



September 18, 2025

Ryan Tefertiller
Planning & Community Development
30 S. Nevada Ave, #701
Colorado Springs, CO 80901
Phone (719) 385-5905

RE: 35 S. Ramona Ave. Zone Change Application

PROJECT DESCRIPTION:

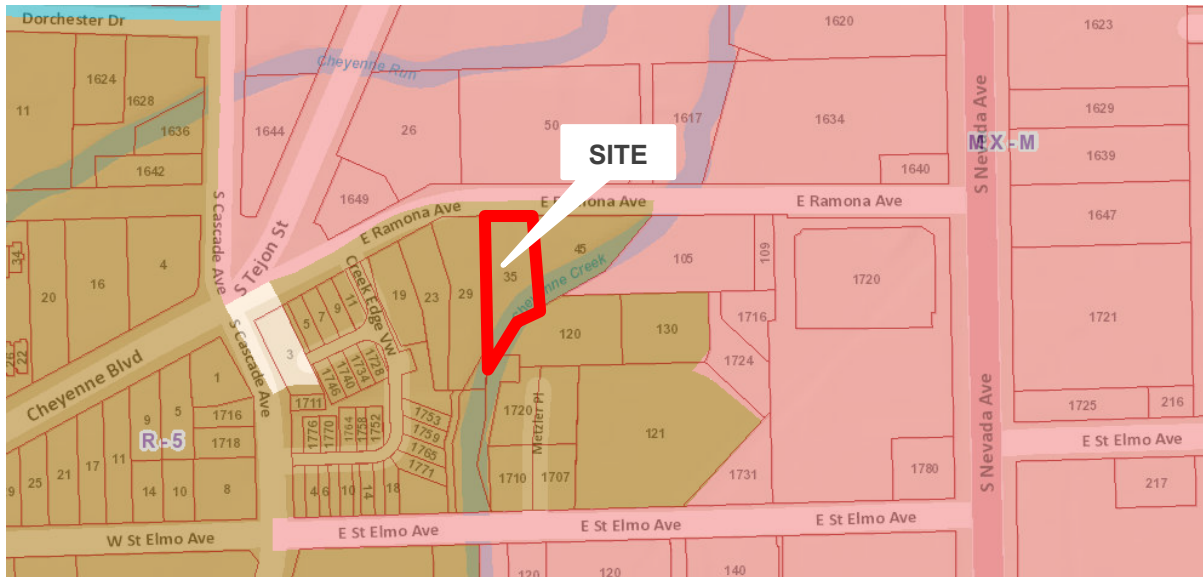
Overall: This submittal is for a Zone Change Application a +/- 0.3AC (13,500 SQ. FT.) parcel located at 35 S. Ramona St. The Zone Change application is to change the zoning from R-5 to MX-M. In 2004, the City Planning Commission approved a Conditional Use Variance (CPC- UV- 04-00110) to allow for an interior design studio to operate within the existing main structure. The applicant wants to change the uses of the site from interior design studio to hair salon. Three Non-Use Variances (CPC-NV-04-00109) were approved in 2004 by City Planning Commission in conjunction with the Use Variance. The Non-Use Variances were approved to allow for a parking reduction from 5 to 4 spaces as was required. The 2004 application also allowed parking within the landscape setback and for the parking area to be gravel.

Per the current request, the MX-M zoning of this property will allow small scale retail commercial uses of this property to continue as a use by right while maintaining the existing compact pattern of development of this area. Continued commercial uses of this property will be supportive of the MX-M zone intent to promote the adaptive reuse of commercial properties and to accommodate the development of new activity centers in emerging growth areas. Which will promote pedestrian activity and minimize impacts on the established neighborhood. All proposed commercial activities will be interior to the existing building. No building expansion is planned.

A portion of the site is within the Cheyenne Creek streamside overlay with the inner and outer buffer overlaying the southern section of the site. Streamside inner and outer buffer landscape requirements will be provided as part of a future Development Plan. Improvements to Cheyenne Creek have been planned and will be made per the approved Creekwalk residential PDZ application (PUDD-22-0038) and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. Stream bank improvements are part of an ongoing overall Cheyenne Creek improvements plan that stretches from this site south to Cascade Ave. The implementation of the creek improvement can be seen with the previously approved Creekwalk South commercial development.

Land uses surrounding the site include MX-M to the north which includes Micheala Clark TRU Hari Salon, Edelweiss German Restaurant and European Wax Center. East, West and South of the site are zoned R-5 with multifamily to west, vacant residential to the east and Cheyenne Creek to the south. MX-M zoning at this location will support the MX-M land uses

to the north of the property and transition land uses to the immediately adjacent R-5 to the East and West of the property.

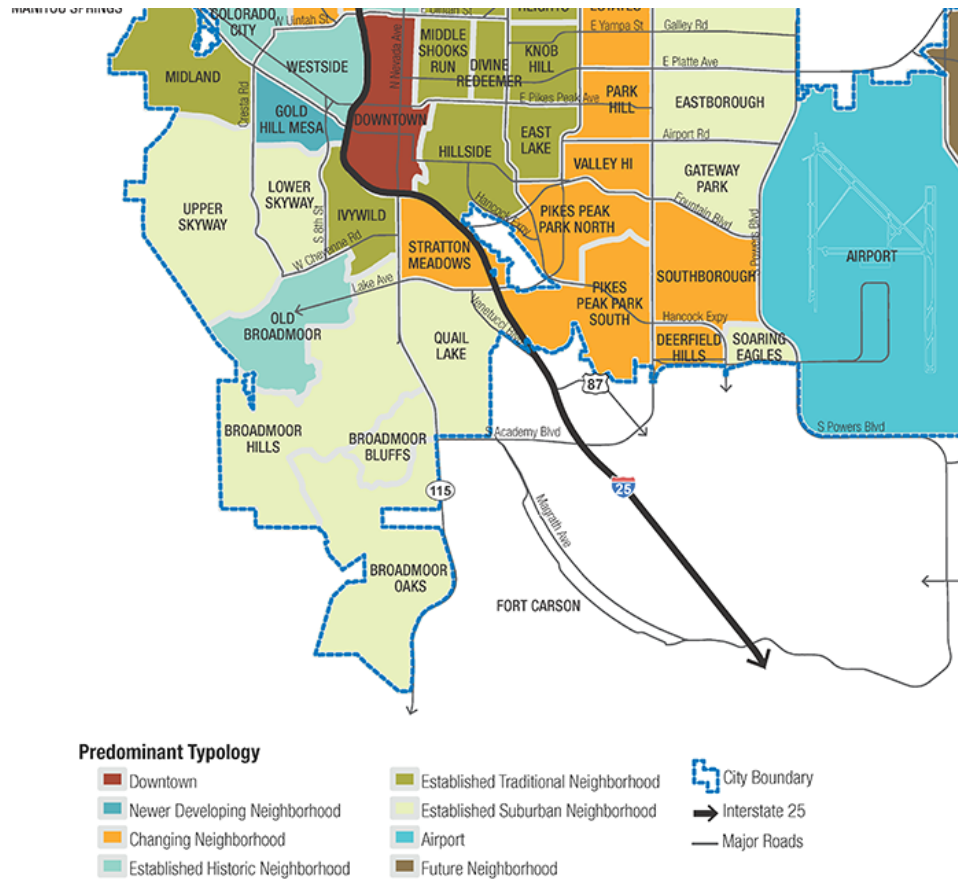


Access to the site is provided by two existing curb cuts along E. Ramona Ave which creates a one-way loop in and out of the site. The proposed commercial uses will utilize the existing off-street parking located immediately off of E. Ramona Ave. Three existing parking stalls are located in the required 10FT landscape setback along E. Ramona Ave. The location of the parking was approved by a non-use variance (CPC-NV 04-00109). The intent of the zone change and change of commercial use is to minimize site changes and continue using the parking.

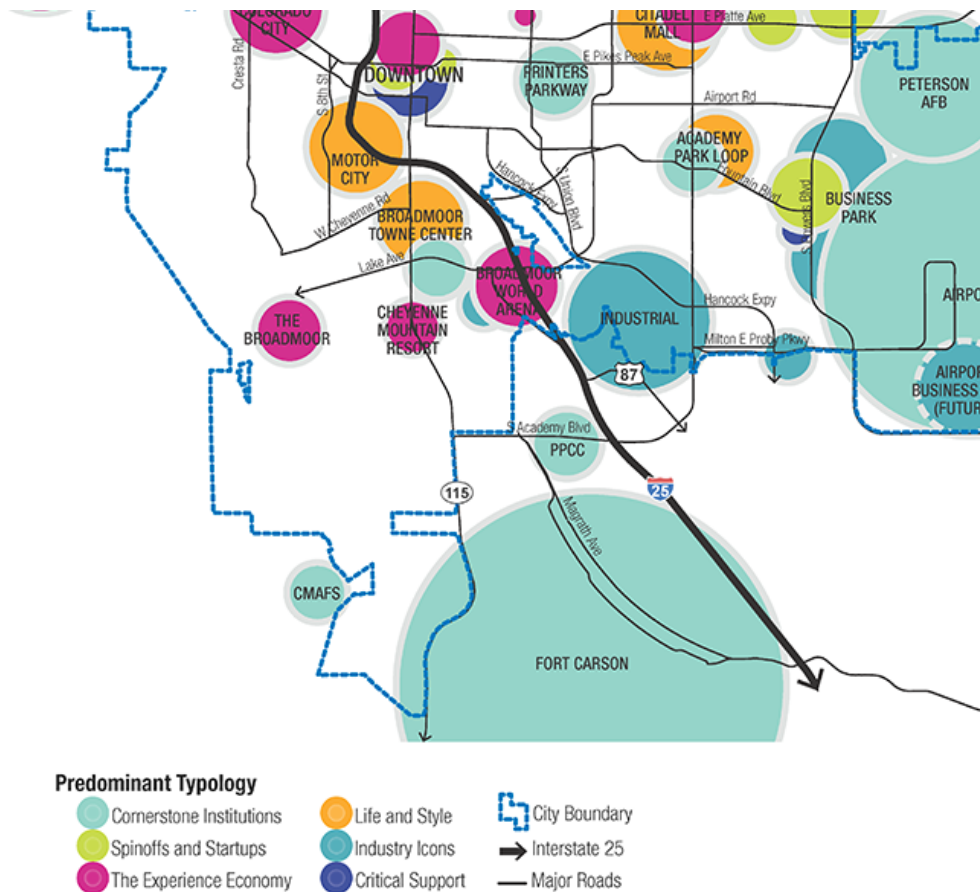
ZONE MAP AMENDMENT – UDC 7.5.705. D

- 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 development is located within the Established Traditional Ivywild Neighborhood. MX-M zoning for commercial use will fulfil this typology's goal to recognize, support, and enhance the existing character of these neighborhoods while supporting ongoing investment and improved adaptation. The proposed commercial uses of the infill site are reflective of the Established Traditional Neighborhood typology where sites are largely built out and are expected to see infill and redevelopment.



Small scale retail/commercial uses of this parcel will support PlanCOS Thriving Economy Typology by providing services that meet the daily needs of residents and businesses with high quality, varied and easily accessible options. This area is within the Life and Style typology. Recommendations of this area are to integrate retail and services, encourage a High-Quality and Mixed-Use Environment, and to encourage activated and vibrant spaces.



Continued commercial use of this development will facilitate ongoing private investment and economic development activities that implement and support redevelopment initiatives and activities consistent with the South Nevada Urban Renewal District.

The zone changes are consistent with the following PlanCOS Vibrant Neighborhoods & Thriving Economy: Goals and Policies:

- **Policy VN-3.A: Preserve and Enhance the physical elements that define a neighborhoods character**
 - Strategy VN-3.A-4: Modify City Code and create incentives to encourage redevelopment of underperforming buildings to include higher-density housing, **mixed-use**, civic services, gathering areas, and **additional employment opportunities**.
 - Strategy VN-3.A-5: Update plans and City Code to encourage a blend of uses that **positively affect neighborhoods**.

- Strategy VN-3.A-6: Where and when applicable, specifically incorporate mixed-use neighborhood building as an outcome tied to the use of urban renewal area designation, public/private partnerships, and other tools and incentives to **encourage redevelopment**.
- **Policy VN-3.C: Promote neighborhood-level shopping and service options to include a variety of healthy food markets, coffee houses, restaurants, and other supportive businesses that increase local access and walkability.**
 - Strategy VN-3.C-1: Assign land use designations and **implement zoning to support and facilitate neighborhood activity centers within walking or biking distance of residential areas.**
- **Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods**
 - Strategy VN-3.E-3: Though a combination of Zoning Code changes and development review decisions, **encourage and support flexible site and building designs and residential densities** that are adaptable to the specific site.
- **Policy TE-4.A: Prioritize Development within the existing City Boundaries and Built Environment (Not in the Periphery)**
 - Strategy TE-4.A-1: **Encourage revitalization and infill** in underutilized urban places, as detailed in Chapter 3 of PlanCOS

Ongoing implementation of these policies are demonstrated by ongoing redevelopment efforts in the neighborhood to implement the South Nevada Urban Renewal District development objectives.

Ivywild Neighborhood Master Plan

The site is located within the transition zone of the Cottage Commercial designation of the the Ivywild Neighborhood Master Plan. This designation is defined by commercial and business uses that frequently occupy converted houses. The Cottage Commercial district is defined by this plan as maintaining the more historic character of the neighborhood including original setbacks, architecture and mature trees. The proposed rezoning to MX-M with permitted use restrictions will restrict commercial uses to a small neighborhood scale. Salon uses are proposed interior to the existing structure which will maintain the historic character of the site. Development scale of the site will meet the historic character of the neighborhood, architecture, mature trees and sidewalks while providing needed commercial services for the area. All proposed commercial services will be low intensity neighborhood scale with all uses interior to the existing building. The proposed rezoning is supportive of the commercial development pattern of Cottage Commercial, where commercial uses frequently occupy converted houses and maintains the historic character of the neighborhood.

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

The zone changes as requested will facilitate ongoing small scale commercial uses on an existing parcel. In 2004, City Planning Commission approved a Conditional Use Variance (CPC-UV-04-0011) to allow for an interior design studio to operate on the site. MX-M zoning with restricted uses at this location will allow for neighborhood scale commercial uses to continue as a permitted use. Due to the historic context of the Ivywild Neighborhood all commercial uses of the site will be small neighborhood scale and will be interior to the existing building. The intent of small scale commercial in this area is to provide neighborhood scale commercial within walking and biking distance of the adjacent neighborhood and to maintain the historic character of the neighborhood. Uses on this site will be restricted to small scale uses as shown in Table 7.3.2-A the UDC. Residential uses are restricted to detached single family dwelling, two-family (duplex) dwelling, Attached single family dwelling, Multifamily dwelling, and Live/Work Unit. Civic, Public and Institutional uses are restricted to small Adult or Child Care Center and park. Commercial and Industrial Uses are restricted to Urban Agriculture. Eating, Drinking and Lodging uses are restricted to Bed and Breakfast. Entertainment and Recreation, Heavy Commercial, Storage, and Industry, Marijuana-related Services, or Natural Medicine uses are not permitted. Office uses are not permitted with the exception of office. Retail Sales and Services are restricted to Small Personal or Business Service and Retail Sales. Transportation, Utilities and Communication, Vehicle Related, Waste and Recycling, and Accessory uses are not permitted.

Access into the site is provided by two existing access drives along E. Ramona Ave. Three existing parking stalls are located in the required 10FT landscape setback along E. Ramona Ave. The location of the parking was approved by a non-use variance (CPC-NV 04-00109). Existing sidewalks along Ramona Ave. will provide pedestrian access into the site. Bike access into the site will be supported by a city bike lane along s. Tejon St and the approved planned community creek trail east of the site.

MX-M zoning with restricted uses on this parcel will support the long-standing commercial uses on the property and allow the uses to continue as a use by right. The MX-M zoning and commercial land uses north of the site. The small development scale and restriction of commercial use to interior of the existing building will serve to transition MX-M commercial zoning north of E. Ramona Ave. to the adjacent R-5 zoning and vacant residential lots to the east and west of the site and PDZ (multifamily) south of the site.

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

MX-M zoning at this location will serve to support the existing MX-M and neighborhood scale commercial north of the site. The small commercial scale allowed use restriction of the site will maintain the historic character of the neighborhood and transition mixed commercial uses north of the site to the adjacent R-5 zoning to the east and west of the site and PDZ (multifamily) zoning to the south of the site. Commercial land use on this parcel is supportive of the Ivywild Neighborhood Master Plan and Cottage Commercial designation.

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.

Traffic impacts for the site are anticipated to be minimal with all required parking provided onsite. Based on discussions with the City staff, no traffic memo or study is required for this application. Access into the site is provided by two existing access drives located on E. Ramona Ave. Pedestrian access into the site is provided by an existing pedestrian sidewalk along E. Ramona Ave. Bicycle access is supported by a city bike route along S. Tejon St. and the planned Cheyenne Creek Trail.

The site is located within the transition zone of the Cottage Commercial designation of the the Ivywild Master Neighborhood Plan. This designation is defined by commercial and business uses that frequently occupy converted houses. The proposed rezoning to MX-M with permitted use restrictions will restrict commercial uses to a small neighborhood scale. This scale will serve to maintain the historic character of the neighborhood, architecture, mature trees and sidewalks while providing needed commercial services for the area. All proposed commercial services will be low intensity neighborhood scale with all uses interior to the existing building. Permitted uses on this site will be restricted to small scale uses as shown in **Table 7.3.2-A the UDC**. Residential uses are restricted to detached single family dwelling, two-family (duplex) dwelling, Attached single family dwelling, Multifamily dwelling, and Live/Work Unit. Civic, Public and Institutional uses are restricted to small Adult or Child Care Center and park. Commercial and Industrial Uses are not permitted with the exception of Urban Agriculture. Eating, Drinking and Lodging uses are not permitted with the exception of Bed and Breakfast. Entertainment and Recreation, Heavy Commercial, Storage, and Industry, Marijuana-related Services, or Natural Medicine uses are not permitted. Office uses are not permitted with the exception of office. Retail Sales and Services are not permitted with the restriction of Small Personal or Business Service and Retail Sales. Transportation, Utilities and Communication, Vehicle Related, Waste and Recycling, and Accessory uses are not permitted.

Rezoning of this parcel to MX-M with use restrictions will support the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. Use restrictions outlined above are intended to mitigate commercial development impacts by

restricting uses to those that will support the historic character of the area and transition mixed commercial uses north of the site to residential and multifamily on the south side of Ramona Ave.

- 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.**

Zoning of the property from R-5 to MX-M with use restrictions will support on-going small scale commercial uses on the property by allowing them to continue as a use by right. The site will support the MX-M zoning by maintaining the existing compact pattern of development, promoting pedestrian activity and minimizing impacts to the established neighborhood. Restrictions on use to support small scale neighborhood commercial is supportive of the long standing commercial operations on the site and the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. The proposed rezoning is supportive of the commercial development pattern of Cottage Commercial, where commercial uses frequently occupy converted houses and maintains the historic character of the neighborhood.

The proposed MX-M zone will support the mixed commercial MX-M land uses north of the site and transition land uses to the surrounding residential. The outlined restricted uses will mitigate commercial impacts by restricting uses to small scale retail/ commercial supportive of the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. This will transition commercial land uses to the surrounding residential uses. The rezoning is supporting of the Vibrant Neighborhoods and Thriving Economy typologies of PlanCOS.

A portion of the site is within the Cheyenne Creek streamside overlay with the inner and outer buffer overlaying the southern section of the site. Improvements to Cheyenne Creek will be made per the approved Creekside Residential PDZ application (PUDD-22-0038) and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. Onsite streamside improvements will be included as part of a future development plan and ongoing continuation of Cheyenne Creek improvements that stretch from this site south to Cascade Ave. Proposed on-site streamside improvements include a retaining wall which will stabilize the the creek bank, remove the existing garage from the floodplain and provide access improvements for patrons to access the Creek. These improvements will be shown on a future Development Plan and support the streamside overlay objectives. For this rezoning, a traffic study is not required. The site is less than 1AC and does not require a drainage report.

- 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).**

A land use plan has been submitted with this application.

- 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 approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.**

No Concept Plan(s) or Land Use Plans have been approved for this area. The proposed commercial uses are consistent with the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. Within this Master Plan, the site is located in the transition zone between Cottage Commercial and Community Activity Center. The proposed MX-M with use restrictions is supportive of the commercial development pattern of Cottage Commercial, where commercial uses frequently occupy converted houses and maintains the historic character of the neighborhood. The proposed application is consistent with the City Council Approved Use Variance (CPC-UV-04-00110) and Non-Use Variance (CPC-NV-04-00109) of commercial for this site.

- 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.**

The applicant is not requesting to be within an ADS-O district.

- 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 governmental regulations.**

PDZ zoning is not requested on this property.

- 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)). (Ord. 23-03)**

Proposed small scale neighborhood commercial uses are a permitted use within the MX-M zone district. Proposed use restrictions will restrict uses to small scale neighborhood commercial uses supportive of the immediate neighborhood and the Ivywild Neighborhood Master Plan Cottage Commercial Designation.

A portion of the site is within the Cheyenne Creek streamside overlay with the inner and outer buffer overlaying the southern section of the site. Improvements to

Cheyenne Creek will be made per the approved Creekside Residential PDZ application (PUDD-22-0038) and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. Onsite streamside improvements will be included as part of a future development plan and ongoing continuation of Cheyenne Creek improvements that stretch from this site south to Cascade Ave. Proposed on-site streamside improvements include a retaining wall which will stabilize the creek bank, removal of the existing garage from the floodplain and improved access for patrons to activate the creek. These improvements will be shown on a future Development Plan. For this rezoning, a traffic study is not required.

LAND USE PLAN APPROVAL CRITERIA – UDC 7.5.514

1. Consistency with the Colorado Springs Comprehensive Plan and other plans and policies adopted by City Council;

See PlanCOS analysis above. The proposed Land Use Plan for MX-M zoning with restricted uses is consistent and supportive of PlanCOS Vibrant Neighborhoods and Thriving Economy Typology, and the Ivywild Master Plan.

2. Consistency with development standards the zone district in which the property is located, or would be located after a requested zone district change;

The existing structure and site was constructed in 1899. Layout of the site is reflective of the Established Traditional Neighborhood Typology where the majority of these neighborhoods were laid out prior to the 1950s with limited building setbacks. The main structure is 10FT from the western side property line and 7FT from the eastern property line. The existing parking is located in the required 10FT landscape setback. The location of the parking was approved by a non-use variance (CPC-NV 04-00109). The main structure is approximately 92FT from the rear property line and meets the 15FT rear setback requirements of the MX-M zone. A retaining wall will be placed along the rear of the property to stabilize the creek channel and support site improvements. The retaining wall is approximately 7' tall, final height of the retaining wall will be determined with the Development Plan. Onsite streamside improvements will be included as part of a future development plan and ongoing continuation of Cheyenne Creek improvements that stretch from this site to Cascade. Impervious surface calculations will be included with the Development Plan.

3. Compatibility with the land uses and development intensities surrounding the property;

Zoning of the property from R-5 to MX-M with use restrictions will support on-going small scale commercial uses on the property by allowing them to continue as a use by right. The site will support the MX-M zoning by maintaining the existing compact pattern of development and historic context of the Ivywild Neighborhood. Restrictions on use to support small scale neighborhood commercial is supportive of the long standing commercial operations on the site and the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. MX-M zoning with restrictive uses will support the Cottage Commercial development pattern, where commercial uses

frequently occupy converted houses and maintain the historic character of the neighborhood.

The proposed MX-M zone will support the mixed commercial MX-M land uses north of the site and transition land uses to the surrounding residential. The outlined restricted uses will mitigate commercial impacts by restricting uses to small scale retail/ commercial supportive of the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. The rezoning is supporting of the Vibrant Neighborhoods and Thriving Economy typologies of PlanCOS.

A portion of the site is within the Cheyenne Creek streamside overlay with the inner and outer buffer overlaying the southern section of the site. Improvements to Cheyenne Creek will be made per the approved Creekside Residential PDZ application (PUDD-22-0038) and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. Onsite streamside improvements will be included as part of a future development plan and ongoing overall continuation of Cheyenne Creek improvements.

4. Impacts of the permitted or requested uses, appropriate to the type of development, the neighborhood, and the community;

See analysis above. Small scale commercial operations have been a long standing use on this property since 2004. MX-M zoning with the proposed restricted uses will allow for small scale commercial operations to continue on this site as use by right. Minimal impacts are anticipated with this rezone. Future small scale commercial activities will likely have minimal to no impact on the existing area and facilities.

5. Adequacy of proposed ingress/egress points and traffic circulation, both on and off the site;

Two existing access points along E. Ramona Ave. will serve as access points for all traffic entering and existing the site. Commercial uses permitted with the rezoning are restricted to small scale commercial with minimal anticipated traffic impacts. Based on discussions with the City, no traffic analysis is required with this rezone.

6. Capacity of the existing streets, utilities, parks, schools, and other public facilities to serve the proposed development;

Minimal impacts are anticipated with this rezone. Small scale commercial activities have been ongoing for the past twenty years. Future small scale commercial activities will likely have minimal to no impact on the existing area and facilities.

7. Promotion of transitions in height, intensity, or character between proposed non-residential or mixed-use development and nearby low-density residential zone districts.

All commercial activities will be interior to the existing structure which is consistent with the Cottage Commercial designation of the Ivywild Neighborhood Master Plan. Within these areas, commercial uses frequently occupy converted houses and maintain the historic character of the neighborhood.

The proposed MX-M zone with restricted uses will support the mixed commercial MX-M land uses north of the site and transition land uses to the surrounding residential.

STREAMSIDE OVERLAY APPROVAL CRITERIA – UDC 7.2.603.C

- 1. Has the natural landform been maintained within the overlay area and does grading conform to the specific grading limitations of this Section as well as all other City grading and filling regulations?**

Grading along Cheyenne Creek will be modified to incorporate a retaining wall which will stabilize the creek bank and correct the 100-year flood plan. This effort will stabilize the creek and improve patron access and enjoyment of Cheyenne Creek. Grading improvements for the retaining wall will include the removal of the existing garage from the floodplain and removal of a vehicle canopy from the outer stream buffer. The existing residential structure was constructed in 1899 and will remain within the outer stream buffer. Proposed improvements will provide stabilization of the overall site, stabilize the creek channel, improve access to the creek and overall patron enjoyment of Cheyenne Creek. Additional grading improvements include a small garden overlook and pathway with stairs which will allow patrons to access the creek. These improvements will support the long standing commercial uses of the site and respect the streamside overlay objectives. Improvements to the creek channel will be made with the Creekwalk West Residential Cheyenne Creek Improvement Plans. Changes to the grading along the stream include a correction to the 100-year floodplain, the addition of rip rap outfall protection, private storm mains, and inlets. Onsite streamside improvements will be included as part of an ongoing continuation of Cheyenne Creek improvements that stretch from this site south to Cascade Ave.

Additional enhancements to the area will include landscaping to meet Streamside Overlay landscape criteria. Any additional changes to grading will be per Army Corps of Engineers requirements.

- 2. Does the development incorporate the stream ecosystem into the project design and complement the natural streamside setting? Has the project been designed to link and integrate adjacent properties with the stream corridor using accessways, creek front plazas, employee recreational areas or other site planning and landscaping techniques which include the stream corridor as an amenity?**

Onsite improvements are designed to incorporate the stream corridor into the site by promoting access and connection for patrons. Proposed site improvements include removal of an existing garage from the floodplain, removal of a vehicle canopy from the outer stream buffer and construction of a retaining wall to stabilize the creek channel. All on-site stream improvements connect to an ongoing continuation of

Cheyenne Creek improvements in the area and reach of the creek. A separate stream restoration plan will clean and restore the natural habitat of the creek and overall enhance the natural streamside setting for users. All onsite stream improvements and grading will be shown on a future development plan.

Streamside buffer plantings have been placed along the retaining wall and the proposed landscape patio. Selected plantings will stabilize the channel bank, protect the stream's flood capacity, enhance the user experience and connection to the creek.

3. Has the project been designed to minimize impact upon wildlife habitat and the riparian ecosystem which exists on or adjacent to the site? Does the project design protect established habitat or any known populations of any threatened or endangered species or species of special concern?

The proposed retaining wall will stabilize the creek channel which will support the re-establishment of the riparian ecosystem along Cheyenne Creek. Proposed streamside vegetation will further stabilize the creek and provide future habitat along the creek. A separate restoration plan for Cheyenne Creek will clean and restore the natural habitat of the creek, preserving many mature trees, and adding and enhancing the native vegetation and wildlife habitat(s) in the corridor. Development of this site is a continuation of Cheyenne Creek improvements.

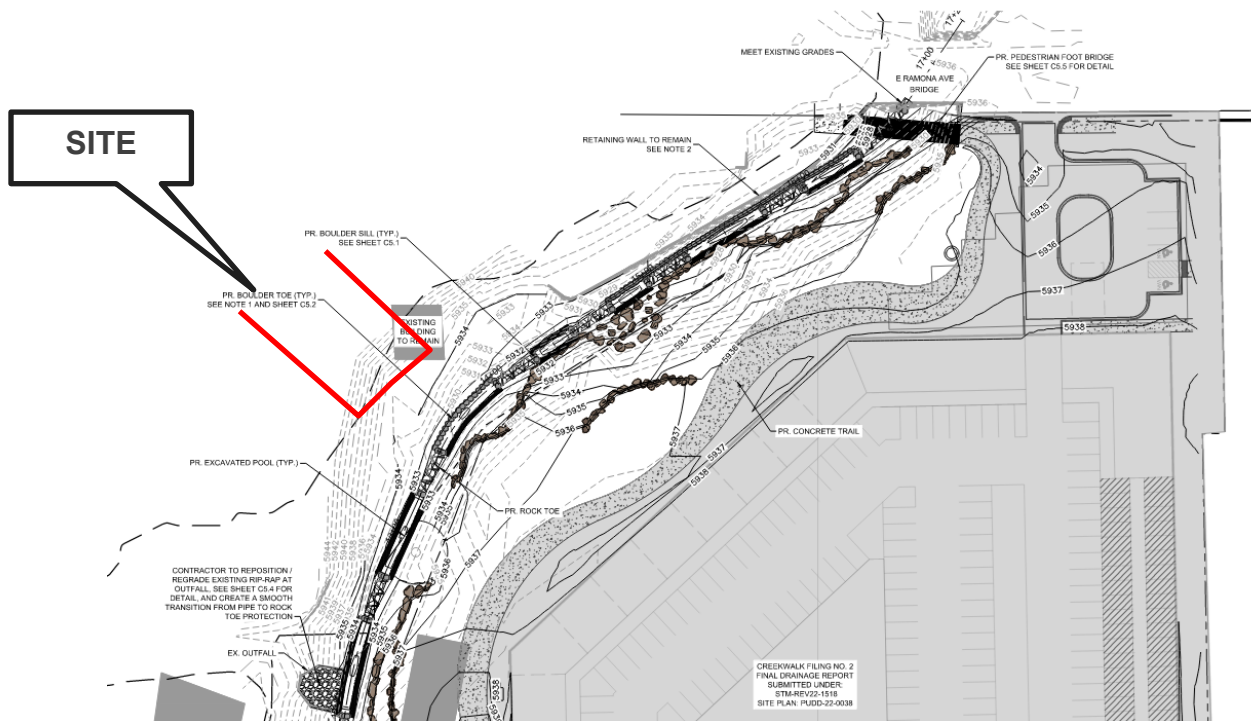
4. Have existing or potential community trail networks and other recreational opportunities been identified and incorporated into the project design?

See above. A small garden area is proposed to overlook the creek from the top of the wall and provide active green space for patrons. Access to the creek is provided by a staircase which will connect patrons to the creek and back up to the garden overlook. These improvements will incorporate the stream into the long standing existing commercial uses of the site. Streamside buffer vegetation improvements are provided along the length of the proposed retaining wall and have been placed to screen the retaining wall and frame views of the creek for all users. All onsite stream and grading improvements will be shown as part of a future development plan. Development of this site is a continuation of Cheyenne Creek improvements.

5. Has the project been designed to protect the subject property from potential flood damage and to accommodate flood storage and conveyance needs?

On site improvements will correct the 100-year floodplain along Cheyenne Creek. The proposed retaining wall will stabilize the creek bank along the south edge of site and prevent potential future flood damage. An existing garage has been removed from the floodplain and vehicle canopy has been removed from the outer stream buffer. Streamside inner and out buffer plantings are proposed to stabilize the creek and increase habitat. Streamside channel improvements have been approved by the Army Corps of Engineers. Improvements along the channel have been designed to accommodate flood storage, improve stabilization and conveyance needs. All

channel improvements are shown in the Creekwalk West Residential Cheyenne Creek Channel Improvement Plans.



6. Have all significant natural features within the project streamside area been identified, and has the project been designed to minimize the impact on these features?

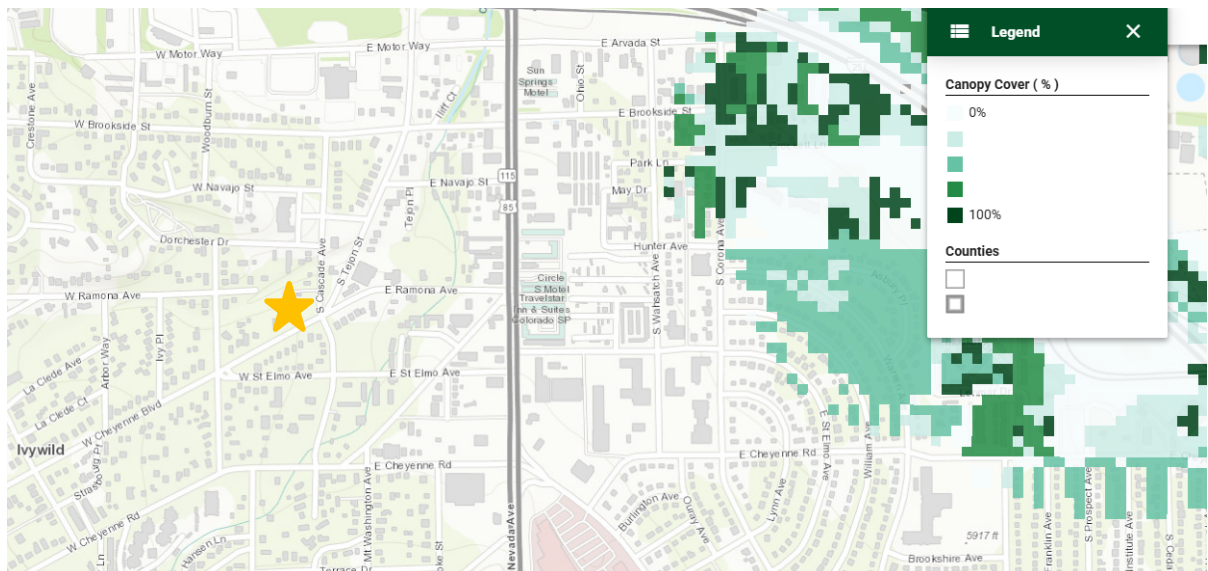
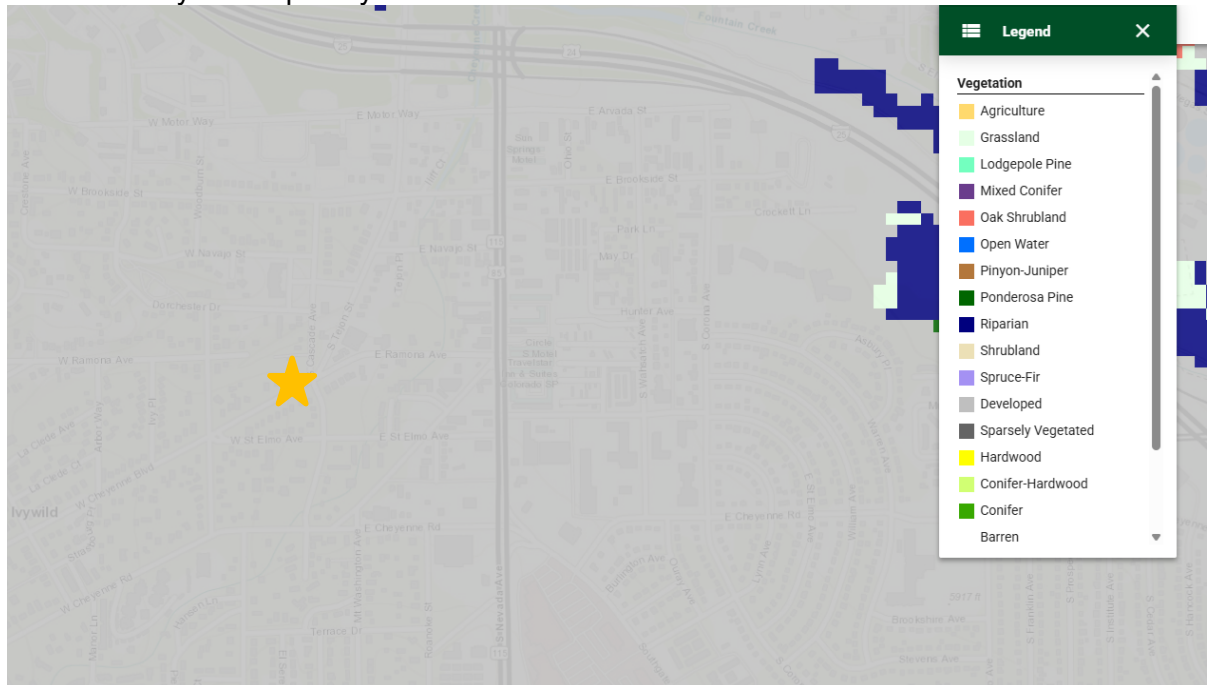
Cheyenne Creek is a Type 3 waterway with significant existing slopes down to the creek. Onsite grading improvements and the construction of a retaining wall will stabilize the creek channel, remove the existing garage from the floodplain and provide a stairway for patrons to access the Creek. Proposed streamside planting improvements will further clean and stabilize the creek within the site. The approved Creekwalk West Residential Cheyenne Creek Channel Improvement Plans will provide grading and stabilization improvements along the creek corridor. This restoration plan will regrade, clean and restore the natural habitat of the creek, preserving many trees, and enhancing native vegetation and wildlife habitat(s) areas. There is very little existing grasslands, scrub oak or coniferous tree cover along Cheyenne Creek. This area is one of the older developed areas of the City and is shown as fully developed by the Colorado State Forest Wildfire Risk Viewer. Additional plantings have been added to the site to screen the retaining wall, stabilize the creek and enhance existing vegetation and the space for all users. Improvements to Cheyenne Creek are part of an ongoing continuation of improvements that stretch from this site south to Cascade Ave.

Existing Streamside Conditions:





There is very little existing grasslands, scrub oak or coniferous tree cover along Cheyenne Creek. This area is one of the older developed areas of the City and is shown as fully developed by the Colorado State Forest Wildfire Risk Viewer.



Existing Vegetation will be enhanced with streamside buffer vegetation. Plantings have been added to the site to screen the retaining wall, stabilize the area and enhance the space for all users.

Improvements to Cheyenne Creek are part of an ongoing continuation of improvements that stretch from this site south to Cascade Ave.

7. Does the project identify and implement the recommendations of any approved subarea plans (such as the City Greenway Master Plan, City Open Space plan or a specific drainage basin planning study) and of any approved public works projects and habitat conservation plans?

The project is located within the Southwest areas upper Cheyenne Creek Run, and Spring Run Drainage basin. This study was last updated in 1984. There are no changes to the site that will impact the existing drainage basin. Improvements to Cheyenne Creek will be implemented per the approved Creekwalk Residential PDZ (PUDD-22-0038) and separate restoration plan and Army Corps of Engineers approval.

8. Does the project design:

a. Implement a riparian buffer between the developed portions of the site and the adjacent waterway to assist in preventing point and nonpoint source pollutants and sediment from entering the waterway?

The proposed retaining wall will stabilize the creek channel and correct the 100-year flood plain. Additional inner and outer streamside plantings are proposed which will reduce erosion, stabilize the inner and outer buffers and reduce sediment entering the creek. Vegetation improvements between the site and Cheyenne Creek will be made to meet the streamside buffer planting requirements. Selected plantings will stabilize the channel bank, mitigate erosion, clean pollutants and protect the stream's flood capacity. The approved Creekwalk West Residential Cheyenne Creek Channel Improvement Plans will provide grading and stabilization improvements along the creek. This restoration plan will regrade, clean and restore the natural habitat of the creek, preserving many trees, and enhancing native vegetation and wildlife habitat(s) areas.

b. Exclude impervious surfaces from the inner buffer zone and meet imperviousness restrictions across the entire overlay area on the site?

Cumulatively, existing development and proposed improvements result in imperviousness of the site that exceeds the 25% allowed imperviousness within the streamside outer buffer. No impervious surfaces are existing or proposed within the inner buffer. Existing impervious areas within the outer buffer include a garage, located in the floodplain, vehicle canopy, driveway to the garage, a portion of the existing residential structure and a small concrete patio which will be removed. These areas total to 26% imperviousness within the outer buffer. The existing site has limited access to the creek with an unstable slope exceeding 25% between the residential structure and the creek. Proposed streamside improvements include a

small parking lot, ADA ramp, small patio overlook of the creek, and connecting stairway from the garden overlook to the creek. Proposed improvements to the site are intended to stabilize and activate the creek. These improvements include removal of the garage from the floodplain, removal of the vehicle canopy from the outer buffer and removal of the small concrete patio. Proposed impervious structures and areas will allow for correction of the floodplain, re-grading of the creek, improved access and placement of a retaining wall to support creek channel stabilization. These improvements total to 26% imperviousness within the outer buffer. Overall proposed improvements support and improve access, activation and stabilization of the creek. Plantings along the creek have been proposed to mitigate erosion, increase water infiltration, clean pollutants and stabilize. All grading and streamside improvements will be shown on a future development plan.

These proposed site improvements support the long-standing small scale commercial uses of the site. Implementation of these improvements will incorporate the stream as an amenity for patrons and activate the stream.

c. Incorporate all stormwater PCMs required by Stormwater Enterprise throughout the developed site and adjacent to the buffer to encourage on site filtration of stormwater and protect water quality?

The existing site is under 1AC with all proposed disturbance under 1AC of disturbance. There are no changes to historic flows projected with this development. Cheyenne Creek runs along the south end of the property and will be constructed as a Planned Infiltration Area (PIA). Improvements to the creek, including grading and channel stabilization will be made per the Creekwalk West Residential Cheyenne Creek Channel Improvement Plans.

d. Incorporate visual buffers of the stream between identified existing and/or proposed projects on opposing sides of the stream?

Outer buffer streamside vegetation will be added to the site to stabilize the channel bank and protect the stream's flood capacity. A proposed retaining wall will correct the 100-year flood plain and stabilize the creek channel. Improvements to both side of the creek channel, including grading and channel stabilization will be made per the Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. Implementation of these plans will create a vegetative buffer between commercial and residential land uses, vegetative buffer for the stream, screening of the retaining wall and enhanced user experience along the Cheyenne Creek Stream Side Trail.

9. Are inner and outer buffer zone landscaping standards met and does the application meet all other requirements of Part 7.4.9 (Landscaping and Green Space)?

Inner and outer buffers are met with vegetative plantings selected to both stabilize and protect the stream's flood capacity. Cheyenne Creek improvements will be made to meet the approved Creekwalk Residential PDZ application (PUDD-22-0038) and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. These

improvements include vegetative improvements along the creek to mitigate pollution, buffer commercial land uses from residential and enhance the user experience along the extended Cheyenne Creek Stream Side Trail. Onsite landscape improvements and active space requirements are met interior to the site. Best practices will be employed to preserve and enhance existing landscaping. All plant selections and locations will be shown as part of a future Development Plan.

A small proposed landscape patio, stairway and connection to the creek will exceed the 5% active open space requirements and provide a connection to the creek for site users.

10. Have disturbed areas been revegetated to minimize erosion and stabilize landscape areas and does the project landscaping design specify plants selected from the riparian plant communities as set forth in Appendix A of the Landscape Policy Manual?

Disturbed areas will be revegetated to stabilize and minimize erosion within the inner and outer buffer. Plants specified within this area have been selected to stabilize the channel and protect the stream's flood capacity. All plantings have been selected from Appendix A of the Landscape Policy Manual. Revegetation of the creek channel will correspond to the approved Creekwalk residential PDZ plan and Creekwalk West Residential Cheyenne Creek Channel Improvement Plans. All plant selections and locations will be shown as part of a future Development Plan.

11. Have stream bank and slope areas been identified, including those over fifteen (15) percent slope, has the disturbance to these areas and any protective or stabilizing vegetative cover been minimized, and does the plan provide for the revegetation and stabilization of any disturbed areas required by this UDC?

The stream bank and slope will be regraded to incorporate a retaining wall and removal of the existing garage from the floodplain. This improvement will stabilize the creek channel and improve accessibility to the creek. All disturbed areas within the site will be planted with stream side buffer plantings which will mitigate erosion, stabilize and protect the stream's flood capacity. Selected plantings will be placed above and below the proposed retaining wall. A separate restoration plan will clean up and restore the natural habitat of the creek which will preserve and add many trees to enhance wildlife features. All proposed plantings have been selected from Appendix A of the Landscape Design Manual. Stream bank improvements are part of ongoing Cheyenne Creek improvements. All plant selections and locations will be shown as part of a future Development Plan.

12. Have opportunities to reclaim the drainageway been identified and implemented where practical? For this criterion, reclamation includes any action that improves the quality of that drainageway visually, functionally, or recreationally, and that brings the drainageway into a more natural condition.

The existing improvement creek plans improve and stabilize the creek channel and overall site. Streamside vegetative improvements along Cheyenne Creek will create

a vegetative buffer between commercial and residential developments, buffer for the stream, stabilize the bank and enhance user experience. Proposed vegetation for this area has been selected on Stream Side buffer criteria and selection from the Landscape Design Manual, Appendix A. All on site improvements will be shown on a future development plan.

Geologic Hazard Study Waiver- Subdivision Policy Manual 3.3:

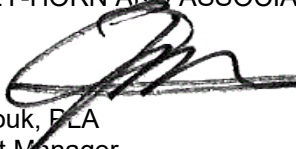
A geologic hazard waiver is suggested with this application. This request is based on section 3.3 of the Subdivision Policy Manual. The development does not exhibit any of the following characteristics:

1. Hillside Overlay or Streamside Overlay: The parcel is located within the Cheyenne Creek streamside overlay. All channel improvements are under a separate application.
2. Unstable slopes or potentially unstable slopes, or slopes steeper than 3:1: Slopes exceeding 3:1 are located within the Cheyenne Creek Channel Improvements which is under separate application. Slopes within the proposed development area of the site are minimal.
3. Underground mining or subsidence activity: There is no known mining activity on the site. All potential subsidence areas are located within the Cheyenne Creek Channel Improvements.
4. History of landfill, uncontrolled, or undocumented fill activity: The site was developed in 1899 and has operated as an interior design studio for the past twenty years. The applicant and owner are not aware of any landfill, uncontrolled or undocumented filled activity on this property.
5. Other geologic hazards which pose a risk to the proposed project including seismicity, radiation (radon), expansive/compressive soils, shallow ground water table or springs, slight to moderately expansive soils, or expansive bedrock: All development on this site is fully settled. No new structures are proposed with this application. The applicant and owner are not aware of any seismicity or radiation on this property.

Please contact Kimley-Horn and Associates if you have any questions or need additional information in regard to this application.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Jim Houk, P.E.
Project Manager