

EL PASO **COUNTY**
COLORADO

COMMISSIONERS:
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
KEVIN MASTIN, INTERIM EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Brian Risley, Chair

FROM: Nina Ruiz, Planning Manager
Daniel Torres, PE Engineer II
Kevin Mastin, Interim Executive Director

RE: Project File #: P-21-008
Project Name: Citizen on Constitution
Parcel No.: 4050-00-051 5332404001

OWNER:	REPRESENTATIVE:
Feathergrass Investments, LLC 4715 North Chestnut Street Colorado Springs, CO 80907	The Garrett Companies 1051 Greenwood Springs Boulevard Greenwood, IN 46143

Commissioner District: 2

Planning Commission Hearing Date:	5/5/2022
Board of County Commissioners Hearing Date:	6/7/2022

EXECUTIVE SUMMARY

A request by Feathergrass Investments, LLC, for approval of a map amendment (rezoning) of 10.54 acres from CS (Commercial Service) to RM-30 (Residential, Multi-Dwelling) and is subject to the CAD-O (Commercial Airport District Overlay). The parcel is located at the southwestern corner of the Constitution Avenue and Marksheffel Road intersection, and are within Section 5, Township 14 South, Range 65 West of the 6th P.M.

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by Feathergrass Investments, LLC, for approval of a map amendment (rezoning) of 10.54 acres from CS (Commercial Service) to RM-30

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.com

(Residential, Multi-Dwelling) and is subject to the CAD-O (Commercial Airport District Overlay).

Waiver(s)/Deviation(s): There are no waivers associated with the map amendment (rezone) request.

Authorization to Sign: There are no documents associated with this application that require signing.

B. Planning Commission Summary

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2021):

- A. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- B. The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111 §30-28-113, and §30-28-116;
- C. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- D. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

D. LOCATION

North:	CS (Commercial Service)	Vacant
South:	M (Industrial)	Vacant
East:	CR (Commercial Regional)	Commercial
West:	CS (Commercial Service)	Vacant

E. BACKGROUND

The 10.54- acre property was zoned A-2 (Agricultural) at the time of initial zoning for this portion of El Paso County on September 21, 1965. It was then subsequently rezoned to M-1 (Industrial) in 1975. Due to changes in the nomenclature of the Land Development Code, the M-1 zoning district is now known as the CS (Commercial Services) zoning district. The property was platted as Tract N of Urban Collection at Palmer Village on October 8, 2021 (Plat no. 14832).

F. ANALYSIS

1. Land Development Code Analysis

The subject property is adjacent to existing commercial and industrially zoned properties. Specifically, the parcels located directly west and north of the subject property are zoned CS. The parcel located south of the subject property is zoned M and is developed with a Waste Connection storage facility. In the context of the surrounding neighborhood, the subject property is located near higher-density residential development. Specifically, immediately to the west is the Urban Collection at Palmer Village development which includes lots as small as 2,000 square feet in size. The Cherokee Park Townhomes as well as the Northcrest development is located approximately one-fourth of a mile west of the subject property and is developed with multi-family residential development within the RM-30 zoning district.

The proposed map amendment (rezone) is consistent with the current densities and scale of development in the immediate neighborhood surrounding the subject property. The proposed multi-family zoning will be supported by the existing commercial shopping center located east of the property at the intersection of Marksheffel Road and Constitution Avenue, which contains a large grocery store, restaurants, convenience store, and offices.

Should the request for a map amendment (rezone) be approved, the applicant will need to complete a site development plan prior to initiation of any multi-family use on the subject parcel. The site development plan will need to demonstrate compliance with the dimensional standards of the RM-30 zoning district as well as the development standards included in Chapter 6 of the Land Development Code.

2. Zoning Compliance

The applicant is requesting to rezone 15.39 acres to the RM-30 (Residential Multi-Dwelling) zoning district. The RM-30 (Residential Multi-Dwelling) zoning district is intended to accommodate high density multi-family residential developments. The density and dimensional standards for the RM-30 (Residential Multi-Dwelling) zoning district are as follows:

- Minimum lot size: 5000 square feet* **

- Minimum width at the front setback line: 75 feet
- Minimum setback requirement: front 25 feet, side 15 feet, rear 15 feet ***
- Maximum lot coverage: 60 percent
- Maximum Height: 40 feet

*The minimum lot area of 5,000 square feet applies to single-family detached dwellings, two-family dwellings and the first 2 units of a multi-family development. An additional 1,000 square feet of lot area is required for each additional dwelling unit within a multi-family development. The maximum multi-family density may not exceed 30 dwelling units per acre. All other uses are subject to a minimum lot area of 7,000 square feet. Central water and wastewater services are required regardless of lot size or conforming status.

**If the building is established as or converted to condominium or townhome units in accordance with Chapter 7 of the Code, the building and lot shall meet the minimum lot area and setbacks requirements, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements. A 25-foot perimeter boundary setback shall be maintained around the entire development, but a zero-foot setback is allowed along any internal lot line within the development.

***The minimum distance between buildings shall be 10 feet.

The area included in the map amendment (rezone) request is comprised of 10.54 acres, which exceeds the 5,000 square-foot minimum lot size requirement of the RM-30 zoning district. A site development plan will be required prior to initiation of any multi-family use prior to building permit authorization to ensure that the development complies with the dimensional standards of the RM-30 zoning district as well as the General Development Standards in Chapter 6 of the Code and the requirements of the Engineering Criteria Manual.

3. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.2 – *Integrate water and land use planning.*

Policy 1.1.1 – *Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

Policy 6.0.4 – *Encourage development that incentivizes and incorporates water efficient landscaping principles.*

Policy 6.1.3.3 – *Encourage sustainable landscaping that is tailored to the variations of climate zones across the County.*

The subject parcel is in Region 5 of the El Paso County Water Master Plan and is within the Cherokee Metropolitan District service area. Region 5 has a current water supply of 4,849-acre feet per year and a current demand of 4,396 -acre feet per year. The 2040 water supply is projected to be 6,800-acre feet per year and the projected demand is 6,468-acre feet. The 2060 water supply is projected to be 10,131-acre feet per year, whereas the demand is anticipated to be 9,608-acre feet per year; therefore, there is projected to be a surplus supply of water for central water providers in this region of the County.

A finding of water sufficiency is not required with a map amendment (rezone) but will be required with any future subdivision request. The property is currently platted as a Tract and cannot be developed for multi-family use. A sufficiency of water finding is required with subsequent plat application(s). The proposed map amendment (rezone) is proposed to be served by the Cherokee Metropolitan District. Should the request be approved, a site development plan application will be required to initiate any multi-family use on the property.

4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The El Paso County Community Services Department, Environmental Services Division was sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies valley fill, upland deposits, and eolian deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified in the review of the proposed map amendment (rezone).

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential.

3. Floodplain

The property is not located within a defined floodplain as determined from review of the FEMA Flood Insurance Rate Map panel number 08041C0756G, dated December 7, 2018.

4. Drainage and Erosion

The property is located within the Sand Creek (FOFO4000) drainage basin, which is a studied drainage basin with drainage and bridge fees. Drainage and bridge fees are not assessed with map amendment (rezoning) requests but will be due at the time of final plat recordation. A grading and erosion control plan as well as a final drainage report providing hydrologic and hydraulic analysis to identify and mitigate the drainage impacts of the development has been submitted with the final plat application and is currently under review.

5. Transportation

The property is located at the southwest corner of the Constitution Avenue and Marksheffel Road intersection. There is a current effort by El Paso County to transfer ownership and maintenance of Constitution Avenue and Marksheffel Road to the City of Colorado Springs. If the roadways are transferred before this site develops, the City will have authority over any proposed or required improvements along these roadways due to the site's development. The City of Colorado Springs Public Works Department has provided an outside agency review on this project. They have indicated on EDARP that all public improvements shall be built to full City standards if the site is chosen for pre-annexation.

The traffic study submitted with the map amendment (rezone) application identifies that access to the site will be provided off the new south leg of Akers Drive at the Constitution Avenue intersection. One full-movement access is proposed along Akers Drive as well as a right-out only access along Marksheffel Road. Improvements consisting of auxiliary lanes at the intersection of Akers Drive and Constitution Avenue are recommended in the traffic study. Further staff

analysis of the proposed access points and improvements will be performed with review of the construction documents associated with the final plat application.

The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development. The property is subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

H. SERVICES

1. Water

Central water service is provided by Cherokee Metropolitan District.

2. Sanitation

Central wastewater service is provided by Cherokee Metropolitan District

3. Emergency Services

The property is within the Cimarron Hills Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Natural Gas service will be provided by Colorado Springs Utilities and electrical service will be provided by Mountain View Electric Association.

5. Metropolitan Districts

The subject parcel is included within the boundaries of Cherokee Metropolitan District. The Cherokee Metropolitan District provides centralized water and sanitation services to residents of the District. Additionally, the subject property is part of the Constitution Heights Metropolitan District, which was formed in 2004 (PCD File No. ID04005).

6. Parks/Trails

The 2013 El Paso County Parks Master Plan shows the proposed Marksheffel Road Bicycle Route along the east side of the subject property. The bicycle route will be located within Marksheffel Road right of way and would not be impacted by the anticipated development of the property. Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning).

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application.

I. APPLICABLE RESOLUTIONS

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Disapproval Page 28

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2021), staff recommends the following conditions and notations.

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified eleven (11) adjoining property owners on April 20, 2022, and April 28, 2022, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Rezone Map



March 17, 2022

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

FEATHERGRASS INVESTMENTS, LLC
4715 N. CHESTNUT ST
COLORADO SPRINGS, CO 80907
90 S. CASCADE AVENUE, SUITE 1500
COLORADO SPRINGS, CO 80903

APPLICANT

THE GARRETT COMPANIES, INC.
ATTN: RACHEL HARMON
1051 GREENWOOD SPRINGS BLVD, SUITE 101
GREENWOOD, IN 46143

PLANNING/ TRANSPORTATION ENGINEERING

KIMLEY-HORN & ASSOCIATES
4582 SOUTH ULSTER STREET, SUITE 1500
DENVER, CO 80237

SURVEYING

BARRON LAND SURVEYING
2790 N. ACADEMY BLVD., SUITE 311
COLORADO SPRINGS, CO 80917

REQUEST

The Garrett Companies (Applicant), on behalf Feathergrass Investments, LLC (Owner), requests the rezoning of Parcel No. 5405000035 (± 1.72 AC) and Parcel No. 5405000051 (± 10.54 AC) from the CS CAD-O (Commercial Service District with Commercial Airport District Overlay) to the RM-30 (Residential Multifamily) CAD-O District. The parcels are located at the southwest corner of the intersection of Constitution Avenue and Marksheffel Road. (See vicinity map for location).

The Applicant intends to develop 226 multifamily units in two (2) buildings on the 12.26 AC site with a maximum density of 18.43 DU/AC in the proposed RM-30 zone. The planned community includes: two (2) mid-rise, three (3) story multifamily unit buildings, office, club house, swimming pool, landscaping, and open spaces. Parking will be provided with a combination of tuck under (garage) parking below select second level units, detached garages, and uncovered surface parking. Final community and site plan details are currently being refined for site development plan submittal.

REVIEW CRITERIA & JUSTIFICATION

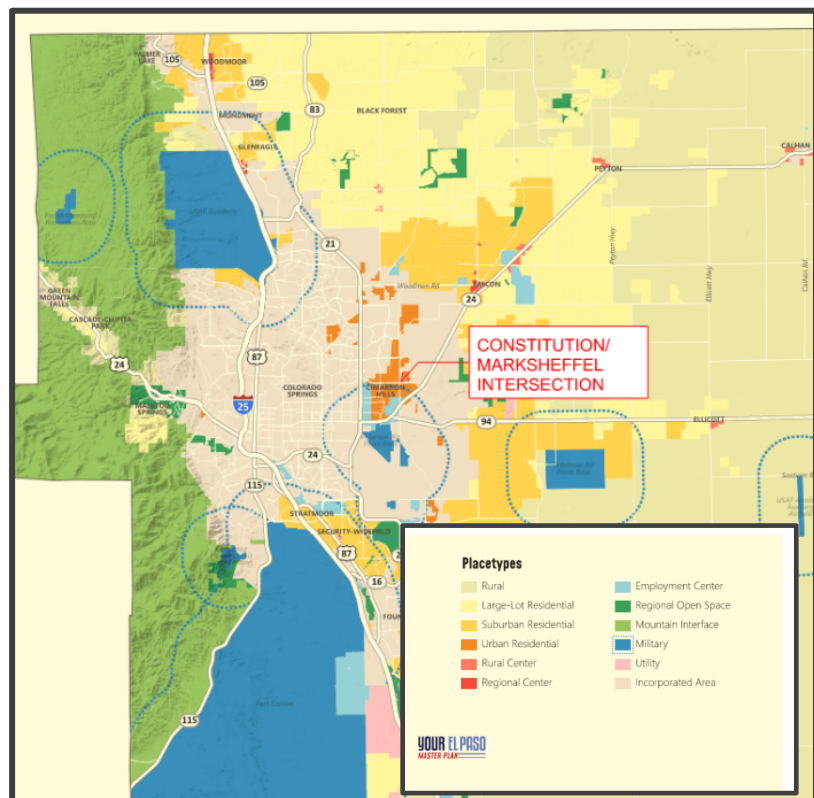
The Applicant requests approval of the rezoning based on findings of consistency and general conformance with the following map amendment (rezoning) review criteria. Master Plan conformity will be discussed in terms of general conformity with the Your El Paso Master Plan (Master Plan) and El Paso County Water Master Plan (WMP).

A. *The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;*

The proposed rezone is in general conformance with the EL Paso County Master Plan as discussed in detail below. There has also been a substantial ongoing change in the character of the area's development and land use patterns creating a mixed land use character that incorporates commercial, industrial, single & multifamily densities centered at Marksheffel/Constitution intersection and adjacent corridor segments. This development pattern is consistent with the location and primary and supporting land uses of the Urban Residential Placetype shown on the Placetypes Map in the Master Plan.

Since the properties were rezoned to the current CS (Commercial Service) zone from M (Industrial) in 2004, the surrounding area has undergone a substantial change in character from primarily industrial/commercial land uses to a mixed use of commercial retail uses supporting a growing single-family residential market base.

The proposed RM-30 zoning and planned multifamily land uses and densities are consistent with the existing adjacent commercial, industrial, public, and residential land uses which are in various stages of development and redevelopment.



Master Plan Conformity (Land Use & Housing)

Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.

Land Use

The Your El Paso Master Plan locates this property within an urban residential placetype where higher density and multifamily residential uses are identified as a primary land use in this area designation.

PLACETYPES	LAND USES																
	Agriculture	Farm/Homestead	Estate	Single-Family Detached	Single-Family Attached	Multifamily	Mixed Use	Restaurant	Commercial Retail	Commercial Service	Tourism Commercial	Entertainment and Arts	Office	Light Industrial/Business Park	Heavy Industrial	Military Operation	Parks and Open Space
Rural	●	●	○													●	○
Large-Lot	○			●				○	○							○	
Suburban				●	○	○		○	○							○	○
Urban Residential	○	○	○	●	●	●	○	○	○	○	○	○	○	○	○	○	○
Rural Center				●	○	○		●	●	●							●
Regional Center				○	●	○	●	●	●	●	○						○
Employment Center							○	○	○			●	●	●			
Regional Open Space																●	●
Mountain Interface				○				○	○	○	○					●	○
Military				○	○	●	○	○	○	○	○	○	○	○	○	○	○
Utility															○		●

● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype
 ○ Supporting Land Use: Less prevalent and serve to support the primary land use.

The proposed multifamily uses and densities are compatible with the existing and approved residential, commercial, and industrial land use patterns and densities along the Constitution Avenue corridor in both easterly and westerly directions as well as the Marksheffel Rd Corridor in both northerly and southerly directions. Many of the Regional and Employment Center Placetype land uses are located adjacent to or in proximity to the planned development which include commercial retail, restaurant, commercial service, and light industrial in the surrounding CR

(Commercial Retail), CS (Commercial Service), M (Industrial), I-3 (Heavy Industrial), and City of Colorado Springs PBC (Planned Business Center) zone districts.

Infrastructure Capacity (Utilities and Urban Services)

Necessary urban services to meet the multifamily demands are available and currently serving adjacent and nearby residential, commercial, industrial land uses and densities. Specific services include water/wastewater, fire protection, emergency ambulatory/medical service (EMS), police protection, public schools for compulsory education, public parks and recreation opportunities, and public drainage/transportation facilities and associated infrastructure. Akers Drive will be extended southerly from Constitution Avenue to provide public access to the planned development as well as a secondary emergency access for the Urban Collection at Hannah Ridge residential development.

Public services and utilities are, or will be, provided by the following

- Water & Wastewater Services: Cherokee Metropolitan District (CMD)
- Natural Gas: Colorado Springs Utilities
- Electric Service: Mountain View Electric Association
- Fire Protection: Falcon Fire Protection District
- Public Schools: Colorado Springs District #11
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff's Department
- Special District Services: Constitution Heights Metro District
- Parks, Trails, Open Spaces: El Paso County, City of Colorado Springs, CMD

Utility and fire protection commitments and use specific service demands and delivery requirements will be provided at future subdivision phases for the multifamily project. The subsequent subdivision and site development plan submittal and review will include detailed reports and analysis of system or service deficiencies. Impacted service providers will outline respective infrastructure and/or operational needs in order to meet projected demands.

Infrastructure Capacity (Transportation and Access – Summarized from TIS)

The project is expected to generate approximately 1,230 weekday daily trips, with 76 of these trips occurring during the morning peak hour and 97 of these trips occurring during the afternoon peak hour.

Regional access to the project will be provided by US Highway 24 (US-24), Powers Boulevard (SH-21), and State Highway 94 (SH-94). Primary access will be provided by Constitution Avenue and Marksheffel Road. Direct access will be provided by a full movement access from the extension of Akers Drive southerly from Constitution Avenue. Constitution Avenue extends eastbound and westbound with two through lanes in each direction with a posted speed limit of 50 miles per hour. Marksheffel Road extends in the north-south direction with two through lanes in each direction and has a posted speed limit of 50 miles per hour.

Deviations Required

The following deviations will be provided at the subdivision stage (i.e. preliminary plan/final plat) for the ECM administrators consideration:

- A deviation will be provided to request full movement access from a future south leg of Akers Drive at Constitution Avenue. The future south leg of Akers Drive along Constitution Avenue will be located approximately 1,050 feet west of Marksheffel Road (measured edge line to center), and approximately 825 feet east of Hannah Ridge Drive. According to the El Paso Engineering Criteria Manual (ECM) section 2.2.5.B, spacing of roads accessing an urban principal arterial that will result in a full movement intersection shall be planned at one-half mile. However, as stated in the ECM, one parcel access shall be granted to each existing lot, if it does not create safety or operational problems. The intersection of Constitution Avenue and Akers Drive is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that a south leg of Akers Drive at Constitution Avenue should be granted to allow for one full movement access to the existing lot.
- A deviation will be provided in support of allowing a right-out only access along Marksheffel Road. The proposed right-out access along Marksheffel Road will be located approximately 400 feet south of Constitution Avenue (measured edge line to center). The proposed right-out only access along Marksheffel Road is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that this access should be granted to only allow right-turn exiting movements.
- The access along the new south leg of Akers Drive will be approximately 300 feet south of Constitution Avenue (measured edge line to center). According to the El Paso County Engineering Criteria Manual section 2.2.5.D, spacing of intersections along urban collector roadways from an arterial roadway should be 330 feet from the right-of-way line of the arterial to the centerline of the access roadway. Therefore, the proposed access along the new south leg of Akers Drive does not meet ECM standards. The access along Akers Drive is expected to meet operational, vehicle queue, and sight distance standards. A deviation will need to be provided to request for this proposed access to remain at the proposed location.

The project access intersections are anticipated to have all movements operating with acceptable LOS C or better during the peak hours in both the buildout year 2023 and the 2045 long term horizons. It should be noted that the access along Akers Drive will not have any conflicting movements in the short-term; therefore, vehicle delays are not reported at this access intersection.

Goal 1.3 - *Encourage a range of development types to support a variety of land uses. (Addressed together with core principle and goals below)*

Core Principle 2: *Preserve and develop neighborhoods with a mix of housing types.*

Goal 2.1 - *Promote development of a mix of housing types in identified areas.*

Goal 2.3 - *Locate attainable housing that provides convenient access to goods, services, and*

employment.

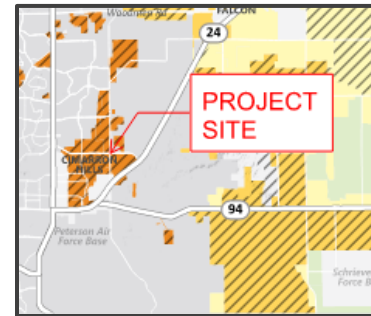
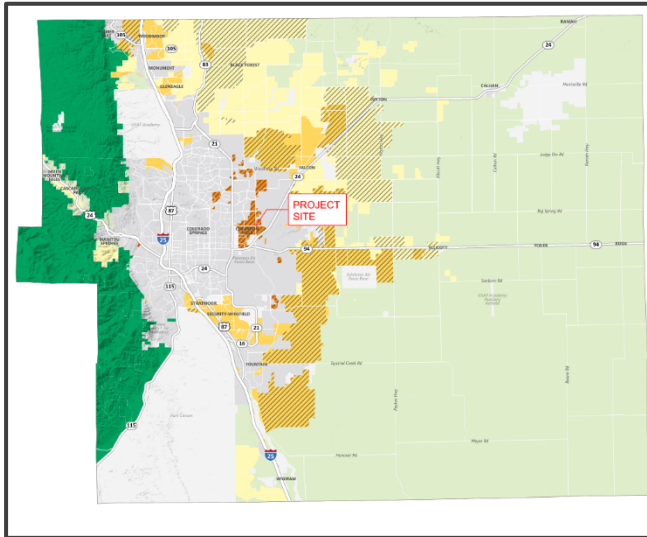
The housing type in the area is characterized by higher urban residential densities including but not limited to single family detached & attached, townhome, and apartment densities and supporting commercial retail uses surrounding the Marksheffel/Constitution intersection. (e.g., Claremont Ranch 9, The Sands, Midtown Collection at Hannah Ridge, Urban Collection at Hannah Ridge, various Hannah Ridge Filings, Upland Flats by Watermark).

The existing and approved land use mix within the adjacent area includes residential (single-family attached, single-family detached, and multifamily) land uses, together with commercial and retail uses, service oriented, light, and heavy industrial land uses along and adjacent to the Constitution Corridor from Peterson Road to the west to the easternmost terminus of Constitution Avenue to the east at State Highway 24, along the Marksheffel Corridor from North Carefree to the north southerly to the intersection of Marksheffel Road and State Highway 94 to the south (see surrounding land use map exhibit/not vicinity map).

The proposed multifamily housing development will provide an additional 226 apartment units to the available rental housing market supply. This housing will create opportunities for individuals and families to find attainable and affordable housing near conveniently located to major transportation thoroughfares (Marksheffel Rd, Constitution Ave, Powers Blvd, SH 24, & SH 94) which can connect them to employment centers, commercial/retail corridors and nodes, and recreational opportunities throughout the El Paso County region. The increased residential densities provide additional customer base in support of existing and planned commercial at the Constitution/Marksheffel intersection, Powers Blvd corridor, and at the SH 24/SH 94 commercial node (pending Crossroads North and Crossroads at Meadowbrook developments, See PCD File Nos SP-20-7 & SP-21-29, respectively).

The proposed rezone and development of multi-family housing will provide additional housing choice meet the current regional demand for workforce, affordable, and attainable housing. The proposed rezone provides opportunity to create market rate affordable and attainable housing within a multifamily context. Rental/leasing prices will be market rate which are comparable to rent rates for similarly aged communities in El Paso County that provide comparable unit and community amenities. The proposed infill multifamily development provides a balancing and complementary land use mix that supports nearby commercial/retail uses and workforce housing demands.

According to the Priority Development Areas Map in the Master Plan, the site is located within an Urban Residential Priority Development Area where “new residential development should be prioritized first for new residential development to accommodate growth” in the County.

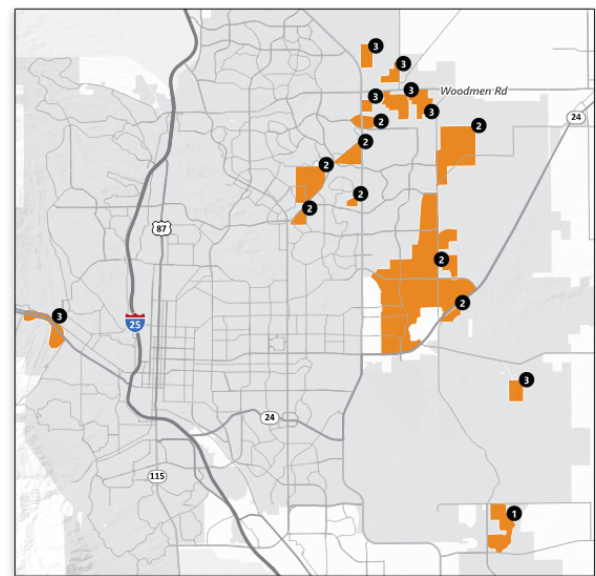


Housing and Communities Framework

- Mountain Interface
- Rural
- Large-Lot Residential
- Suburban Residential
- Urban Residential
- ▨ Priority Development Areas

Urban Residential Priority Development (Areas Larger Enclaves) According to the Your El Paso Master Plan, “Larger enclaves, including Cimarron Hills, currently exhibit the Urban Residential place-types characteristics. They have denser housing clustered together with a wide variety of commercial and employment businesses to create a complete community. However, some have only one or two uses due to their size. All of them have been designated as transition areas within the Areas of Change because all or part of them could be redeveloped to better support the establishment of complete communities.”

“Overall, the County should prioritize higher-quality redevelopment of any primary or supporting land use for the Urban Residential placetype as opportunities arise.”



Urban Residential Priority Development Areas

The proposed multifamily densities are an appropriate transition at the Constitution Ave/Marksheffel Rd intersection which has an existing/approved land use mix of retail and service oriented commercial, light to heavy industrial, light manufacturing, single-family detached, medium to high density multifamily uses.

The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors, location of community/resident amenities and recreation areas, site design which respects the location as a County/City gateway, as well as enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.

WATER MASTER PLAN CONFORMANCE & CONSIDERATIONS

- **Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.**
- **Goal 6.0 – Require adequate water availability for proposed development.**
- **Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.**
- **Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.**

The development area is located in REGION 5 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Cherokee Metropolitan District (CMD) Service Area. Region 5 consists of areas served by CMD and is not expected to experience significant growth by 2060. However, the District may expand water and sewer service to growth areas outside of Region 5. CMD has sufficient supply and existing infrastructure in the area to serve this infill development. Water quality is good and Cherokee is in compliance with all regulatory limits.

Water and wastewater services for properties within the rezone area will be provided by Cherokee Metropolitan District Service. Existing distribution and service lines are located adjacent to the site and are adequately sized to deliver water and wastewater to the proposed development

Findings of water sufficiency will be made during the final plat submittal, review, and approval process. Early discussions with the District indicate that adequate water supplies are available to meet the demands of the project. A complete final analysis of projected water demand and to-date District supplies are pending completion of the Development Review process between the District and developer.

A Water Resources Report with supplemental District information will be provided with upcoming final plat application and will provide detailed information regarding multifamily demand and supplies, commitments, facilities, acquisitions, and capital improvements. Coordination is ongoing with the District to establish final water demands to serve the development in terms of number of units, fixture counts, and irrigation and fire suppression needs.

B. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;

The application has met all County submittal and procedural requirements for a rezone as either outlined or authorized by the referenced statutes.

C. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and

The proposed zone district is compatible with existing and permitted land uses and zoning districts in all directions.

Surrounding land uses and zoning include the following:

NORTH (LOCATED ON NORTH SIDE OF CONSTITUTION AVE):

- HANNAH RIDGE AT FEATHERGRASS FILING NOS 1-7 (RESIDENTIAL PUD)
- MIDTOWN COLLECTION AT HANNAH RIDGE (RESIDENTIAL PUD)
- UPLAND FLATS BY WATERMARK (300 UNIT MULTI-FAMILY) (RM-30)
- TR CC HANNAH RIDGE AT FEATHERGRASS FIL NO 1 (VACANT/CS ZONE)

WEST:

- URBAN COLLECTION AT HANNAH RIDGE (RESIDENTIAL PUD)

SOUTH:

- WASTE CONNECTIONS GSC (GARBAGE SERVICE COMPANY) – NO TRANSFER ACTIVITIES ON SITE
- EL PASO COUNTY OWNED PROPERTY (STORMWATER IMPROVEMENTS/ M ZONE)
- WILSHIRE RESIDENTIAL PUD
- LIGHT TO HEAVY INDUSTRIAL USES ON THE WEST SIDE OF MARKSHEFFEL SOUTHERLY ALONG MARKSHEFFEL CORRIDOR

EAST:

- CLAREMONT RANCH FILING 9 –COMMERCIAL RETAIL CENTER (CR ZONE)
- CLAREMONT RANCH (MULTIPLE RESIDENTIAL FILINGS)

NORTHEAST:

- SAND HILL COMMERCIAL (CITY OF COLORADO SPRINGS ZONING PBC AO ZONE)
- SANDS SINGLE-FAMILY RESIDENTIAL (NORTH OF SAND HILL COMMERCIAL ON EAST SIDE OF MARKSHEFFEL) (CITY ZONING R1-6 DF AO)

Roadways, utilities, drainage, etc. will be constructed in the most optimal and efficient manner as necessary to facilitate development construction and sequencing. Utilities for the multifamily community will be coordinated with the associated districts and providers as required. A minimum 15-foot landscape buffer and setback will be provided against the Waste Management GSC and

storage yard on the southern boundary. Planned uses against the development edge will be surface and garage parking which will provide additional buffer and screening against visual impacts. The apartments will be oriented to maximize views to the west, north, and east; minimizing unit views to the south into the storage yard.

D. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the County Code. Planned multifamily uses, which represent a downzoning from the permitted uses under the current CS (CAD-O) retail, wholesale or service commercial oriented zoning.

The site is located adjacent to existing utility infrastructure and service lines. No major utility improvements or upgrades are anticipated in order to adequately serve the site.

The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors, location of community/resident amenities and recreation areas, site design which respects the location as a County/City gateway, as well as enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.

Suitability of the site for development in terms of geology, service availability, environmental impacts, major land use impacts, aviation overlay impacts, and military adjacency considerations and mitigation of associated impacts will be documented with subsequent subdivision plat and site development plan applications.

The subdivision analysis of the site suitability will also include availability of public services such as: access & transportation, stormwater, fire protection, utilities, water/sewer services, schools, parks and open spaces (via dedications as well as on site amenities where applicable). These and other issues will be addressed in additional detail in response to subdivision, site development and performance criteria, any conditions of approval imposed by the BOCC.

Development will conform to with the zoning requirements of the RM-30 zone, including landscape buffering/screening requirements of the Code summarized below:

- Maximum density: 30 DU/AC
- Structural Setbacks (from property boundary):
 - Front 25-feet
 - Side/Rear: 15-feet
 - The minimum distance between buildings shall be 10 feet.

- Max Lot Coverage: 60%
- Max Height: 40-feet
- Roadway Landscape Buffers:
 - Principal Arterial: 25-foot buffer/landscape setback (1 tree/25 feet of Constitution Ave/Marksheffel Rd frontages)
 - Non-Arterial: 10 feet (1 tree/30 feet of Akers Drive frontage)
- Buffer Between Non-Residential, Multifamily Residential and Single-Family/Duplex Uses:
 - 15-feet along frontages adjacent to single-family residential uses
 - 15-feet along residential boundary where compatibility is a concern (southern property boundary)
 - 1 tree/25-feet of common property line
 - A minimum 1/3 trees shall be evergreen
- Internal Landscaping Requirements:
 - A minimum of 15% of the lot or parcel shall be landscaped.
 - A minimum of one tree shall be provided for every 500 square feet of required internal landscape area.

All future rezoning, subdivision, and/or development applications will be subject to the restrictions and limitations of the Commercial Airport District Overlay. The subsequent final plat will clarify zone district boundaries with respect to ROW dedications and improvements, stormwater and water quality facilities, utilities, pedestrian amenities and landscape buffers and setbacks.

PARCEL	NAME
5405000051	FEATHERGRASS INVESTMENTS LLC

El Paso County Parcel Information

ADDRESS	CITY	STATE
4715 N CHESTNUT ST	COLORADO SPRINGS	CO

ZIP	ZIPPLUS
80907	5531

File Name: P-21-008

Zone Map No.: --

Date: April 18, 2022



Please report any parcel discrepancies to:
El Paso County Assessor
1675 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
(719) 520-6600



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