



John W. Suthers
Mayor

January 7, 2019

Colorado Housing and Finance Authority
1981 Blake Street
Denver, CO 80202

Re: Letter of Support for the Atrium at Austin Bluffs

I want to express my support for “The Atrium at Austin Bluffs” development project being proposed by Greccio Housing. In March, 2016, the City of Colorado Springs officially joined the AARP Network of Age Friendly Cities and Communities. One of the core goals of the City’s Age-Friendly Action Plan is to increase the inventory of affordable and accessible senior housing units. The Atrium at Austin Bluffs helps accomplish that goal by providing 54 new 1 & 2 bedroom apartments at rents that will be affordable to seniors with limited incomes.

In order to help make this project a reality, the City of Colorado Springs is donating a valuable parcel of land for the project to Greccio Housing. Lee Patke, Executive Director of Greccio Housing, has put together an experienced development team that is actively pursuing the funding needed, including a tax credit award from the Colorado Housing Finance Authority (CHFA), federal grant funds from the City’s Community Development Division, and a portion of the City’s Private Activity Bond allocation.

A recent update on the City’s Age-Friendly Action Plan shows that we have made noteworthy progress in the housing domain, however, more remains to be done. The Atrium at Austin Bluffs helps meet the ongoing need for affordable housing choices for older adults in the community.

Sincerely,

A handwritten signature in blue ink that reads "John W. Suthers". The signature is fluid and cursive, with the first name "John" being particularly prominent.

John W. Suthers
Mayor

Sexton, Daniel

From: Debra Fortenberry <debra@fortenberrylawgroup.com>
Sent: Wednesday, May 20, 2020 11:08 AM
To: Sexton, Daniel
Subject: support for Greccio's Atrium Development in Austin Bluffs

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Dear Mr. Sexton,

I am a real estate attorney with offices in downtown Colorado Springs, 620 S. Cascade. Daily I have a view into our affordable housing crises as I drive to work. Thank you for the opportunity for public comment. Please understand that I believe in the public comment process for community building from the roots up. I request that more opportunities for public comment be included on important community-wide issues such as affordable housing and shelter.

I write to express my support for Greccio's Atrium Development in Austin Bluffs. Now more than ever, it is important that we add affordable housing, especially for some of the aging residents in our community. The opposition to this project, which I have seen in other creative housing solution projects, is misguided, driven by misconceptions about affordable housing, its occupants with likely an underlying NIMBY perspective. We must act boldly to begin to solve the affordable housing crisis. We need to add as many new units of housing as possible to meet the rising demand in the Springs. The Atrium will help. While the fears expressed need to be heard and addressed in terms of planning, fear is not the perspective from which good decisions about the future of our community can and should be made.

As such, I urge the Planning Commission - and later council - to step forward in approving Greccio's proposal for a new development on this site.

Thank you for the time you've spent working on this project.

Kindest regards,

Debra Fortenberry

Debra L. Fortenberry

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during drop offs. We hope these practices help keep us safer and healthier during the public health crisis. We apologize for the inconveniences and look forward to resuming normal face-to-face meetings with our clients when it is prudent. Thank you for your patience and understanding.

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Sexton, Daniel

From: Brenda's Gmail <baxibooquilts@gmail.com>
Sent: Wednesday, May 20, 2020 2:58 PM
To: Sexton, Daniel
Subject: CPC CU 19-00148 and CPC NV 19-00151

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To whom it may concern,

I am a resident of Saddleback Townhomes and am very concerned about this development. My two main reasons are parking and concern for residents who will be living there.

First of all, I guess you do not think that these seniors will have cars because if all 54 residents had cars in addition to their spouses having cars then where are they going to park? Your solution was to move the building that will be full of seniors to within 10ft of a very busy intersection. Isn't that nice! Let's just be real here. All the surrounding neighborhoods including Saddleback really know what is going on here.

This property was given away under the table for \$1 just so that you and Greccio could sit back, pat each other on the back and then proclaim "Gee, look what we did!" We all know that you could care less about these people and the surrounding areas. If you cared so much you would have chosen a more appropriate area and amenities that these people would have access to by car, walking or a bus. Since there is no bus stop on Austin Bluffs and the two closest grocery stores are both further than a mile how do you think these residents are going to get food? Oh yes, your solution was to have a smaller bus come by once a week to take them. Really?? Even social workers have stated this is not acceptable. They will be very isolated.

As far as parking, we will be towing along with the surrounding businesses. We have very limited parking as it is.

If you even took the time to observe what happens on Tradewind Pt. where it ends on Templeton Gap you would notice that the majority of people make an illegal left hand turn. There are signs posted but no regard. This is only going to get worse. If you were smart you would close that entrance-exit and force people to go down to Roughrider and around the dental office to get to the gas station. It would give you more parking space.

Shame on you , City hall and Greccio for doing this. You really don't care what any of us has to say given all of your past history. It never changes. It is all about power, money and abuse of tax payers money!

Brenda's Gmail

[Baxibooquilts@gmail.com](mailto:baxibooquilts@gmail.com)

Sexton, Daniel

From: Betsy & R Maughan <rbmaughan@gmail.com>
Sent: Wednesday, May 20, 2020 4:09 PM
To: Sexton, Daniel
Subject: Comments on Atrium Senior Apartments

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Mr. Daniel Sexton,

I am writing with some comments regarding the proposed Atrium Senior Apartments at 4921 Templeton Gap Road. Please accept my comments for review during the City Planning Commission Hearing of May 21, 2020. Unfortunately, I will not be able to participate due to another commitment, but would be happy to clarify any part of this communication.

This project looks bad from every angle.

1. It is a misfit in the neighborhood.
2. It doesn't fit the property.
3. It is out of character in its surroundings and likely does not fit the original master plan.
4. It creates hazards and nuisance harm to neighboring properties.
5. Its origin, funding, and support look ugly.
6. It requires the city to violate published nonuse variance review criteria.

Placing 54 units on that 1.14 acre lot boggles the imagination. Except for the fact that easy money is available from the city and that tax credits may be available as well and that the city has picked up the baton for administrative approvals, I don't believe that this project would ever be considered. Would a bank finance such an ill-conceived project? Not likely. The inconvenience imposed on project residents due to the limited parking, limited availability of nearby shopping and services, and lack of public transportation will be significant negatives to potential occupants. The area was planned and built out for low-density, mostly single family detached housing and as such, services that may be needed by apartment residents are largely unavailable, reducing the desirability of the project to the people it purports to serve.

Negative impacts to nearby properties are not addressed in the application for variances, but they exist and should not be ignored by the city in its review of the application for variance. They should be analyzed by qualified city planners and included in the decision making process. Unfortunately, it appears that nearby residents are being left on their own to perform such analysis. Perhaps, if the city weren't sponsoring the variance request we, the residents of the city could receive some benefit from our qualified city planners in such an analysis. But since the city is the requester, it is unlikely that the city will deny its own requests. We who are without expertise in this area pay for experts who are qualified, but are unavailable to serve us. Generally, we are at a distinct disadvantage in analyzing development impacts while those we employ to analyze such impacts are engaged in other pursuits. In this specific case, those we employ to ensure appropriate land use and development are managed by those requesting the variances. The deck seems stacked against us in favor of the developers.

In general, applications for variances present information in a light most favorable to the applicant, but just because negative impacts are not addressed by the applicant does not mean that they do not exist. I will do my best to articulate my concerns about the project. O how I wish someone with expertise in this area would do a critical review of the project and not just a facilitating review.

The property where this project is proposed could have many beneficial uses to serve the community. Its potential use is not limited to multi-story, multi-family structures. Its specific physical characteristics do not require this type of project, in fact the application for variance states that the lay of the land inhibits use of the land for this project and therefore variances are required to allow the project to 'fit' the land. The application states that the 8 foot over 300 foot grade change exceeds that of neighboring parcels, but does not state that it is far less than nearby parcels. Look at the Saddleback development for an example of how better to work with the land. The local area includes the word 'bluffs' in its name for a reason. The contour of the land is not a surprise to anyone. If the proposed project doesn't fit the land then a better parcel of land should be used. Land use variances should not be used to accommodate misfit development projects.

The project itself is a poor option to serve the community it claims as its target. Seniors may have physical constraints that make overcoming the shortfalls of this project difficult. We do not have access to detailed drawings of the building itself, but nothing I saw would indicate that an elevator is to be provided in the building. I could be quite wrong about that (emphasizing the need for more qualified review), but the picture of grandma carrying bags of groceries up the stairs to the third floor is not very attractive to me and probably won't be to potential residents. I lived in a multistory, multifamily complex as a young adult and did not enjoy carrying bags of groceries up the stairs. I cannot imagine that I would enjoy it now as a reasonably fit senior.

Project residents who have personal transportation will certainly be able to take advantage of the not-too-distant shopping opportunities in that part of the city. It is a simple matter to hop in a car and run off to shopping along Woodman, Powers, or Austin Bluffs, but for residents without personal transportation it will be quite a different story. Shopping and services are plentiful if you have transportation, but quite limited if you don't have it. The project itself relies on the assumption that not all residents will have personal transportation. This project design assumption places some number of residents at a great disadvantage for satisfying daily living needs. Were the project more appropriately located in an area where shopping and services were more easily accessible, residents would be better served. It is my understanding that public transportation is not available in the area. If this is true, then residents without personal transportation will be at a distinct disadvantage. It just doesn't seem appropriate to disadvantage those we seek to serve.

The optics of this project are really bad. Lacking full details of the business dealings of the city and the developer, a casual observer might see things this way. A developer approaches the city (described in ORD 2020) and expresses an interest in building a new project and requests that the city use federal grant money to finance the project. City employees support the idea and the city decides to go along with the developer, even to the point of carrying the torch for seeking administrative approvals from—itsself. Hearing whispers that personal relationships may be involved, the casual observer wonders why \$8M is single-sourced to a specific developer and no other developers are given the opportunity to propose appropriate uses for that money. Nevertheless, the casual observer shrugs her/his shoulders and recognizes the long history of the city making sweetheart deals with developers and is reminded of such every time the 'high-speed bypass', Powers Blvd., is traveled during rush-hour. That Powers 'compromise' clearly has worked out to the benefit of developers and not city residents, but 'Such is life' our observer sighs.

I wish I had the expertise to adequately analyze the hazards and negative impacts created by this project so that when decision makers review the request for variances a complete picture would be available for review. My concern is that only the self-serving picture presented by the developer will be in play. Is there not some qualified person on the staff of the city planning department that can be assigned to look at impacts to surrounding properties and nearby residents? Does the city really expect local residents to adequately review these complex issues? The process seems stacked against those who will be most impacted by the project in favor of those who stand to profit most.

Not providing adequate parking for residents will place them at risk. They will likely be required to park offsite and walk back to the complex when the parking spaces are filled. This increases their risk for falls at all times and exponentially so during inclement weather. I'm not interested in the fact that the parking provided meets minimum requirements, but I am interested in the safety of the residents and am of the opinion that the planned parking is inadequate. The most obvious reason that the parking to be provided is not adequate is that not all residents can park even one vehicle in the provided parking area. Some residents may have multiple vehicles. Some residents may have guests. Some residents may need personal services provided by providers who need some place to park. Some residents may need maintenance on personal property items provided by maintenance personnel who need a place to park. The list goes on. The planned parking is inadequate for normal daily use, imagine what a mess parking will be on Mother's Day, weekends, other holidays, Sunday afternoons, etc.

Where do people park when they cannot park in the provided parking spaces? Nothing in the surrounding area was developed with the idea of becoming overflow parking for this project. No analysis for appropriate use for overflow parking was conducted. No safety review for overflow parking was done. No impact to surrounding businesses due to overflow parking was done. No analysis of hazards created due to overflow parking was done. The clear possibility that this project will create a need for overflow parking seems to be completely off the radar, but the negative impacts are real and deserve review.

Businesses could be impacted by people using customer parking as apartment overflow parking. This could discourage customers from patronizing those businesses. Additional vehicle use of private property caused by overflow parking from the apartment complex could increase maintenance costs to those property owners. Personal risk of project residents now required to find parking offsite and walk some distance to return home will be increased. Impacted businesses could reasonably install 'customer only' parking restrictions and project residents would be seeking parking along streets not well suited for parking. Additional parking demands from visitors increases the negative impacts and risks.

Access to and egress from the project will be from Tradewind Point which does not permit a left hand turn at Templeton Gap. Traffic wishing to make that left turn will need to circle the dentist's office to access Templeton Gap from Setting Sun Point. Are the streets to be used for this left turn owned by the city such that taxes from the project will support maintenance or are they owned by neighboring property owners who will be expected to pay for maintenance?

While the City Planning Commission may not have direct oversight of the business details of this project and while this public hearing may not be the ideal place to raise these concerns, I have concerns related to the business aspects of this project. My greatest concern is that this project will fail in its profitability, the borrowers will default after realizing a sizable initial profit, and the city will end up stuck with a project that is not viable in the marketplace and neighbors will be stuck with an

eyesore. All this from single-sourcing \$8M to a project that had no competitive process associated with the award of funds.

The only way this project can be built is for variances to be granted. The only way variances can be granted for this project is to ignore published review criteria. The project is too large to fit the lot so variances must be granted to allow the project. A smaller project would fit the lot just fine, but the developer has chosen to propose a project that was known up front to not fit and then requests a variance. Since the developer has already secured tax credits for the large project proposed it would be inconvenient and possibly unproductive to return to the process for requesting tax credits for a smaller project. I have little sympathy for someone who walks knowingly into a difficult spot and then expects to be bailed out by the city and I don't expect the city to rescue a developer from unwise decisions. (Speaking of unwise decisions, the city did allocate funds to a project that has yet to be approved.) The developer could have proposed any number of projects that would have been acceptable under city code that did not require the granting of variances, but instead chose to propose a project that was known beforehand to be not compliant with code and now offers the weakest of justifications to secure variances.

The following text is taken from the initial application for variances.

The existing vacant site has approximately 8-feet of grade change over 300-feet, which is much steeper than the adjacent parcels. Therefore, a wall is needed along the southeasterly property line, which encroaches into the landscape setback. Additionally, the existing 1.14 acre site includes half of the existing joint drive isle, and will require additional sidewalk as part of the development. Therefore, with the drive isle, sidewalk, and setback requirements the buildable site area is only 0.816 acres, which is approximately 72% of the total area.



Knowing the site particulars, the developer chose not to plan a compliant project, but one that would not fit the available parcel and require variances. While it is not specifically stated in the application, the difference between a small project that fits the lot and a large project that does not fit the lot, for an investor, is likely to be the expectation of increased economic return on investment.

The original application for variances also includes this text.

Furthermore, as you aware the City of Colorado Springs has identified the need for affordable senior housing within city and has specifically identified this site as a possible location. This project site was recently awarded Low Income Housing Tax Credits by the Colorado Housing and Finance Authority (CHFA) showing 54-units, and a change in unit count would require reallocation of funds from CHFA. Therefore, the solution is not as simple as reducing the unit count. CHFA tax credit allocations are very competitive and seeking a reallocation for less units would likely not be granted.

Without having approval of the project by the city, the developer used a proposed project plan to secure tax credits and now uses that award as justification to build a non-compliant project in the city. This is a pretty weak manipulation of the process since the city has no obligation to ease the developers administrative burdens with respect to requests for tax credits. Putting the cart before the horse is hardly justification for the city to grant a variance.

I would invite the attention of the Planning Commission to the original application for variance and specifically to the page titled *Nonuse Variance Application Requirements*. Specifically, to item 2.c. "The purchase price of the property, the desire for greater economic return on investment or mere inconvenience do not constitute evidence of no reasonable use." I submit that there are many

options for reasonable use of this site that would be in conformance with the applicable zoning ordinance regulations. This project does not conform and the request for variance violates the review criteria quoted above. Greater economic return based on the larger size of the project and the inconvenience of having to return to the competitive process of seeking tax credits are specifically cited as examples of invalid justification for granting variances. This project does not warrant variances as clearly stated in the application requirements.

Furthermore I submit that granting these variances will impose unacceptable adverse impacts to surrounding properties as stated above. Whether this project with its variances is consistent with the original master plan for the area is unknown, but I suspect not. Granting these variances based on such obviously inadequate justification will have the affect of generally weakening the purpose of zoning ordinances and the planning processes of the city. Granting these variances is not necessary to afford a reasonable use of the property.

I respectfully and urgently request that these variances be denied.

Richard Maughan

Home Owner in Saddleback Townhomes

Sexton, Daniel

From: JoAnne Trujillo <jetrujillo61@gmail.com>
Sent: Wednesday, May 20, 2020 8:32 PM
To: Sexton, Daniel
Subject: Sr housing proposed for 4921 Templeton Gap Road

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Greetings Mr. Sexton, I received the notice of the meeting scheduled for 5/21. My only comment is that I am totally supportive of this project, as I have a senior relative who would benefit from such a development. Thank you. JoAnne Trujillo

Sent from my iPhone