



Quick Facts

Applicant/Property Owner

We Fortify

Design Consultant

John Olson, Urban Landscapes

Address / Location

3103 North Prospect Street

TSN(s)

6332216038

Zoning and Overlays

R-5 (Multi-Family High)

Site Area

32,100 square feet (.78 acres)

Land Use

Vacant single-family dwelling and detached garage

Applicable Code

Unified Development Code

Project Summary

A Tiny House Community consisting of 18 tiny houses, a community meeting and storage building, off-street parking, landscaping, and private green space. The project includes the following applications: a Rezoning from R-5 (Multi-Family High) to R-Flex High; a Conditional Use and Development Plan for a Tiny House Community; and development standard adjustments to reduce setbacks from public streets from 20-feet to 10-feet, setbacks from adjacent residential and mixed-use districts from 10-feet to 5-feet, parking requirement reduction from one (1) space per tiny house to a 1/2-space per tiny house, minimum lot area per tiny house from 1,000 square feet to 690 square feet, and minimum separation of Tiny Homes from 10-feet to 6-feet (See "Attachment 1-Vicinity Map").

File Number	Application Type	Decision Type
ZONE-24-0017	Zone Map Amendment (Rezoning) R-5 to R-Flex High	Quasi-Judicial
CUDP-24-0014	Conditional Use Tiny House Community Land Use	Quasi-Judicial
DEPN-24-0123	Development Plan Tiny House Community Development	Quasi-Judicial
DVSA-25-0001	Development Standards Adjustment Tiny Home Minimum Lot Area	Quasi-Judicial
DVSA-24-0004	Development Standards Adjustment Separation from Adjacent Residential	Quasi-Judicial
DVSA-24-0005	Development Standards Adjustment Separation from Public Right-of-Way	Quasi-Judicial
DVSA-24-0006	Development Standards Adjustment Tiny Home Parking	Quasi-Judicial
DVSA-24-0011	Development Standards Adjustment Tiny Home Separation	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	North Colorado Springs Addition No. 2	1970
Subdivision	Flanagan's Subdivision	June 8, 1900
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

Site History

The property is within the 1970 North Colorado Springs Annexation, and it is part of Flanagan's Subdivision that dates to 1900 (see **"Attachment 2-Flanagans Subdivision"**). The parcel that is associated with this application is legally described as a portion of Lot F, Flanagan's Subdivision, and portions of Lot 1 -3, Virginia Homes Subdivision No. 6. Virginia Homes Subdivision No. 6 platted in 1959, and it is a replat of Tracts O, I, M and J. This subdivision is located on the northern boundary of the subject parcel.



The parcel is 32,100 square feet in area and is developed with a single-family dwelling and detached garage that were constructed in the late 1930's. Today, the home is vacant. There is also an old ground water well and rock fountain just west of the residence. The topography of the property is flat with grass and trees as the ground cover. The trees along Prospect Street have the characteristics of an old orchard. Access to the property is from a one-lane driveway from North Prospect Street.



Zoning on the property is R-5, as are all the surrounding lots and parcels. This zone more than likely dates to the 1970's when the property was annexed to the City of Colorado Springs. The neighborhood is a mix of zone districts that include R-2 (Two-Family), PK (Public Parks), MX-M (Mixed-Use Medium Scale) and LI (Light Industrial) (see "Attachment 3-Zoning Map").

Applicable Code

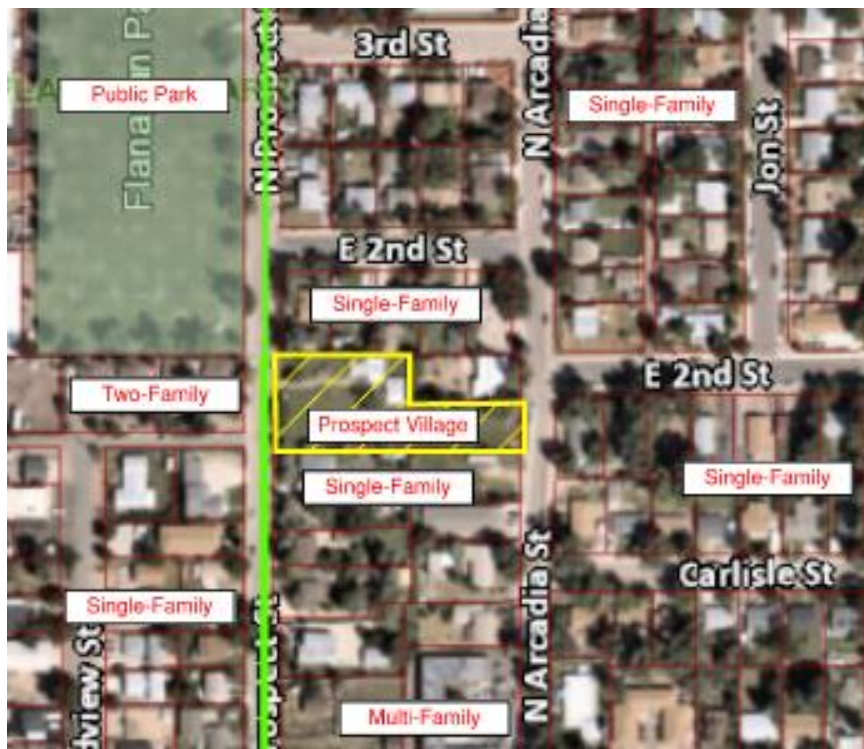
All references within this report that are made to "the Code" and related sections are references to the Unified Development Code ("UDC").

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	R-5 (Multi-Family High)	Single-Family	Flanagan Park
West	R-5 (Multi-Family High)	Two-Family	Bike Route on Prospect Street
South	R-5 (Multi-Family High)	Single-Family	N/A
East	R-5 (Multi-Family High)	Single-Family	N/A

Context Maps (see "Attachment 4-Context Map")



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	3, Initial Review, Neighborhood Meeting and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet, Kitty Hawk/Bonnyville HOA
Number of Postcards Mailed	250, mailed 3 times – Initial Review, Neighborhood Meeting and Planning Commission Public Hearing.
Number of Comments Received	Upon making the initial notice of the applications approximately 10 public responses were received. The comments included concerns related to tiny homes in the neighborhood, affordable housing, “at risk” youth, crime, traffic, parking, and setbacks (see “Attachment 5-Public Comment”).

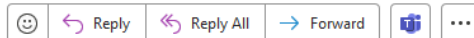
Public Engagement

Public engagement for the application was the City’s required public notice requirements for a Rezoning, Conditional Use, and Development Standard Adjustment. Postcards were sent to property owners of record within 1,000 feet of the site and Posters were placed on Prospect Street and Arcadia Street. As indicated above, several comments of concern and opposition were received (see “Attachment 5-Public Comment”). As a result, it was determined by City Planning Staff and the Applicant that a Neighborhood Meeting was necessary to discuss the project and hear the concerns from the neighborhood. The Neighborhood Meeting was held on December 11, 2024, from 5:30 to 7:00 pm at The Peel House – First Lutheran Church. Approximately 20 people attended the meeting where the Applicant presented, discussed and responded to attendee questions and comments (see “Attachment 6-Prospect Village Community Meeting”). The meeting would be categorized as a success as there was real intent from both the Applicant and neighbors to hear one another about the need and size of the development to concerns and issues about the use. The morning after the meeting the City Planning Staff received an email, shown below, from a neighbor who went from project critic to project supporter.

Re: Prospect Village - Tiny Home Community



Stephen Marzulla <stephen.marzulla@gmail.com>
To Gray, William E



Thu 12/12/2024 11:34 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning Bill,

On the last submission I posted concerns about the parking situation. Per the planning meeting last night I wanted to reply in formality that my concerns have been alleviated. As a homeowner a few houses down from the proposed Prospect Village I would like to express my full support at the plan as presented. There are no further questions or concerns to any of the adjustments.

Thank you,
Stephen Marzulla
719-482-4152

Furthermore, the neighbors and the Applicant were developing or had already developed a “communication tree” as a measure for promoting neighborliness, handling emergencies, and addressing safety and other issues that might arise where with a little human interaction could be resolved or addressed amicably and swiftly. This is not to say that all concerns or issues have been eliminated, but it does show that once common ground and understanding is found it is possible for a Tiny House Community to fit with a more traditional residential neighborhood.

Timeline of Review

Initial Submittal Date	August 6, 2024
Number of Review Cycles	3 review cycles
Item(s) Ready for Agenda	February 5, 2025

Agency Review

SWENT

The Final Drainage Letter has been reviewed and is ready for approval once minor revisions are addressed by the Applicant.

Engineering

Engineering required additional streets right-of-way to establish a uniform right-of-way width for Prospect Street and Arcadia Street. The new right-of-way is included in the Development Plan. The dedication of the right-of-way to the city will be done with the Subdivision Final Plat.

It has been determined that minimal geologic hazards exist in this area and a Geologic Hazard Not Applicable Form, exempting the site from a full report or waiver, is required.

Traffic Engineering

Development Plan final comments:

1. The proposed development does not meet the threshold of peak hour trip generation per the Traffic Engineering Criteria Manual. Therefore, a Traffic Impact Study (TIS) is not required for this site.
2. The proposed access width meets the City Traffic Criteria Manual.
3. The proposed access point horizontal sight distance meets the City Traffic Criteria Manual.
4. The proposed access point location and spacing meets the City Traffic Criteria Manual.

Fire

City Fire had issues with the layout of the project early in its review related to fire apparatus access and the hose reach standards. The plans being presented with the Planning Commission review of the application represent the resolution of the review comments pertaining to access and hose reach.

A sign is required to be placed at the access gate located on the west side of the parking area on the Arcadia Street side of the development. A note is required to be added to the Development Plan stating:

- An all-weather reflective sign with a white background and red reflective letters will be provided on the gate that indicates "Fire Department Access".

Colorado Springs Utilities

After reviewing the water well request for the Prospect Village, with our Water Resource Planning (WRP) team it has been identified that use of the well would require an augmentation plan with Colorado Springs Utilities and the water would be metered and billed at an augmentation rate for water pumped out of the well. If the developer wants to move forward with augmentation plan and metered water for the water fountain the WRP would look further into if this water well for a fountain is allowable.

There are several locations where water and wastewater lines need to be relocated to ensure compliance with horizontal clearance standards from structures are being met. The locations where action is required to address horizontal separation are Tiny Homes 4, 8, 9, 10 and 11.

Planning – Park Land Dedication, School Land Dedication, and Community Development Impact Fees

An informational comment was made for this application to make the Applicant aware that the Park Land Dedication Ordinance, School Land Dedication Ordinance, and Community Development Impact Fees Ordinance are applicable at the time of Development Plan. These fees will be incorporated into any Development Plan and Final Plat approval (see **“Attachment 7-Impact Analysis”**).

Rezoning, Conditional Use, Development Plan and Development Standards Adjustment

Summary of Application

The Applicant, We Fortify, has submitted a series of applications to facilitate the development of a Tiny House Community consisting of 18 tiny homes, a community meeting and storage building, off-street parking, landscaping, and private green space to be known as Prospect Village (see **“Attachment 8-Development Plan”**). Prospect Village is an affordable housing project to help young adults between the ages of 18-25 out of poverty and into a state of stability (both economically and socially) (see **“Attachment 9-Project Statement”** and **“Attachment 6-Prospect Village Neighborhood Meeting”**).

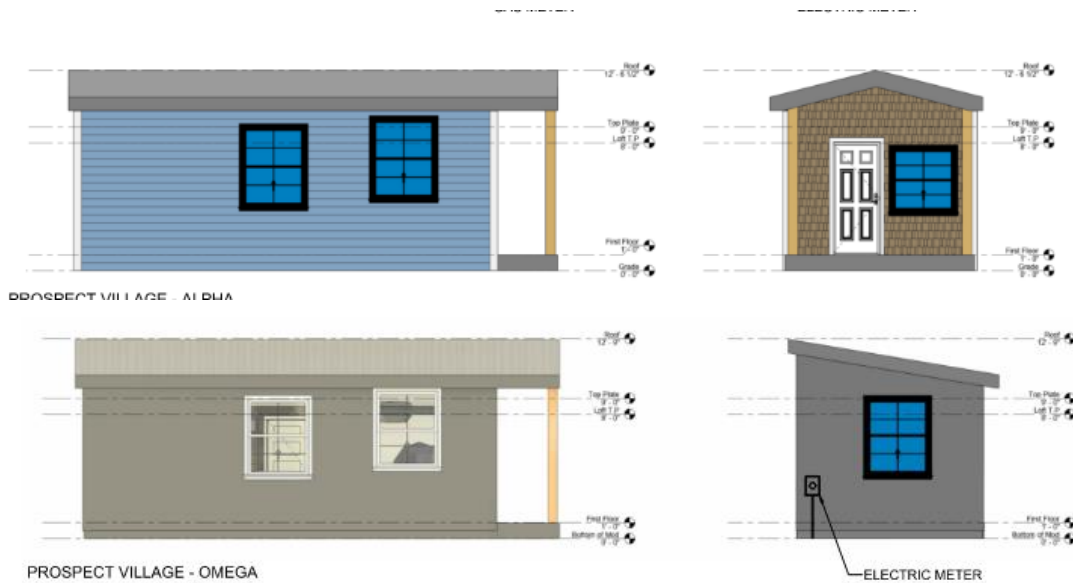
The property is located at 3103 North Prospect Street, which is three (3) blocks east of North Nevada Avenue and three (3) blocks north of East Fillmore Street in what is known as The Studio @ North Nevada Neighborhood. The site is 32,100 square feet in area and zoned R-5 (Multi-Family High).



The project includes the following applications: a Rezoning from R-5 (Multi-Family High) to R-Flex High; a Conditional Use and Development Plan for a Tiny House Community; and development standard adjustments to reduce setbacks from public streets from 20-feet to 10-feet, setbacks from adjacent residential and mixed-use districts from 10-feet to 5-feet, parking requirement reduction from one (1) space per tiny house to a 1/2-space per tiny house, minimum lot area per tiny house from 1,000 square feet to 690 square feet, and minimum separation of Tiny Homes from 10-feet to 6-feet. Outside of this review there is also one (1) additional land use application. It is a subdivision final plat to define the subject property as one (1) lot (see **“Attachment 10-Final Plat”**).

Direct vehicle access to the site is planned to be from North Arcadia Street, where a parking area is laid out with six (6) parking stalls for autos and 2 spaces for motorcycles. The area will also serve as the location for trash disposal. Access is also provided by sidewalks from both Arcadia Street and Prospect Street. There is the opportunity to access the development using the city's bike and transit systems. On-street parking (six (6) parallel spaces) is also being added on the Prospect Street side of the village. The Applicant is also providing the city with 10' of additional right-of-way for both Prospect Street and Arcadia Street to add width and improve its alignment. Access into the living and amenity area is planned to be controlled by secure access gates.

The Tiny House village itself has the 18-homes laid out toward the edges of the property and around the community green space, meeting room and resident storage. A central walkway provides residents and visitors with a safe and inviting path to each of the Tiny Homes and the community amenities. The eastern half of the internal walkway will also serve as a fire apparatus path for compliance with “hose reach” distance standards of the fire code. The existing single-family home and detached garage are being retained and converted into a community room building and indoor resident storage. Each of the Tiny Homes is approximately 330 square feet with a 50 square foot porch, and 13’ in height.



The site is further improved with new landscaping (trees, shrubs, grass and rock) to soften its appearance and impacts from the public view, adjacent private properties, and improve the quality of the outdoor surroundings for the residents. This includes community green space and private space around each of the homes (this space is not planned to be delineated or defined by physical improvements (i.e., fencing, walls, etc.). A design feature of the village is promoting human interaction and community, not to privatize the interior space by creating small lots/area for each home.

A Rezoning from R-5 to R-Flex High is necessary because a Tiny House Community land use is only allowed to be considered in one of the city’s R-Flex zone districts (R-Flex Low, Medium or High). R-Flex High was specifically requested because it most closely matched the existing R-5 zoning in uses allowed (permitted and conditional) and density. Due to the parcels size and the number of units needed the allowed density standards were important. Through dialogue with the Applicant, they have a higher demand than the number of units proposed with this project and the Working Fusion village in the Mill Street Neighborhood in the city. An important consideration with zoning is compatibility in terms of use, scale and density of existing and future uses. The neighborhood where this is located is predominantly single-family residential and small-scale structures. Certainly, the density of the proposed development, 25 dwelling units per acre, is much higher than the existing residential which is approximately 6 dwelling units per acre. The proposal considers this difference by proposing tiny homes rather than multi-family dwellings. The Tiny Homes are more compatible than a multi-family dwelling built to R-5 dimensional standards would be in this neighborhood.



Conditional Use is also required to allow the use in the R-Flex High zone district. As noted earlier in the Staff Report, Tiny House Community land use is only allowed in an R-Flex as a conditional use. Much like a rezoning, the conditional use evaluation looks at the physical and unique characteristics of a conditional land use and its impacts to the neighborhood and public facilities. Residential use is appropriate for the neighborhood, and the Tiny Homes are small-scale to fit with the many single-family dwellings that make up most of the residential structures in the immediate area. Moreover, the design limits auto access to a single driveway, the homes are accessed by a walkway from the street, and the property is fenced on its side property lines to create a sense of privacy, much like the layout of a single-family home on an individual lot. By including these design elements, it assists in addressing any adverse impacts. The existing infrastructure from streets, sidewalks and utilities are adequate to serve the proposed development. Additional right-of-way for the two (2) adjacent streets is being dedicated to the city to improve the street system. A component of the conditional use review requires compliance with use standards, if applicable. This is the first time that these standards have been applied since they were adopted by the UDC. In other words, this is the first official "Tiny Home" project in Colorado Springs being reviewed using these use-specific standards. A Tiny House Community is subject to use standards. The Use Standards for a Tiny House Community and analysis of compliance are provided below:

7.3.301.D. Tiny House Community

1. Project Size

- a. *The minimum size of a Tiny House Community is twenty thousand (20,000) square feet and the maximum size is two (2) acres.*

The application meets the established minimum size standard for a Tiny House Community.

- b. *Minimum Lot Area/Dwelling Unit*

- (1) *Each Tiny House Community shall contain a defined area for the use of each dwelling unit.*

Each Tiny Home has a defined area for each of the proposed dwelling units.

- (2) *Each defined area for a Tiny House shall contain at least one thousand (1,000) square feet of land area or one-and-one half (1½) times the gross floor area of the Tiny House, whichever is larger.*

12 of 18 Tiny Homes contain a defined area of less than 1,000 square feet. The smallest defined area is 954 square feet.

- c. *No defined area for a Tiny House may contain any area within a 100-year floodplain, within a mapped geological hazard area where residential uses are restricted pursuant to Part 7.4.5 (Geological Hazards), where residential uses are restricted pursuant to Part 7.4.8 (Floodplains), or within a designated vehicle circulation route.*

No defined area for any of Tiny Home is within a 100-year floodplain or geologic hazard area.

2. Density and Green Space

- a. *Maximum residential density is twenty-five (25) Tiny Houses per acre.*
- b. *A shared Green Space containing a minimum of ten (10) percent of the project area shall be provided.*

The maximum density of the development is 25 Tiny Homes per acre and has 11% shared green space.

3. Setbacks and Separation

- a. *No designated area for a Tiny House shall be located within ten (10) feet of an adjacent Residential or Mixed-Use zone district or within twenty (20) feet of any public right-of-way adjacent to the project site.*

The Tiny Homes on Prospect Street are setback 10 feet from the right-of-way. It is approximately 70 feet from Arcadia Street. This application was also required to dedicate 10 feet of new right-of-way to the city for both Prospect Street and Arcadia Street, and it is a main reason the separation standard on Prospect Street is not met.

The Tiny Homes located near the South property lines are within 5 feet of the adjacent Residential District. This setback is met on the North side.

- b. *No Tiny House may be located within ten (10) feet of another Tiny House, measured by the shortest distance between the two (2) Tiny Houses.*

The 13 of 18 Tiny Homes are laid out to be separated by six (6) feet from another Tiny Home.

4. Maximum Building Height

The maximum height of a Tiny House and of any common area structure in a Tiny House Community is twenty (20) feet.

The maximum height of each Tiny Home is 15 feet.

5. Installation

Each Tiny House shall be installed on a permanent foundation and shall be connected to City water, sewer, and electric utilities before occupancy for any period.

Each Tiny Home is to be installed on a permanent foundation and will be connected to city services before occupancy.

6. Landscaping, Buffering, and Screening

- a. *Any area between individual areas designated for Tiny Houses and the side and rear lot lines of the Tiny House Community shall comply with Part 7.4.9 (Landscaping and Green Space).*
- b. *Laundry drying yards and outdoor storage yards shall be screened from view from any adjacent public right-of-way in compliance with Part 7.4.9 (Landscaping and Green Space).*

The landscaping, buffering and screening complies with the landscape and green space standards. There are no laundry drying yards or outside storage yards proposed. These amenity types are provided within existing buildings on-site.

7. Stormwater

Each Tiny House Community shall comply with Parts 7.4.6 (Grading and Erosion Control) and 7.4.7 (Stormwater).

The Tiny House Community will have an approved Drainage Letter to demonstrate compliance with grading and erosion control and stormwater standards.

8. Parking

Each Tiny House Community site shall contain one (1) parking space per designated Tiny House

dwelling site, unless the Manager determines that some or all such spaces are not necessary due to the intended use or operation of the Tiny House Community or restrictions on resident motor vehicle ownership contained in recorded covenants on the Tiny House Community property.

The project is laid out to provide six (6) auto parking stalls and two (2) motorcycle spaces on-site, and six (6) on-street parking spaces on Prospect Street. The required number of spaces for the application is 18.

9. Access and Circulation

- a. *A pedestrian path at least five (5) feet wide shall be provided from at least one (1) adjacent public street to each designated Tiny House site. Required paths may be located in public access easements, and each path shall conform to the City's adopted pathway standards unless the City Engineer determines that due to low levels of expected use a different standard will provide equivalent or better safety and durability.*
- b. *Any public and private streets within the Tiny House Community shall be designed and constructed to the City's adopted street standards and specifications, unless the City Engineer determines that due to low levels of expected use a different standard will provide equivalent or better safety and durability.*
- c. *Each Tiny House Community shall comply with all adopted standards for fire access required to protect each Tiny House.*

The proposed development complies with each access and circulation standard.

10. Utility Easements

Each Tiny House Community shall comply with all adopted City standards for the location and width of utility easements unless the Colorado Springs Utilities Chief Executive Officer, City Engineer, Stormwater Enterprise Manager, or utility provider determines that due to anticipated low levels of utility use or the proximity of designated Tiny House sites, utility easements of different sizes or in different locations will provide equivalent safety, durability, and opportunities for utility maintenance.

The Tiny House Community is complying with all applicable utility easement requirements adopted by the city.

11. Accessory Structures

- a. *Each Tiny Home Community may include up to two hundred (200) square feet per unit for accessory structures, including mailboxes, enclosed bike storage, laundry, groundskeeping, personal storage, or common rooms.*
- b. *Personal storage space may be attached to the tiny home unit or configured as a single storage building for all residents.*
- c. *If accessory structures for individual tiny homes are permitted, each such structure shall be located within the defined area for the tiny home to which it relates, as defined in Subsection 1.b(2) above.*
- d. *These standards and limitations do not apply to gazebos or outdoor pavilion spaces provided for residents and guests of the Tiny Home Community.*

All accessory structures standards are being met by the proposed Tiny House Community.

12. Management

Applicants proposing a Tiny House shall enter into a development agreement with the City

requiring the condominium or other property owner's association to maintain all streets, utilities, and infrastructure that are not dedicated to and accepted by the city.

The proposed project will be held under a single ownership, which will be responsible for the maintenance of the property including adjacent sidewalks, landscaping and private utility services. Public streets and utilities are the responsibility of the city. A Development Agreement is not required to further specify maintenance responsibilities for the project.

The proposed application does not meet five of the 12 adopted use standards for a Tiny House Community. To address, the Applicant has submitted applications for Development Standards Adjustment. Specifically, the Development Standards Adjustment that are being requested are listed below (see "**Attachment 9-Project Statement**"):

- A Development Standards Adjustment to City Code Section 7.3.301.D.1.b(2) to allow a minimum lot area/dwelling unit of 950 square feet where 1,000 square feet or one-and-one half (1-1/2) times the gross floor area of the Tiny House, whichever is larger, is required.
- A Development Standards Adjustment to City Code Section 7.3.301.D.3(a) to allow a Tiny House to be separated five (5) feet from an adjacent Residential or Mixed-Use zone district where ten (10) feet is required.
- A Development Standards Adjustment to City Code Section 7.3.301.D.3(a) to allow a Tiny House to be separated ten (10) feet from any adjacent public right-of-way where 20 feet is required.
- A Development Standards Adjustment to City Code Section 7.3.301.D.8 to allow the parking standard for a Tiny Home Community to be one-half (1/2) space per Tiny House where one (1) space per Tiny House is required.
- A Development Standards Adjustment to City Code Section 7.3.301.D.3(b) to allow a Tiny House to be located six (6) feet from another Tiny House where 10 feet is required.

The purpose of the Development Standards Adjustment process provides a mechanism for the Planning Commission to authorize deviations from certain development standards in Article 7.4 (Development Standards and Incentives), allowing development to occur in a manner that meets the intent of this Code, yet through an alternative design that does not strictly comply with the Code's standards. This Section authorizes a site-specific development alternative that is equal to or better than the strict application of the standards of this UDC.

The major factors to consider in the review of a Development Standards Adjustment are that it must have a compensating benefit, the alternative design must be equal to or better than the standard being adjusted and the project must further a goal of PlanCOS.

In the case of this application, it is creating affordable housing for low to very low-income young adults in our community, but it does more. It also supports the young adults that are being served by the We Fortify program to become contributing members of our Colorado Springs community or even another community. This is the compensating benefit that is being provided with this application. It is also a project that is designed to fit into the fabric and character of the surrounding residential neighborhood, and this is the very nature of the standards that have been devised for Tiny House Communities in our city.

Application Review Criteria

UDC Section 7.5.704.D, Zone Map Amendment

An application for a Zone Map Amendment shall be subject to the following criteria for approval:

1. *The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).*

The proposed application is consistent with the Colorado Springs Comprehensive Plan, and the future planned use is consistent with the R-Flex High zone district purpose statement and uses. Tiny House Community use is a conditional use in the proposed zone district.

Typology 2: Changing Neighborhoods

The goal of this neighborhood typology is to retrofit, reinvent, and introduce new features to enhance the identity, quality, affordability, and attractiveness of these neighborhoods.

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.

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.

2. *The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.*

The proposed application will not be detrimental to public interest, health, safety, convenience, or general welfare.

3. *The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).*

The property being rezoned is appropriate for the proposed zone district and use.

4. *If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.*

The application to rezone can be characterized as a small area of land. This application demonstrates that its size, scale, height, and multi-modal traffic impacts are compatible with surrounding development.

5. *If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.*

The application to rezone does not create any dislocation of tenants or occupants.

6. *If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514C.3 (Land Use Plan Criteria).*

N/A

7. *The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that the approved Concept Plans have been classified as implemented and do not have to be amended to be considered consistent with an amended zoning map.*

N/A

8. *If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607D.47.5.702 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.*

N/A

9. *If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or government regulations.*

N/A

10. *Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).*

The future use of a Tiny House Community complies with the base zone district standards. The development does require approval of Development Standard Adjustments to the use standards that are applicable to a Tiny House Community.

City Planning Staff finds that the approval criteria of UDC Section 7.5.704.D, which are applicable to a Rezoning are met with this application.

UDC Section 7.5.601, Conditional Use

An application for Conditional Use is subject to the following Criteria for Approval:

Section 7.5.601.C.2 Criteria for Approval

- a. *The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).*

The application only complies with this criterion if the proposed Development Standards Adjustment applications are approved.

- b. *The size, scale, height, density, traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and*

The area where the proposed use is located is zoned R-5, and it is compatible in size, scale, density and height with adjacent and surrounding uses and building. It is served by a developed street system that is adequate for the proposed use. It is also served by other transportation options. The proposed project is also an affordable housing development. The proposed use does not have any adverse impact on the neighborhood where it is located. The proposed conditional use is compatible with the neighborhood.

- c. *The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible.*

The city infrastructure is adequate to serve the proposed use.

City Planning Staff finds that the approval criteria of UDC Section 7.5.601.C.2, which are applicable to Conditional Use are met with this application.

UDC Section 7.5.515.D.1, Development Plan Review Criteria

An application for a Development Plan shall be subject to the following criteria for approval:

- a. *The decision-making criteria in Section 7.5.409 (General Criteria for Approval) apply unless modified by this Subsection 4; and*

The proposed development is following the General Criteria for Approval.

- b. *The application complies with all applicable Use-specific standards in Part 7.3.3 related to the proposed use(s); and*

The application requires approval of Development Standards Adjustments in order to comply with use-specific standards for a Tiny House Community.

- c. *The details of the 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; and*

The proposed project is compatible with the surrounding neighborhood, buildings, and uses, including not-yet-developed uses adjacent to this site.

- d. *Significant off-site impacts reasonably anticipated because of the project are mitigated or offset to the extent proportional and practicable; and*

The anticipated off-site impacts of the project are being met through the requirement to provide additional right-of-way for both Prospect Street and Arcadia Street.

- e. *The Development Plan substantially complies with any City-adopted plans that are applicable to the site, such as Land Use Plans, approved master plans for a specific development, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals; and*

The proposed Development Plan complies with City-adopted plans that are applicable to the site.

- f. *The project meets dimensional standards applicable to the zone district, or any applicable requirement in an FBZ or PDZ district; and*

The proposed application meets the dimensional standards of the R-Flex High zone district.

- g. *The project grading, drainage, flood protection, stormwater quality, and stormwater mitigation comply with the City's Engineering Criteria, the drainage report prepared for the project on file with the Stormwater Enterprise Manager, and other federal, state, and City regulations; and*

The proposed development follows the City's Engineering Criteria, and Final Drainage Report.

- h. *The project complies with all the development standards of Article 7.4 (Development Standards and Incentives), including access and connectivity requirements in Part 7.4.4 (Access and Connectivity), the landscaping and green space requirements in Part 7.4.9 (Landscaping and Green Space), and the parking and loading requirements in Part 7.4.10 (Parking and Loading); and*

The application complies with all Development Standards, Access and Connectivity Standards, Landscaping and Green Space Standards, and Parking and Loading Standards.

- i. *The project complies with all applicable requirements of any Overlay District in which the property is located, as listed in Part 7.2.6 (Overlay Districts); and*

N/A

- j. *The project preserves, protects, integrates, or mitigates impacts to any identified sensitive or natural features associated with this site.*

The site does not have any identified sensitive or natural features.

- k. *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; and*

The application has adequate public utilities as required by Colorado Springs Utilities.

- l. *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 Engineering Criteria, public safety needs for ingress and egress, and a City accepted traffic impact study, if required, prepared for the project.*

To improve the public street system the Applicant, as required, is dedicating new right-of-way for both Prospect Street and Arcadia Street.

City Planning Staff finds that the approval criteria of UDC Section 7.5.515.D.1, which are applicable to a Development Plan are met with this application.

UDC Section 7.5.525, Development Standards Adjustment

The Planning Commission may approve or approve with conditions a Development Standards Adjustment if the Planning Commission determines that the proposed alternative design meets the following criteria:

1. *The alternative design achieves the intent of the subject standard to the same or better degree than the standard for which a waiver is requested;*

The alternative design achieves the intent of the subject standards. The applicant is proposing a development that fits with the existing developed character of the adjacent and surrounding neighborhood. All base zone district standards are being met.

2. *When considered together with compensating benefits, the alternative design advances the goals and policies of this UDC to the same or better degree than the standard for which a waiver is requested;*

The compensating benefit of this application is Affordable Housing. It also advances the UDC goal to “enhance the quality, diversity and safety of the neighborhoods by encouraging pride and investment”, and the goal to provide “Housing for All”.

3. *The alternative design imposes no greater impacts on adjacent properties that would occur through compliance with the specific requirements of this UDC; and*

The alternative design imposes less impacts on adjacent properties, particularly if these dwelling units were being provided through a more traditional multi-family apartment building. The alternative design is based on an analysis of surrounding buildings with the goal for it to feel and look like it is a cohesive part of the neighborhood.

4. *The alternative design provides compensating benefits that are reasonably related to the proposed waiver and would not otherwise be required by this UDC or State law. Compensating benefits may include one or a combination of the following:*

- a. *Benefits to the general public:*
 - (1) *Parks, trails, or other similar public or cultural facilities;*
 - (2) *Public landscape buffers or beautification areas;*
 - (3) *Public art;*
 - (4) *Permanent conservation of natural areas or lands;*
 - (5) *Increased building setbacks;*
 - (6) *Decreased building height; or*
 - (7) *Other benefits as agreed upon by the Planning Commission.*
- b. *Benefits the users, customers, or residents of the proposed development:*
 - (1) *Green space or public open space, trails, or other similar recreational amenities;*
 - (2) *Upgrades in architectural design;*
 - (3) *Increased landscaping;*
 - (4) *Increased buffering;*

- (5) Permanent conservation of natural areas or lands;
- (6) Secure bicycle facilities, where appropriate; or
- (7) Other benefits as agreed upon by the Planning Commission or City Council.

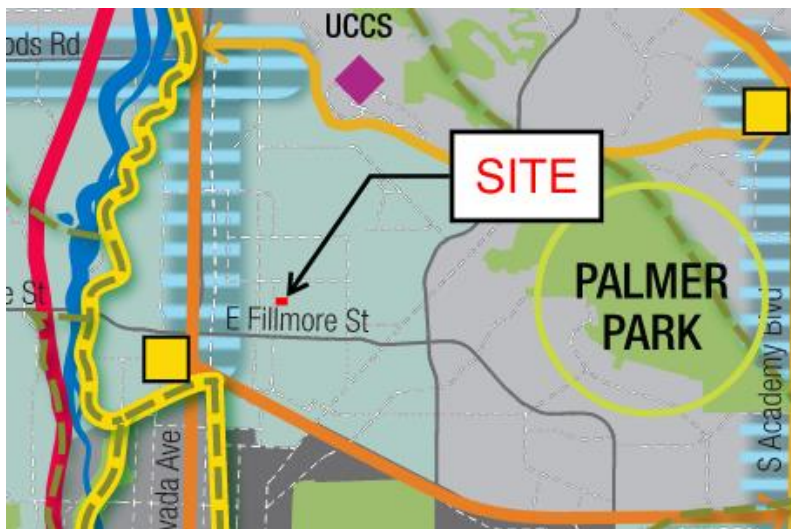
The compensating benefit associated with the proposed Development Standards Adjustment is Affordable Housing. The UDC does not have a requirement for Affordable Housing. It does include incentives for affordable housing development.

Affordable Housing is a demonstrated community need in the City of Colorado Springs, and it is a major tenant of PlanCOS which strongly calls for the city to support “housing for all” demographics of our community. This application meets this overarching, big idea from PlanCOS.

City Planning Staff finds that the approval criteria of UDC Section 7.5.525, which are applicable to the Development Standard Adjustment applications are met.

Compliance with PlanCOS

PlanCOS Vision



Prospect Village is in a “Changing Neighborhood” as defined by Plan COS. Changing Neighborhoods primarily include existing neighborhoods that have the potential or need for City attention, reinvestment, and land use change. The goal of this neighborhood type is to retrofit, reinvent, and introduce new features to enhance the identity, quality and affordability, and attractiveness of these neighborhoods. A development like the proposed Tiny House Community is adding quality, affordability and attractiveness to the neighborhood.

PlanCOS also calls for creating vibrant neighborhoods. A big idea for Vibrant Neighborhoods is “Housing for All”. The goal for this idea is as follows:

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.

Prospect Village is an affordable housing development that includes a social service component that together helps to elevate young adults to work, live and contribute positively to our society be it here in Colorado Springs or other communities. This is the mission of We Fortify, which directly complies with the PlanCOS policy about “promoting

neighborhoods” and supporting land use decisions that create housing variety that meets the needs of residents through various life stages and incomes.

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.

City Planning Staff finds that the application is consistent with the goals, policies and strategies of PlanCOS.

Statement of Compliance

ZONE-24-0017 – Prospect Village (Zone Map Amendment)

City Planning has reviewed the proposed Rezoning for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.704.D.

CUDP-24-0014 – Prospect Village (Conditional Use)

City Planning has reviewed the proposed Conditional Use for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.601.C.2. with the following conditions:

1. Conditional Use applies only to Lot 1, Prospect Village.
2. The number of tiny homes is limited to 18.
3. The Tiny House Community, its owner, heirs and assigns shall limit the occupancy of each tiny home to residents with a household income that is at or below 50% Area Median Income.

DEPN-24-0123 – Prospect Village (Development Plan)

City Planning has reviewed the proposed Rezoning for Prospect Village and finds that the proposed application meets the approval criteria set forth in City Code Section 7.5.515.D.1. with the following conditions:

1. An approved Final Drainage Letter is provided.
2. Add note to the Development Plan under the Project Description subheading stating:

The Tiny House Community, its owner, heirs and assigns shall limit the occupancy of each tiny home to residents with a household income that is at or below 50% Area Median Income.

3. A completed Geologic Hazard Study Not Applicable Form is provided.
4. Add a note regarding fire access to the Development Plan stating:

An all-weather reflective sign with white background and red reflective letters will be provided on the gate that indicates "Fire Department Access".

5. Add a note regarding the existing well to the Development Plan stating:

Use of the existing ground water well will require an augmentation plan with Colorado Springs Utilities and the water would be metered and billed at an augmentation rate. There is no guarantee that an augmentation plan would be approved by Colorado Springs Utilities.

6. Relocate and/or modify water and wastewater service lines to meet horizontal separation requirements for Tiny House No. 4, 9, 8, 10 and 11.
7. All City Review Agency comments are fully addressed.

DVSA-25-0001 – Prospect Village (Development Standards Adjustment – Minimum Lot Area)

City Planning has reviewed the proposed Development Standards Adjustment for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.525.E. with the following condition:

1. Development Standard Adjustment applies only to Lot 1, Prospect Village.

DVSA-24-0004 – Prospect Village (Separation from Adjacent Residential or Mixed-Use District)

City Planning has reviewed the proposed Development Standards Adjustment for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.525.E. with the following condition:

1. Development Standard Adjustment applies only to Lot 1, Prospect Village.

DVSA-24-0005 – Prospect Village (Separation from Adjacent Public Right-of-Way)

City Planning has reviewed the proposed Development Standards Adjustment for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.525.E. with the following condition:

1. Development Standard Adjustment applies only to Lot 1, Prospect Village.

DVSA-24-0006 – Prospect Village (Parking Standard)

City Planning has reviewed the proposed Development Standards Adjustment for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.525.E. with the following condition:

1. Development Standard Adjustment applies only to Lot 1, Prospect Village.

DVSA-24-0011 - Prospect Village (Separation from another Tiny Home)

City Planning has reviewed the proposed Development Standards Adjustment for Prospect Village and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.525.E. with the following condition:

1. Development Standard Adjustment applies only to Lot 1, Prospect Village.