

**CITY PLANNING COMMISSION AGENDA
JUNE 16, 2022**

STAFF: DANIEL BESINAIZ

FILE NO(S):
CPC CU 21-00158 – QUASI-JUDICIAL
CPC NV 21-00159 – QUASI-JUDICIAL

PROJECT: AVENIDA SENIOR LIVING

OWNER HIGH VALLEY LAND COMPANY, INC.

DEVELOPER: AVENIDA SENIOR LIVING

CONSULTANT: J.R. ENGINEERING



PROJECT SUMMARY:

1. **Project Description:** This project includes applications for a conditional use development plan and a non-use variance to construct a 160-unit, age-restricted, multi-family residential development, (herein referred to as “Avenida Senior Living”) consisting of one four-story apartment-style building with on-site amenities and ancillary site improvements on a PBC (Planned Business Center) zoned property (**see “Conditional Use” attachment**). The subject property is located at 9474 Grand Cordera Parkway and consists of 6.06 acres. The non-use variance request proposes a reduction in parking spaces to 208 proposed parking spaces from the required 252 parking spaces as required per City Code Section 7.4.203(A).
2. **Applicant’s Project Statement:** (**see “Project Statement” attachment**)
3. **Planning and Development Team’s Recommendation:** Staff recommends approval of the applications.

BACKGROUND:

1. Site Address: The address associated with this project is 9474 Grand Cordera Parkway.
2. Existing Zoning/Land Use: The property is zoned PBC (Planned Business Center) and is vacant.
3. Surrounding Zoning/Land Use: North: PBC (Planned Business Center) and is vacant.
South: PBC (Planned Business Center) and is commercially developed.
East: PUD (Planned Unit Development) and is residentially developed.
West: PBC (Planned Business Center) and is vacant.
4. PlanCOS Vision: According to the PlanCOS Vision Map (**see “Plan COS Vision Map” attachment**), the project site is identified as Newer Developing Neighborhood.
5. Annexation: The property was annexed under the Briargate Addition #5 Annexation (September 28, 1982; Ordinance #82-138) and Briargate Addition #13 (December 24, 1985; Ordinance #85-276).
6. Master Plan/Designated Master Plan Land Use: This property is a part of the Briargate Master Plan (Briargate Crossing Neighborhood). The Master Planned Land Use designation is commercial which would allow for the establishment of a multi-family use. In addition this master plan is deemed Implemented per City Council approval
7. Subdivision: The property was platted as Lot 1 of Briargate Crossing East Filing Number 3A.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The property is currently vacant with moderate slopes across the site from northeast-southwest.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included mailing of postcards to 207 property owners, on two occasions: during the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. Three public comments were received by staff (**see “Public Comment” attachment**). Interested residents cited concerns about traffic and obstructed views.

Staff input is outlined in the following sections of this report. Staff sent copies of the plan set and supporting documentation to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City SWENT, City Fire, and City Police. All comments received from the review agencies have been addressed or are detailed below for final technical modifications with pending approval.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:
 - a. Conditional Use Development Plan

The proposed Avenida Senior Living Conditional Use Development Plan (**see “Conditional Use” attachment**) consists of an infill development proposal for a 160-unit, four-story multi-family residential development. Per the Project Statement (**see “Project Statement” attachment**), this development will be developed as a 55+ age-restricted multi-family residential development. The development will offer a multitude of interior and exterior amenities (including a boutique hotel style lobby entry, on-site management offices, gathering great room, bistro, fitness and yoga studios, private dining room, creative arts studio, game rooms, flexible meeting space, library area, outdoor grilling,

swimming pool, walking paths, lounge areas, and gardens) and ancillary on-site improvements. There is one primary access point off Grand Cordera Parkway. A preliminary landscape plan was submitted illustrating a variety of trees and shrubs consistent with planting and landscape requirements; a final landscape and irrigation plan will be required within 90 days of building permit issuance. The preliminary landscape plan illustrates sidewalks along Grand Cordera Parkway and Happy Meadows Trail, as well as walking paths throughout the site connecting building entrances to exterior amenities.

The applicant's proposal is a good fit for the surrounding area as infill development. Residents of the project will have convenient access to medical services, retail, and public parks and open space. Residents in the area do not have convenient access to alternate modes of transportation (i.e. Mountain Metro bus service or bike lanes) but there is close connection to the trail along Briargate Parkway.

City Planning staff finds the application to be consistent with the purpose of the Conditional Uses and Development Plan criteria.

b. Non-Use Variance

The nonuse variance application requests relief to allow for a reduction in the required parking spaces to allow 208 proposed parking spaces from the required 252 parking spaces (1.5 spaces per one-bedroom unit; 1.7 spaces per two-bedroom unit) as required per City Code Section 7.4.203(A) (**see "Conditional Use" attachment**). City Code creates an allowance for a special parking calculation of 0.6 spaces per unit for "elderly" multi-family developments. The code defines elderly as "60 years or older." The Fair Housing Act (FHA) makes it unlawful to discriminate based on race, color, national origin, religion, sex, disability, and familial status. Lawful exemptions to the FHA include age restrictions at 55 years and older. Staff finds that the request is in conformance with the intent of the provided elderly parking calculation and the proposed request meets the criteria for granting a non-use variance.

City Planning staff finds the request meets the three review criteria, per City Code Section 7.5.802(B), for a non-use variance to be granted:

- Extraordinary or exceptional physical conditions – The property location is uniquely surrounded by Powers Boulevard, Briargate Parkway, and Grand Cordera Parkway with abundant access to medical services, retail, and parks and open space. Coupled with a multitude of on-site amenities, granting the nonuse variance for a reduction in required parking spaces provides a unique opportunity for residents to live an active lifestyle.
- No reasonable use of the site – The proposed number of parking spaces is more than double the minimum amount required for "elderly" multi-family units. The granting of this nonuse variance will allow for a more efficient use of the site by allowing for more space to be dedicated towards more units and attractive amenities.
- No adverse impact upon surrounding properties – The proposed number of parking spaces is more than double the minimum amount required for "elderly" multi-family units. It does not appear that the granting of this variance will have any adverse impacts to the surrounding properties.

City Planning staff finds the application to be consistent with the purpose of granting a non-use variance, as set forth by City Code Section 7.5.801 *Variances Purpose*.

2. Conformance with the City Comprehensive Plan:

City Planning staff has evaluated the proposed project for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to the PlanCOS Vision Map, the project site is identified as a Newer Developing Neighborhood (**see "PlanCOS Vision Map" attachment**). The project aligns with PlanCOS Chapter 2 Strategy VN-2.A-3, which states:

"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."

The proposed project increases both the housing types provided in the neighborhood and the range of demographic sectors served as a age-restricted residential development. The project also aligns with PlanCOS Chapter 2 Policy VN-3.E, which states:

"Encourage and support the integration of mixed-use development in neighborhoods."

Though the specific development itself is not mixed-use, its close proximity to medical services, retail, and parks and open space help to create a mixed-use neighborhood that may encourage alternative modes of transportation such as walking and biking.

3. Conformance with the Area's Master Plan:

The proposed Avenida Senior Living facility is located within the Briargate Master Plan. The Master Planned Land Use designation is commercial and would allow for the multi-family use. In addition the Briargate Master Plan is considered an implemented master plan as approved by City Council; however, the further information reviews this use in compliance with the Briargate Master Plan as existed.

The area surrounding the project is characterized by medical and dental offices to the south and vacant land to the north and west. Across Grand Cordera Parkway to the east, is single-family residential development. The applicant's request for an age-restricted multi-family development is complementary and supportive of the current land use patterns for the area. Through staff's review of the conditional use development plan application and consideration of the review criteria for establishing a development plan, as set forth in 7.5.502(E), the overall impacts of the project were analyzed. City Planning staff finds the Avenida Senior Living project to be complementary and supportive of the vision for the Briargate Master Plan.

STAFF RECOMMENDATION:

CPC CU 21-00158 – Conditional Use Development Plan

Approve the conditional use development plan for Avenida Senior Living, based upon the findings that the request complies with the findings for authorizing a conditional use, as set forth in City Code Section 7.5.704, and the review criteria for establishing a development plan, as set forth in City Code Section 7.5.502(E) with the following technical modifications:

1. Establish updated addressing per Enumerations.
2. Call out the tree lawn as 8 feet wide instead of 10 feet wide per Engineering Development Review.
3. Adhere to any comments made by Parks Department.

CPC NV 21-00159 – Nonuse Variance

Approve the nonuse variance request from City Code Section 7.4.203(A) allowing a reduction in parking spaces to allow 208 proposed parking spaces from the required 252 parking spaces, based upon the findings that the request complies with the non-use variance review criteria in City Code Section 7.5.802(B).