

2424 GARDEN OF THE GODS PUD ZONE CHANGE AND PUD CONCEPT PLAN – SUBMITTED 11.15.22

RESPONSE TO PUBLIC COMMENT

30 public comment letters were received in response to the submittal on 11.25.22.

A neighborhood meeting was held on 12.6.22. 136 residents attended the meeting.

The majority of comments submitted in writing are consistent with those voiced at the neighborhood meeting.

The below table summarizes the responses to neighbor comments received in writing, in order of frequency.

Additional concerns expressed at the neighborhood meeting are included at the end.

Comment	Response
<p>Wildfire evacuation concerns – nothing has changed since City Council denied previous submittal</p>	<p>Since the previous submittal was denied, the City has implemented an ordinance to introduce new emergency evacuation protocols within Chapter 8: Public Safety of the City Code. The new measures include the creation of evacuation zones, a public information campaign related to the evacuation zones and evacuation planning, and the acquisition and maintenance of evacuation software to assist with real-time emergency management and evacuation preparedness. City Council did not introduce criteria in the zoning code to require an evaluation of evacuation planning specific to new development projects.</p> <p>In addition, the extension of Centennial Boulevard to I-25 at Fontanero has been completed, which provides greater capacity and an additional emergency egress option from this northwestern portion of the City. In addition, the City’s improvements to 30th Street are well underway and when complete will provide more capacity for emergency egress to the west.</p>
<p>Traffic:</p> <ul style="list-style-type: none"> • Impact of/choke point for tourist traffic • Infrastructure capacity 	<p>Tourist traffic is included in the latest traffic study and concludes all study roadways and intersections operate within the City’s limits. No choke points are identified as 30th Street is expected to be widened to 4 lanes upon area development buildout.</p> <ul style="list-style-type: none"> • 30th Street <ul style="list-style-type: none"> ○ Existing – 15,400 vpd ○ Long-term buildout – 23,165 vpd ○ Capacity - 25,000 vpd

<ul style="list-style-type: none"> • Traffic study considered slowest intersections, slowest times and off-peak • Should include other intersections that would be used during an evacuation • Should include all new development in the wider area • Original Study done during pandemic therefore counts artificially low/didn't include special events at Flying W Ranch • TIS did not include proposed rodeo at Flying W Ranch 	<ul style="list-style-type: none"> • Flying W Ranch Road <ul style="list-style-type: none"> ○ Existing – 5,135 vpd ○ Long-term buildout – 7,960 vpd ○ Capacity - 25,000 vpd • Garden of the Gods Road <ul style="list-style-type: none"> ○ Existing – 11,525 vpd ○ Long-term buildout – 18,100 vpd ○ Capacity - 60,000 vpd <p>The traffic study includes all major intersections within the area as required per City Criteria during the busiest hours of a typical weekday (AM peak and PM peak) and Saturday.</p> <p>Evacuation issues are the responsibility of the City and are not required to be evaluated with private development applications as there are no adopted criteria for such an evaluation.</p> <p>Future developments in the greater area already included. Any additional future developments not directly added to traffic volumes are expected to be included within conservative growth rate applied.</p> <p>New post-pandemic counts were taken in October 2022 and the traffic study was updated accordingly.</p> <p>Since no submittal to the City, it is unknown what would be added, if anything.</p>
<p>Wildlife/Bighorn Sheep impact/need for environmental study</p>	<p>The impact to Bighorn Sheep habitat was addressed by Colorado Parks & Wildlife (CPW) at the time of the previous submittal. CPW's professional opinion was that the proposed development would have little to no impact on the Rampart Range Bighorn Sheep herd.</p> <p>Development is proposed only on areas of the property that have already been disturbed, including the existing main parking lot on the south side of the building and the former overflow parking lot on the west side of the property.</p> <p>The 55 acres of open space that will be preserved with this proposal will provide a buffer between the development and the bighorn sheep habitat to the west.</p>
<p>Aesthetics/visual impact at gateway to Garden of the Gods/Block views of the hillside/Will the grade of the site be raised?</p>	<p>The PUD Zoning and Concept Plan proposes a maximum height of 45 feet which is consistent with the existing zoning. All buildings will be setback 50-feet from the property boundary. Any residential use on the site will be limited to 3-story, with a 150' zone from the property boundary limited to only 2-story</p>

	<p>buildings. This 150' 2-story zone was added as a concession to address neighbors' concerns over visual impacts and is not required per the Code.</p> <p>Visual analysis presented with the previous submittal demonstrated that the proposed residential development would not block the hillside views.</p> <p>Detailed consideration of all Hillside Overlay criteria will be provide with the development plan. This includes measuring building height from existing grades.</p>
<p>Increase in crime/noise/pollution – drug dealers, gangs, sex traffickers control apartments</p>	<p>Published reports indicate that multifamily developments (subsidized or market-rate) do not have a negative effect on property values and or increase crime in the neighborhoods in which they are located.</p> <p>Developer already has security at the building providing daytime patrols and typically provides a rent concession to a local police officer who acts as a courtesy officer for the property and would help prevent issues from arising.</p> <p>The proposed multifamily development is likely to attract young professionals and empty nesters.</p> <p>Lease agreements include background checks and controls on tenant activities.</p>
<p>Apartments are not needed or wanted/need single-family homes for ownership/"fake" housing crisis/City should do its own study</p>	<p>There is a need for additional housing across the entire spectrum to provide additional choice and price points to meet all demographic sectors in all parts of the City. The increase in interest rates has reduced demand for home purchases, which has put increased demand on rental accommodations. The City has prepared its own housing study (HomeCOS) which concludes that the City is facing a housing crisis.</p>
<p>Water and sewer capacity</p>	<p>All utilities are currently serving the property. CSU has raised no concern regarding the ability to serve the proposed development with water and sewer.</p>
<p>Quality of development – contributions to parks, roads, other services</p>	<p>The developer will be required to pay fees in lieu of parks land dedication and will be required to install public improvements in the form of new sidewalks along 30th Street. Commencing in January 2023, the developer will be required to pay a Citywide Development Impact fee which will support additional police and fire resources.</p>
<p>Impact on property values</p>	<p>There is no evidence to support the suggestion that building apartments on this property will impact the property values of adjacent single-family residents.</p>
<p>Too many apartments being built in the area</p>	<p>There is a need for additional housing across the entire spectrum to provide additional choice and price points to meet all demographic sectors in all parts of the City. The increase in interest rates has reduced demand for home purchases, which has put increased demand on rental accommodations.</p>

<p>Loitering in the north part of the property – how will this be managed moving forward.</p>	<p>Developer already has security at the building providing daytime patrols to prevent loitering. Future residents will be provided with on-site amenity areas and will have no reason to congregate on the north side of the property. If development of the apartments was to move forward, the developer typically provides a rent concession to a local police officer who acts as a courtesy officer for the property and would help prevent loitering and other issues from arising.</p>
<p>Safety risks to bicyclists and pedestrians due to additional traffic</p>	<p>This development will be required to extend sidewalk along 30th Street. The intersection of 30th Street and Garden of the Gods Road is signalized, which allows for safe crossing for pedestrians. The Palmer-Mesa trail along 30th Street and Flying W Ranch Road, and the Sinton Trail along Garden of the Gods Road, are City Tier 1 trails that provide off-road facilities for pedestrians and cyclists for commuting and recreation.</p>
<p>PUD Zoning – how can we be sure the developer will not move uses elsewhere on site.</p>	<p>The PUD Concept Plan accompanies the PUD zoning and is binding on the owner. If a change in use location were proposed, it would require an amendment to the PUD Concept Plan.</p>
<p>Don't need high rise buildings</p>	<p>No high-rise buildings are proposed. The PUD Zoning and Concept Plan proposes a maximum height of 45 feet which is consistent with the existing zoning. All buildings will be setback 50-feet from the property boundary. Any residential use on the site will be limited to 3-story, with a 150' zone from the property boundary limited to only 2-story buildings. This 150' 2-story zone was added as a concession to address neighbors' concerns over visual impacts and is not required per the Code.</p>
<p>Noise impact from traffic</p>	<p>The noise from additional traffic from any future development in the context of the existing traffic on the adjacent roadways will be negligible.</p>
<p>Why can't developer find an older complex and remodel</p>	<p>Developer is focused on the adaptive reuse of the already constructed but underutilized parking lots on the property it currently owns and is not looking to acquire any additional property.</p>
<p>Why can't developer market existing building</p>	<p>Developer has been actively marketing the property through Millennium Commercial Real Estate; please refer to their website - <u>Properties (millenniumcre.com)</u></p>
<p>There are better uses for the site:</p> <ul style="list-style-type: none"> • Support tourism with parking/shuttle service for Garden of the Gods events. • The site could be used for retail/restaurants/ recreation center 	<ul style="list-style-type: none"> • Developer would consider overflow parking/ shuttle service for Garden of the Gods events, when those events do not coincide with normal operating hours of the existing office building or would not conflict with standard operations. • The proposed rezone would facilitate this as retail/restaurants/recreation center/office are all permitted uses under the proposed PUD zone.

<ul style="list-style-type: none"> • City could relocate its offices there 	<p>Retail/restaurants are not permitted under the current PIP1 zoning.</p>
<p>What is the benefit to the neighborhood</p>	<p>Providing a benefit to the neighborhood is not a zoning or concept plan criteria.</p> <p>Additional and diversified development on the site will improve the prospects for successful marketing of the existing building, which will benefit the area.</p> <p>The area of the property proposed for development is an underutilized parking area. This proposal is the type of infill development supported but the City.</p> <p>The PUD zoning will allow a wider variety of uses on the site that could be beneficial to the area, such as retail, restaurants, and recreation.</p> <p>The PUD zoning presents a down-zoning of the property from the current PIP1 zone, which can support more intense uses, both from an operational and traffic perspective.</p> <p>The addition of multifamily residential uses will provide additional housing choices and price points to meet all demographic sectors in this part of the City.</p> <p>The proposed mix of uses within the PUD rezone is supportive of PlanCOS policies to support mixed-use developments and encourage revitalization and infill of underutilized urban places.</p> <p>The proposed multifamily uses will support PlanCOS goals of providing attainable housing close to employment hubs and transit and providing increased density in activity centers and urban corridors. The proposed preservation of 55-acres of open space will support PlanCOS policies that seek to preserve open space, protect viewsheds, and connect to natural areas.</p>
<p>ADDITIONAL COMMENTS FROM NEIGHBORHOOD MEETING</p>	
<p>The local schools do not have sufficient capacity</p>	<p>District 11 has not raised concern about the capacity of local schools to accommodate children from the proposed development.</p>
<p>How is RetoolCOS going to affect this zoning?</p>	<p>As this is a PUD zoning it is site/project specific and the zoning will not be affected by the changes to the Zoning Code proposed by Retool COS. RetoolCOS will not change the Hillside Overlay requirements</p>
<p>There is not enough parkland. No new parks are proposed.</p>	<p>City Parks Department reviews the submittal and has requested fees in lieu of land dedication in view of proximity to Chipeta Park. Amenities such as clubhouse and pool will be provided for the future residents on site. The PUD proposes to preserve 55 acres of open space and City has expressed interest in using TOPS funding to purchase this area if the rezoning is approved.</p>
<p>Will parking be adequate for the existing building and future development if parking areas are developed.</p>	<p>The site has over 1000 more parking spaces than required by Code for the existing uses. Any redevelopment will have to ensure that adequate parking is retained for the existing building as well as meeting Code requirements for proposed uses.</p>

<p>What is the total building capacity and what if the building is full in regard to traffic and parking</p>	<p>The building is currently at 37.72% of its capacity. The TIS assumes 100% occupancy of the existing office building. Parking assessments have to ensure that adequate parking is retained for the existing building assuming full occupancy.</p>
<p>How can the design review be enforced to make sure the buildings blend into the natural setting?</p>	<p>City has no jurisdiction over building design, but the Developer will ensure that building architecture is in keeping with the character of the area.</p>
<p>Population growth doesn't support additional multifamily housing.</p>	<p>The population in Colorado Springs continues to grow. There is a significant under supply of residential units within Colorado Springs to meet the needs of existing residents, irrespective of future growth.</p>