



## Legislation Details (With Text)

**File #:** 15-0021      **Version:** 2      **Name:**  
**Type:** Ordinance      **Status:** Mayor's Office  
**File created:** 12/31/2014      **In control:** City Council  
**On agenda:** 1/27/2015      **Final action:** 1/27/2015  
**Title:** Ordinance No. 15-5 amending the zoning map of the City of Colorado Springs relating to the Tutt Boulevard and Sopresa Lane intersection (Quasi-Judicial Matter)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Powerwood No 2 - Ordinance, 2. Powerwood No 2-Exhibit A, 3. Signed Ordinance\_15-5

Date	Ver.	Action By	Action	Result
1/27/2015	2	City Council	finally passed	Pass
1/13/2015	1	City Council	approved on first reading	Pass

Ordinance No. 15-5 amending the zoning map of the City of Colorado Springs relating to the Tutt Boulevard and Sopresa Lane intersection (Quasi-Judicial Matter)

**From:**

Peter Wysocki, Planning and Development Director, Planning and Development Department

**Summary:**

CPC MP 02-00254-A3MJ14 - Legislative

CPC ZC 14-00080 - Quasi-Judicial

CPC CP 14-00081 - Quasi-Judicial

If approved, the applications would allow for construction of a 482-unit multi-family residential project. The project would include: 18 residential buildings with a maximum height of 45 feet, a clubhouse with a pool, parking areas, private access drives, landscaping areas, and the Cottonwood Creek open space with drainage facilities.

The property is located northwest of the Tutt Boulevard and Sorpresa Lane intersection and consists of approximately 29.61 acres. The proposed master plan amendment changes approximately 10 acres of land from office industrial to multi-family residential, and other minor changes explained in the applicant's Project Statement (see CPC Agenda Report).

**Previous Council Action:**

None

**Background:**

The following design and development issues were resolved as part of this review process:

#### MULTI-FAMILY RESIDENTIAL PROJECTS IN AREA:

The Cumbre Vista and Woodmen Vista subdivisions are single-family detached residential neighborhoods that were planned and approved in the early to mid-2000s; both are currently near full build-out utilizing existing platted lots. Cumbre Vista has the potential for future expansion via new filings, per the approved development plan.

The Powerwood No. 2 North project is the third apartment complex proposed in this vicinity. Two other projects, the Lodge at Black Forest (288 units) was approved in 2009 and is under construction, while the Cumbre Vista Apartments project (204 units) was approved by City Council on November 25, 2014, and will soon be started.

Many residents in the adjacent neighborhoods feel that their area already has enough planned apartments and that the approval of a third complex would negatively impact them regarding quality of life, traffic, crime and other concerns.

Neither the City Comprehensive Plan nor the City Zoning Code provides policy or standards regarding the number of apartment projects within an area. The Comprehensive Plan identifies this area a regional center; apartments are clearly encouraged within it. The existing Powerwood No. 2 Master Plan shows this site for open space (adjacent to Cottonwood Creek), office / industrial park and multi-family residential uses. The proposed amendment, if approved, would remove the office - industrial park designation and replace it with multi-family residential. It is the finding of City Planning and Development staff that the removal of the office / industrial park is desirable, since that use is no longer suitable for this area. Typical industrial uses may be too intense now; offices and research & development may still be acceptable, but not encouraged.

It should also be noted that the vacancy rate of multi-family housing in the Pikes Peak region, particularly Colorado Springs is recently consistently in the mid-to-high 90 percent.

#### TRAFFIC

The Cumbre Vista neighborhood, located immediately east of the project, expressed a concern regarding the traffic generation and distribution of this project and the other two apartment projects in the area. The applicant initially provided preliminary estimates with the project statement and subsequently provided a detailed traffic impact analysis, prepared by LSC Transportation Consultants, Inc., dated October 24, 2014.

A summary of the analysis, including recommendations, is as follows:

1. Two full movement access locations onto Tutt Boulevard are proposed, one a shared extension of Sorpresa Lane westward to the primary entryway into the project and the other a new intersection located 680 feet north of Sorpresa Lane;
2. The majority of the traffic entering and leaving the project will use Sorpresa Lane and/or Tutt Boulevard and travel south to Woodmen Road or north to Cowpoke;
3. Tutt Boulevard is planned to extend north across Cottonwood Creek to Research Parkway in the future. It is currently not programmed nor is it warranted at this time;
4. The existing Tutt Boulevard and Sorpresa intersection is currently operating at an acceptable level of service during peak hours;
5. The 2040 background traffic was estimated utilizing existing conditions and planned future developments of Cumbre Vista, the Cumbre Vista Apartments, Saddletree Village, Peacock Ranch,

and the Woodmen Towne Center (which includes the Lodge at Black Forest Apartments);

6. This project is expected to generate 3,205 vehicle trips on the average weekday (24 hour time period). During the morning peak hour approximately 250 vehicles would enter and leave the site and 300 in late afternoon; the proposed amendment increases Average Daily Trips (ADT) by 281 over the existing master plan, but PM and AM peak hour trips decrease due to a different daily trip distribution;

7. The total traffic volumes equal the background plus the project generated traffic or approximately 10,000 vehicle trips per day, when both proposed intersections function as full movement and Tutt Boulevard is not extended north to Research Parkway;

8. Based upon the assumptions that both intersections are full movement and Tutt is not extended, the project estimated distribution is 105 trips north to Cowpoke and 3,100 trips south to Woodmen;

9. Based upon the above assumptions and analysis, the report states that both intersections will operate at a satisfactory level of service during peak hours in 2040; and

10. The report recommends: 1.) that both intersections operate as full movement intersections; 2.) a traffic signal is not warranted now or in 2040; 3.) a southbound deceleration lane may be warranted on Tutt at Sorpresa when future development occurs south of this project; and 4.) a northbound left-turn at the new intersection is warranted in 2040. Adequate right-of-way already exists to accommodate these improvements.

#### **STREAMSIDE, DRAINAGE AND CREEK PROTECTION:**

This project is adjacent to the Cottonwood Creek corridor. The current and proposed master plan amendment, as well as the proposed concept plan, recognize this significant nature feature to protect and utilize as a site amenity. Through the review and approval of the project's drainage plans and the application of the City's streamside overlay provisions at the time of development plan review, Cottonwood Creek will be stabilized, protected, and enhanced via the installation of rip / rap materials and drop structures and the construction of a new trail that will serve the project's residents as well as the broader community. Currently, Cottonwood Creek is rapidly eroding and its cut slopes are increasing; the improvements required as part of this project will stop its deterioration.

#### **BUILDING HEIGHTS AND VIEW PROTECTION:**

The proposed Concept Plan and the R-5 zone district development standards stipulate a maximum building height of 45 feet. In addition, this site falls nearly 60 feet in elevation from Tutt Boulevard to Powers Boulevard, the existing homes in Cumbre Vista sit even higher. The project has also been designed to orient the buildings (east-west) closest to Cumbre Vista to minimize view impacts.

View protection standards were proposed by City Planning and Development staff and debated by the Planning Commission and City Council several years ago, before they were deemed unacceptable and unwarranted. View protection methods may be provided for by the applicant, but they are not required or recommended by City staff.

#### **Financial Implications:**

Not applicable

#### **Board/Commission Recommendation:**

The City Planning Commission unanimously approved the applications at their November 20, 2014, regular meeting.

#### **Stakeholder Process:**

This project has been subject to significant neighborhood involvement, review, and input, and it has

been the subject of two neighborhood meetings.

During the pre-application stage, the first neighborhood meeting was conducted on March 18, 2014 at Jenkins Middle School. Approximately 30 persons attended the meeting. Neighborhood concerns included: the number of apartment projects planned for the area, market demand for rental apartments, traffic generation and distribution, original master plan approved uses, parking requirements, drainage and streamside protection, building heights and view protection, project management, architectural quality, access to site, affordability, the applicant's willingness to negotiate with the neighborhood, and the project's participation in the Woodmen Heights Metro District (WHMD). A few e-mails in opposition to the project were received at that time.

During the internal review stage, the second neighborhood meeting was conducted on September 8, 2014, again at Jenkins Middle School, after the applications and plans were submitted. Approximately 20 persons attended the meeting. The neighborhood expressed the same issues and concerns previously voiced at the first meeting. No e-mails or letters in opposition to the project were received at this time.

The standard City notification process for the internal review included posting the property with a notice poster and mailing postcards to approximately 423 property owners exceeding the 1,000 feet buffer and including the entire Cumbre Vista neighborhood and surrounding area.

The same posting and notification process will be utilized prior to the Planning Commission's public hearing.

All applicable agencies and departments were asked to review and comment. No significant concerns were identified. All issues and concerns were incorporated into the proposed plans or provided as conditions of approval. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, and School District 20.

**Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

**Proposed Motion:**

CPC ZC 14-00080 - CHANGE OF ZONE DISTRICT

Approve the zone change from the A/AO/SS (Agriculture with Airport and Streamside Overlays) zone district to R-5/AO/SS (Multi-Family Residential with Airport and Streamside Overlays) zone district, based upon the finding that the change complies with the zone change criteria found in City Code Section 7.5.603.B.

An ordinance amending the Zoning Map of the City of Colorado Springs from A/AO/SS to R-5/AO/SS relating to 29.61 acres located northwest of the Tutt Boulevard and Sorpresa Lane intersection.