



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
Land Use Review Division

July 2, 2021

~~Revised 9/1/2021 – 1st Review~~

Revised 12/22/2021 – 2<sup>nd</sup> Review

Ryan Lloyd

Echo Architecture, PLLC

4 South Wahsatch Avenue

Colorado Springs, CO 80903

**RE: Vue De La Parc Apartments – Development Plan and Nonuse Variance – 2<sup>nd</sup> Review Comments**

**FILE: AR DP 21-00368 and AR CNV 21-00369**

Dear Mr. Schuster,

City Land Use Review staff has completed its initial review of the above requested applications. This letter is to inform you of the following concerns regarding the applications and associated documents. Listed in this letter are City Planning Department's review comments along with other departmental and external agency review comments which must be addressed prior to application approval. **A detailed letter needs to accompany the revised plans, and must address each comment in this review letter. If necessary, contact the appropriate department directly if clarification is needed.** Be advised that due to necessary changes or proposed revisions to the subject plan, plat, or other support documents, new comments may be added to the review letter.

**Second Review: Updated/comments are shown in red, others there were completed have been removed.**

Resubmit to the following to Land Use Review:

- A detailed letter addressing each comment in this review letter.
- All documents related to the resubmittal (flattened PDF format only) uploaded to the Dropbox folder labeled “first submittal” or provided on a flash drive with the hard copy resubmittal package. Staff will not accept digital copies of the resubmittal by email.

## **BROAD PROJECT INPUT**

A request by Viceroy Development with representation by Echo Architecture, PLLC, for approval of the new Vue De La Parc Apartments Development Plan proposing to develop a 1.7-acre parcel of land to include a new 54-unit, 4-story apartment building on the west side of South 8th Street. The greenfield site abuts the east side of Bear Creek Regional Park and will provide a quality multi-family development in the largely commercial surrounding area. The site improvements include on-site parking with a covered carport over the parking at each end of the site, a landscape buffer along 8th Street, new utilities, a retention pond, a community patio, a dog run, and nearby access to the park. The site is zoned OC (Office Complex), is located at the northwest corner of the intersection of South 8th Street and Olympic Village Drive, and consists of approximately 1.70 acres. Staff finds that the applications are largely acceptable, however, the following technical modifications must be completed. No comments were received during the public notification process.

## **SUPPLEMENTAL INFORMATION**

*Drainage Report:* City Engineering has reviewed the drainage report and provided comments below.

Public Notice: **Public comments received by Planning are attached. Applicant, please address public comments in a separate letter that may be transmitted to those citizens. This should be included with your resubmittal.**

## **DEVELOPMENT PLAN**

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### **Land Use Review (Matthew Alcuran, 719-385-7347)**

General:

1. Please add file number AR-DP-21-00368 to the bottom right corner of all development plan sheets.
2. Please ensure a space is provided for City stamp in the bottom right corner.
3. Please add the approximate schedule of development. **New Note: Please add to plan set under Project Date on sheet 1 of 9** **Schedule Added to sheet 1 of 9**

4. Please provide a roof top trellis for the proposed trash enclosures to prevent wind-blown debris.
5. Please provide a photometric plan.
6. Please provide an elevation view of all site exterior light fixtures including freestanding and those attached to the free-standing building.
7. Please add a note on the photometric plan stating all exterior lighting shall be downcast and shielded.
8. Please add a note stating 'all exterior signage under a separate permit.'
9. Please provide the type, materials, size and height with detailed exhibits of all fences and retaining walls. Please include details of pilasters and the distance between each. Perimeter retaining walls shall include pilasters within a reasonable distance to avoid long devoid walls. **New Note: Please add fence/wall information to plan set. Redi-Rock Retaining Wall Detail shown on detail 8 page 3 of 9.**
10. **New Note: As requested below from City Land Surveyor please address the following: There is access being shown on the southern end of the site across El Paso County property, how is this access being granted? Please add note to the cover sheet. The City is required to notify CSFD, Traffic Engineering, Parks and Recreation, and Park, Recreation and Cultural Services to re-review the secondary access since it is not clearly identified on the plan set. Access Easement description added to sheet 1 of 9.**

## **Landscape (Daniel Gould, 719-385-5375)**

### 1. General Comments:

- a. A landscape plan was not provided with the submittal. At a minimum a Preliminary Landscape Plan will need to be submitted with the Development Plan. It is recommended that the required Final Landscape and Irrigation Plan, with applicable support material, be submitted and approved concurrently with Development Plan (the FLP and FIP can be submitted separately with the building permit). See links below regarding requirements for Landscape and Irrigation Plan sheets.
  - Landscape Code and Policy Manual — <https://coloradosprings.gov/sites/default/files/planning/landscape.pdf>
  - Preliminary Landscape Plan Check List — [https://coloradosprings.gov/sites/default/files/planning/prelim\\_ls\\_plan.pdf](https://coloradosprings.gov/sites/default/files/planning/prelim_ls_plan.pdf)
  - Final Landscape Plan Check List — [https://coloradosprings.gov/sites/default/files/planning/final\\_ls\\_plan.pdf](https://coloradosprings.gov/sites/default/files/planning/final_ls_plan.pdf)
  - Irrigation Plan Check List — [https://coloradosprings.gov/sites/default/files/planning/irrigation\\_plan.pdf](https://coloradosprings.gov/sites/default/files/planning/irrigation_plan.pdf)
- b. Per Code, a qualified Landscape/Irrigation designer is required to prepare the Landscape and Irrigation Plans and should follow all Colorado State Professional and Occupation Statutes (Title 12, Article 45). A Certification of Professional Qualifications Form also will need to be submitted. See link below. Contact me with any questions.
  - Certification of Professional Qualifications — [https://coloradosprings.gov/sites/default/files/planning/ad\\_pq\\_form.pdf](https://coloradosprings.gov/sites/default/files/planning/ad_pq_form.pdf)

### 2. Preliminary Landscape Plan Comments:

- a. Add the following note to the plans "All street trees and streetscape improvements located in the ROW will be maintained by abutting property owner." Addressed
- b. Label 8<sup>th</sup> street and all adjacent zoning on the plans. (PLP check #1c) Addressed
- c. Show symbols for all existing trees being used to meet tree requirements along 8<sup>th</sup> Street. Also update the landscape setback to show the number of existing trees being used, example 16 required/ 12 provide (?? Existing). Addressed
- d. Label and dimension the required 25' setback along 8<sup>th</sup> street. (PLP check #1h) **New comment – update the landscape plans to match the engineering sheets in the set, it looks like a sidewalk is planned between the curb and retaining wall and the landscape setback would not be located in the parking lot (motor vehicle lots should not be located within the landscape setback - 7.4.320.B.Policy 320.5). Updated**
- e. Provide general retaining wall heights on the plans and provide a detail of the retaining wall. (PLP check #1i). If needed, are any guardrails planned for the site due to falls adjacent to walks? **Partly addressed – provide a detail of the proposed retaining wall, staff did not see one in the set.** Detail of Redi-Rock Retaining wall added to sheet 2 of 9.
- f. Based on location and dimension of the landscape setback and retaining wall height, shrub bed with upright species may be needed along the wall. (7.4.320.F.12). We can address this in more detail with the future FLP. Addressed
- g. Provide a detail of all proposed fencing to the DP. (PLP check #1j) Addressed
- h. Show proposed grading on the landscape plan. Also confirm we will be able to save the existing Pinon Pines due to the new grading along 8<sup>th</sup> Street. Addressed

### Land Surveyor (Cory Sharp, 719-385-5098)

#### Development plan comments:

Previous comment 1, not addressed: Please revise the legal description to match the description that will be used in the final plat or from a current deed (not the Assessor description). **Description updated**

Previous comment 2, not addressed: Please add "to be platted as \_\_subdivision name\_\_" at the end of the legal description. **Added**

Previous comment 3, not addressed: Please add the "bearings" on the exterior boundary labels along the north, west and south lines. **Bearings are indicated along property edges.**

Previous comment 4, not addressed: There is access being shown on the southern end of the site across El Paso County property, how is this access being granted? Please add note to the cover sheet. **Access Easement information is added to the cover sheet.**

Please note additional comments might arise from review with a final subdivision plat.

### Traffic Engineering (Zaker Alazzeah, 719-385-5468)

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received.*

**Engineering Development Review (Joel Dagnillo, 719-385-5412)**

Previous comments addressed - EDRD has the following remaining comments:

1. Prior to installing the public ROW improvements, submit street and signage construction plans to EDRD and Traffic Engineering through our electronic review system called ProjectDox for review and approval. Financial assurances for all public ROW improvements shall be posted to the City prior to approving the construction plans. The amount to be submitted to the City will be agreed upon at that time. The public ROW improvements will follow EDRD's probationary and final street acceptance procedures. Reference Chapter 11 in the Subdivision Policy Manual for information. **Noted**
2. Show the location of the new pedestrian ramps that will be installed at the property access. Locate them approximately 15' behind the flow line on 8th Street, but also ensuring the inlet is not conflicted with. **Added**
3. The geological hazard report has still not been approved by the City. If CGS has any comments on the report that require it to be revised, they will be returned separately to you. **Noted**
4. Please add the following note to the Cover Sheet: "Installation of electrical devices in the public ROW shall be performed in accordance with the City Specification Section 1001 and complete the Colorado Springs Utilities "Electric Inspection in the Right-of-Way Certificate" in accordance with Utilities' requirements for electrification. The Certificate shall also be provided to the City Inspector." **Utilities Note added to cover sheet.**

**Water Resources Engineering and Management (Jonathan Scherer, 719-385-5546)**

1. Reviewed by Kimley-Horn on behalf of SWENT.
2. Repeat comment: label detention facility as "Private Full Spectrum Extended Detention Basin". This label needs to appear on the landscape plan as well. **Labeled**
3. Show the proposed maintenance path on the landscape plans. **Added**

**Informational Comments**

1. The second (2nd) submittal Final Drainage Report (STM-REV21-0877) was reviewed and returned to the engineer for revision on 11/17/2021. A comment on the drainage report that could affect the DP is to show that 1-ft of freeboard will be maintained for all swales. **Noted**
2. Previous informational comments still apply. **Noted**

**Fire (Steven Smith, 719-385-7362)**

**NO EXCEPTIONS: CSFD does not have any exceptions with the development plan as submitted.**

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received.*

**Colorado Springs Police Department, Crime Prevention Officer (Scott Mathis, 719-444-7246)**

No further comments from CSPD.

**Colorado Springs Utilities (Al Juvera, 719-668-8769, [ajuvera@csu.org](mailto:ajuvera@csu.org))**

**Action Items:**

Modify the Preliminary Utility and Public Facility Plan to address the following comments:

1. Please submit a hydraulic grade line (HGL) form to [waterplanning@csu.org](mailto:waterplanning@csu.org). Link is <https://www.csu.org/CSUDocuments/requesthydrauliclinegrade.pdf>. Once the report has been received, it will be used to determine if additional modeling, utility reconfigurations, and/or additional mainline extensions are required. If all requirements from the resulting reports are met, this action item will have been addressed. **Previously submitted.**
2. Show how you propose to install these metal gates within the easement and over the existing water main on the utility plan. **Revised see new plan.**
3. You will need to show 10 feet of horizontal separation between the wastewater service line and the fire hydrant. **Revised see new plan.**

**Information Items:**

1. Please click [here](#) for 2018 Development Charges or contact Utilities Development Services (UDS) at 719.668.8111 for an estimate of development charges, fees, Recovery Agreement charges or other utility related costs that may apply to this development. In instances where metered water and/or wastewater connections existed on the property, please contact UDS to discuss distribution of Water and/or Wastewater Development Charges to eligible lots.
2. Please contact Utilities Development Services (UDS) at 719.668.8111 for an estimate of development charges, fees, Recovery Agreement Charges or other utility related costs that may apply to this development.
  - In instances where metered water and/or wastewater connections existed on the property, please contact UDS to discuss distribution of Water and/or Wastewater Development Charges to eligible lots.
3. When new water meters are proposed to serve the project or additional demand added to existing water meters, a Commercial Water Meter Sizing form will be required to be submitted to CSU prior to Service Contract issuance and building permit approval.
4. CSU requires an Application for Gas and Electric Line Extension to be submitted along with a Load Data form or an Application for Gas Service Line Approval and/or Application for Elevated Pressure Approval prior to electric and natural gas system design for service to the project. Refer to the CSU Line Extension and Service Standards or contact Field Engineering at 719-668-4985.
5. CSU may require an extension contract and payment of contributions-in-aid of construction (or a Revenue Guarantee Contract) for the extension of electric facilities needed to serve the development. Regarding natural gas extensions, CSU may require an extension contract and an advance payment for the estimated cost to construct the necessary gas extensions.
6. Improvements, structures and trees must not be located directly over or within 6 feet of any underground gas or electric distribution facilities and shall not violate any provision of the National Electric Safety Code (NESC) or any applicable natural gas regulations or Colorado Springs Utilities' policies.
7. Improvements, structures and trees shall not be located under any overhead utility facility, shall not violate NESC clearances, and shall not impair access or the ability to maintain utility facilities.
8. Landscaping shall be designed to provide the required clearances for utility facilities, to allow continuous access for utility equipment, and to minimize conflicts with such facilities.
9. Colorado Springs Utilities requires wastewater and water construction drawings when new wastewater and water facilities are proposed. Plans can be submitted electronically to Utilities Development Services via [www.csu.org](http://www.csu.org).
10. The water distribution system facilities must meet the Colorado Springs Utilities' criteria for fire flow, water quality, service interruption and pressure. To meet service interruption criteria, no more than fifty (50) homes on a dead-end water main line are permitted. The static pressure of the water distribution system shall be a minimum of 60 psi. CSU will assess the need for a Water Quality Plan based on information presented in the Development Plan. CSU may require a new or updated Water Quality Plan where construction phasing or the water system design differ from the approved Development Plan.

Regarding a request for approval of a development plan for Vue De La Parc, Enumerations has no further comments.

**United States Postal Service, Supervisor (Elaine Kelly, 719-570-5415)**

**VUE DE LA PARC APARTMENTS**

I don't not see any reference to mailbox location or kiosk.

Is there one inside of the building? Mailboxes will be located in the lobby of the building. Plan note added to sheet 2 of 9

My concern is that if we are not in the initial design and we do not approve the location and/or kiosk, then they would have to start all over again.

If you have any questions, please let me know.

**Parks and Recreation (Connie Schmeisser, 719-385-6533)**

1. The Parkland Dedication Ordinance is applicable to the net new units created by this development application. The park land obligation is found below, with the accompanying fee estimate. We anticipate fees to be collected on this project.

**Total Park Land Dedication Requirement (Combined Neighborhood & Community)**

Based Upon Standard of 5.5 acres / 1,000 population

*This schedule goes into effect July 1, 2021 and is subject to change.*

# OF UNITS PER STRUCTURE	ACRES OF DEDICATION PER UNIT*	FEEES IN LIEU PER UNIT*
1	0.0146	\$1,696
2-4	0.0117	\$1,363
5-19	0.0106	\$1,228
20-49	0.0096	\$1,117
50+	0.0090	\$1,044
<b>A. LAND DEDICATION FORMULA FOR NEIGHBORHOOD &amp; COMMUNITY PARKS</b>		
54	X 0.0090	= 0.49
NUMBER OF UNITS	ACRES OF DEDICATION PER UNIT	LAND DEDICATION REQUIREMENT ACRES
<b>B. FEE IN LIEU FORMULA FOR NEIGHBORHOOD &amp; COMMUNITY PARKS</b>		

54	X	\$1,044.00	=	\$56,376
NUMBER OF UNITS		FEES IN LIEU PER UNIT		FEE IN LIEU REQUIREMENT
		\$651.28	=	\$57,027.28
		PLATTING FEES		TOTAL PLDO FEES DUE

\*Acres and fees based on 2019 American Community Survey 5-year estimates 2015-2019.

\*Land Value based on A Real Property Appraisal Report prepared by East-West Econometrics, May 2020.

**Parkland Fees in Lieu of Land Dedication will be collected for this project at the time of building permit, through our DRE Office (upstairs at PPRBD) starting on July 1, 2021. Please pass this information along to the builder or contractor who will be obtaining the building permit. Payment is required before DRE will sign off on the building permit.**

- This is also a school district land ordinance. The school district is to respond separately with application comment. However, should they not respond ordinance directs the collection of fees when net new units are created. The School fee's today are: \$1,532 (8 du/ac and less) or \$368/unit (8 du/ac and over). All fees are subject to change.

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received. Noted*

#### **Parks, Recreation and Cultural Services (Emily Duncan, 719-385-6951)**

I do not have a trails/OS comment for this DP.

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received. Noted*

#### **Public Works Operations & Maintenance Division (Michael Hensley, 719-385-6856)**

**8<sup>TH</sup> ST** is under moratorium thru 2022. *Noted*

If infrastructure construction, storm sewer, or utility tie-in work impacts **8<sup>TH</sup> ST**, developer needs to be familiar with the City's degradation fee schedule and restoration specification. Restoration limits and degradation fees will be defined in the field based on extent of impact. Degradation fees are graduated based on area of impact and the age of the current road-



way surface treatment. For a more detailed explanation of these fees and how they are calculated, please contact City Right-of-way management at 385-5977. *Noted*

**Pikes Peak Regional Building Department, Floodplain Administrator (Keith Curtis, 719-327-2898)**

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received. Noted*

**Colorado Springs Airport, Environmental Health & Project Specialist, (Kris Andrews, 719-550-1915)**

*As of the date of this letter, Planning staff has not received any comments. Comments will be emailed once received. Noted*

**NONUSE VARIANCE**

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**Land Use Review (Matthew Alcuran, 719-385-7347)**

General:

1. Please add file number AR NV 21-00369 to the bottom right corner of all final plat plan sheets.
2. Please ensure a space is provided for City stamp in the bottom right corner.

Please note that failure to submit revised plans/reports/information within 180 days will result in your application being formally withdrawn from consideration. Once withdrawn, any subsequent re-submittal will require the filing of a new application

If you have any questions please contact me a [Matthew.Alcuran@coloradosprings.gov](mailto:Matthew.Alcuran@coloradosprings.gov) or by phone at 719-385-7347.

Sincerely,



Matthew Alcuran

Planner II

Cc: Viceroy Development

Public Comment: [Resident-Annette Kohnert](#)  
[Resident-Richard and Janet Murphy](#)