GENERAL APPLICATION FORM



Project Name: Davis Briargate Apartments Existing Zone: PBC Acreage: 13 43

Site Address: 9121 HIGHLAND RIDGE HTS, COLORADO SP Direction from Nearest Street Intersection.

OLYMPIC CITY USA	NW of Research Pkwy & Chapel Hills				
Tax Schedule Number(s): 6233311004	Intersection: Drive				
TYPE OF PLAN(S) - Check all that apply. Note: MJ=Major Amendmer	nt: MN=Minor Amendment: MM=Minor Modification				
2020 Land Use Map Amendment	Property Boundary Adjustment				
Administrative Relief	PUD Concept Plan				
Amendment to Plat Restriction	PUD Development Plan (New (MJ (MN (MM				
Annexation	☐ PUD Zone Change				
Building Permit to Unplatted Land	Street Name Change				
Building Permit Prior to Platting	Subdivision Plat Prelim Prelim & Final				
☐ CMRS No.	Subdivision Waiver C Design C Process				
Concept Plan	Use Variance New MJ MN MM				
▼ Conditional Use	☐ Vacation of Plat				
Coordinated Sign Plan (CSP)	☐ Waiver of Replat				
Development Agreement	Zone Change; Proposed Zone:				
☑ Development Plan	Front Yard Carports				
Historic Preservation (Re-roof (Hearing Request	FBZ Development Plan (New (MJ (MN (MM				
Landscape Plan (Preliminary (Final (Irrigation	FBZ Conditional Use				
☐ Master Plan	FBZ Interim Use Plan				
Nonuse Variance	FBZ Minor Improvement Plan				
Preservation Easement Adjustment	FBZ Warrant				
PROPERTY OWNER AND/OR APPLICANT/CONSULTANT ACE	NOWI FOREMENT OF RESPONSIBILITIES:				
The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I am fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval. The applicant/owner by his or her signature understands and agrees that he or she is responsible for the completion of all on-site and off-site improvements as shown and approved on the final plan (including landscaping, paving, lighting, etc.) prior to receiving a Certificate of Occupancy. Digitally signed by Karr, Keith					
Karr, Keith Digitally signed by Karr, Keith Date: 2022.04.12 16:22:52 -0	6'00' 4-14-22				
Signature of Property Owner Date	Signature of Consultant Date				
1/14/2	2				
Signature of Developer Date					
APPLICANT CONTACT IN	FORMATION (please print or type)				
Property Owner: Focus on the Family	Contact Name: Keith Karr				
E-Mail: keith.karr@fotf.org	Phone: (719) 548-4571				
Developer: Davis Development Contact Name: Michael Lee					
E-Mail: michael.lee@davisdevelopment.com Phone: 303-302-2502					
Consultant/Main Contact name: Norris Design/Ryan McBreen Phone: (970) 409-3414					
Address: 1101 Bannock Street City: Denver					
State: CO Zip Code: 80402 E-Mail: rmcbreen@norris-design.com					
PLANNER AUTHORIZATION: (CITY USE ONLY)					
Checklists Distribution Form Project Blurb E-mail to Admin. Initial Review Level: AR CPC □ DRB □ HP					
Payment \$ 2418.00 Assigned to: Gabe Sevigny Date: 5-9-2022					
rayillelit 3 2410.00 755ighed to.	pe Sevigny Date: 5-9-2022				



DEVELOPMENT PLAN, CONDITIONAL USE AND USE VARIANCE SUBMITTAL CHECKLIST

SUBMITTAL CHECKLIST: This checklist is intended to assist in preparing a complete plan that will address all City development standards, requirements, and review criteria. The following information must be included with the plan submittal. If justified, the City may exempt any requirement. The Land Use Review Division may require additional information in accordance with City Code section 7.5.202.B.

Applicant		<u>Planner</u>
General Development Application Form		
1 copy of a Project Statement containing the following info 1. Description: Describe the project and/or land use		
2. Justification: Justify the approval of the project a	nd address the review criteria listed at the end of this check ne pre-application process have been addressed or mitigat	
1 copy of a Development Plan showing all "Plan Contents" b	elow $24'' \times 36''$	
Mineral Estate Owner Notification Certification Affidavit		
All plans, documents, and reports uploaded to Dropbox fold	er (Planner to send folder invite link through email)	
Reports and Studies Requirement for each report is determined a	at the pre-application meeting or LDTC meeting. All reports	s to be
provided in electronic form via Dropbox link from planner.		
Geologic Hazard Report Drainage Reports		
Traffic Impact Analysis		
Submittal of the <u>Hydraulic Grade Line (HGL) Request Form</u> to C	olorado Springs Utilities (CSU)	icuded
Email completed form and map to waterplanning@csu.org	or fax to 719-668-5651 prior to application submittal.	nier ital
Submittal of the Wastewater Facilities Master Report to Colora	do Springs Utilities (CSU)	gch pro.
Submittal of the Hydraulic Grade Line (HGL) Request Form to Completed form and map to waterplanning@csu.org Submittal of the Wastewater Facilities Master Report to Colora Email completed form and map to www.asterplansubmit@	csu.org prior to application submittal.	.clar
PLAN CONTENTS: All plans should be neat, clear, legible and drawn plans may be rejected. Plans must not exceed 24 in. x 36 in hand corner exposed. Fach Plan Shoot should show the following information:		
Each Plan Sheet should show the following information:		
Development Plan name		
City File Number WEDON'T HAVE \$ YET		
Sheet number (i.e. 1 of X, 2 of X, etc.)		
Northarrow		
Scale, both written and graphic		
Space for City stamp in the bottom right corner		
Provide the following information on the Cover Sheet :		
☑ Vicinity Map		
Sheet Index Map (for multiple sheets)		
Project name and description		
Owner, Developer, and Applicant name		
Date of preparation		
Total development plan area in acres or square feet		
Legal description		

PLAN CONTENTS: continued from previous page

<u>A</u>	Applicant	<u>P</u>	lanner
MA	Site address, if known		
l	Tax Schedule Number		
MK	☐ Name of master plan and City File Number (if applicable)		
NA	Name of concept plan and City File Number (if applicable)		
,	TEMA floodplain statement including community map number and date. Indicate whether the a designated floodplain.	site is or is not located within	
	Proposed land uses and buildings with respective footprint and gross square footage and/or ac	reage	
	Notes describing any existing or proposed easements permitting the use of property by others		
	Parking information: Indicate the City Code formula used for the total number of parking space spaces, and the number of handicapped spaces both required and provided.	s, the number of compact	
	Zone district and any applicable conditions of record with City Ordinance number		
MK	Notes describing additional standards for specific uses (if applicable)		
MK	$ ot\!$ \square Notes describing any approved variances which apply to the property, including City file numb	er and approval date	
M	Notes describing the project's inclusion within a special district, improvement incorporation an	d/or its subjectivity to a	
.,	development agreement (if applicable) Notes describing the use, ownership and maintenance of common areas, tracts, no-build and/c easements (if applicable)	r preservation areas and	
14x	Geologic Hazard Study disclosure statement (if applicable): "This property is subject to the findi of a Geologic Hazard Report prepared by dated, which identified the following the property: A copy of said report has been placed or within the subdivision file of the City of Colorado Springs Planning and the Planning and Development Team, 30 South Nevada Avenue, Suite 105, Colorado Springs, Casaid report."	ng specific geologic hazard on d within file # d Development Team. Contact	
/A	If within an airport overlay, the following note must be added: "An avigation easement effect development is therein established by the "Subdivision Plat Name" subdivision plat. This easement conditions as specified in the instrument recorded under reception no. 217069667 of the Colorado."	ent is subject to the terms and	
	Approximate schedule of development AS Sour AS POSSIFICE		
	Public Facilities - A note shall be placed on the site plan making reference to the public facilities installation and construction and/or contributions.	requirements for the	
MX	$\sqrt{\square}$ PUD Projects: indicated the City ordinance number and approved land use types, maximum bu intensity or density of development.	ilding heights and the	
	Besidential Projects: indicate the potential housing types and the number of lots and/or u minimum lot area and width, minimum front, side and rear setbacks, maximum building heigh Indicate the average lot size for DFOZ overlay and small lot PUD projects.		
H	Non-residential Projects: Indicate the potential land use types and approximate site area minimum lot area and width, minimum front, side and rear setbacks, building height and pe the total percent of site covered with both structures and impervious surfaces.		
	The following categories explain the graphic components required. The information may be	shown on multiple sheets.	
L	LAND USE:		
	City boundaries (when the development plan area is adjacent to a city boundary)		
[2	Property boundaries and dimensions		
	Existing and proposed lots and tract lines, with dimensions		
C	Existing and proposed land uses within the property boundaries. Include area, dimensions, and d	ensities (if applicable).	
[Z	Existing and proposed zone district boundaries		
	Existing and proposed public or private open space and common areas. Provide sizes and dimens	sions.	

PLAN CONTENTS: continued from previous page.

Ē	Applicant Control of the Control of	<u>Planner</u>
4	Existing streams and other natural features as shown in the approved Land Suitability Analysis. Show preservation easements and/or protection areas.	;
40	Existing historic sites and resources	
V	🗹 Existing and proposed topography at two-foot maximum contour intervals	
	Show existing and proposed easements, indicating dimensions, use and maintenance information	
	Location and dimensions of building and landscape setbacks and buffers	
	Subdivision name labels for all lots adjacent to the site	
	Show the locations of any water quality features	
	STREETS & ALLEYS:	
	Existing and proposed streets, intersections, street names, classifications with the exact location and widths of right-of-ways and pavement types, curb types and other street improvements	
	Identify all streets as "public" or "private"	
	Show and label all access points to the property from adjacent streets and alleys	
4	Show and label all speed line of sight visibility areas at all street intersections	
	All existing and proposed medians, traffic islands, traffic control devices, and roundabouts. Provide dimensions and size and identify maintenance responsibilities	
(Show all existing and proposed acceleration and deceleration lanes, including dimensions, length and width	
1	Show any existing or proposed encroachments into the public right-of-way that require a Revocable Permit	
	Provide typical cross-sections for all proposed streets and alleys	
	Show all existing and proposed locations, dimensions and surface materials of all sidewalks, trail and bicycle pathways. Note the condition of these facilities.	
	show pedestrian ramps at all pedestrian crossings, at all intersections with reference made to City standard type	
	Show any and all sidewalks connecting building entries to exterior and public sidewalks	
	Show and label existing and proposed public improvement easements for sidewalks and pedestrian ramps outside of dedicated right-of-way areas	
	For detached sidewalks, show the distance from the back of curb to the edge of sidewalk	
1	Happlicable, show the size and location and provide a detail of bicycle storage/parking racks	
	INTERNAL TRAFFIC CIRCULATION, DRIVEWAYS, AISLES, & FIRE LANES:	
	Provide location, grade, dimensions and pavement material for all access travel-ways including driveways, drive aisles, fire lanes, curb cuts, and intersections. Call out City standard details if within City right-of-way or easements.	
	Show and label any access easements, existing or proposed	
	Show the location and dimensions of all loading and maneuvering areas and stacking lanes. Provide pavement type, as well.	
35	dentify location and type of any curbs and/or sides of roadways and extents thereof to be marked as fire lane(s)	
	For residential projects, indicate the minimum length of driveways from garage door to property line and to back of sidewalk	
A	Show any noise mitigation methods (i.e. sound barrier walls, etc.), if applicable	
	PARKING LOTS, AREAS, & SPACES:	
	Location and dimensions of parking lots/areas and drive aisles. Indicate pavement material.	П
	Cocation and number of all regular, compact, and handicapped spaces and access aisles.	
	Provide a typical or detail with dimensions of typical regular and compact parking spaces types	

PLAN CONTENTS: continuea from previous pages	-
Applicant Provide a detail with dimensions of typical handicap parking spaces, side aisles, ramp design and location, and signage	Planner
Indicate the type of curbs and provide details for the perimeter enclosure for parking areas and landscape islands	
ADA SITE ACCESSIBILITY:	
Provide ADA accessible route from public right-of-way with clear identification of the corridor (Note: 60% of all public entrances must meet the ADA Standards 206.4.1)	
Provide ADA accessible parking stalls (location and quantity with adjacent aisles and signage. Include clear identification of ADA route from stalls to designated ADA building entry	
rovide ADA accessible ramps along all ADA accessible corridors	
Provide ADA Design Professional Standards notes on plan, per below:	
The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by the City of Colorado Springs does not assure compliance with the ADA or any other Federal or State accessibility laws or any regulations or guidelines enacted or promulgated under or with respect to such laws. Sole responsibility for compliance with Federal and State accessibility laws lies with the property owner.	
BUILDINGS & STRUCTURES:	
Indicate the use for all buildings	
Show the exact location, dimensions, footprint, size and height of buildings	
Show the exact distance to the closest property line(s)	
☐ Location and type for all freestanding and low-profile signs	
Location, type, materials, size and height with detailed exhibits for all fences, retaining walls and sound barrier walls	
Location, type, materials, size and height with detailed exhibit for all trash enclosures	
Show all sides of the building, indicating height, scale, design, materials, and colors. Note: The purpose for reviewing building elevations during development plan review is to ensure compatibility between the proposed structures and the surrounding properties. It is understood that the proposed building design will evolve and may not be finalized until time of building permit. At that time, the City will review the elevations for substantial compliance. Major changes may be considered administratively.	<i>g</i> ¬
SITE LIGHTING:	
Location of all site exterior light fixtures including freestanding and those attached to a building if known (if attached to a building, show also on the elevation drawings)	
Indicate the type of light (e.g. metal halide)	
Ensure all lighting is full cut-off and provide a detail of each light with mounting or pole height details, wattage and lumens of each fixture	
show the type and location of existing and proposed street-lights, if this information is available	
A photometric plan may be required for certain uses that are adjacent to other less intensive uses, uses that are ofter extensively lit, such as gas canopies, convenience food stores, and auto sales. This plan will be required on a case by case basis and the planner will notify the applicant as early in the process as possible	
If no exterior lights are proposed, then a note shall be added to specifically state that no site lighting will be provided for the project	• 🗆
PHASING PLAN:	
Phase area boundaries and sequence	
Provide phase timing and sequencing information for the construction of the project and the construction and installation of public utilities, facilities, and site improvements for each phase area.	
Show barriers at edges of each phase to prevent vehicles from entering and parking on unpaved areas (if applicable)	

ADDITIONAL PLAN COMPONENTS:

Applicant	<u>Planner</u>
Preliminary Grading Plan	
Preliminary Utility and Public Facility Plan	
Preliminary or Final Landscape Plan	
Coordinated Sign Plan (CSP)	
Hillside or Streamside Compliance Plan MA	
Land Suitability Analysis	

Development Plan Review Criteria

The City will review the development plan using the following criteria. 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. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.
- 2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.
- 3. The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.
- 4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.
- 5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.
- 6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.
- 7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual.
- 8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.
- 9. The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.
- 10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.
- 11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.
- 12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a City accepted traffic impact study, if required, prepared for the project.
- 13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise.

CONDITIONAL USE REVIEW CRITERIA

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions, only if all three (3) of the following findings are made:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

USE VARIANCE REVIEW CRITERIA

The following criteria must be met in order for a Use Variance to be granted:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the petition would result in undue property loss; and
- 2. That such variance is necessary for the preservation and enjoyment of a property right of the petitioner; and also,
- 3. That such variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property.



May 4, 2022

Katelynn Wintz, Land Use Review Division City of Colorado Springs 30 South Nevada Avenue, Suite 701 Colorado Springs, CO 80903

Re: Davis Briargate Apartments, CUDP Submittal

Dear Kate,

On behalf of Davis Development, Norris Design is pleased to submit this application for a Conditional Use Development Plan (CUDP) for the proposed Davis Briargate Apartments ("Briargate") at 9121 Highland Ridge Heights in the City of Colorado Springs. Please find our enclosed application materials and project statement for the proposed project, prepared per city standards and per direction from city staff. This application has been prepared by and for the following parties to the benefit of the residents of the City of Colorado Springs:

Applicant/Developer

Davis Development 7375 W 52nd Ave. Suite 200 Arvada, CO 80002 303.302.2502 Michael Lee

Planner

Norris Design 1101 Bannock St, Denver, CO 80204 303.892.1166 Ryan McBreen

Architect

Geheber Lewis Architecture 1325 Logan Cir NW Atlanta, GA 30318 470.355.4378 Brian Tomlin

Landscape Architect

Norris Design 1101 Bannock St, Denver, CO 80204 303.892.1166 Patrick Hannon

Engineer

HKS Engineering 1120 Lincoln St, Suite 1000 Denver, CO 80203 303.623.6300 Tim Sayler

Landowner

Focus on the Family 8605 Explorer Drive Colorado Springs, CO 80920 719-548-4571 Keith Karr

We look forward to working closely with the City staff during the review and approval process for this application. Please contact us if you have any questions or if you need additional information.

Sincerely, Norris Design

Ryan McBreen, Principal

Lan F. M'Ba



Project Statement

The Project Statement for the proposed Briargate project includes the following information:

- **Project Description**: Describes the project and proposed land uses.
- **Justification**: Explains why the project should be approved and addresses the review criteria for the conditional use and development plan.
- **Issues**: Identifies how issues identified during the pre-application process have been addressed and/or mitigated.

PROJECT DESCRIPTION

The proposed Briargate project is to be developed on a currently vacant 13.43-acre site within the Focus on the Family Campus and is generally located north of Research Parkway and west of Chapel Hills Drive. This new residential community will be compatible with the adjacent and surrounding commercial development, as well as proposed commercial development immediately to the north and senior living to the west. The site location provides desirable amenities including shops and services all within walking distance of the future multifamily community, as well as convenient access to Interstate 25 to the west.

The property is zoned Planned Business Center (PBC) which allows multi-family residential dwellings via the conditional use review process. Briargate Development Plan included herein proposes a total of 246 residential units dispersed among three (3) apartment buildings and six (6) 4-unit multi-family buildings. The site is bisected by a 50' wide utility easement in the southern area of the site which results in the apartment buildings being located within the northern area of the site and the majority of the 4-unit multi-family buildings being in the southern area. The overall density of the proposed project is 18.3 dwelling units per acre. Briargate will be comprised of the following residential unit types and amenities:

- The four-story apartment buildings provide for a total of 220 dwelling units among the three structures, and are comprised of 87 one-bedroom units, 118 two-bedroom units and 15 three-bedroom units.
- The smaller 4-unit multi-family buildings are 2-stories and provide for a total of 26 dwelling units including four two-bedroom and 22 three-bedroom units.
- On-site amenities include a pool, amenity courtyard and a clubhouse for resident use.

Architecture

The architectural style of Briargate is designed to provide a cohesive elevation and feel while also providing visual interest and variation. The elevations for both the larger apartment structures and the 4-unit multi-family buildings are both contemporary in style, enforced by the material selections and colors. Primary building materials are stone (2 styles/colors), and fiber cement (F.C.) lap siding (2 styles/colors). The stone selections are composed of more uniform colors and cleaner stacked lines. The remaining color palate uses blue/gray F.C. siding and light wood stain F.C. siding. The building design has a flat roof with accent sloped portions at feature corners and pop-ups to provide interest and parapet break/variation. The non-traditional sloped accent roofs and modern profile canopies aid in the contemporary feel. The smaller two-story 4-unit multi-family building design utilizes the same material selections with a slightly modified elevation/roof profile to work appropriately with the reduced building scale.



Access/circulation/parking

The Development Plan proposes two access points into the site including one on the east along Chapel Hills Drive and the other in the northern portion of the site from Highland Ridge Heights Drive. Internal site circulation will be via a private drive that includes surface parking spaces along it for both residents and guests. The 4-unit multi-family buildings provide garages for each unit. No direct driveway access will be provided onto any of the local streets.

<u>Stormwater</u>

Two landscaped stormwater detention ponds are provided in the west/southwest area of the site, one on each side of the large utility easement that bisects the property.

<u>Developer</u>

Davis Development, who would be developing this property, is a multi-family housing developer based in Atlanta, Georgia who, in conjunction with its affiliated companies, develop, construct, and manage apartment communities throughout the Southeast, Midwest and Southwest regions of the United States. They have extensive experience in the Colorado market and are excited for the opportunity to bring one of their communities to the City of Colorado Springs.

Summary

In summary, the proposed multifamily development meets a need for diverse housing options within Colorado Springs and is consistent with the goals of PlanCOS. The project is also compatible with and complements the surrounding existing and proposed commercial and senior living uses in the immediate area of the proposed development.

JUSTIFICATION

The proposed CUDP request for the Briargate project conforms to the review criteria for both Conditional Uses and Development Plans as found in the City of Colorado Springs Code of Ordinances, Chapter 7 Planning, Development and Building as outlined below.

Conditional Use Review Criteria (Chapter 7.5.704)

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions, only if all three (3) of the following findings are made:

1. <u>Surrounding Neighborhood:</u> That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.

The proposed multi-family residential development community complements the uses in the surrounding neighborhood which include Focus on the Family's Christian Care Ministry Campus along with a variety of commercial retail/restaurant and service uses that are located along Briargate Parkway, Chapel Hills Drive and Research Parkway, including the Briargate Business Campus. The nearest single-family residential neighborhood is located across Chapel Hills Drive to the east and beyond the medical and office campus. The value and quality of the surrounding neighborhood will be enhanced by the high-quality design of the proposed development, and by the addition of residents who can act as customers to the surrounding retail and service uses.

2. <u>Intent of Zoning Code:</u> That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.

The purpose and intent of the PBC zone district is to accommodate commercial land uses and to preserve and enhance areas for a range of retail sales and service establishments. The district also allows for a variety of residential uses as conditional uses, including multi-family residential use to support the city's mixed-use



objectives. Therefore, the proposed use is consistent with the intent and purpose of the City's Zoning Code. The proposed development also promotes the general welfare of the city by offering additional housing opportunities.

3. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

The Briargate project is consistent with the City's Comprehensive Plan, <u>PlanCOS</u>, which was adopted in 2019. The following identifies the vision for the area of the project, how the proposed development aligns with the City's desired vision, goals and strategies.

Vibrant Neighborhood Goals, Policies & Strategies

Briargate is located within the Summerfield Neighborhood, an Established Suburban Neighborhood typology. The goal of this neighborhood typology is to recognize, support, and enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation. Specifically, existing suburban neighborhoods have been developed with a suburban pattern including curvilinear streets with cul-desacs. The proposed development recognizes, supports, and enhances the existing character of the neighborhood within which it is planned.

Briargate conforms to the following *neighborhood* goals, policies, and strategies:

Housing for All

Goal VN-2: Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs.

- Policy VN-2.A: Promote neighborhoods that incorporate common desired neighborhood elements.
 - Strategy VN-2.A-3: Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels.

Unique Places Goals, Policies & Strategies

The project area is located within the Regional Employment & Activity Center unique place typology and is adjacent to the Briargate Business Campus. Within Regional Centers, the plan recommends that a mix of land uses should be supported including the integration of higher-density residential development. The proposed Briargate multifamily residential community does exactly that, adding the residential mix to the commercial area and integrating higher-density residential development.

Briargate conforms to the following *unique place* goals, policies, and strategies:

Embrace Creative Infill, Adaptation, and Land Use Change

Goal UP-2: Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

- Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the City.
 - Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core
 area of the city by using a combination of incentives, rezoning, and creative design solutions.



- Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem-solving approaches and continue to implement process improvements in support of infill and redevelopment.
- Policy UP-4.B: Within unique centers, incorporate density and mixed uses along with higher standards of design, attention to the public realm, and design for multimodal access including transit.
 - Strategy UP-4.B-1: Evaluate development applications in and around unique centers with
 particular attention to their contribution to the integration and mixing of uses, orientation to the
 public realm, and their support of connections with multimodal transportation.

Strong Connections Transportation and Utility Goals, Policies & Strategies

Briargate conforms to the following **strong connections** goals, policies, and strategies:

Remain Focused on Stormwater

Goal SC-3: Manage our stormwater and flood control system as a vital and integrated community asset.

• **Policy SC-3.A**: Design new and redeveloped projects to reduce their contribution to regional stormwater flows and to improve the quality of the runoff that is generated.

Support Smart and Connected Utilities

Goal SC-4: Achieve a more environmentally sustainable utilities system for the city.

- Policy SC-4.A: Efficiently use the existing utility system capacity.
 - Strategy SC-4.A-1: Support a combination of density, infill, redevelopment, and design to reduce the rate of addition of pipeline and conductor miles that need to be maintained by Colorado Springs Utilities (CSU) or other entities.

Development Plan Review Criteria (Chapter 7.5.502.E.1-13)

A development plan shall be reviewed using the criteria listed below:

1. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.

The proposed development project is compatible and harmonious with both the existing surrounding land uses and buildings and proposed new development anticipated on the FOTF campus. The project site is part of the FOTF campus which was master planned and includes the subject site as well as the adjacent property to the north and west. The master plan envisioned a high-quality designed mixed-use area which is being built-out as such. The Briargate multi-family project is one of the last pieces of the campus to be constructed.

2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.

The proposed Development Plan is in substantial compliance with the City's Comprehensive Plan, PlanCOS, as is detailed above under the *Conditional Use Review Criteria*, #3, *Comprehensive Plan*.

5



- 3. The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.
 - The Development Plan for the proposed conditional use is in compliance with all applicable dimensional standards as set forth in the City of Colorado Springs Code for the PBC District; it is not subject to any FBZ or PUD requirements.
- 4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.
 - Project grading, drainage, flood protection and stormwater quality and mitigation, have been prepared in compliance with the City's Drainage Criteria Manual. Two stormwater management ponds are proposed on the site. In addition, a Drainage Study has been prepared and submitted per the City's regulations.
- 5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.
 - Yes, the project provides sufficient off-street parking to support the development. Parking is provided via a mix of surface parking and garage bays. Overall, 412 parking spaces are required and the project provides 459 parking spaces.
- 6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.
 - Yes, all parking, drive aisles, loading/unloading areas, and waste removal areas have been designed to meet the location and dimensional standards identified in the City's code.
- 7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual.
 - The proposed project provides landscaped areas, landscaped buffers, and landscape materials per the City's code and Landscape Design Manual.
- 8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.
 - The site does not contain any sensitive or hazardous features.
- 9. The building location and site design provide for safe, convenient, and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.
 - Yes, the site design provides for safe and convenient multi-modal circulation. Facilities provided include ADA-accessible parking spaces, pedestrian walkways integral to the site and connected to the public walkways, and well-designed vehicular access and circulation. The site also includes safe routes to and from the parking lot areas to the buildings and also to on-site amenities.
- 10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.



The number, location, dimension and design of the driveways comply with the City's Traffic Criteria Manual. In the northern portion of the site a connection is provided to Highland Ridge Heights. Along Chapel Hills Drive the existing drive cut is utilized and aligns with the drive entrance for the development directly across Chapel Hills Drive.

- 11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.
 - Yes, the proposed project connects to and extends adequate public facilities to the site. The project connects to existing water in Research Parkway, existing storm in the easement crossing the property, and existing sanitary sewer at the intersection of Research Parkway and Chapel Hills Drive. Proposed sanitary and water connections to the north are accessed as proposed by the developer of the property to the north.
- 12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a city accepted traffic impact study, if required, prepared for the project.
 - A new pedestrian walkway is provided at the project entrance off of Chapel Hills Drive and along the Chapel Hills Drive property frontage. These walkways will follow City design criteria. The project design is being coordinated with the Fire Department (FD) to ensure emergency vehicle access is provided per requirements and as desired by the FD. In addition, the project application includes a Traffic Impact Analysis.
- 13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise.

No significant off-site light, odor, or noise impacts are anticipated. As one of the final sites to be developed in this master-planned area (FOTF Campus) the proposed development includes a use and design that has been anticipated to occur here and to co-exist harmoniously with adjacent uses.

ISSUES

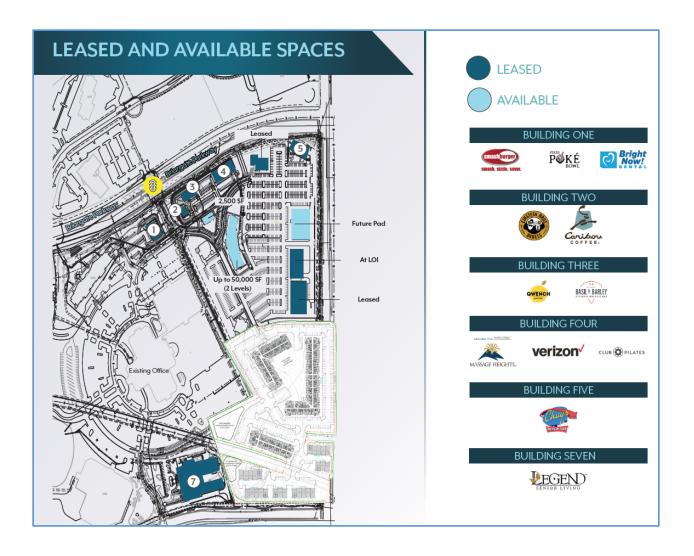
The following indicates the issues that identified during the pre-application process and how these items have been addressed or mitigated:

- 1. Two hundred square feet of open space must be provided on site for each dwelling unit proposed.
 - The proposed site layout provides approximately 60,000 square feet of open space on the site. With a total of 246 residential dwelling units, that results in roughly 243.9 square feet of open space per dwelling unit, thereby exceeding the minimum requirement of 200 square feet per dwelling unit.
- 2. As part of this application, please discuss the overall plans for the Focus on the Family campus and how this project relates to their strategic planning.
 - Focus on the Family ("FOTF") hired The Keith Corporation ("TKC") as master developer of this property in order to monetize their otherwise unproductive, vacant, adjacent land. The ultimate goal for FOTF was to generate cash to offset their expenses in a low-risk manner thereby allowing more of their traditional donation revenues to fund the core components of their ministry. As a result, FOTF and TKC formed a joint venture and TKC undertook a Master Planning exercise to determine the best use of the property. The goal has always been to create a best-

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in-class mixed use project that accomplishes Focus on the Family's goals of providing a low-risk, long-term residual income stream. As such, TKC has developed retail along Briargate Pkwy and land leased several parcels (Legend Senior Living, Chuy's and Davis Development). TKC is preparing to break ground in the coming months on ~41,000sf across 4 buildings between Highlands Ridge Heights, Chapel Hills Drive and Briargate Pkwy. Upon completion of this phase, as well as Davis Development's project South of Highlands Ridge Heights, the property will be almost completely developed, with the exception of several pads that will be graded and ready for Tenants who complement the existing Tenant mix of the project. The following depicts how the proposed multi-family residential project relates to the overall campus:





LAND USE REVIEW DIVISION COMMUNITY DEVELOPMENT DEPARTMENT

MINERAL ESTATE OWNER NOTIFICATION CERTIFICATION AFFIDAVIT

APPLICANT: Davis Development	
PROJECT: Davis Briargate Apts	
CITY PLANNING FILE NUMBER(S): Pr	re-App No 21-159
Mineral Estate Owner Notification proces	d with the applicable provisions of the City of Colorado Springs ss. The Applicant certifies that the records, including filed ion forms, of the El Paso County Tax Assessor and the Clerk ant further certifies the following:
estate owner(s) was notified by certified overnight courier of the initial City Planning to the hearing; 2.) he has attached a listin 3.) has attached a copy of the notice that	s) was identified and the Applicant certifies that 1.) the mineral mail, return receipt requested, or by a nationally recognized Commission public hearing not less than thirty (30) days prior g of the Mineral Estate Owner(s) with mailing addresses, and was mailed. Said notice contained the time and place of the e hearing, legal description of the property and the name of the
	s) was identified, but the Applicant certifies that 1.) no mailing as attached a listing of the Mineral Estate Owner(s); and 3.) no
\fbox{No} separate mineral estate owner(s) we	ere identified and no further action was taken.
	y that above is true and accurate and that I have acted in good sions of the City of Colorado Springs Mineral Estate Owner
Dated this day of April 2027. Signature	
Notary Certificate:	
STATE OF GEORGIA)) sis COUNTY OF HENRY)	
The foregoing certification was acknowled Hazel, as Vice President of Davis Development,	edged before me this day of April, 2022, by Fred S.
Witness my hand and official seal.	
My commission Expires: 6/13/2025	Megan M Lanz NOTARY PUBLIC Coweta County, Georgia My Commission Expires June 13, 2025
Notary Public	My Continues on Expires Julie 15, 2025

PLANNING & DEVELOPMENT DEPARTMENT Project Notification Information

Date: May 10, 2022 Planner: Gabe Sevigny

Planner email: gabe.sevigny@coloradosprings.gov

Planner phone number: (719) 385-5088

Applicant Email: rmcbreen@norris-design.com

Applicant Name: Ryan McBreen

TSN: 6233311004

Site Address (to be used on postcard): 9121 Highland Ridge Hts

PROJECT: Highlands at Briargate CU DP

	Pre-application Notice	\boxtimes	Standard Notification				
	Pre-application Neighborhood Meeting		Standard with Neighborhood Meeting Notice				
	Notice						
	No notice		Poster only				
PUR	PUBLIC NOTICE:						

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150 feet		1,000 feet		(attach modified buffer))
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PROJECT BLURB

Provide a project blurb for each application type, adjust language as needed. Note code sections where applicable for variances.

Conditional Use Development Plan

Request by Focus on the Family, with representation by Norris Design, for approval of the Highlands at Briargate Conditional Use Development Plan. If approved, the proposed application would allow for the development of 246 residential multi-family units dispersed among three (3) apartment buildings and six (6) 4-unit attached buildings. The site is zoned PBC (Planned Business Center), is 13.43 acres in size, and is located at 9121 Highland Ridge Hts.

POSTCARD

Include 3-5 highlighted points to best describe the project.

- This project proposes a conditional use for a multi-family development
- This project proposes 246 units dispersed among 3 apartment buildings and 6 4-unit attached buildings

POSTER

Fill out applicable information below:

What type of project is proposed? (large bold letters on poster, approx. 35 characters): Conditional Use Development Plan for 246 multi-family units

Planning and Development Distribution Form

Concept Plan, Conditional Use, Development Plan, PUD, PUP, Use Variance, and Major Amendments

<u>Directions:</u> Planners select <u>at least one</u> check box under each section to determine the application distribution.

Planner Intake Date: May 9, 2022 Admin Receive Date: [5/10/22]

Project Name: Highlands at Briargate Conditional Use

1. PUBLIC NOTICE: (see Project Blurb to establish noticing parameters)

2. Date buckslip comments are due (21 calendar days after submittal): May 31, 2022

3. HOA: Briargate Approving Authority

4. STANDARD DISTRIBUTION:

Division Name

☐ Include all standard distribution recipients shown below (or individually check boxes below)

Email/Distribution Notes

	None	
3	CONO	landusenotice@cscono.org
85	Utilities Development Services	Buckslips@csu.org
9	☐ Fire Department	CSFDDevelopmentSMB@coloradosprings.gov
24	SWENT	development.review@coloradosprings.gov
21	☐ Michelle Ontiveros, CSPD	Michelle.Ontiveros@coloradosprings.gov
19	☐ Century Link	Patti.Moore@CenturyLink.com Bea.Romero@centurylink.com Melissa.Spencer@CenturyLink.com
77	CSU Customer Contract Administration	Buckslips@csu.org
11	☐ IT GIS	Bootsy.Jones@coloradosprings.gov
13	☐ Parks & Recreation	Britt.Haley@coloradosprings.gov Constance.Schmeisser@coloradosprings.gov Emily.Duncan@coloradosprings.gov Melody.Horbach@coloradosprings.gov
23	☐ Enumerations	addressing@pprbd.org
29	☐ Flood Plain	Keith@pprbd.org
98	USPS	Elaine.f.kelly@usps.gov

		Oreta.j.minnard@usps.gov
45	Zaker Alazzeh, Traffic – School Safety	development.review@coloradosprings.gov
65	Zaker Alazzeh, Traffic Eng (MC 460)	development.review@coloradosprings.gov
48	Street Division	Corey.Rivera@coloradosprings.gov Cole.Platt@coloradosprings.gov Michael.Hensley@coloradosprings.gov Chris.Howard@coloradosprings.gov Shaun.Lucero@coloradosprings.gov
60	☐ Transit	Roger.Austin@coloradosprings.gov
25	County Health Department	catherinemcgarvy@elpasoco.com
88	☐ Parking Enterprise	Scott.Lee@coloradosprings.gov
92	Forestry	<u>Jeff.Cooper@coloradosprings.gov</u> <u>Alison.Munroe@coloradosprings.gov</u>
30	☐ Comcast	Jason Jacobsen@comcast.com Justins. Fejeran@cable.comcast.com WSTMWR MDSubmissions@comcast.com
65	☐ Kate Brady, Bike Planning, Traffic Engineering	Kate.Brady@coloradosprings.gov This is for CP / DP/ CU
56	PlanCOS	PlanCOS@coloradosprings.gov

5. LANDSCAPE PLAN: ID# Division Name **Email/Distribution Notes**

35	☐ None ☐ Preliminary LS	Daniel.Gould@coloradosprings.gov Checklist, professional qualifications, alternative compliance request
82	⊠ Final LS	Daniel.Gould@coloradosprings.gov Checklist, professional qualifications, alternative compliance request

	□ None	
36	School District # 2	lschroder@hsd2.org
		sbecker@hsd2.org
68	School District # 3	gishd@wsd3.org
37	School District # 11	TERRY.SEAMAN@d11.org
38	School District # 12	dpeak@cmsd12.org
<mark>39</mark>	School District # 20	tom.gregory@asd20.org
69	School District # 22	chrismith@esd22.org
41	School District # 49	mandrews@d49.org

7. MILITARY INSTALLATION (if within a 2 mile buffer):
ID# Division Name

ID#	Division Name	Email/Distribution Notes
	None	
84	☐ Fort Carson	john.j.sanders71.civ@mail.mil Thomas.j.wiersma.civ@mail.mil
46	□ NORAD	Michael.kozak.2@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil kim.van_treadway@us.af.mil
26	⊠ USAFA	corine.weiss@us.af.mil craig.johnson.35.ctr@us.af.mil steven.westbay.ctr@us.af.mil elizabeth.dukes.3.ctr@us.af.mil 10CES.CENP.USAFADEVREVIEWGRP@us.af.mil
75	☐ Peterson	PAEK, AYOKA B GS-12 USSF AFSPC 21 CES/CENB <ayoka.paek@spaceforce.mil> POPPERT, PAUL E GS-11 USSF SPOC 21 CES/CENB <pre> ces/CENB <pre> ces/CENB <pre> ces/CENB.BaseDevelopment@us.af.mil</pre></pre></pre></ayoka.paek@spaceforce.mil>

ID# Division Name

Email/Distribution Notes

	None	
		Handia O atratucia a cas
59	StratusIQ – AKA Falcon	ilandis@stratusiq.com
	Broadband	tking@stratusiq.com
		cotrin@stratusiq.com
		BLR & Flying Horse (ONLY)
54	☐ Budget/Finance – Fiscal Impact	Budget-DL@coloradosprings.gov
	Analysis	For Major MP Amendments
	Tilalyolo	1 of major mi 7 monamonto
27	CDOT (adiacont to CDOT	velerie vigil@etete ee us
<mark>27</mark>	CDOT (adjacent to CDOT	valerie.vigil@state.co.us
	ROW)	
34	Colorado Geological Survey	cgs lur@mines.edu
		110
33	SECWCD, Garrett Markus	garrett@secwcd.com
18	Ctroomoido Aroo Overlay	Toolo Prodin@coloradooprings gov
10	Streamside Area Overlay	Tasha.Brackin@coloradosprings.gov
4.5		K :0 #0
15	☐ Hillside Overlay	Kerri.Schott@coloradosprings.gov
42	☐ Historic Preservation Area	<u>Daniel.Sexton@coloradosprings.gov</u>
	Overlay	
44	☐ Development Review Enterprise	Kurt.Schmitt@coloradosprings.gov Coordinated Sign
		Plans to Kurt if Submitted
20	Airport	Kandrews@coloradosprings.gov
-0		
		Patrick.Bowman@coloradosprings.gov
		Tyler.Handman@coloradosprings.gov
<mark>63</mark>	El Paso County Dev. Services	NinaRuiz@elpasoco.com
	Division	Review of Plans within ½ mile of a County/City Border
43	Wescott Fire District (adjacent	admin@wescottfire.org
.	only)	daning, woodtan o.org
5	Metro District	Metro District Email
5	☐ Metro District	Metro district Email
71	☐ Falcon Fire Protection District	falconfire@falconfirepd.org
' '	raisent net retection biothet	<u>idiooniii o w, idiooniii opalorg</u>
72	Black Forest Fire Protection	chief@bffire.org
12	—	Guiet@buile.org
0.4	District	1: (0)
81	☐ Broadmoor Fire Protection	chief@broadmoorfire.com
	District	noalsperran@gmail.com
<u></u>		
80	☐ CSURA – Urban Renewal	<u>Jariah.Walker@coloradosprings.gov</u>
	<u>Первой и на </u>	
9	☐ Fire Prevention, Jessica	<u>Jessica.Mitchell@coloradosprings.gov</u> If DP, CP is
	Mitchell	accompanying an Annexation
		Steve.Posey@coloradosprings.gov
31	☐ Housing and Community	Review of plans for all affordable housing proposals
	Development, Steve Posey	AND new proposals that would displace existing low
	20.010pillolik, Clove i Gooy	income residents.
1		income residents.

4

53	UCCS Review – North Nevada	mwood@uccs.edu
	Overlay zone	
49	☐ Bob Cope & Sherry Hoffman,	Bob.Cope@coloradosprings.gov
	Shawna Lippert – Economic	Sherry.Hoffman@coloradosprings.gov
	Development	Shawana.Lippert@coloradosprings.gov
	☐ Mike Killebrew – ADA –	Michael.Killebrew@coloradosprings.gov
	Downtown Area	

9. LAND USE REVIEW: Hard Copy Full sized plans

Ylanner Traffic Report, Drainage Report, Geo-Hazard Report	<mark>⊠ Planner</mark>	Traffic Report, Drainage Report, Geo-Hazard Report
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Special notes or instructions: