any, to inclusion ... **one** factor
- **If private property is to be acquired by eminent domain** ... **five** factors
- Otherwise, **four** factors
- **Determination of blight based upon an area “taken as a whole,”** and not on a building-by-building, parcel-by-parcel, or block-by-block basis
- **Statute does not require a certain “quantity” of conditions within individual properties,** rather requisite number within the area as a whole

COLORADO SPRINGS, COLORADO South Nevada Avenue Survey Area - Subarea Floodplain



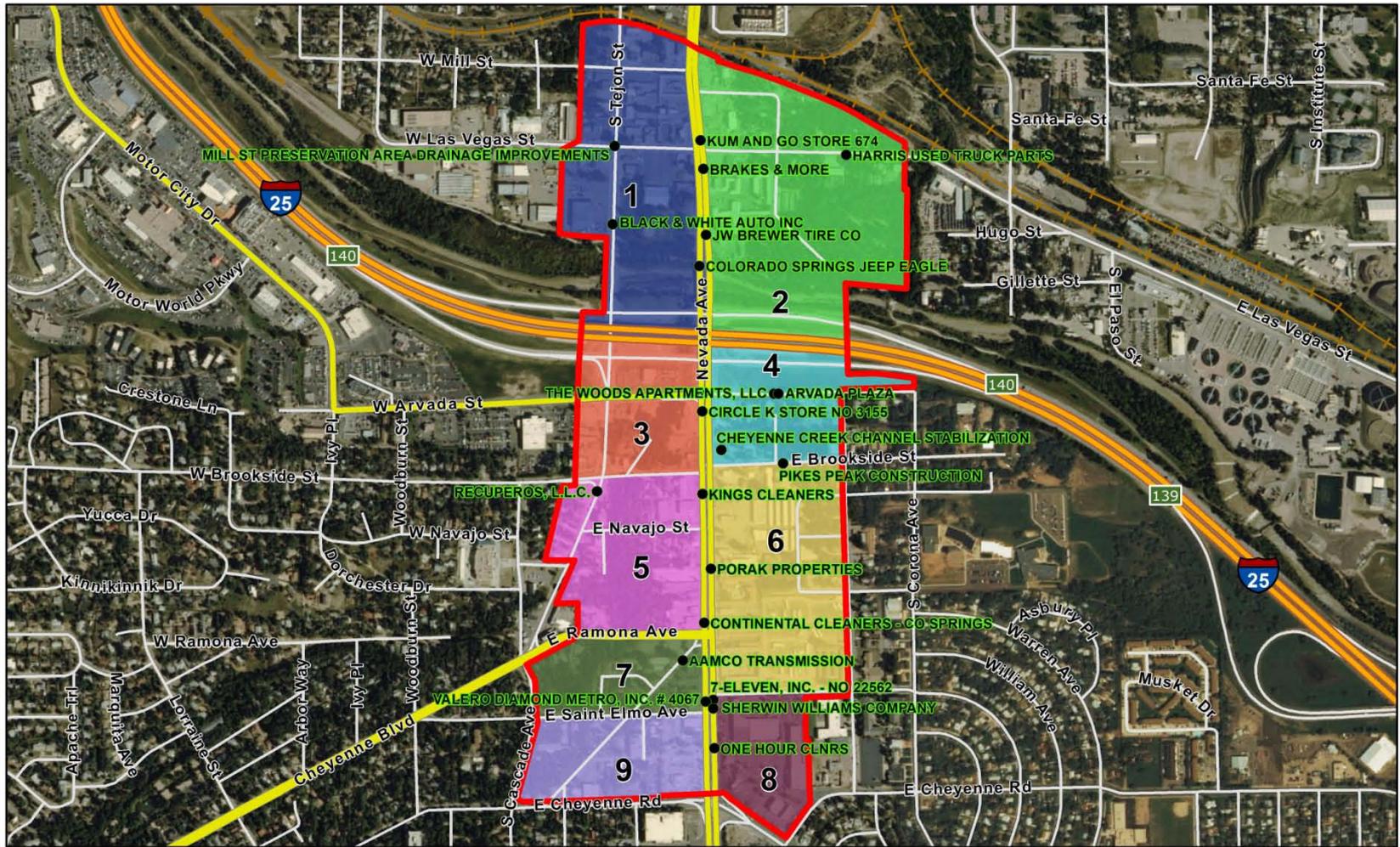
0 0.125 0.25
Miles

South Nevada Avenue Survey Area 100 Year Floodplain Floodway

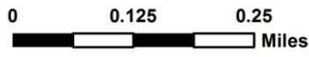


FIGURE 2

COLORADO SPRINGS, COLORADO South Nevada Avenue Survey Area - EPA Regulated Sites



Source: Environmental Protection Agency (EPA), February 2015



South Nevada Avenue Survey Area • Sites Subject to EPA Regulations

Date: Sunday, August 23, 2015



FIGURE 2

Fire Incidents

	False Alarm		Fire		Good Intent - Cancel		Good Intent - Other		Hazardous Condition		Haz Mat		Medical		Other		Rescue		Rupture		Service Call		Total	
	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014	2011	2014
ST01	147	163	41	62	46	51	575	762	15	9	20	11	2,734	2,923	10	71	10	16	2	0	704	757	4,304	4,825
ST02	106	131	26	26	10	13	275	305	6	9	19	12	1,349	1,435	6	44	8	8	0	0	391	384	2,196	2,367
ST03	38	40	27	33	8	13	289	304	9	6	8	9	1,450	1,224	1	34	4	7	2	2	228	323	2,064	1,995
ST04	180	224	55	36	35	27	499	642	6	13	23	10	3,124	3,078	3	92	12	13	0	1	590	814	4,527	4,950
ST05	83	85	29	23	32	22	333	437	8	4	13	9	1,723	1,812	6	46	17	16	2	1	324	427	2,570	2,882
ST06	60	81	38	25	19	11	177	272	5	2	15	7	1,688	1,671	7	53	8	3	0	1	399	413	2,416	2,539
ST07	102	133	56	41	32	56	572	708	14	7	12	8	3,061	3,479	7	97	8	6	0	1	578	960	4,442	5,496
ST08	152	122	89	61	45	36	672	789	10	5	19	14	3,276	2,918	13	123	11	4	0	1	755	728	5,042	4,801
ST09	126	181	56	36	36	30	253	383	13	4	14	19	1,743	2,136	11	34	5	6	3	3	396	568	2,656	3,400
ST10	95	103	49	30	47	24	355	492	5	7	16	19	2,271	2,270	4	38	9	12	1	0	499	490	3,351	3,485
ST11	156	166	82	60	58	23	384	422	16	9	16	15	2,128	2,195	11	56	5	4	1	1	499	510	3,356	3,461
ST12	101	91	6	17	1	6	104	153	2	5	6	8	737	726	1	11	5	4	0	0	193	212	1,156	1,233
ST13	81	89	27	11	10	12	166	208	6	3	5	3	1,227	1,197	19	21	4	8	1	0	177	347	1,723	1,899
ST14	43	60	14	21	6	7	100	227	4	1	12	10	929	1,031	2	13	2	3	0	0	175	302	1,287	1,675
ST15	63	54	29	16	7	5	82	142	1	0	10	11	493	688	2	9	5	6	2	0	157	158	851	1,089
ST16	40	43	7	5	1	2	89	77	4	0	2	2	373	420	0	2	1	1	2	0	59	87	578	639
ST17	168	119	58	24	20	18	336	405	7	4	12	13	1,826	1,579	15	39	14	6	1	1	443	417	2,900	2,625
ST18	40	19	4	3	2	1	60	101	0	2	2	4	374	337	1	11	4	1	1	0	100	103	588	582
ST19	124	98	39	20	29	7	231	160	3	2	15	9	1,312	894	15	7	6	4	1	1	372	275	2,147	1,477
ST20	100	92	30	24	8	5	168	182	3	3	15	13	1,001	1,090	2	19	6	5	0	0	215	281	1,548	1,714
ST21	--	59	--	15	--	6	--	125	--	2	--	6	--	560	--	4	--	4	--	3	--	117	--	901
ST22	--	66	--	11	--	37	--	116	--	0	--	1	--	426	--	6	--	2	--	0	--	157	--	822
P081	83	116	32	35	52	37	524	765	8	1	14	7	2,158	2,710	18	108	15	6	4	1	466	643	3,374	4,429
Other	2	1	8	4	1	4	8	31	0	1	1	1	18	171	3	25	2	3	0	0	19	27	62	268
Total	2,090	2,336	802	639	505	453	6,252	8,208	145	99	269	221	34,995	36,970	157	963	161	148	23	17	7,739	9,500	53,138	59,554

Survey Summary

“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:

a	<i>Slum, deteriorated, or deteriorating structures;</i>
b	<i>Predominance of defective or inadequate street layout;</i>
c	<i>Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;</i>
d	<i>Unsanitary or unsafe conditions;</i>
e	<i>Deterioration of site or other improvements;</i>
f	<i>Unusual topography or inadequate public improvements or utilities;</i>
g	<i>Defective or unusual conditions of title rendering the title non-marketable;</i>
h	<i>The existence of conditions that endanger life or property by fire or other causes;</i>
i	<i>Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities;</i>
j	<i>Environmental contamination of buildings or property;</i>
k.5	<i>The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements;</i>

Source: Colorado Revised Statute 31-25-103(2).

Summary of Factors Found

Blight Qualifying Factor	Present
a	x
b	x
c	x
d	x
e	x
f	x
g	
h	x
i	x
j	x
k.5	x

10 of 11 factors are present

FIGURE 2

Proposed Redevelopment Program

- 236,000 sq ft **commercial retail and service** uses
- 200 multi-family **residential** units
- 110 **hotel** rooms
- \$24 million in **public improvements**
- Potential **private investment** = \$80 million to \$100 million
- Potential **property tax increment** = \$8 million to \$10 million
- Potential **sales tax increment** = \$20 million to \$25 million
- Potential **tax increment** = \$28 million to \$35 million

Next Steps

- Complete **market analysis** to confirm development program
- Prepare **urban renewal plan**
- Prepare and submit **impact report** to taxing entities
- **Present** plan and impact report **to Authority Board**
- Schedule and present plan to **Planning Commission**
- Schedule **public hearing** with City Council
- **Notice** property owners and tenants
- Present survey, plan and other findings to City Council for **consideration and adoption**

APPENDIX

DEVELOPMENT APPLICATION REVIEW CRITERIA

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

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

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)

MASTER PLAN REVIEW CRITERIA:

7.5.408: REVIEW CRITERIA:

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

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

B. Land Use Relationships:

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

C. Public Facilities:

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

D. Transportation:

1. The land use master plan is consistent with the adopted intermodal transportation plan. Conformity with the intermodal transportation plan is evidence of compliance with State and local air quality implementation and maintenance plans.
2. The land use master plan has a logical hierarchy of arterial and collector streets with an emphasis on the reduction of through traffic in residential neighborhoods and improves connectivity, mobility choices and access to jobs, shopping and recreation.
3. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors.

4. The transportation system is compatible with transit routes and allows for the extension of these routes.
5. The land use master plan provides opportunities or alternate transportation modes and cost effective provision of transit services to residents and businesses.
6. Anticipated trip generation does not exceed the capacity of existing or proposed major roads. If capacity is expected to be exceeded, necessary improvements will be identified, as will responsibility, if any, of the master plan for the construction and timing for its share of improvements.

E. Environment:

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

F. Fiscal:

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

7.3.605: PUD CONCEPT PLAN REVIEW CRITERIA:

Substantial compliance with the criteria is necessary for the approval of the PUD plan. The Director may determine that certain criteria are not applicable based on the characteristics of the individual project. PUD plans shall be reviewed based on the following review criteria:

- A. Is the proposed development pattern consistent with the Comprehensive Plan, the 2020 Land Use Map, and all applicable elements of the Comprehensive Plan (including the Intermodal Transportation Plan and the Parks, Recreation and Trails Master Plan)?
- B. Are the proposed uses consistent with the primary and secondary land uses identified in the 2020 Land Use Map of the Comprehensive Plan, as amended?
- C. Is the proposed development consistent with any City approved Master Plan that applies to the site?
- D. Is the proposed development consistent with the intent and purposes of this Zoning Code?
- E. Does the development pattern proposed within the PUD concept plan promote the stabilization and preservation of the existing or planned land uses in adjacent areas and surrounding residential neighborhoods?
- F. Does the development pattern proposed within the PUD concept plan provide an appropriate transition or buffering between uses of differing intensities both on site and off site?
- G. Does the nonresidential development pattern proposed within the PUD concept plan promote integrated activity centers and avoid linear configurations along roadways?
- H. Are the permitted uses, bulk requirements and required landscaping appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community?
- I. Does the PUD concept plan provide adequate mitigation for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single-family homes)?
- J. Does the PUD concept plan accommodate automobile, pedestrian, bicycle and transit modes of transportation as appropriate, taking into consideration the development's primary function, scale, size and location?
- K. Does the PUD concept plan include a logical hierarchy of perimeter and internal arterial, collector and local streets that will disperse development generated vehicular traffic to a variety of access points and ways, reduce through traffic in adjacent residential neighborhoods and improve resident access to jobs, transit, shopping and recreation?
- L. Will streets and drives within the project area be connected to streets outside the project area in a way that minimizes significant through traffic impacts on adjacent residential neighborhoods, but still improves connectivity, mobility choices and access to jobs, shopping and recreation?
- M. Does the PUD concept plan provide safe and convenient vehicle and pedestrian connections between uses located within the zone district, and to uses located adjacent to the zone district or development?
- N. Will adequately sized parking areas be located to provide safe and convenient access, to avoid excessive parking ratios and avoid excessive expanses of pavement?
- O. Are open spaces integrated into the PUD concept plan to serve both as amenities to residents/users and as a means for alternative transportation modes, such as walking and biking?
- P. Will the proposed development overburden the capacities of existing or planned streets, utilities and other public facilities?
- Q. Are the areas with unique or significant natural features preserved and incorporated into the design of the project? (Ord. 03-110; Ord. 03-190, Ord. 12-68)

7.5.501 (E): CONCEPT PLAN REVIEW CRITERIA:

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

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