



## Legislation Details (With Text)

**File #:** CPC V 21-0011321-516    **Version:** 3    **Name:** Creekwalk North Commercial

**Type:** Ordinance    **Status:** Mayor's Office

**File created:** 8/26/2021    **In control:** City Council

**On agenda:** 11/9/2021    **Final action:** 11/9/2021

**Title:** Ordinance No. 21-89 vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres.

(Legislative)

Related Files: CPC MP 93-176-A5MN21, CPC ZC 21-00112, and CPC CP 18-00097-A2MJ21

**Presenter:**  
Ryan Tefertiller, Planning Manager, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

**Sponsors:**

**Indexes:** South Nevada URA

**Code sections:**

**Attachments:** 1. ORD\_VROW\_MetzlerAve&CreekwalkCt, 2. Exhibit A - CreekwalkCt&Metzler ROW VacationLegalDescription, 3. Exhibit B - Creekwalk North ROW Vacation Plat

Date	Ver.	Action By	Action	Result
11/9/2021	2	City Council	finally passed	Pass
10/26/2021	2	City Council	approved on first reading	Pass
9/16/2021	1	Planning Commission	referred	Pass

Ordinance No. 21-89 vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres.

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Related Files: CPC MP 93-176-A5MN21, CPC ZC 21-00112, and CPC CP 18-00097-A2MJ21

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**Summary:**

Owner: Creekwalk North LLC  
Developer: Creekwalk North LLC  
Representative: Kimley-Horn  
Location: West side of S. Nevada Ave. between E. Cheyenne Rd. and E. Ramona Ave.

This project includes concurrent applications for a minor amendment to the Ivywild Master Plan, a

Zone Change to establish the C5 (Intermediate Business) zone over the entirety of the site, a Right-of-Way vacation for Creekwalk Court and Metzler Ave., and a major amendment to the Creekwalk Redevelopment Concept Plan. The applications have been submitted to allow for a modest expansion to the previously approved Creekwalk Commercial redevelopment project, the largest redevelopment project to date within the South Nevada Urban Renewal Area.

**Background:**

The proposed project area totals just under 15 acres of land on the west side of S. Nevada Ave. north of E. Cheyenne Rd. The site falls within the South Nevada Urban Renewal Area which was established in 2015 with the goal to “reduce, eliminate and prevent the spread of blight and to stimulate and catalyze growth and investment within the area boundaries” (Section 3.0 - Plan Purpose; 2015 South Nevada Urban Renewal Plan). The southern half of the subject property is currently under construction for roughly 55,000 square feet of commercial use. Referred to as Creekwalk South, and spanning from Cheyenne Rd. to St. Elmo, the southern portion of the concept plan is nearing completion and will provide a major stimulus to the South Nevada corridor.

The four proposed applications were submitted to expand and improve upon the northern portion of the Creekwalk Commercial plans. The original version of the concept plan, which was approved in late 2018, illustrated three new modest commercial buildings between St. Elmo Ave. and Ramona Ave. Since 2018, the developer has worked to acquire additional properties to the west of the original plan area as well as to secure an anchor grocer tenant for the corner of S. Nevada Ave. and E. Ramona Ave. These changes are not fully consistent with the 2018 approvals, though they are well aligned with the overall goals of the concept plan and Urban Renewal area. The four proposed applications will align all planning and zoning related items to support the project and allow for full implementation.

The Creekwalk Redevelopment Project falls within the extreme southeastern corner of the 1993 Ivywild Master Plan. Prior to 2018, the Plan’s Land Use Map identified the project area as including “auto-oriented commercial,” “neighborhood commercial,” and “multi-family residential.” The Plan also includes a Zoning Map which labeled the project area with the R5 and C5 zones. A third map within the plan is titled “Site Analysis Map” which labeled the Creekwalk area as “auto related commercial,” cottage commercial” and “transition zone.” In addition to these maps the plan includes numerous charts and tables describing each area and providing data such as acreage, of the various zones. In 2018 the City’s Planning Commission and City Council approved an amendment to the Ivywild Master Plan to update all the Plan’s maps and figures to recognize the area as a “Community Activity Center” with the C5 (Intermediate Business) Zoning Designation.

The proposed Master Plan Amendment updates the Plan once again to expand the “Community Activity Center” designation and the area of C5 zoning to reflect the proposed Creekwalk Commercial Center expansion between St. Elmo Ave. and Ramona Ave. The approval of the proposed changes will allow the concurrent zone change and concept plan amendment to be considered consistent with the Ivywild Master Plan.

The vast majority of the Creekwalk Concept Plan area is currently zoned C5 (Intermediate Business) with the Streamside Overlay zone along those areas near Cheyenne Creek. There is only one parcel that is currently zoned R5 (Multi-Family Residential) that is directly affected by the proposed zone change application. The legal description and depiction provided for the proposed zone change are limited to the single R5 property and cover only 13,424 square feet (0.308 acres). Should the proposed zone change be approved, the entirety of the northern portion of the Creekwalk Concept

Plan could be planned and platted under the C5 zone district for development.

The expansion of the Creekwalk project includes the remaining sections of two public roadways that will no longer be needed for public access or infrastructure. While portions of Metzler Ave. and Mt. Washington Ave. (renamed as Creekwalk Ct. in 2019) had previously been vacated by City Council, portions remained in order to provide legal access to properties outside of the redevelopment project. Now that the developer has assembled most of those properties and created a partnership with the one remaining property owner that needs access, the last road sections can be vacated. Public utility and public access easements will be retained over the vacated areas until such time that all utility infrastructure is removed, and other means of access are secured; public easements can be administratively vacated via the City's Real Estate Services Division.

The principal application within this project is a major amendment to the 2018 Creekwalk Concept Plan. The amendment adds additional properties to the northern portion of the plan and replaces three relatively modest commercial buildings with one large grocery building and a second multi-tenant commercial building along Cheyenne Creek. The updated plan also illustrates improved access provisions to the northern portion of the plan with primary access points being pushed further west away from S. Nevada Ave. The updated plan retains the same building locations, densities, and access points south of St. Elmo Ave. as the original plan. That area has had development plans and building permits approved administratively and construction is nearing completion.

Overall, the previously approved project together with the proposed applications are well aligned with surrounding land uses, are consistent with the South Nevada Urban Renewal Area as well as with PlanCOS, the City's Comprehensive Plan. The project's positive impact on the S. Nevada Ave. corridor is difficult to overstate; under-utilized, blighted, and vacant properties are being replaced with local and regional serving businesses, many of which were not previously available in this service area.

The project takes advantage of Cheyenne Creek to the west as a project amenity, buffer to adjacent use to the west, and as an opportunity for micro-mobility options along the newly developed creek trail system. While adequate off-street parking is included in the plan, development efforts throughout the corridor will also offer opportunities for customers and employees to walk, bike or scooter along the creek and rebuilt sidewalks to ease congestion on adjacent roadways.

The original project, as well as the proposed changes, closely align with nearly every chapter of PlanCOS: Vibrant Neighborhoods, Unique Places, Thriving Economy, Strong Connections, and Majestic Landscapes all include numerous goals and strategies that support this project.

**Previous Council Action:**

City Council has taken numerous actions in recent years that are related to the proposed applications. Council adopted the South Nevada Urban Renewal Plan as well as the South Nevada Urban Renewal Design Standards in 2015. Roughly three years later, in 2018, City Council approved a series of applications for the initial Creekwalk Commercial project; these included a minor amendment to the Ivywild Master Plan, a zone change application to expand the C5 zoning in the area, a ROW vacation, and adoption of the Creekwalk Commercial Concept plan.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

The City's Planning Commission voted unanimously to approve all four applications at their September 16, 2021 meeting.

**Stakeholder Process:**

The public process for these applications included posting the site and sending postcards to 322 property owners within a 1,000-foot buffer of the project as well as notifying the Ivywild Improvement Society (IIS) at the time of application submittal (July 2021). Significant stakeholder involvement took place for the original applications in late 2018 and early 2019. And while the current suite of applications resulted in inquiries from stakeholders that wanted additional information or clarification, only one written comment was received from stakeholders. A letter dated September 15, 2021 from Robert and Susan Smith on behalf of "Protect Colorado Springs" was received by Staff the evening prior to the Planning Commission. That letter was provided to the Commission at the hearing and is included for City Council's consideration as well.

Staff sent the original plans as well as the revised plans to all standard internal and external review agencies for comments. A number of review agencies had significant technical comments upon first review. While most items were resolved with the revised resubmittal, there are still a few technical issues that need additional attention; all remaining items are described within the technical modifications section of Staff's recommendation at the conclusion of this report. Commenting agencies included City Engineering, Colorado Springs Utilities, Water Resource Engineering, the City Surveyor, and others.

**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 V 21-00113

Approve an ordinance vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres, based upon the finding that the application complies with the review criteria in City Code Section 7.7.402.C.

An ordinance vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres.