



## Legislation Details (With Text)

**File #:** CPC ZC 22-00011      **Version:** 3      **Name:** Tutt Blvd Townhomes

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

**File created:** 6/24/2022      **In control:** City Council

**On agenda:** 8/23/2022      **Final action:** 8/23/2022

**Title:** Ordinance No. 22-53 amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay)

(Quasi-judicial)

**Presenter:**  
Gabe Sevigny, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Director, Planning and Community Development

### Sponsors:

**Indexes:** Master Plan Amendment, Powerwood 2

### Code sections:

**Attachments:** 1. ORD\_ZC\_TuttBlvdTownhomes, 2. Exhibit A - Legal Desc, 3. Exhibit B - Zone Change, 4. Signed Ordinance No. 22-53

Date	Ver.	Action By	Action	Result
8/23/2022	2	City Council	finally passed	Pass
8/9/2022	2	City Council	approved on first reading	Pass
7/13/2022	1	Planning Commission	recommended for approval	Pass

Ordinance No. 22-53 amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay)

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### Summary:

Owner: RMG-RS Holdings LLC

Developer: Melody Homes, Inc

Representative: WSB / Jay Peters

Location: West of the intersection of Tutt Boulevard and Sorpresa Lane

This project includes concurrent applications for a major amendment to the Powerwood 2 master plan from Office/Industrial to Multi-family/Residential, a zone change from A-AO (Agricultural with Airport Overlay) to R-5 AO (Multi-family Residential with Airport Overlay), and a new concept plan

illustrating 13.45-acres as multi-family residential.

**Background:**

The 13.45-acre site is located west of the intersection of Tutt Boulevard and Sorpresa Lane. The proposed site was annexed into the Colorado Springs city limits October 2003 (CPC A 00-00250, Ordinance No. 03-177). The site was initially designated as A (Agricultural), CPC ZC 02-00253 which is allowed as a holding zone at annexation and then further required for specific zoning at time of development. The site is identified in the Powerwood 2 master plan, the initial approval in December 2004 designating this site as Office; an amendment, CPC MP 02-00254-A2MJ09, was approved January 2010 amending this site on the master plan from Office to Office/Industrial Park. The overall site was designated in 2 different concept plans, with the most recent amendment for the concept plan, CPC CP 14-00081, approved January 2015, identified the north parcel as commercial. The current proposed concept plan, as discussed further below, is for both the northern and southern parcels. This would replace any previous concept plan for the area in question.

The parcels have remained undeveloped for any commercial, office, or industrial use, therefor the proposal is to change the designation in the master plan and concept plan to multi-family residential with a concurrent application for a zone change to R5 (Residential). If approved this would allow the applicant to move forward with a development plan for 140 townhome units.

The major master plan amendment proposes to remove the designation for office/industrial and replace with multi-family residential with a density for the north parcel at 10.6 dwelling units per acre, and a density for the south parcel at 10.2 dwelling units per acre. The difference in dwelling units per acre is to allow some additional clustering on the northern parcel that is a larger over-all area. Existing Sorpresa Lane is not being affected with this amendment as it has been master planned to be a major internal access to serve these parcels and the parcels to the west. As noted on the proposed master plan amendment, any future development shall be in conformance with the Powerwood 2 Annexation Agreement.

Any change of zone application must be evaluated using the review criteria in Section 7.5.603.B. of City Code. Specifically, the request must not be detrimental to public interest, health, safety, convenience or general welfare; the proposal must be consistent with the City's Comprehensive Plan; and the request must be consistent to the approved master plan for the area. Staff finds that the first 2 criteria are met, and the above master plan amendment must be approved in order for the third criteria to be met. While a more detailed analysis of how the newly adopted PlanCOS applies to this project is provided below, it should be noted that the City has been supporting infill development and redevelopment opportunities.

This project includes a zone change request from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-family Residential with Airport Overlay). The proposed zone change is compatible with the general area.

The Tutt Boulevard Townhomes Concept Plan illustrates 13.45-acres as multi-family with a townhome concept. If approved it would allow the applicant to develop approximately 140 townhome units. The proposed townhome development provides a better transition from the single-family dwellings to the east of Tutt Boulevard to the multi-family development to the west. The associated concept plan shows the height of the townhomes, with the tallest point being 30 feet 1 inch. As the site slopes from south to north the height of the structures are compatible with the residential development to the east; more compatible then if a commercial/office/industrial use would be as

those individual zone districts can range from 45 or 50 feet depending on the commercial zone district.

Staff has evaluated the proposed applications for conformance with the City's comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified on the plan's Vision map as Newer Developing Neighborhood. According to the Areas of Change map the project site is also identified in a high area of change and according to the Vibrant Neighborhoods Framework map the project site is identified within a Newer Developing Neighborhood. Specific policies of PlanCOS that are supported are listed below:

***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.

***Policy VN-3.E:*** Encourage and support the integration of mixed-use development in neighborhoods

***Policy UP-4.A:*** Actively plan and encourage a development pattern consisting of unique centers located along new and redeveloped corridors and at other designated areas throughout the city.

***Strategy UP-4.A-3:*** In conjunction with committed transit improvements, create and adopt new transit-oriented development and mixed use-supportive base zoning or overlays to support the continued development and redevelopment of key corridors and centers.

***Strategy TE-4.A-4:*** Support greenfield development that includes mixed-use, higher-density clusters, and quality design

***Goal UP-4:*** Strengthen our overall community identity and better serve the needs of residents and businesses within our large metropolitan area by developing active, unique, and connected centers and corridors.

***Goal UP-5:*** Develop and support unique places and centers as models of resilience and sustainability.

***Strategy TE-1. C-2:*** Support and leverage projects and initiatives with mixed uses, transit supported and walkable attributes to attract and retain a skilled workforce and business investment.

This proposal is a suburban infill development and offers housing within an already well established city center. The site is along the two major corridors: North Powers Boulevard and East Woodmen Road, which provide commercial centers in support of the new and redeveloped along these corridors. The over-all development will be multi-family but is a townhome design that provides a transition from the single-family development to the east and the multi-family apartment units to the west. City Code defines multi-family dwelling as one or more buildings of three (3) or more dwelling units in which each unit is used exclusively for occupancy by one family. The term may include

townhouses, condominiums, and apartments. As such, the zoning required was for multi-family, however, the design of townhomes is more compatible with the single-family dwellings to the east. This also supports the 'Housing for All' concept, in providing for a variety of housing in the area.

The proposal supports redevelopment, connectivity, attainable housing, and economic development by providing workforce housing in proximity to and connecting to multiple employment opportunities and neighborhood services located to the south and west of the proposed site. As PlanCOS identifies this area as a high area of change, there have been many developments in the area to include, but not limited to, The Townes at Cumbre Vista, The Creek at Cottonwood Apartments, Lodges at Black Forest, Woodmen Ridge Apartments, and Ascent by Watermark.

#### **Previous Council Action:**

The subject property was approved for annexation in 2003, with the initial zoning establishment of A/AO (Agricultural with Airport Overlay), with the latest approval of a Master Plan amendment, which was approved January 13, 2010.

On August 9, 2022, this Ordinance was approved on first reading on the Consent Calendar.

#### **Financial Implications:**

The City Budget Office has completed a Fiscal Impact Analysis on March 8. City Budget Office has determined a positive cashflow for the City during the 10-year timeframe. The general reason for the outcome is the Use Tax revenue collected as a result of construction.

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

City Planning Commission unanimously recommended approval of the application at their meeting on July 13, 2022.

#### **Stakeholder Process:**

The applications were sent to the standard internal and external agencies for review and comment. Review comments received have been addressed. Internal review agencies for this project included City Traffic, City Engineering, City Parks, City Fire Department and Police/E-911, Colorado Springs Utilities.

- SWENT: This project required a Master Drainage Development Plan and Preliminary Drainage Report. SWENT (Stormwater Enterprise) has not approved these documents but have stated the remaining comments will not adversely impact the concept plan. Staff has recommended the Condition of Approval that prior to final approval of the concept plan, the applicant receive necessary approvals from SWENT. The applicant will be required to submit a Final Drainage Report to Stormwater Enterprise (SWENT) at the time the development plan.
- Traffic: A Traffic Impact Analysis (TIA) was prepared on December 16, 2021 by WSB. City Traffic Engineering was sent a referral and agrees with the TIA findings and recommendations. Within the report WSB states the future capacity analysis for opening year 2025, at the intersections Tutt Boulevard and Cowpoke Road, Tutt Boulevard and North Site Access, and Tutt Boulevard and Sorpresa Lane will all operate at LOS (Level of Service) A during both peak hours. WSB determined that all approaches and individual turning movements at the proposed intersections are projected to operate at LOS B or better.

WSB also stated the future capacity analysis for year 2040 at the Tutt Boulevard and Cowpoke Road intersections to be LOS A with all turning movements at LOS C or better. The final

intersection design at Tutt Boulevard and Sorpresa Lane would operate at a LOS of C or better with the west bound lane at a LOS of F or better, until the signal is installed at that intersection. At such time the intersection is signalized, the LOS would be B or better, with all turning movements at LOS C or better. An escrow payment of \$75,000 for the future traffic signal at the intersection of Tutt Boulevard and Sorpresa Lane is required and a note has been added to the Concept Plan.

- School District Academy School District 20: Commented that fees are due in lieu of land dedication.
- AAC (Airport): Heard the item at their February 23, 2022 meeting and recommended approval (**see attachment “AAC Recommendation”**)
- Metro District: The subject area is located within two (2) metro districts, the Woodmen Road Metropolitan District and the Woodmen Heights Metropolitan District No. 3. The District was sent a referral and commented that platting and building permit fees will be required, and that the District will also assess a mill levy on the subject property.

**Alternatives:**

1. Affirm the application;
2. Modify the application;
3. Deny the application; or
4. Refer the matter back to the City Planning Commission for further consideration.

**Proposed Motion:**

Adopt an Ordinance amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane intersection from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay) based upon the findings that the change of zoning request complies with the three (3) criteria for granting a zone change as set forth in City Code Section 7.5.603(B).

An ordinance amending the zoning map of the City of Colorado Springs relating to 13.361 acres located west of the intersection of Tutt Boulevard and Sorpresa Lane intersection from A/AO (Agricultural with Airport Overlay) to R-5/AO (Multi-Family Residential with Airport Overlay).