

CITY PLANNING COMMISSION AGENDA
January 20, 2022

STAFF: TASHA BRACKIN

FILE NOs:
CPC CU 21-00191 - CONDITIONAL USE - QUASI-JUDICIAL

PROJECT: SILVER KEY AFFORDABLE SENIOR HOUSING PROJECT

OWNER: SILVER KEY SENIOR SERVICES INC.

DEVELOPER SILVER KEY SENIOR SERVICES INC.

CONSULTANT: WAY ARCHITECTS

PROJECT SUMMARY:

1. Project Description: This development project involves a Conditional Use Development Plan for a vacant 3.23-acre site zoned PBC SS AO (Planned Business Center with Streamside and Airport Overlays) located at 1575 South Murray Boulevard. Upon approval of this application, said site is to be developed with a three-story apartment building containing 50 units for seniors.
2. Applicant's Project Statement: (see **Project Statement attachment**)
3. Planning and Development Team's Recommendation: Staff recommends approval of all application.

BACKGROUND:

1. Site Address: 1575 South Murray Boulevard
2. Existing Zoning/Land Use: The subject property is zoned PBC/SS/AO (Planned Business Center with Streamside and Airport Overlays), and is vacant
3. Surrounding Zoning/Land Use:

Northeast: PBC/SS/AO (Planned Business Center with Streamside and Airport Overlays); developed with commercial shopping center – Safeway.

Southeast: PBC/SS/AO (Planned Business Center with Streamside and Airport Overlays), Sand Creek immediately adjacent; and OC/CR/HR/SS/AO (Office Complex with High Rise, Streamside and Airport Overlays and Conditions or Record), developed with Apartments.

Northwest: PBC/SS/AO (Planned Business Center with Streamside and Airport Overlays), developed with gun sales business.

Southwest: PIP2/SS/AO (Planned Industrial Park with Streamside and Airport Overlays); developed with business park – offices.
4. PlanCOS Vision: Per the PlanCOS Vision Map, the subject site is identified as being in a Changing Neighborhood known as “Southborough”. Please see the staff analysis provided below for further detail and applicability.
5. Annexation: The subject property was annexed into the City as part of the Pikes Peak Park Addition #10 in 1971.

6. Master Plan/Designated Master Plan Land Use: The subject property is located within the “Centre at Gateway Park Master Plan” (Implemented).
7. Subdivision: Eckerd Filing Number 1, recorded in 2003.
8. Zoning Enforcement Action: None on record.
9. Physical Characteristics: The site is currently vacant, gently sloping to the east/southeast, and other than several shrubs and small trees there is little significant vegetation outside of the creek area.
10. Other: South Academy Economic Opportunity Zone; Pikes Peak Economic Opportunity Zone; Commercial Aeronautical Zone.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process for the development project consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 116 property owners, on two occasions: during the development project internal review stage and prior to the Planning Commission hearing.

The site was also posted during the two occasions noted above. The single public comment that was received by staff was supportive of the proposed senior housing and has been provided (**see “Public Comment” attachment**).

Staff input is outlined in the following section of this report. As part of the City’s review process, planning staff sent copies of the conditional use development plan to the standard internal and external review agencies for comments. These commenting agencies included LUR Landscaping and Survey, Engineering, SWENT, CSPD, Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, and CONO. Prior to forwarding this proposal to the City Planning Commission, all comments received from the review agencies have been addressed by the applicant

ANALYSIS OF REVIEW CRITERIA; MAJOR ISSUES AND COMPREHENSIVE PLAN CONFORMANCE

1. Review Criteria / Design & Development Issues:

a. Application Summary:

As mentioned within the project description, this application packet involves a Conditional Use Development Plan for a vacant 3.23-acre site located at 1575 South Murray Boulevard. Upon approval of the application, said site is to be developed as a three story, 50-unit affordable senior apartment community.

b. Conditional Use Development Plan

A Development Plan establishes the envisioned site configuration upon approval (**see “Development Plan” attachment**). While all comments have been addressed for this proposal, staff has outlined the major details related to this proposal below:

i. Conditional Use

The proposed three-story, 50-unit apartment building, is illustrated in the attachment and is noted to be a “Conceptual-level Development Plan” only, with future administrative approval of a detailed Development Plan required prior to construction. This is intended to provide the level of detail that is necessary to demonstrate that the Conditional Use of multi-family housing is appropriate in this infill location. As noted by City Code Section 7.5.502,

Development Plans may only be approved upon finding that the plan meets seven distinct criteria that center around compatibility, development criteria compliance and adverse effect avoidance/mitigation. Additionally, City Code Section 7.5.704, a conditional use may only be approved when three findings are made related to consistency with intent of the zoning code, the comprehensive plan, and the values and qualities of the neighborhood. Planning staff finds that these criteria are met by this application for a Conditional Use Development Plan.

ii. Parking and ADA Compliance

In review of the proposed parking and ADA accessibility schematics, planning staff finds that the proposal is consistent with all applicable City codes. To be specific, the required parking allocation for this apartment is as follows: 59 parking spaces are to be provided, including two handicapped spaces, and 32 spaces are required for the 50 units pursuant to code (0.6 spaces per unit). Accessible routes will be provided from the public right-of-way to all publicly-accessible areas within the housing community.

iii. Landscape and Site Design Compliance

Landscape and building setbacks are shown on the plan as required per city code. Planning staff and City Land Use Landscape Architecture will review the Development Plan in more detail upon submittal of the final development plan, for compliance with all site design and landscaping criteria.

iv. Traffic Compliance

The City's Traffic Engineering Division has reviewed the Conditional Use Development Plan and has not requested any changes to the Development Plan nor major street improvements. Per the proposed Development Plan, there are two proposed access points to this development. Both access points are in place with curb cuts and are shared with the developed commercial site adjacent on the northwest side of this property. City Planning staff finds that the proposed development is consistent with current development patterns of the area and further that the application is consistent with the purpose for a Conditional Use Development Plan, as set forth in City Code Section 7.5.704.

v. Airport Comments

Staff of the Colorado Springs Airport presented the proposed project to the Airport Advisory Commission on December 15, 2021, after which the Commission recommended no objections to the project, with the following conditions:

- Avigation Easement: Avigation easement note is on plat; no action required.
- Airport Acknowledgement: Upon accepting residency within xx, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that xx lies within an Airport Overlay Zone and is located less than 2 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- FAA Form 7460-1: If use of equipment (permanent or temporary) will exceed 100 feet above ground level in height at this site, the applicant is to file an

airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities; FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

vi. Park Land Dedication Ordinance

The project will be subject to the Park Land Dedication requirements of city code, with the following fees applicable:

Silver Key, 1575 S. Murray		
	per unit	total (50 units)
Neighborhood Park	\$ 563.00	\$ 28,150.00
Community Park	\$ 481.00	\$ 24,050.00
Park Platting Fee	\$ 181.56	\$ 9,078.00
School Fee	\$ 368.00	\$ 18,400.00
TOTAL	\$ 1,593.56	\$ 79,678.00

vii. Streamside Review

The project is located within the city's streamside overlay buffer area, which requires that certain elements of the property and creek be preserved when property is developed. The city code limits the amount of impervious surface to be placed upon the property, as well as providing for the creek to be preserved for its vegetation and wildlife habitat, water quality, stormwater conveyance, open space, multi-use trails and passive enjoyment by the public. The development plan indicates the amount of impervious surface proposed to be located within the outer buffer zone is within the allowed percentage, and that there is no proposed impervious surface within the inner streamside buffer. This is consistent and compliant with the city streamside overlay ordinance and the proposed use is supportable in terms of the objectives of the ordinance,

2. Comprehensive Plan/Master Plan Conformance:

As stated before, the Master Plan for this property has been implemented; the zoning that was established when the Master Plan was in force allows for multi-family development with a conditional use approved by the City Planning Commission. Given the proposed site plan, and compatibility with the surrounding uses as described in the above sections of this report, staff finds that the proposed use is compatible for this infill area.

As required by City Code, planning staff has evaluated the proposed applications and information provided by the applicant to ensure conformance with the City's current comprehensive plan, PlanCOS. In doing so, planning staff finds the applicant's development proposal to be in conformance with PlanCOS and its guidance for the reasons further explained below.

This project is located in a special Southeast focus area of PlanCOS, and the plan conforms well with essentially all six major themes in PlanCOS along with several of its primary areas

of focus. Foremost among these are “Housing for All” which supports the PlanCOS attainable housing goal as further articulated in HomeCOS.

Per PlanCOS, the project site and its surrounding area is identified on the Vision Map of PlanCOS as a Changing Neighborhood. The subject site is also identified as a property subject to significant change on the PlanCOS “Areas of Capacity and Change” Map (attached). While there are vacant parcels left within the general area surrounding the subject site, infill development is limited. As a result of previous development, the area is comprised of a mix of uses ranging from single-family residential to general business administration and hospitality services. This mix of land uses furthers several goals, policies, and strategies of PlanCOS.

Below are a number of PlanCOS Goals and Policies which the Planning and Community Development Department staff suggests are supported by this plan.

- “Housing for All” -This project conforms well with the City’s housing diversity and attainability goals.
- “Reclaim Neighborhood Space” - This is a reinvestment in an existing neighborhood subject to a potential for decline. The project site is in the heart of the southeast area of town, and the improvements to the site will provide shared community space, passive recreational areas taking advantage of the streamside location, not to mention affordable housing.
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- “Be a City of Places” - With its design and community facilities, this project incorporates elements of the Unique Places theme at a site-based scale.
- Embrace Creative Infill, Adaptation and Land Use Change
- Focus on Corridors and Centers: This project is located in the Academy Boulevard Corridor which is one of one of the key re-investment corridors identified in the City. The Academy Boulevard Corridor Great Streets Plan (2011) further articulates this vision. Academy Boulevard in particular is proposed for more robust transit service. This project is well situated to both support and take advantage of enhanced transit on Academy Boulevard.)

Steve Posey, Community Development Division Manager and administrator of the City’s Affordable Housing Program, offers the following statement about the proposed development:

“Community Development fully supports this project. The development of affordable, senior housing in our community is an ever present need. The development of 50 additional senior units is in direct alignment with HomeCOS, the Mayors affordable and attainable housing plan for Colorado Springs. This development is in alignment with Objective 2: Increase the supply of affordable rentals, and Objective 4: Housing for the aging and disabled population.”

In addition, the applicant’s Project Statement contains multiple examples of compliance with the zoning code and PlanCOS.

As noted, this plan is highly consistent with HomeCOS which is one of the key planning initiatives of PlanCOS. The city's comprehensive plan specifically calls out for the need of more affordable housing and this project could help offset a surplus of rundown/aging inventory on this side of town. Based on the above explanations, Staff believes that the Conditional Use Development Plan is consistent with and implements the Policies and Strategies of PlanCOS and its related plan elements.

STAFF RECOMMENDATIONS

CPC CU 21-00191 CONDITIONAL USE DEVELOPMENT PLAN

Approve the Conditional Use Development Plan, based upon the finding that the request meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 and a Development Plan, as set forth in City Code Section 7.5.502(E).