



## Legislation Text

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**File #:** CPC CP 01-00148-A12MJ20, **Version:** 2

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A major amendment of the Greenbriar/Powerwood Concept Plan changing 9.23 acres of land from Regional Commercial to Multi-Family Residential as an allowable use located southeast of the Woodmen Road and Tutt Boulevard intersection.

(Quasi-Judicial)

Related File: CPC MP 01-00147-A6MJ20

### **Presenter:**

Katie Carleo, Senior Planner, Planning & Community Development  
Peter Wysocki, Planning & Community Development Director

### **Summary:**

Owner: CHOCAMO, LLP, CHRICOMWHITT, LLP C/O HOLGER C. CHRISTIANSEN

Developer: Saxton Partners, Don Smith

Representative: N.E.S., Inc. - Jennifer Shagin

Location: Southeast corner of East Woodmen Road and Tutt Boulevard

The project includes concurrent applications for approval of a Major Amendment to the Greenbriar/Powerwood Master Plan and Concept Plan. If approved the proposed application would allow for the establishment of Multi-family as an allowable use for 9.23 acres within the master plan and concept plan. The site is zoned PBC (Planned Business Center) and located at the southeast corner of East Woodmen Road and Tutt Boulevard.

### **Background:**

The requested major amendment of the Greenbriar/Powerwood Master Plan changes the land use designation for 9.23 acres of land from Regional Commercial to Multi-Family Residential.

The applicant has proposed a residential density of 12-24.99 dwelling units per acre for the new Multi-Family Residential use type; this is in alignment with City Code density ranges for multi-family. This residential density is consistent with other higher density residential developments occurring within the Woodmen Road corridor, such as the Woodmen Town Center development to the north and Copper Range Apartments to the northeast. Additionally, the underlying PBC (Planned Business Center) zoning applied to the properties is supportive of the proposed land use type; City Code Section 7.3.203 lists multi-family residential as a conditional use. Future development plan applications will follow the standard conditional use process.

As an overall land use pattern in this Woodmen-Tutt corridor commercial properties line Woodmen Road as well as proposed commercial development along the western side of Tutt Boulevard. There are currently several administrative applications for commercial developments in these areas. The request for multi-family development is an opportunity to establish higher density residential that will support the commercial and will be additional rooftops that will benefit from the surrounding

commercial. In addition, this development will be geared towards medical professionals. This offers a housing opportunity for medical professionals especially as St. Francis Hospital and surrounding supportive medial are expanding in this area. Lastly, the underlying property is zoned PBC (Planned Business Center) which allows for multi-family with a conditional use development plan; thus the master plan change will keep the zone district as PBC, but expand the underlying use for the multi-family. The Fiscal Impact Analysis considers multi-family similar to commercial when considering property taxes.

The requested major amendment of the Greenbriar/Powerwood Concept Plan adds the multi-family residential land use as an allowable use. The applicant's proposed density of 12-24.99 dwelling units per acre for the proposed multi-family residential use is consistent with the concurrent application for a major amendment of the Greenbriar/Powerwood Master Plan and similar developments in the area. This project will be a good transitional land use between the developed commercial and residential uses to the east of Templeton Gap Road, which are located in an unincorporated enclave, and the developed and developing commercial and multi-family residential developments to the north and west.

Staff has evaluated the proposed applications for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site, which is part of the Greenbriar/Powerwood Master Planned area, is identified on the plan's Vibrant Neighborhoods Framework map as a Newer Developing Neighborhood. The categorization of this type of neighborhood is generally considered most similar to Typology 3: Emerging Neighborhoods, which supports the development of newer areas with well-design communities with amenities, greater diversity of housing types, and roadway corridor enhancements that enrich the livability and adaptability of the area. As indicated in the proposed applications, the future development of the subject properties will accommodate an opportunity of diverse housing. By allowing the development of a multi-family residential use in the master planned area, the project reinforces the City's ability to encourage mixed use and livable communities as indicated above, City Planning staff finds the Greenbriar/Powerwood project and its associated application to be in substantially conformance with PlanCOS.

**Previous Council Action:**

N/A

**Financial Implications:**

A fiscal impact analysis was prepared per City Code for a major amendment to a master plan. Within a fiscal impact analysis multi-family property is included within the commercial category for property tax. The surrounding area (as mentioned above along Woodmen Road and west along Tutt Boulevard) has a large capacity for commercial development which is starting to develop. Properties in the surrounding commercial have sat vacant since annexation in the 1980s. Staff supports that the conversion of this property from commercial to multi-family will not be a "loss" for the City but rather create further opportunity for commercial development with the 'rooftop' additions provided by the multi-family.

The full Fiscal Impact Analysis is included with this memo and details a result of a positive cumulative cashflow for the City during the 10-year timeframe. The demographic mix projected to reside in the amended Greenbriar/Powerwood master plan will only partially defray the loss of commercial and office related sales tax collections. However, the buildout of multi-family has a larger impact to

property tax and sales tax on building materials, which is enough to create the conditions for a cumulative positive outcome.

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

These items was heard before City Planning Commission on January 21, 2021 as part of the consent agenda; City Planning Commission voted unanimous approval for the items. Please see the minutes from the hearing for additional detail.

**Stakeholder Process:**

The public process included posting the site and sending postcards to 19 property owners within a 1000-foot buffer. Staff did not receive any public comment in regards to the proposed project throughout the public notice period.

Staff sent plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 49, Police and E-911. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review. Staff has determined that this application is outside the two-mile buffer for USAFA notification. The property is within the Airport Overlay and was reviewed and approved on December 16, 2020 by the Airport Advisory Commission. All comments received from the review agencies are addressed.

- Traffic: The City's Traffic Engineering Division did not require a traffic study to be completed at this time. A recent study was completed (2019) that showed the overall Tutt/Woodmen area and examined this at a higher intensity than what will be seen from the conversion of this commercial to multi-family use. The final design and siting of streets needed for the development will be determined under future entitlement applications; a traffic impact analysis will be required at the development plan stage and the proposed right in/out on Woodmen Road and any associated improvements will be reviewed and approved at that time. A note to this affect has been added to the plan. All future development of the project site will require the review and approval of a conditional use development plan and final subdivision plat applications.
- Parkland Dedication Obligation (PLDO): The new residential use triggers the Park and School Land Dedication Ordinance. The standard obligation for PLDO as fees in lieu of parkland dedication will be required; a note for this obligation has been added to the master plan.
- School District 49: City staff has not received any comments from the School District. Staff, the applicant and owner have tried to contact the district without any response; at this time City assumes the District would apply the standard of fees in lieu of land dedication for this addition. A note to this affect is added to the master plan.
- Woodmen Road Metropolitan District: The proposed site is not in the Woodmen Road Metropolitan District but is in the Woodmen Road Metropolitan District Service Area. This parcel will need to be annexed into the District and be subject to the District Fees and Mill Levies (tax collection). The other option is to opt-out of joining the Woodmen Road Metropolitan District and pay in lieu of the annual taxes as an opt-out fixed fee. The owner will work with the District to make this determination moving forward.

**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:**

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Approve the major concept plan amendment to the Greenbriar/Powerwood concept plan, based upon the findings that the request meets the review criteria for granting a major concept plan amendment as set forth in City Code Section 7.5.501(E).