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Mr. Ryan Tefertiller
Planning Manager
Land Use Review Division
30 South Nevada Ave., Suite 603
Colorado Springs, CO 80903
Phone: (719) 385-5905

RE: Creekwalk Concept Plan, Zone Change, Street Vacation and Non-Use Variance Request

The following report documents the initial application of the Creekwalk Redevelopment proposal as part of the South Nevada Urban Renewal District. **The application is for the approval of the Concept Plan, related Zone Change, Street Vacation, Non-Use Variance Request and Ivywild Neighborhood Master Plan Amendment.**

PROJECT DESCRIPTION:



Figure 1. South Nevada Avenue Urban Renewal Area and Project Boundaries

The Creekwalk Redevelopment is a proposed mix commercial project anchored by Cheyenne Creek along the westernmost edge. The site is located on the west side of S. Nevada Ave., on multiple parcels located between East. Ramona Ave. to the North and E. Cheyenne Rd. to the South. The easternmost project boundary has frontage along S. Nevada Ave. from E. Ramona Ave. south towards E. St. Elmo Ave. with the Diamond Shamrock gas station being the only parcel that is not a part of the Creekwalk development project along this frontage. The easternmost boundary between E. St. Elmo Ave. and E. Cheyenne Rd. will not have direct frontage along S. Nevada Ave. except for a narrow access drive that will expand an existing public alley between Wells Fargo and McDonald's. The project area will be located behind the Wells Fargo and McDonalds parcels that front S. Nevada Avenue. The southernmost boundary located along E. Cheyenne Rd. with frontage starting behind, or just west, of the McDonalds and continuing west to S. Cascade Ave. The westernmost boundary varies and includes portions of Cheyenne Creek from Cheyenne Road to E. St. Elmo Ave. There are a few instances in which the project site has land west of Cheyenne Creek but no development

these areas will occur. They will be treated as landscape open space. The site will be subject to the stream side overlay (SS) requirements and there are stream side improvements planned. These improvements will largely be implemented along the eastern edge of the creek that includes, but not limited to the removal of existing buildings, old vegetation, structures that channelize the creek and grading to create a sloped bank that will allow for easier access and viewing of the creek. The creek will also include a greenway trail with associated amenities.

The zoning across the entire development will be C5 or C5 SS (see zone change request below). Currently, there are 15 parcels that will need to be rezoned from R5 and R5 SS to the C5 and C5 SS and this rezone application is being submitted along with the current concept plan package. The total site is 10.63 acres of which the zoning applications will seek to rezone approximately 1.95 acres. The rezoning will not be detrimental to the public interest, health, safety, convenience or general welfare as it will begin to utilize Cheyenne Creek as a natural buffer between residential and commercial uses while adding connectivity for pedestrians and trail users. The Ivywild Neighborhood Master Plan, approved in September 1993, shows these lots are located within a transitional area. The proposal is consistent with the existing master plan and will shift the interface between R5 and C5 slightly to the west within this transitional area along the creek.

There will also be a number of streets vacated across the development area allowing for the removal of some of the existing diagonal street patterning that create undesirable intersections and parcels (see street vacation request below). The vacation plans will allow for the consolidation of lands that will allow for commercial development as defined with the concept plan.

Access

Access to the site will be provided from S. Nevada Avenue, East Cheyenne Road, St. Elmo Street and Ramona Street. Parking on the site will be provided based upon City requirements. Fire access will be provided to all buildings via the main driveways within the parking lots and from the local streets that abut the site. Turning radii for emergency vehicles will be confirmed as the development planning process moves forward. The drive aisles as proposed together with local streets can provide for a minimum 24-foot wide emergency access.

The proposed concept plan will utilize the two existing access points located along S. Nevada Ave. located at E. St. Elmo Ave and the unnamed alley south of Wells Fargo, both of which are right in/right out configurations. The alley access is envisioned to be completed with new landscaping along each side while still providing access into the McDonald's and Wells Fargo parking lots. One additional right in only will be maintained between E. Ramona Ave. and E. St. Elmo Avenue from S. Nevada as part of the Concept Plan. There will be one access point located on E. Ramona Avenue as illustrated.

Cheyenne Road will be improved with the addition of one additional lane between S. Nevada Ave. and Cascade Ave.. This will provide three full lanes, or a center turn lane as illustrated on the plan. The plan also includes a new traffic light at Roanoke Street to protect full movement and address existing intersection concerns. There will also be a secondary right in/ right out access point into the main parking area for the development and a secondary full-movement into an auxiliary parking area from Cheyenne Rd. that is disconnected from the main parking area and adjacent to the greenway trail/walk.

Public Amenities

A proposed 10' paved greenway trail/walk will be provided along the creek. The access will provide pedestrian movement north and south along the east side of Cheyenne Creek creating a connection from E. Cheyenne Rd to E. St. Elmo Ave.. This trail/walk is planned to continue moving North in coordination with future redevelopment plans

occurring along the creek in order to connect into the larger City greenway system. Amenities along the greenway will include benching, trash receptacles, lighting, landscaping and stone features adjacent the creek.

A bus stop that meets city specifications and ADA access will be provided approximately 220' South of E. Ramona Ave. and will be integrated into the streetscape design along S. Nevada Avenue. The close proximity to the project will allow for ease of access from the public transit route.

This project is located within the South Nevada Urban Renewal District and will follow the Streetscape Design standard and amenities allowing for a consistent streetscape that will provide a cohesive and consistent design standard for the South Nevada Ave. corridor, Cheyenne Rd. and adjoining side streets. These improvements will include the undergrounding of the overhead utilities along Cheyenne Rd and S. Nevada Ave.

Site Drainage, Grading and Utilities

Site Grading

The grading on the site will be driven by the finish floor elevations of the various buildings proposed for the Creekwalk redevelopment. The base flood elevations for the 100-year floodplain of Cheyenne Creek set the finish floor for all the buildings except G and H. Buildings G and H lie outside the 100-year floodplain. Those within the 100-year floodplain will need to be elevated and or flood proofed to an elevation that is one-foot above the base flood elevation adjacent to each building.

Certain areas within the concept plan lie within the floodway of Cheyenne Creek. The floodway is a more highly regulated portion the floodplain. Habitable structures proposed within a floodway are required to have finish floors one foot above the base flood elevation. The blockage caused by structures as well as the fill required to elevate the structures must not cause any rise in the base flood elevation. This is the “no net rise” requirement for work within a regulated floodway. The stream stabilization proposed for Cheyenne Creek as well as the trail and retaining walls that parallel the drainageway will occur within the floodway. A no net rise will be achieved for this site through a combination of measures. Grading for the parking areas also within the floodway will be kept to as close as possible the existing elevation the thereby avoiding any placement of fill. Blockage from Building E will be offset by the removal of existing structures as part of the redevelopment of the property. These measures will result in a no net rise in the base flood elevation through the site.

Existing Site Utilities

The site is surrounded by existing utility lines within Nevada Avenue, East Cheyenne Road, Ramona Street and Mt. Washington Street. It is anticipated that all utilities needed for the project will be brought in from these streets. Electric, gas, water and sewer lines are all available with sufficient capacities to support the redevelopment of the site. Existing service line connections will be abandoned and removed for that portion of the Creekwalk that lies south of St. Elmo. Reference is made to the Conceptual Utility Plan. Services will be maintained for adjacent properties.

Wastewater: An existing 8-inch sewer enters the site from the south at East Cheyenne Road. This line extends between East Cheyenne Road and St. Elmo Street. This line will be routed through parking areas of the Marketplace and then reconnected at the intersection of St. Elmo Street and Mt. Washington Street. From this point the line will remain in service within the vacated Mt. Washington Street corridor to maintain the sanitary service connections for the existing properties to remain along Mt. Washington. Near the intersection of Mt. Washington and Nevada, the existing 8-inch line will be relocated and routed directly north to Ramona Street. At Ramona the sewer line will run west to a connection with a proposed sewer line built as part of the Natural

Foods site. This rerouting will relieve capacity issues for the existing line that runs east under Nevada Avenue. Any existing lines to be abandoned will also be removed.

Water: Existing water line in East Cheyenne Road will provide service to buildings F, G and H. An existing 8-inch line that enters the site from the southwest will be abandoned to St. Elmo Street and service connections removed. A new 8-inch line will enter the site from East Cheyenne Road and extend north through the parking area where it will turn east and then north again between Buildings E and D where it will reconnect to the existing line at the intersection of St. Elmo Street and Mt. Washington Street. The line in Mt. Washington will remain in service but will be rerouted to the north where it enters the Creekwalk property. The rerouted line will then be connected to the existing 8-inch line in Ramona Street. An 8-inch line will also be brought into the site from Nevada Street just south of Building C. This will connect to the rerouted Mt. Washington Street line as described above. Fire hydrants will be installed of the proposed mains as required to meet CSPD regulations. The combination of the existing and new hydrants will provide for adequate fire protection for the proposed buildings.

Site Domestic Water and Wastewater Service

As shown on the concept utility plan water and wastewater service connections for all the proposed buildings will be made to existing or new lines. The points of connection will be refined as the development process proceeds.

Water Service: Buildings A, B and C will connect to the proposed 8-inch line in the parking lot drive aisle west of these buildings. Buildings D and E will connect to the 8-inch new line from East Cheyenne Road described above. Buildings F, G and H will connect to the existing water line in East Cheyenne Road.

Wastewater Service: Buildings A, B and C will connect to the proposed 8-inch line in the parking lot drive aisle west of these buildings. Buildings D will connect to the new 8-inch new line from East Cheyenne Road described above. Buildings E will connect to the existing 8-inch main in St. Elmo Street. Buildings F, G and H will be connected to the existing sewer line in East Cheyenne Road.

Site Drainage and Stormwater Management

The site lies within a drainage sub-basin that covers approximately 9 acres inclusive of offsite areas and flows directly to the Creek. The area encompassed by the Concept Plan lies within the Southwest Area Drainage Basin. The drainage basin planning study (DBPS) was prepared for the Southwest Areas Basin in 1986. There are no specific improvements identified for the Creekwalk property identified in the DBPS. The predominant flooding source is Cheyenne Creek. The 100-year discharge for Cheyenne Creek is 8,300 cubic feet per second.

Major drainage: It is proposed to provide stream stabilization for the low flow area of Cheyenne Creek from St. Elmo Street to East Cheyenne Road. The Creek is presently confined between concrete walls for a majority of this segment. The low flow area of the Creek is also heavily vegetated with both native and non-native trees that block visual access to the corridor, promote debris buildup and reduce the flood carrying capacity of the drainageway. It is proposed to remove the existing walls that line the east bank of the Creek to provide for a wider stream corridor, sufficiently wide to install a trail and other stream side amenities. The stream stabilization will consist of boulder low flow linings and a series of rock vanes. The east overbank of the drainageway will be revegetated using native shrubs and trees. It is anticipated that the work to stabilize Cheyenne Creek will be authorized under a U.S. Army Corps of Engineers nationwide stream restoration permit.

Site Drainage: Runoff from the Creekwalk site will be evaluated in accordance with the City of Colorado Springs Drainage Criteria Manual. The proposed onsite drainage facilities have been shown on the Concept Grading and Drainage Plan. The site is divided into two sub-basins, one that lies north of St. Elmo Street and the much larger portion of the site the lies south of St. Elmo Street. Runoff from the portion the site that lies north of St. Elmo will be conveyed through the parking and driveway area west of the proposed buildings and collected by curb inlets. Runoff collected by the inlets will be conveyed by a storm sewer to the northwest corner of the site by Ramona Street. From this point a storm sewer will be routed to Cheyenne Creek. Because there would not be an increase in impervious area compared to the existing condition, water quality treatment will not be required.

Runoff from the area south of St. Elmo Street will be conveyed through the parking and driveways to inlet(s) located along the east property line. Runoff collected by the inlet(s) will be conveyed to a vortex-style manhole and then into an underground storm water storage system. The underground system will store the water quality capture volume (WQCV) and release it over a 40-hour period. Overflow of the system that could occur in a storm event that produces runoff exceeding the WQCV would pass through the system and discharge to Cheyenne Creek. Discharge of the 100-year rate of runoff from the site will not cause facilities on Cheyenne Creek or Fountain Creek that lie downstream of the Marketplace to become over capacity.

Creekwalk Development Management:

A Business Improvement District (BID) has been created for the development, on-going maintenance and management of the Creekwalk Concept Development area. This will include proposed access points, parking, adjacent streetscape treatments, landscaping and creek improvements.

Creekwalk Marketplace Business Improvement District
90 South Cascade Avenue, Suite 1500
Colorado Springs, Colorado 80903

ZONE CHANGE REQUEST

The following is the related Creekwalk Redevelopment zone change request. The total site is 10.63 acres of which the zoning applications will seek to rezone approximately 1.95 acres from (R5 and R5 SS) to Intermediate business (C5 and C5 SS). There will be street vacations requested in and around these parcels including Mt. Washington Ave., St. Elmo Ave, and portions of existing alleys. There are also several utilities and associated easements that exist across the site that will be relocated as part of the development process to fit the new development pattern. Some of the parcels are adjacent to Cheyenne Creek and will require a streamside overlay (SS) designation to remain a part of the zoning action (see map below).

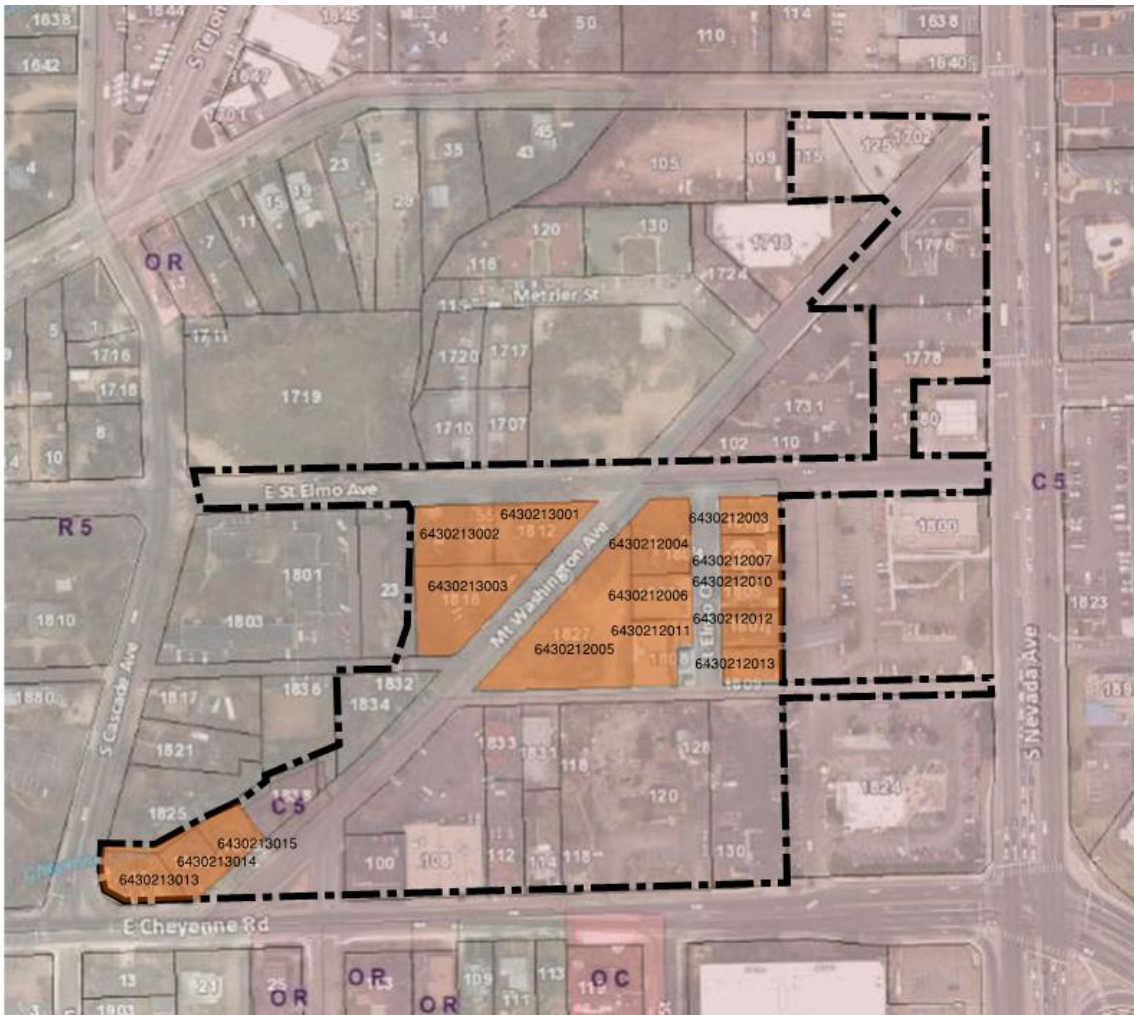


Figure 2, Rezone Parcel Diagram

There are 15 parcels included in the application (6430213013, 6430213014, 6430213015, 6430213001, 6430213002, 6430213003, 6430212005, 6430212004, 6430212006, 6430212011, 6430212003, 6430212007, 6430212010, 6430212012, 6430212013) that are currently zoned R5 and R5 SS. Nine of these parcels are currently located adjacent to existing C5 and C5 SS parcels.

Parcel 6430212005 is currently vacant. Parcels 6430213013, 6430213003, 6430213002, 6430213001, 6430212011, 6430212006 currently have multi-family residential or apartments uses. Parcels 6430213014, 6430213015 6430212004, 6430212003, 6430212007, 6430212010, 6430212012, and 6430212013 currently have single family uses.

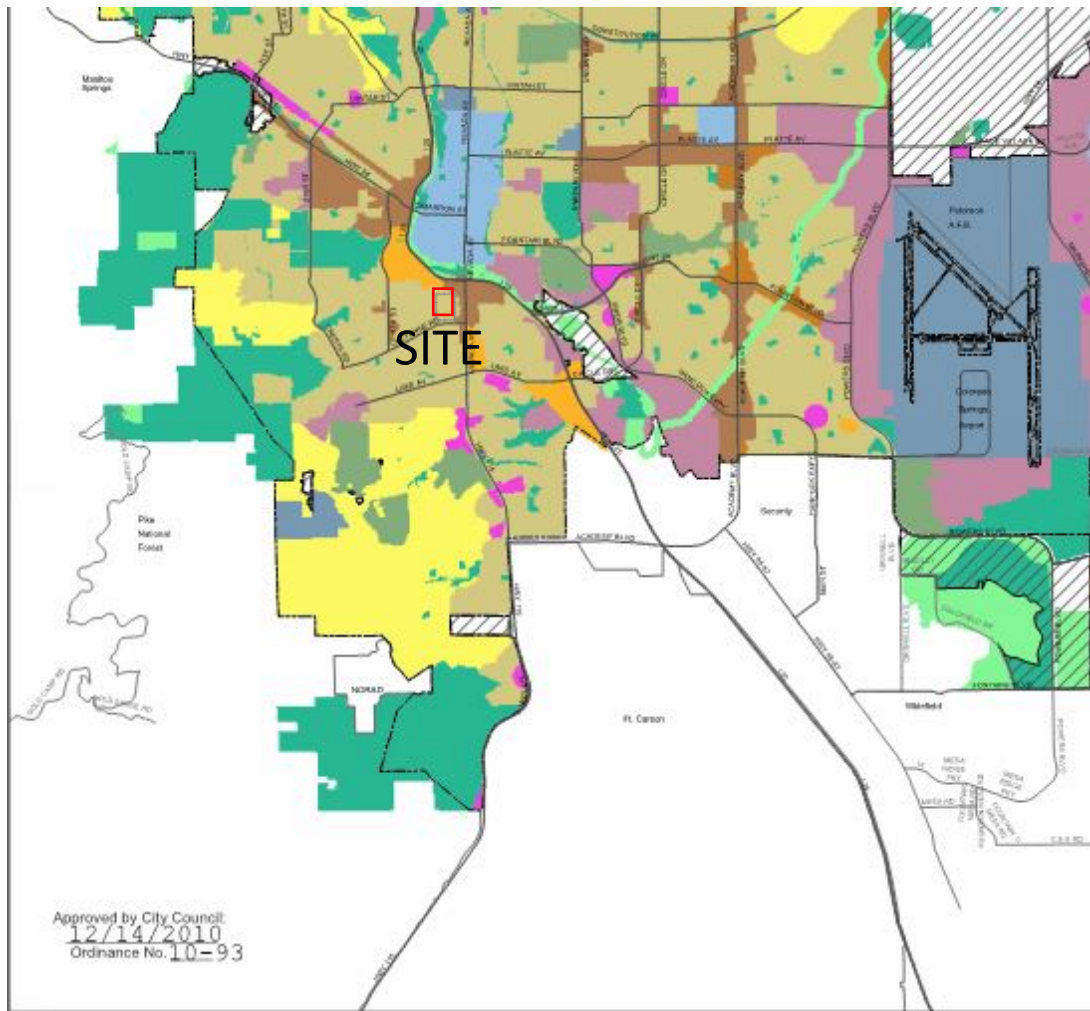
Review Criteria:

1. **The action will not be detrimental to the public interest, health, safety, convenience, or general welfare.**
 - a. The rezoning of these 15 parcels will not be detrimental to the public interest, health, safety, convenience, or general welfare. A large portion of the parcels east of Cheyenne Creek are already

zoned C5. With the rezone of the R5 parcel south of E. St. Elmo Ave., the proposed redevelopment area will be zone consistently with the larger area adjacent with Wells Fargo and McDonalds. The creek will provide a clean separation between the R5 and Multi-family to the west. The proposed zone change will create a slight shift in the line between the C5 and R5 zoning as reflected with the current City Land Use map below.

- b. The rezone and the proposed redevelopment pattern will support streamside objectives by removing the residential structural along the creek and making way for the development of a greenway and public trail amenities in the area

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



City of Colorado Springs
2020 Land Use



- | | |
|-------------------------------|----------------------------------|
| Low Density Residential | Employment Center |
| General Residential | Regional Center |
| Community Activity Center | Major Institutional |
| Commercial Center | Candidate Open Space |
| New/Developing Corridor | Existing Park Land or Open Space |
| Mature Redevelopment Corridor | Golf Course or Cemetery |

Figure 3, Colorado Springs Comprehensive Plan

a. This project area is largely located within a mature redevelopment corridor as seen in the 2001 Comprehensive Plan and addresses a few of the strategies and policies related to commercial development. This project will fulfill strategy **LU.702b** by redeveloping an area that will support the formation and evolution of a new activity center that is working to coordinate with other projects that are occurring within the S. Nevada Ave. corridor and URA. This project will also work towards strategy **LU.701b** by increasing pedestrian oriented amenities within the development and along the edges of the development to allow for connectivity. This project also works toward implementing policy **LU.703** by incorporating the SNURD streetscape design standards that directly affect pedestrian circulation and building placement related to the streetscape standard and overall redevelopment objectives.

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

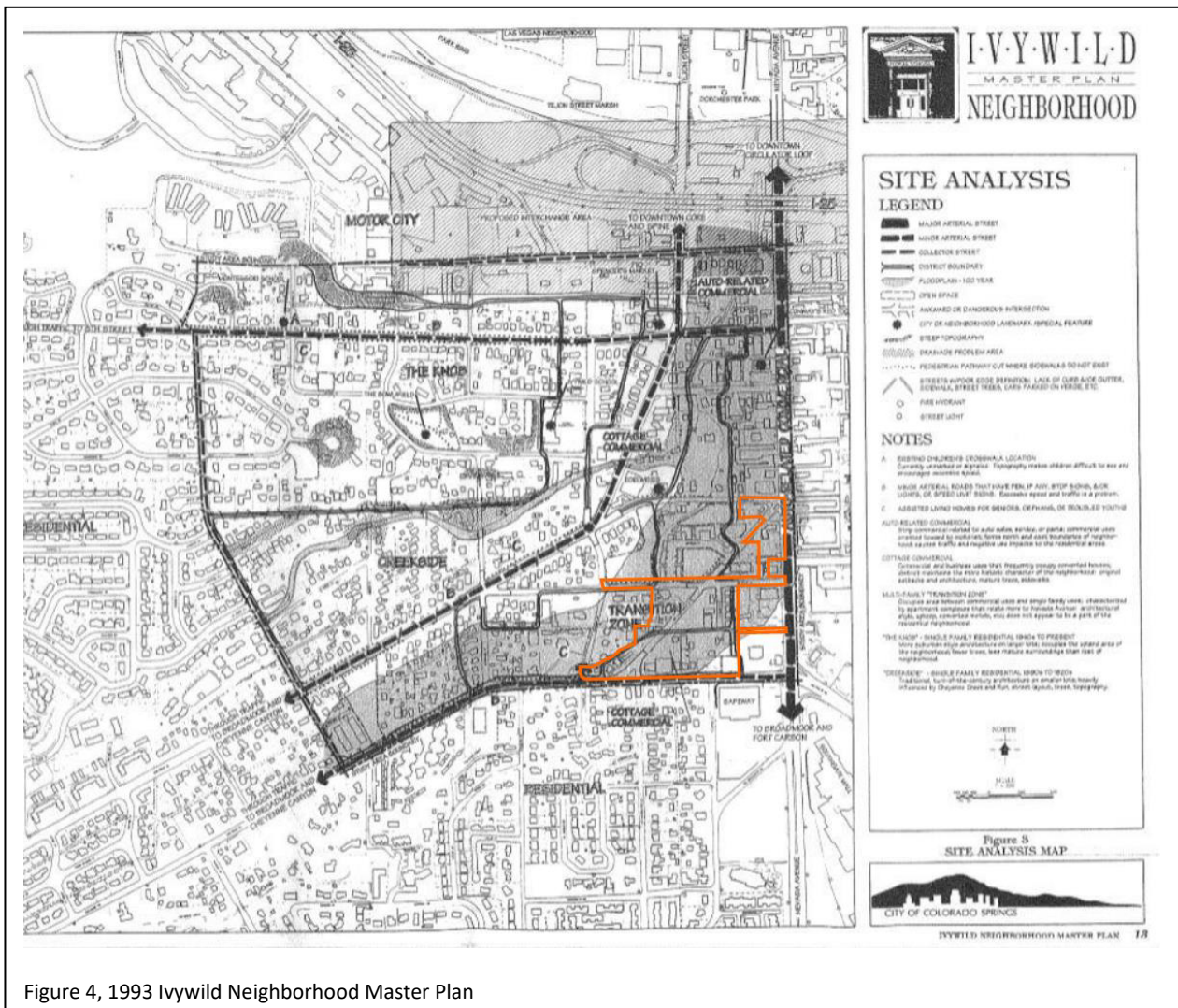


Figure 4, 1993 Ivywild Neighborhood Master Plan

- a. The Ivywild Neighborhood Master Plan was approved by city council in September of 1993. The Creekwalk boundary is shown in orange in the above (and below) graphic. The parcels to be rezoned all fall within the dark grey shaded area denoting the 100-year floodplain which is not ideal for residential. From the Master Plan, it is believed that the proposed redevelopment and rezone will support the Neighborhood objectives to provide a logical transition east to west from the S. Nevada Ave. commercial uses to western Neighborhood uses. The greenway and proposed creek improvements under the Stream Side Overlay Ordinance and will also meet the “land use buffer” objectives between the uses that is suggested in the Master Plan. Both the Stream Side and Zoning Landscape Ordinances will help serve the buffer goals along a natural transition edge. While the project will remove a few single family and multi-family residential units that are directly adjacent existing commercial activity on the east side of the creek, off-site apartment buildings will remain to the west of Cheyenne Creek, further maintaining the desired transitional environment and uses between the commercial uses and single-family use that begin on the West side of S. Cascade Ave.. The Cheyenne Creek and a proposed trail corridor along the westernmost boundary of the concept plan will provide a cleaner delineation and transition between uses while providing soft neighborhood connections. As illustrated below, the existing C5 zoning will improve the buffering between the western residential with the proposed creek improvements. See Ivywild Neighborhood Master Plan Amendment proposal.

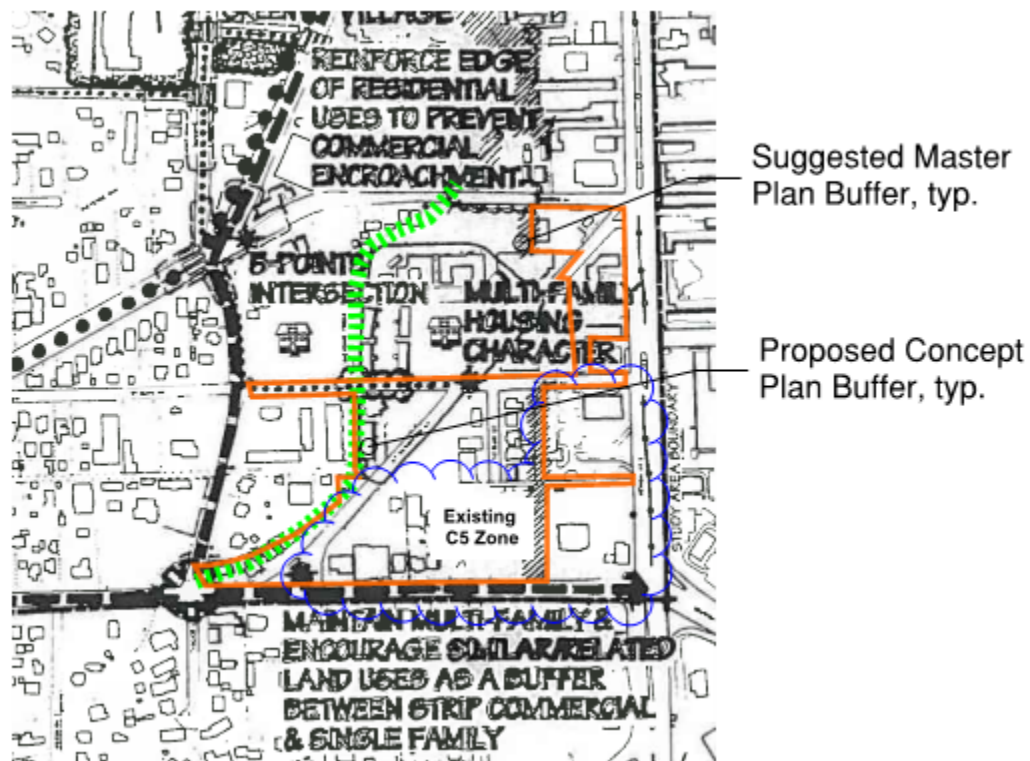


Figure 4: Revised natural Ivywild land use buffer

- b. In addition to the Ivywild Neighborhood Master Plan, there is a relatively newly formed South Nevada Ave. Area Urban Renewal Plan the was approved by the Colorado Springs City Council on November 24, 2015. The entire Creekwalk project area is located with this new plan area.

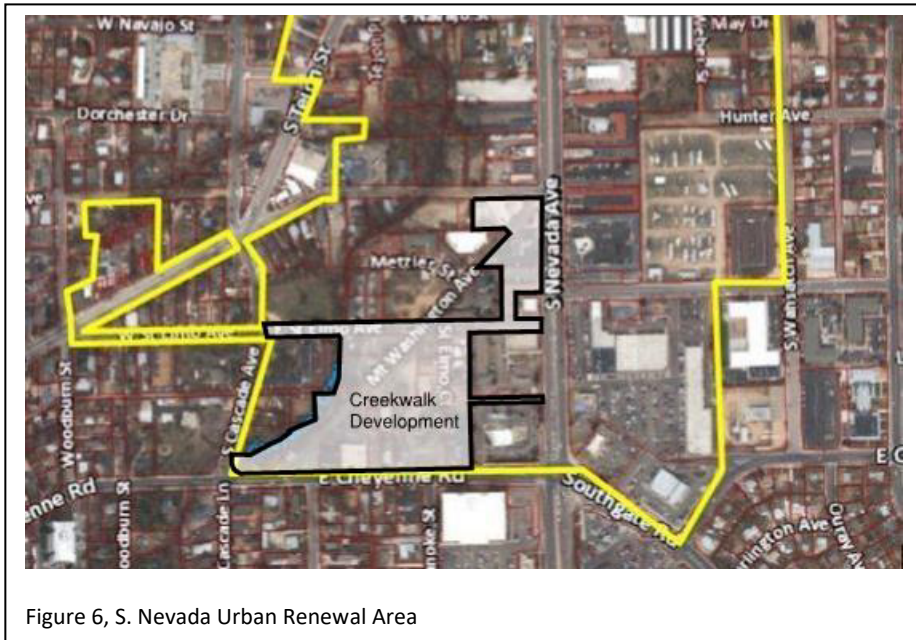


Figure 6, S. Nevada Urban Renewal Area

- c. The purpose of the URA and Creekwalk plan is to reduce, eliminate, and prevent the spread of blight and to catalyze growth and investment within the boundaries. The development of retail and neighborhood services that are convenient to use and compatible with their surrounds as outlined in objective **LU7** and are at core of the Creekwalk project. Creekwalk will likely also encourage infill and redevelopment of some neighboring parcels (**objective LU4**). This project will also work to improve the character of this area (**objective CCA 3**) by implementing the approved South Nevada Urban Renewal District (**SNURD**) Streetscape Design Standards.

Related Development Considerations:

1. Utilities: Connection to and providing for utilities:
 - o With the rezone and the proposed redevelopment, major utilities will be protected through public utility easements and service lines will be redesigned to meet the proposed redevelopment patterns.
2. Traffic Circulation and Access Locations:
 - o The local traffic access and circulation patterns will be modified to meet the proposed development objectives, while protecting and preserving private access to adjoining properties through street improvements or access easements and agreements.

- The project identifies the addition of a new traffic light and Cheyenne Rd and Roanok which will help relieve existing traffic concerns at this corner and provide recommended traffic controls related with the proposed development.
3. Buffering between differing Uses:
- The proposed redevelopment will work within the scope the existing zoning code and existing landscape development code to respect adjacent uses and properties in this urban environment. This will include the application of the Streamside Overlay Ordinance and Parks and Recreation trail objectives along the western edge of the project.

STREET VACATION REQUEST

The following outlines the related Street Vacation request. The vacation of adjacent roads within the Creekwalk redevelopment project area will allow this project to take shape and remove some of the odd intersections and parcels configurations currently seen in the existing road network. Mt. Washington currently spans from E. Cheyenne Rd. to E. Ramona Ave. at an approximately 45-degree angle creating intersections that are angular as they connect into a more rectangular gridded pattern at adjoining streets. The vacation of Mt. Washington Ave. through the north and south sections of the project will resolve a few different conditions. At the southwest corner of E. Ramona Ave. and S. Nevada Ave. the vacation will allow for a parcel to be created at the S. Nevada and E Ramona intersection and will eliminate an undesired intersection and traffic condition at this point. The portion of road currently spanning from E. St. Elmo Ave. to E. Cheyenne Rd will also be transitioned into new building parcels, parking for the business improvement district, new greenway amenities, a trail extension and pedestrian access into the new commercial center. This leaves a portion of Mt. Washington Ave. and the Metzler Street that is outside of the projects boundaries. This section of Mt Washington, Metzler Street and St. Elmo will remain, providing access and circulation for the remaining adjacent properties in the areas.

A portion of the alley that currently runs East to West between McDonald's and Wells Fargo and terminates at Mt. Washington Ave. is to be vacated. While the alley will remain a right in/ right out entrance drive for wells Fargo and McDonald's, the alley will also provide an access into the redevelopment area. At the edge and within the of the project boundary the alley is to be vacated. This includes a short section that extends north from the main alley. The utilities within the project area will be realigned to match the new development pattern. Utility easements and access will remain for the adjacent properties. See the Concept Plan.

A portion of a second alley west of Mt Washington that crosses Cheyenne Creek will also be vacated as part of the application. This alley run east and west between St. Elmo and Cheyenne Rd. In partnership with the City, BK-lvy Manor and Creekwalk LLC, the alley vacation will assist in the redevelopment of the creek environment at this point. The objective is to place some of the electrical utilities underground, clean up the right-of ways and expand the landscape buffer between the residential apartments and the proposed retail center.

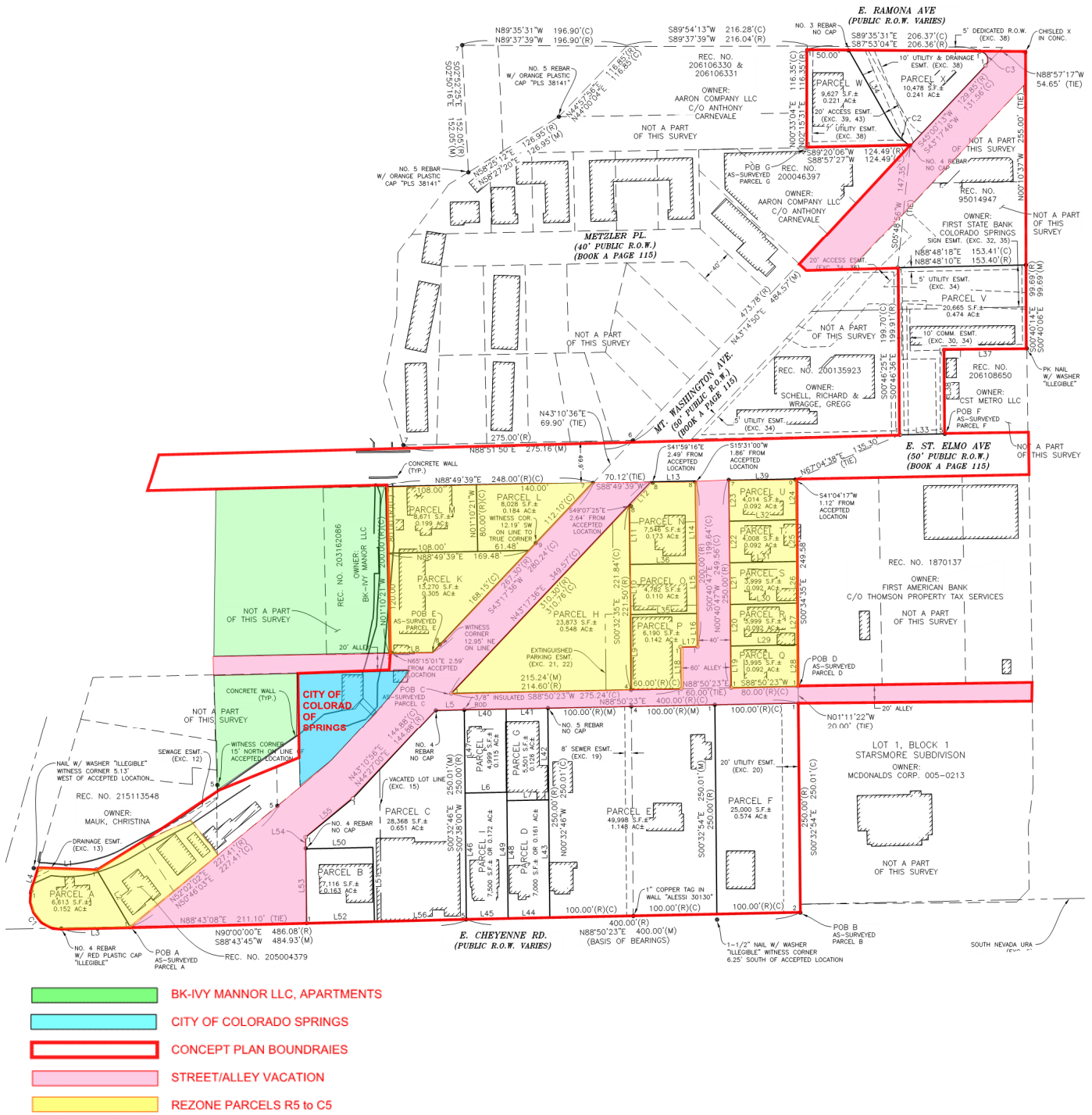


Figure 7, Vacation diagram

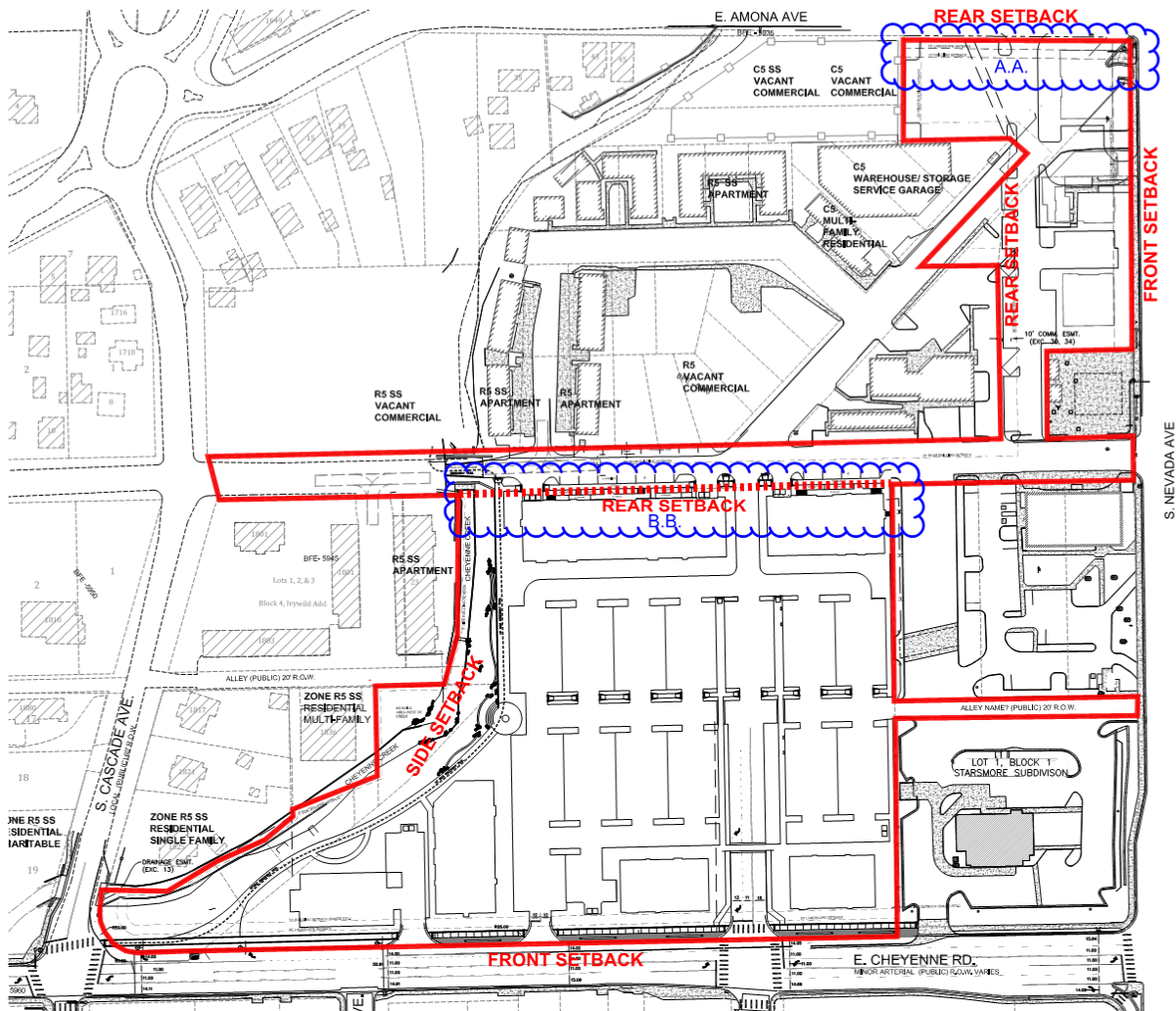
Review Criteria:

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

- a. Much of the ROW under consideration is with the boundaries of the proposed shopping center and all of the property is under one control. At the time of the vacation request 90% of the real estate in one ownership and the remaining under contract with letters of support for the vacation (see attachment). With the new redevelopment pattern being proposed, there will be no impact to the local public transportation system. The proposal will protect the main transportation connections along Cheyenne Road and S. Nevada Ave.
 - b. The northern half of the vacation request adjoins properties that are in some level of redevelopment or are for sale with redevelopment potential. The vacation of Mt. Washington will have no impact on the current public transportation systems in the area or access to adjacent properties.
 - c. The vacation of the various alleys will not have any impact on the local public transportation system.
- 2. The vacation will not adversely impact use of the right of way for public utility and/or drainage purposes.**
- a. The redevelopment of the proposed shopping center will remove some utilities in the southern half of the subject area as part of the new development pattern along Mt Washington Ave.. Services will be upgrade, realigned and connected to services within the Cheyenne Road and E. St. Elmo to serve the new uses.
 - b. In all cases the proposed redevelopment seeks to underground existing overhead electrical in the area while protecting services to the project area and adjoining properties.
 - c. Currently there is little stormwater infrastructure in the noted ROW. As the redevelopment accrues, new stormwater systems will be upgraded. The proposed vacation will not change the current drainage patterns or systems. Change will only (improvements) accrue at the redevelopment phase.
- 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.**
- a. The vacation request includes the whole dimension of the ROW's as defined today. The vacation will be uniform and will provide clean breaks at the intersection of each adjacent street. No unusual ROW configurations will be created with this proposal.
- 4. Access to lots or properties surrounding the public right of way will not be adversely affected.**
- a. The planning team has been communicating regularly with every adjacent land owner over the past several months about the proposed vacation. The proposal includes an overlaying public utility and private access easement in place of the current public ROW as needed. Every step has been taken to protect access and redevelopment rights with the vacation request.
- 5. The vacation is consistent with the purpose of this Subdivision Code.**
- a. The proposed vacation would support the long-term redevelopment plans for the area and every step has been taken to consistently meet the intent of the code and preserve the access, utility and development rights associated with the impacted properties.

NON-USE VARIANCE

The Non-Use Variance application is requesting small setback relief of two specific frontages illustrated with the Concept Plan. Bases on the unique conditions of this project, per the code and through meetings with planning staff the following front, side and rear setback frontages have been identified.



Building Setbacks (C5)		
Front	28'-31'	SNURD Standards (or 20' in C5)
Side	5'	Adjacent to R5 Zone
Rear	20'	

Figure 8, Setback Diagram and Standards

The specific setbacks are based on current zoning and S.N.U.R.D. standards. The setbacks along S. Nevada and Cheyenne Rd have been defined by the South Nevada Urban Renewal District design guidelines (SNURD). The setback along S. Nevada Ave frontage has been defined at 31' from back of curb. The setback along Cheyenne Rd was set at 28' from back of curb. The unique setbacks have been defined around the intended and unique streetscape layout and elements.

Per standards set forth by the zoning code, the Creekwalk Development project request setback relief to code 7.3.204: OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICT DEVELOPMENT STANDARDS.

Request:

The request is for relief on two different setbacks (see diagram above).

1. The first request is for a front setback modification along E. Ramona Ave (A.A.) on the north side of the project. The request is to reduce the current 20' standard to 10' along this limited section of frontage as show with the Concept Plan.
 - a. **Objective**, establish a strong urban edge and new pattern in the new URA District.
2. The second request is for a setback modification along E. Saint Elmo Ave (B.B.) as part of the north central portion of the project. The request is to reduce the current 20' standard to zero (0') setback along this limited section of frontage as show with the Concept Plan.
 - a. **Objective**, establish a strong urban edge and new pattern in the new URA District and respond to site conditions.

Review Criteria:

The application has met all of the general Zoning Code requirements as part of the Concept and Zoning plan submittals. As part of the review process the following statements and clarifications have been provided in response to the overall Non-Use Variance criteria.

1. **Extraordinary or Exceptional Conditions:** The conditions are unique for this area do to the changing development patterns in this commercial corridor with more dense uses and conditions are placing high demands on all available land to maximize potential neighborhood services. There is also an encroachment of the flood way and 100-year floodplain.
2. **The unique physical conditions:** The site is limited by the flood way and floodplain impacts. This is requiring the buildings to be elevated which requires the introduction of additional steps and ramps to maintain accessibility which is widening the building footprint in some cases.
3. **No Adverse Impact:** No adverse impact is assumed with the granting of the variance. The variance and the planned development is part of the urban renewal area's redevelopment. The new pattern of development and the promise of new vibrant businesses provided with the development has already had a direct benefit to the surrounding properties. Individual owners of adjacent properties seeking to sell their property for future developments, are seeing a greater increased value and benefit from the proposed plans.
4. **The granting of a variance shall not be detrimental to public health, safety and welfare or injurious to surrounding properties:** There is a shift in the development patter for this area of the urban renewal district that will benefit the community and surrounding land uses. The new development will enhance the property values in the area and introduce new public amenities that will help clean up much of the physical and social issues in the immediate area.

- a. **The granting of a variance shall not be inconsistent with any plans adopted by the City:** This project area is largely located within a mature redevelopment corridor as seen in the 2001 Comprehensive Plan and addresses a few of the strategies and policies related to commercial development. This project with the approval of this variance request will help fulfill strategy **LU.702b** by redeveloping an area that will support the formation and evolution of a new activity center within the S. Nevada Ave. corridor. This area is part of the relatively newly formed South Nevada Ave. Area Urban Renewal District the was approved by the Colorado Springs City Council on November 24, 2015. The entire Creekwalk project area is located with this new plan area and it is envisioned to be a denser more urban development area that is more productive in providing needed public improvements along S. Nevada Ave., Cheyenne Rd. and Cheyenne Creek.
- 5. **The granting of a variance shall not weaken the general purpose of the Zoning Ordinance or its regulations:** The variance reflects a very small portion of the proposed project and is consistent with the general urban development pattern that is being implemented and envisioned with this area under the current zoning.
- 6. **The variance, if granted, shall only be to the extent necessary to afford a reasonable use of property:** The proposed variance will strongly support the redevelopment of the area, improvement the use of the property and create no harm to the surrounding properties.

IVYWILD NEIGHBORHOOD MASTER PLAN AMENDMENT

The noted Master Plan Amendment relates to a proposed land use classification change at the south east corner of the Ivywild Neighborhood Master Plan. The current Master Plan identifies a small area of “Cottage Commercial” and “Auto Sales Related Commercial” uses at the corner of Cheyenne Road and S Nevada Ave. These uses are found along the western frontage of S. Nevada Ave. and the area behind the existing Wells Fargo Bank and McDonalds. The amendment proposes to create a Community Activity Center in this area. See the Concept Plan and Amended Master Plan Sheets.

The amendment also includes a small zone change in the R5 parcels along the east side of the creek to C5. See Zone Change Application. This R5 amendment will account for a 2-ac change to accommodate the proposed mix commercial retail center being proposed with the Concept Plan at this location. The new center will primarily be built on the commercial zones and land uses that anchor this corner of the Master Plan today. The new center will front on Cheyenne Road and will be tuck in alongside of the existing commercial bank, restaurant, gas station and retail use and part of the development will front on S. Nevada Ave north of St. Elmo Ave.

Table 4
IVYWILD ZONING

Zoning	Percent (%) of	
	No. Acres	Total Area
R-1-6000	39.5	16.4
R-2	78.0	32.5
R-5	49.0 47	20.5 19.6
R-5-P	3.5	1.5
PUD	4.0	1.6
C-5	55.5 57.4	23.0 23.9
C-6	3.0	1.0
C-6P	0.5	0
C-6/CR	8.0	3.5
TOTAL	241.0	100.0

Figure 9: Change in Land Uses

As part of the Concept Plan application and amendment to the Master Plan special consideration is given to natural land use transitions and buffers. The Concept Plan and proposed development has placed special attention on the renovation and enhancement of the landscape along Cheyenne Creek. The proposed Master Plan updates reflects the revised buffer alignment and delineation along the creek as a buffer between the commercial and residential uses.

A. Fiscal Impact Analysis including the following information (Budget Office): Preliminary

- 1. Estimated total number of traffic lane miles added with the Concept Plan: One new traffic lane is being added to Cheyenne road from S Nevada to S. Cascade Ave. Total of 1200 LF to be funded and managed through the Creekwalk Business Improvement District and the agreements put in place by the South Nevada URA.**
- 2. Estimated number of residential units by type and market value: N/A**
- 3. Estimated square footage and market value of commercial, office and industrial uses related to the Amendment: Proposed 56,500 SF Neighborhood Commercial Activity Center (Mix retail center)**
- 4. Estimated yearly build-out by land use type: All to be complete 2020**
- 5. Current assessed valuation of the property of the Amendment: 12 Million**

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

1. Land Use Relationships:

- a. 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 proposed development encourages a new mix of commercial and retail use into the S. Nevada corridor which is consistent with the South Nevada URA objectives. The plan also gives special attention to the Cheyenne Creek as a trail corridor, greenway and neighborhood friendly buffer and transition between the adjacent residential land uses.**
- b. 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. **The proposed activity center is being considered a neighborhood center as much as a local retail center. No large anchor users are planned for the project and the goal is to fill the center with local and one-off tenants and business to build on existing neighborhood character.**
- c. The land use pattern is compatible with existing and proposed adjacent land uses and protects. **The corridor is changing. While the center will reflect some of the modern development standards, many steps are be taken to scale and match the surrounding urban patterns in the adjacent neighborhood, such as, by limiting tenant spaces size, building up to the street frontages, putting parking behind the buildings, and protecting and embracing the natural character of the creek.**
- d. Protect Residential neighborhoods from excessive noise and traffic infiltration. **The project team has worked with City Traffic Engineering to improve traffic conditions on Cheyenne Rd. (lane addition, widening and additional signal) and reduce neighborhood pass thru on St Elmo with the closure of the bridge at the creek. The project and improvements will go forward, hand in hand with the City's current traffic study for the Ivywild neighborhood.**

- e. Housing types are distributed so as to provide a choice of densities, types and affordability. **While some affordable housing is being disturbed, an active relocation plan is in place to help assign new housing options for residents. No new housing is being planned with the proposed development. See enclosed relocation Plan.**
- f. Land use types and location reflect the findings of the environmental analysis pertaining to physical characteristics which may preclude or limit development opportunities. **The development layout responds to the natural flood way and floodplain in the areas to protect the investment and surrounding properties under the criteria laid out by FEMA and the County Floodplain Administrator. The plan also embraces the creek under the Stream Side Overlay ordinance to improve conditions of flood management and enhance trail/park amenities.**
- g. Land uses are buffered, where needed, by open space and/or transitions in land use intensity. **Yes, the plan and proposed Master Plan Amendment illustrates and considers appropriate buffers and transitions with the changes.**
- h. Land uses conform to the definitions contained in section 7.5.410 of this part. **The proposed land use changes (1.9-ac of R5 to C5) is consistent with the overall C5 zone and the proposed development for the S. Nevada corridor under the S. Nevada URA goals.**

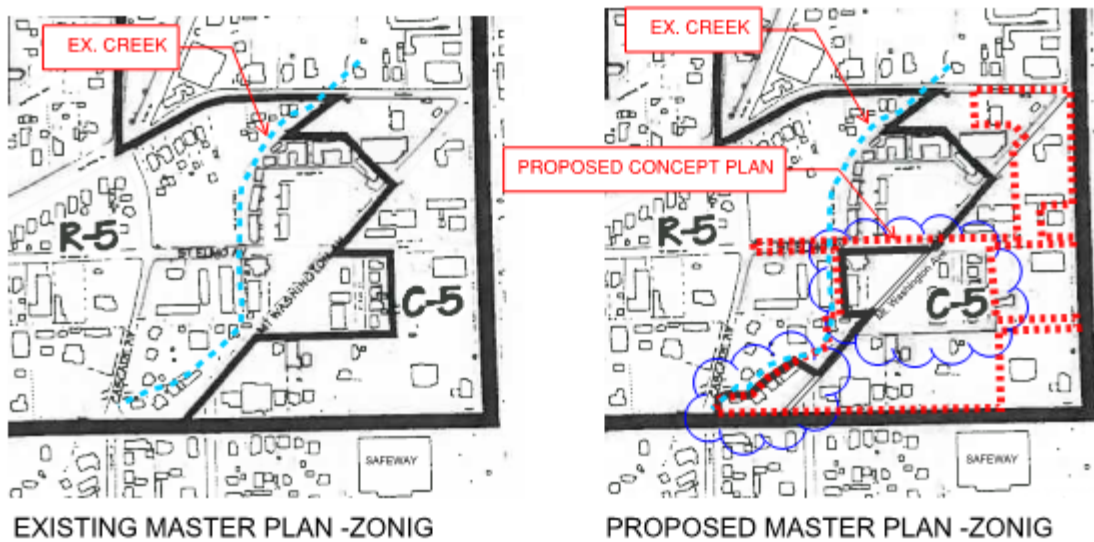


Figure 10: Land Use Change Diagram

C. Public Facilities:

1. The land use master plan conforms to the most recently adopted Colorado Springs parks, recreation and trails master plan. **There will be no changes the Park and Trail Master Plan with this Amendment.**
2. Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community. **There will be no changes with this Amendment.**
3. The proposed school sites meet the location, function and size needs of the school district. **There will be no changes with this Amendment.**
4. The land use master plan conforms to the adopted plans and policies of Colorado Springs Utilities. **The proposed Master Plan Changes do conform to current policies and services needs of the area impacted by the Concept Plan and Amendment. The related concept plan also includes the planning and undergrounding of electrical transmissions along S. Nevada as part of the plan public improvements.**
5. Proposed public facilities are consistent with the strategic network of long-range plans. **There will be no changes with this Amendment.**

6. The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual. **There amendment will not change the current conditions.**

D. Transportation:

1. The land use master plan is consistent with the adopted intermodal transportation plan. Conformity with the intermodal transportation plan is evidence of compliance with State and local air quality implementation and maintenance plans. **The amendment conforms with the current transportation plans**
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 amendment conforms and reflects the current network streets and supports alternative transportation options, such as transit, walking and biking.**
3. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors. **The amendment conforms and reflects current objectives**
4. The transportation system is compatible with transit routes and allows for the extension of these routes. **The amendment conforms with the current transit plans.**
5. The land use master plan provides opportunities or alternate transportation modes and cost-effective provision of transit services to residences and businesses. **The amendment conforms with the current plans**
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. **As a built-out Master Plan and with no extensive land use or street change proposed, the amendment is not being asked to provide a traffic study, the City is currently under contract to complete an updated traffic study for the greater area.**

E. Environmental:

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 plan preserves and enhances the character and access to Cheyenne Creek.**
2. The land use master plan minimizes noise impacts on existing and proposed adjacent areas. **The proposed amendment and proposed concept plan reflect appropriate transitions and land use buffers.**
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 proposed landscape concept plans seek to enhance the related creek section with landscape and trail improvements while protection the flood management benefits.**
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. **The project area has been tested and there are no soil concerns identified.**

F. Fiscal:

1. A fiscal impact analysis and existing infrastructure capacity and service levels are used as a basis for determining impacts attributable to the master plan. City costs related to infrastructure and service levels shall be determined for a ten (10) year time horizon for only the appropriate municipal funds. **No anticipated changes expected with the Amendment that will impact the City services.**
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. **The Master Plan is in a built-out condition today. The project will be redeveloping within the current conditions. No anticipated changes expected with the Amendment.**

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 proportional 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 proposed area to be amended within the Master Plan will be developed and maintained under the newly adopted Creekwalk Business Improvement District. The improvements include street expansion of Cheyenne Rd., undergrounding of electrical transmission lines on S. Nevada between Motor City Drive and Cheyenne Rd. streetscape upgrades and creek and trail improvements between Cheyenne Rd. and St. Elmo Ave..**
4. Special agreements for public improvements and maintenance are shown to be workable and are based on proportional need generated by the master plan. **The funding and management of the proposed public improvements have been identified through the current Creekwalk Business Improvement District and the South Nevada URA agreements.**
5. Any proposed special districts are consistent with policies established by the City Council. **The Creekwalk Business Improvement District is recognized and has been approved by City Council**