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Planning and Development - Land Use Review Division
City of Colorado Springs
30 S. Nevada Avenue, Suite 105
Colorado Springs, Colorado 80903
Attn: Gabe Sevigny

Re: Application for a Major Plan Amendment to an Existing Master Plan and Vacation Plat
Village at Cottonwood Creek

Dear Gabe:

This letter is submitted on behalf of ENFR Management, LLC and its affiliates (“**ENFR**”) in connection with ENFR’s proposed construction of 228 for-rent units comprising a mix of single and duplex buildings, together with related accessory facilities (collectively, the “**Project**”) on certain real property in the City of Colorado Springs, Colorado (the “**City**”), located at the northeast corner of East Woodmen Road and North Powers Boulevard (Highway 21) and consisting of approximately 25.70 acres (the “**Property**”). This cover letter is being resubmitted on ENFR’s behalf, in connection with its revised application for a Major Plan Amendment to an Existing Master Plan and Vacation Plat, together with the enclosed submittal materials (collectively, the “**Application Package**”). The purpose of this cover letter is to provide the required Project Statement for each application included within the Application Package.

Project Context and Description

The Property is situated in the northeast quadrant of the North Powers Boulevard (Highway 21) and East Woodmen Road interchange. The Property is bordered by North Powers Boulevard to the west, on land zoned Agricultural and Public Facilities, and currently vacant land to the north, which is zoned Residential. To the east, there are various residential developments zoned Residential and Planned Unit Development (“**PUD**”). The Melody Living Assisted Living and Memory Care, within the PUD zone district, sits just southeast of the Site. The Project is subject to the Powerwood II Annexation Agreement.

The Project, which is commonly referred to as The Village at Cottonwood Creek, seeks to create a new residential community that will offer for-lease single family units, each with private outdoor patio and yard spaces. This gated community, which will be professionally managed and maintained will provide a high-demand housing option complete with luxury amenities. The Village at Cottonwood Creek will offer one, two, and three-bedroom configurations with floor plans ranging from 680 square feet to 1,300 square feet. The two-bedroom and three-bedroom homes within the community will be detached, and the one-bedroom homes will be organized in a duplex-style configuration. Every home in the community will be single-story with a modern, open floor plan design, including vaulted ceilings, abundant natural light, and a private outdoor patio and backyard.

The Village at Cottonwood Creek will be designed with a “neighborhood community” theme, where residents can enjoy a friendly neighborhood environment. The homes are arranged in architectural clusters to encourage interaction, while also maintaining personal privacy. This style includes a variety of pitched roofs complementing the architectural style to create enhanced massing, finishes, and textures. The community will offer a high quality of life through ample amenities such as resort-style community pool and spa, barbeque areas, lush green dog park, multiple community open areas for recreational activities, and a stand-alone community center outfitted with a state of the art fitness center and gathering space for community and/or private events. Most importantly, the community management will be responsible for all maintenance of amenities and landscaping including individual patios and backyard areas. Other amenities will include a car wash area, car-charging stations, pet-wash area, trash compactors to minimize refuse container eye-sores, and valet refuse service. Every home will also include a doggy-door access to the backyard along with smart home technology packages (video door bells, keyless entry systems, and remote controlled security and HVAC systems).

Parking throughout the community includes a mix of uncovered, covered, garage, and accessible spaces. Garage structures will be designed to complement the homes – in architectural style and colorization. Storage units available for residents to rent are located at the ends of the garage structures. All parking shade canopies will be painted to complement the project color scheme. The Project contemplates surface parking spaces (which will include covered spaces, garage spaces, and accessible spaces).

Because the units are intended to be offered as for-lease units and will be developed on a single lot, with commonly accessible amenities throughout, the Project constitutes a multi-family dwelling use pursuant to the City’s zoning code (the “**Code**”).

Project Justification

As set forth in the above description of the Project, ENFR has taken great care to design the Project in a way that considers and reacts to the surrounding environment, and incorporates and addresses feedback received following the pre-application meeting. In particular, the Project satisfies the various Code requirements for approval of various applications, respectively, as follows:

Master Plan Major Amendment Review Criteria

Land-Use Related

1. The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.

The Master Plan will be amended to allow for the proposed multi-family dwelling use on the Property. Surrounding properties are mostly residential in nature, aside from the commercially zoned property situated across major roadways like East Woodmen Road and North Powers Boulevard. The Project will ensure continuity in the landscape north of Woodmen Road, while providing nearby commercial uses to residents.

2. Activity centers are designed so they are compatible with, accessible from and serve as a benefit to the surrounding neighborhood or business area. Activity centers also vary in size, intensity, scale and types of uses depending on their function, location and surroundings.

Activity Center, as defined in Code § 7.3.702, is not applicable to the Project.

3. The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.

The Project fills a gap in current residential continuity by developing the vacant land for residential use. Any requirements and recommendations will adhere to the Traffic Impact Analysis, which includes the proposed new roadway that will create an intersection with Tutt Boulevard at the northern limits of the site, one of two access points into the site that will disperse traffic.

4. Housing types are distributed so as to provide a choice of densities, types and affordability.

The Project includes 1-, 2-, and 3- bedroom dwellings, as well as the option for single-family or attached dwellings. Therefore, various sizes and affordability levels will be available to future residents.

5. Land use types and location reflect the findings of the environmental analysis pertaining to physical characteristics which may preclude or limit development opportunities.

Staff previously determined that a geologic hazard report is not required with this submittal. The lot is currently vacant with no visible limiting factors for development as planned.

6. Land uses are buffered, where needed, by open space and/or transitions in land use intensity.

The Property is bounded by two major roadways, North Powers Boulevard to the west and East Woodmen Road to the south, which entirely buffer this residential development from adjacent commercial land uses. Additionally, the Project does not closely border the major roadways, but is separated from North Powers Boulevard with an Agricultural zoned parcel and from East Woodmen Road with an Agricultural parcel, as well as strategically located amenities – like the proposed dog park – that further distance homes from major roadways. To the north of the Property, land is zoned residential, maintaining consistency with the Project use. To the east, there are various residential developments zoned Residential and PUD, as well as the Melody Living Assisted Living and Memory Care, just southeast of the Property. The Assisted Living facility is adequately setback and buffered from the shared boundary of Tutt Boulevard.

7. Land uses conform to the definitions contained in section 7.5.410 of this part.

Proposed land use conforms to the “Residential” definition contained at Code § 7.5.410.V., which includes “detached and attached single-family, two-family, multi-family dwelling units as well as accessory dwelling units, apartments, townhomes, condominiums, mobile homes, manufactured homes, boarding homes and retirement homes.”

Public Facilities Related

1. The land use master plan conforms to the most recently adopted Colorado Springs parks, recreation and trails master plan.

The City of Colorado Springs, Park System Master Plan, dated September 23, 2014 (the “**Park Plan**”) is satisfied by the proposed master plan amendment, as follows:

- The Park Plan evaluates whether households meet the walking distance standard based on a half-mile distance, as most people are comfortable walking this distance to reach parks or open spaces within their communities. Park Plan, p. 70. The Property is located 0.4 miles from Cumbre Vista Park.
- As noted in the Park Plan at p. 77, the number of dog parks per City population is below five comparable front-range cities – Denver, Boulder, Westminster, Pueblo, and Fort Collins. The City has an existing level of service for dog parks of one dog park per 74,497 residents, while the average for other Front Range communities evaluated is about one per 42,000 residents. Park Plan, p. 142. The Project will include a new dog park in the southern portion of the Property, contributing to a need identified in the Park Plan.

- The Park Plan expresses a desire to maintain the existing standard of 2.5 acres of neighborhood parks and 3.0 acres of community parks per 1000 people, by utilizing the fee in lieu option. Park Plan, p. 162. The Park Plan notes that developers may choose to build their own parks and create a Special District tax to fund maintenance. At the same time though, smaller developments and infill projects are unlikely candidates for the creation of a special district, as is the case for the Project. Park Plan, p. 163. Therefore, the Project will pay a fee in lieu of land dedication in the amount required by, and as permitted by, Code § 7.7.1204. The Project's contribution toward park development, by payment of the fee in lieu, is consistent with the Park Plan.
- 2. Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community.

The proposed master plan area will include recreational amenities like pedestrian paths, activity nodes throughout the property, outdoor dining and gathering spaces and barbeque grill locations, bocce ball courts, and dog park. . Additionally, ENFR will pay the aforementioned fee in-lieu, based on Code § 7.7.1203
- 3. The proposed school sites meet the location, function and size needs of the school district.

ENFR will satisfy school site requirements with a fee in-lieu as required by the Code.
- 4. The land use master plan conforms to the adopted plans and policies of Colorado Springs Utilities.

The Project does not request or require any modifications or variances from the adopted plans and policies of Colorado Springs Utilities. A sewer report and a hydraulic grade response form have been provided for evaluation by the City. Additional details regarding utilities are set forth in the applicable portions of the Application Package.
- 5. Proposed public facilities are consistent with the strategic network of long range plans.

The Project does not propose the construction of any new public facilities except as noted in the Application Package, all of which are specific to the development of the Project.
- 6. The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual.

The Project does not request or require any modifications or variances from the applicable drainage basin planning study and drainage criteria manual. The Drainage Plan details the Project's compliance with the City's Drainage Criteria Manual.

Transportation Related

1. The land use master plan is consistent with the adopted intermodal transportation plan. Conformity with the intermodal transportation plan is evidence of compliance with State and local air quality implementation and maintenance plans.

The Project aligns with the objectives of the intermodal transportation plan's livability goals as follows:

- Objective B-2.1. The Project will "protect residential neighborhood integrity by minimizing through traffic within neighborhoods" due to the chosen site, which is bound on most sides by roadways, rather than directly adjacent neighborhoods. Therefore, no neighborhoods must be crossed through to access the Project. Additionally, the Project will be insulated from through traffic, as it is a gated community.
- Objective B-2.2. The Project will integrate "traffic calming measures where appropriate." This includes the installation of stop signs in the eastbound direction at Driveway A and Driveway B (as described in the Traffic Impact Analysis).

We are aware that the intermodal transportation plan is undergoing an update, as it is over twenty years old. In addition to the objectives mentioned above, the Project will adhere to recommendations and requirements determined appropriate by the Traffic Impact Analysis submitted with the Application Package.

2. The land use master plan has a logical hierarchy of the arterial and collector streets with an emphasis on the reduction of through traffic in residential neighborhoods and improves connectivity, mobility choices and access to jobs, shopping and recreation.

The Master Plan will be specific to the Project, and will not propose any new arterial or collector streets. The Project is designed with privacy and safety in mind, by implementing gates at the two major access points. Therefore, through traffic is not of concern and residents and guests are caused to slow upon arrival. No surrounding communities must be crossed through to access the proposed development. Additionally, the Project supports pedestrians by, while maintaining privacy, by providing pedestrian gates to enter and exit the Property. The Project will mitigate any adverse impacts to existing arterial and collector streets by adhering to recommendations and requirements of the Traffic Impact Analysis, including all internal roadways, the construction of a new public road off of Tutt Boulevard, on the northern boundary of the Property, as well as the addition of a left turn lane.

3. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors.

The Project does not contemplate the crossing of any arterials and collectors.

4. The transportation system is compatible with transit routes and allows for the extension of these routes.

The Project will adhere to recommendations and requirements determined appropriate by the Traffic Impact Analysis, and will be compatible with transit routes.

5. The land use master plan provides opportunities or alternate transportation modes and cost effective provision of transit services to residences and businesses.

The Property is not particularly well served by existing public transportation facilities. Nonetheless, the Project will support alternative transportation opportunities by providing car-charging stations.

6. Anticipated trip generation does not exceed the capacity of existing or proposed major roads. If capacity is expected to be exceeded, necessary improvements will be identified, as will responsibility, if any, of the master plan for the construction and timing for its share of improvements.

The Traffic Impact Analysis determined that the Project is anticipated to generate a total of 105 trips (entering and exiting) during the AM peak hour and 123 trips during the PM peak hour. In the existing condition, all approaches and study intersections operate at acceptable levels of service (LOS B or above) in both the AM and PM peak hour condition. In the 2023 conditions, all approaches and study intersections are expected to operate at acceptable levels of service (LOS B or above) in both the AM and PM peak hour condition with and without traffic from the Project. As noted above, the Project will incorporate the recommendations of improvements to major roads as set forth in the Traffic Impact Analysis.

Environmental Related

1. The land use master plan preserves significant natural site features and view corridors. The Colorado Springs open space plan shall be consulted in identifying these features.

The Project does not detract from any currently existing, public open space. According to Colorado Springs SpringsView, the Property does not fall within the Streamside Buffer Overlay, Hillside Overlay, or Historic Preservation Overlay. The previously approved master plan for this Property did not identify any particular areas for open space on the Property, whereas the currently proposed master plan amendment would integrate pockets of park space throughout the Project.

2. The land use master plan minimizes noise impacts on existing and proposed adjacent areas.

The Property is bounded by two major roadways, North Powers Boulevard to the west and Woodmen Road to the south, which entirely buffer this residential development from adjacent commercial land uses. Additionally, the Project does not closely border the major roadways, but is separated from North Powers Boulevard with an Agricultural zoned parcel and from Woodmen Road with an Agricultural parcel, as well as strategically located amenities – like the proposed dog park – that further distance homes from major roadways. To the north of the Property, land is zoned residential, maintaining consistency with the Project use. To the east, there are various residential developments zoned Residential and PUD, as well as the Melody Living Assisted Living and Memory Care, just southeast of the Property. The Assisted Living facility is adequately setback and buffered from the shared boundary of Tutt Boulevard.

3. The land use master plan utilizes floodplains and drainageways as greenways for multiple uses including conveyance of runoff, wetlands, habitat, trails, recreational uses, utilities and access roads when feasible.

The project will utilize existing watersheds and flow rates. Historical drainage patterns will be maintained.

4. The land use master plan reflects the findings of a preliminary geologic hazard study and provides a range of mitigation techniques for the identified geologic, soil and other constrained natural areas.

Staff previously determined that a geologic hazard report is not required for this submittal.

Fiscal Related

1. A fiscal impact analysis and existing infrastructure capacity and service levels are used as a basis for determining impacts attributable to the master plan. City costs related to infrastructure and service levels shall be determined for a ten (10) year time horizon for only the appropriate municipal funds.

Our understanding is that City staff will complete the fiscal impact analysis based on information contained in the Application Package.

2. The fiscal impact analysis demonstrates no adverse impact upon the general community and the phasing of the master plan is consistent with the adopted strategic network of long range plans that identify the infrastructure and service needs for public works, parks, police, and fire services.

Our understanding is that City staff will complete the fiscal impact analysis based on information contained in the Application Package.

3. The cost of on site and off site master plan impacts on public facilities and services is not borne by the general community. In those situations where the master plan impacts are shown to exceed the capacity of existing public facilities and services, the applicant will demonstrate a means of increasing the capacity of the public facilities and services proportionate to the impact generated by the proposed master plan. Mitigation of on site and off site costs may include, but is not limited to, planned expansions to the facilities, amendments to the master plan and/or special agreements related to construction and/or maintenance of infrastructure upgrades and/or service expansions. Any special agreements for mitigation of on site and off site impacts for public improvements, services and maintenance are shown to be workable and supported by financial assurances. Preexisting and/or anticipated capacity problems not attributable to the master plan shall be identified as part of the master plan review.

The Project will provide desired infill development on a parcel of vacant land. Public facilities are generally available in the area, as it is already surrounded by development. The burden of the Project on public facilities and services is minimal and all on-site, private facilities will be developed by ENFR. Additionally, the Project proposes building a new road on the north side of the Property to provide access to Tutt Boulevard. The new road will be a public road within City right of way, constructed per City standard details. As noted in the Traffic Impact Analysis, the recommended improvements will result in the Property approaches and intersections having a continued acceptable level of service in Year 2023.

4. Special agreements for public improvements and maintenance are shown to be workable and are based on proportional need generated by the master plan.

There are no special agreements for public improvements and maintenance currently applicable to the Project.

5. Any proposed special districts are consistent with policies established by the City Council.

There are no proposed special districts currently applicable to the Project.

Additional Justification Requirements (per Application)

1. How is the master plan supported by policies of the City's Comprehensive Plan, adopted City side system plans and other public plans?

The Plan COS Vision Map, designates the Property as a Newer Developing Neighborhood (the Woodmen Heights/Dublin North neighborhood), a Vibrant Neighborhoods sub-classification, and being situated near a New/Developing Activity Center location, at the North Powers Boulevard and East Woodmen Road interchange. PlanCOS, 2020, pgs. 17, 33. Additionally, the Project is within walking distance of the

St. Francis Medical Center, a Cornerstone Institution within the Thriving Economy Framework. PlanCOS, 2020, pgs. 73. The proposed Project also supports the more general Plan COS policies, as follows:

- Policy VN-2.A: Promote neighborhoods that incorporate common desired neighborhood elements. PlanCOS, 2020, p. 36.

The Project provides “a variety of housing types and sizes” in order to meet “the needs of residents and families through various life stages” by introducing for-lease units of various sizes, with the private amenities of stand-alone dwellings.

- Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods. PlanCOS, 2020, p. 38.

The Project illustrates Strategy VN-3.E-3. by supporting this unique community through “a combination of Zoning Code changes and development review decisions, [which] encourage and support flexible site and building designs and residential densities that are adaptable to the specific site.”

- Policy UP-1.A: Emphasize placemaking throughout the city with design and programming that supports a distinctive identity and experience. PlanCOS, 2020, p. 55.

The Project brings a unique community design to a developing neighborhood through “privately initiated master plans, concept plans, and Planned Unit Development zoning.” Additionally, the Project will redevelop “land use related to enhancement and support of existing, transitioning, and new activity centers” by providing housing adjacent Regional Employment and Activity Center. Plan COS, p. 52.

- Policy TE-1.C: Leverage the city’s livability as a workforce and economic driver. Plan COS, p. 76.

The Project ensures “an adequate supply of attainable housing” since it is “conveniently located near hubs of employment” like the St. Francis Medical Center. In particular, the proposed rental housing will suit individuals in the medical profession who typically rely on less-permanent housing options depending on the phase of their career.

- Policy TE-4.A: Prioritize development within the existing City boundaries and built environment (not in the periphery). PlanCOS, 2020, p. 80.

The Project “[e]ncourage revitalization and infill” development, by utilizing a mostly vacant site that is currently surrounded by development.

This criterion is additionally discussed in the Public Facilities and Transportation subsections, above.

2. Analyze the public facilities necessitated by the proposed master plan and their impacts on the City's ability to maintain adopted service standards. Public facilities should include major and minor streets, traffic signals, stormwater and drainage facilities, utility facilities, police protection and fire suppression.

Given the Project's infill nature, many of the existing streets, utilities, parks, schools, and similar public facilities are already sufficient to support the Project. As noted in other portions of the Application Package, the recommended improvements to streets, proportional park and school fees, and utility connections are contemplated by the Project and will ensure that the Project does not overburden any existing facilities. Water, sewer, and storm lines will be private.

3. Calculate the park and school dedication requirements, based on City Code Section 7.7.1203.

Our understanding is that City staff will calculate these requirements in accordance with the Code.

Vacation Plat Review Criteria

1. The right of way is no longer needed for public transportation purposes.

The Property was initially platted as part of the Westview Estates subdivision, pursuant to the plat thereof recorded on April 15, 1966, in Plat Book I2, Page 37. That plat established both Country Lane and Rustic Lane as the main north-south public streets within the subdivision. However, through a series of acquisitions, the Colorado Department of Transportation (CDOT) acquired both Rustic Lane (to the west of Country Lane) and an east-west roadway that bisected Country Lane (see Reception Nos. 204127857, 200072518, and 200072519). Subsequently, the majority of Country Lane was vacated by the vacation plat recorded on June 1, 2012, at Reception No. 212713227.

The CDOT acquisitions are all depicted on the 2012 vacation plat, as is the area proposed to be vacated by the vacation plat in this Application Package (the "**Vacation Area**"). The Vacation Area is approximately 60 feet wide by 80 feet tall, and is located between the two portions of Rustic Lane that were acquired by CDOT.

In connection with the Project, ENFR has been working with CDOT to acquire the abutting portions of Rustic Lane, which would leave the Vacation Area unconnected to any public or private right-of-way. ENFR intends to complete the acquisition of Rustic Lane prior to or concurrently with the commencement of the Project, and will provide alternate access to the

parcels currently served by Rustic Lane by a new road to the north of the Project. As such, the Vacation Area is no longer needed for public transportation purposes.

We note that this Application Package proposes completing this vacation in advance of the final conveyance from CDOT. In part, this approach will allow CDOT to quit claim any portions of the Vacation Area that may have vested with CDOT pursuant to CRS Section 43-2-302. While such vesting would be unlikely, the applicable statute does not address this particular situation, where an island of right-of-way is surrounded by either vacated City right-of-way or private land that has since been deeded to CDOT. In any event, this order of operations will leave a cleaner chain of title to the Vacated Area and surrounding portions of the Property, and also allows the vacation to proceed concurrently with the other applications for the Project.

2. The vacation will not adversely impact use of the right of way for public utility and/or drainage purposes.

As noted above, the rest of Country Lane was previously vacated with no concerns over public utility or drainage purposes. Indeed, the Project will connect to public utilities within Tutt Boulevard, and drainage is addressed, and will be further addressed, in the development of the Project.

3. The vacation will not adversely impact the uniform width of the remaining portions of the public right of way along the block frontage for which vacation is sought.

As noted above, there will be no remaining portions of public right-of-way following CDOT's conveyance of the abutting Rustic Lane rights of way, and currently there is no remaining public right-of-way to the north or south of Country Lane. Therefore, the vacation will not adversely impact any other rights-of-way.

4. Access to lots or properties surrounding the public right of way will not be adversely affected.

As noted above, the only lots or properties currently served by the Vacation Area will be provided with alternate access over the northern portion of the Project. As such, those lots will not be adversely affected.

5. The vacation is consistent with the purpose of the Subdivision Code.

The stated purpose of the Subdivision Code includes a range of goals, all of which are generally intended to promote the health, safety, convenience, and general welfare of the citizens of the City. In particular, the vacation furthers the following purpose statements:

- Provide for lots of adequate size, configuration and appropriate design for the purpose for which they are to be used and to accommodate the physical features of the site.

Releasing the Vacation Area will allow for a more cohesive and appropriate design of the Project, without the need to work around a 60' by 80' island of public right-of-way.

- Provide for adequate vehicular access to abutting properties and the subdivider's remaining holdings.

As noted above, the Project will include a new roadway providing adequate vehicular access to abutting properties, which will negate any need for the Vacation Area.

- Assure that street rights of way are provided for in accord with the major thoroughfare plan and the City Engineer design manual.

While both Country Lane (included the vacated portions) and Rustic Lane are depicted on the major thoroughfare plan, neither is noted as an "MTP Roadway," either current or future. As noted above, the vacation of the Vacation Area will remove what will ultimately become an island of right-of-way unconnected to any other public right-of-way.

Issues Identified during Pre-Application Meeting

The only substantive issue identified during the pre-application meeting was the release of CDOT land formerly used as Rustic Lane to be incorporated into the Project. Since the pre-application, ENFR has met with CDOT representatives several times and commenced the process of acquiring the land, which will require coordination with Colorado Springs Utilities. CDOT did not identify any barriers with the release, but its procedural standards require that ENFR own the entirety of the Property prior to the conveyance. As such, ENFR and CDOT hope to run that process parallel with the entitlement process in the City.

We look forward to working with you on the Project. Please feel free to reach out with any questions.

Sincerely,



Cory Rutz
For the Firm

CMR/dcj

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