

**Legend at Focus on the Family  
PROJECT STATEMENT  
Conditional Use Development Plan and Concept Plan Minor Amendment  
July 18, 2018**

**OWNER:**

Focus on the Family  
8605 Explorer Drive  
Colorado Springs, CO 80920

**DEVELOPER:**

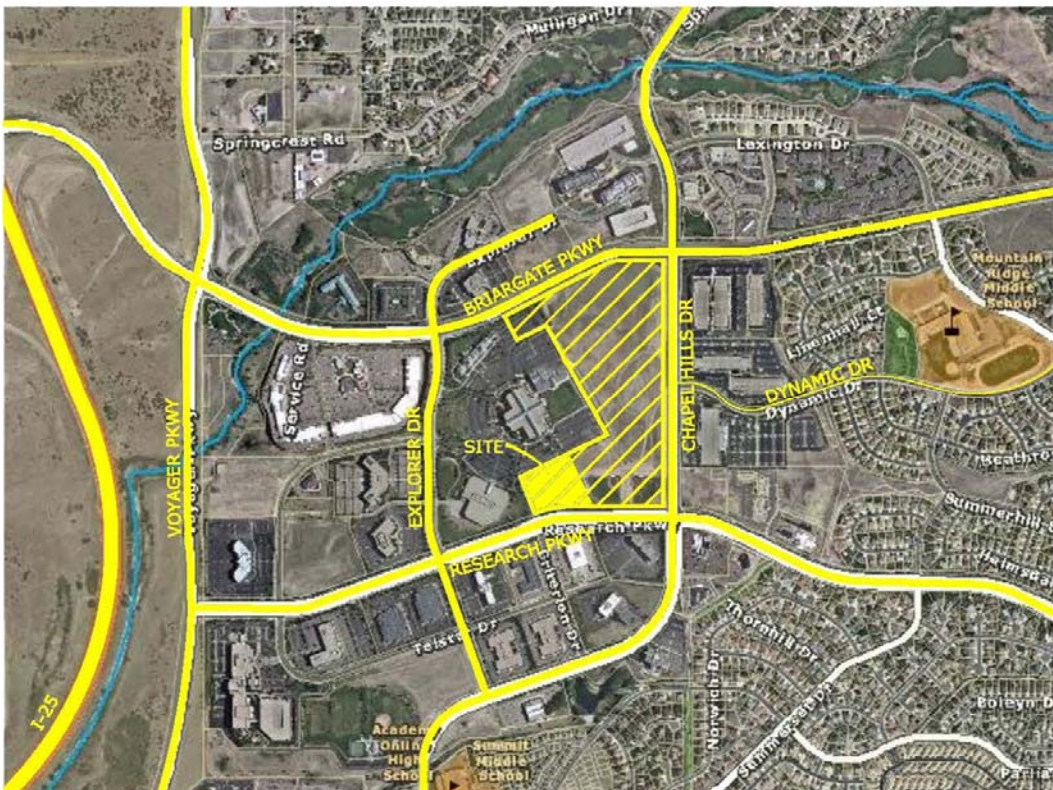
Legend Senior Living, LLC  
8415 East 21<sup>st</sup> Street North, Suite 100  
Wichita, KS 67206

**APPLICANT:**

N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903

**LOCATION**

The Highlands at Briargate development is located south of Briargate Parkway and west of Chapel Hills Drive, on property currently owned by Focus on the Family. The 41.7-acre parcel is a portion of the existing 81.2-acre platted lot, home to the Focus on the Family campus. The 41.7-acre parcel was rezoned to PBC to allow for commercial development in March 2015 (Ord. 15-16) and was accompanied with an approved Concept Plan (CPC CP 14-00114). The Legend at Focus on the Family project is located to the north of Research Parkway and east of the existing right- in right-out access drive.



## **REQUEST**

Legend at Focus on the Family is a proposed assisted living facility located in the Briargate Business Campus area of Colorado Springs. This application requests approval of the following:

1. A Conditional Use Development Plan for an assisted living facility on Lot 5 of Highlands at Briargate Filing No. 1 encompassing 4.52 acres of the PBC zoned property.
2. A Concept Plan Minor Amendment to update the proposed use associated with this development as well as the project phasing. The currently approved Concept Plan is under file number CPC CP 14-00114-A1MN17.

## **SITE DESCRIPTION**

The site is currently an unused asphalt parking lot that is part of the Focus on the Family campus. As part of Highlands at Briargate Filing No. 1, this site was platted as a new lot for redevelopment. There is an existing landscape island on the north edge of the site that contains mature trees. There is a landscape berm adjacent to Research Parkway that also contains mature trees and a meandering concrete sidewalk. A portion of this landscape area along Research Parkway is within a 20' landscape and private trail easement maintained by Briargate Business Campus Owners Association.

## **PROJECT DESCRIPTION**

### **DEVELOPMENT PLAN**

The Development Plan proposes an assisted living facility located on Lot 5 of Highlands at Briargate Filing No. 1, comprising 4.52 total acres. The site is located to the north of Research Parkway, between Explorer and Chapel Hills Drive, and to the east of the existing right-in right-out access drive. The assisted living facility will be 2-story and will include 44,729 square feet on the first floor and 38,183 square feet on the second floor for a total of 82,912 square feet. There is a total of 91 proposed units, including 73 assisted living care and 18 memory care units. Some of the units may be double occupancy, for a maximum total of 110 beds. The proposed building includes a central courtyard as well as a memory care courtyard and walking path.

The proposed use is defined in the City Code under section 7.2.302 as a Human Service Facility: A Colorado State licensed establishment composed of nine or more persons, not including domestic, supervisory or medical staff, providing twenty-four-hour lodging, care and treatment on either a permanent or temporary basis. Human service facilities may provide for persons who are physically or developmentally disabled, mentally ill, elderly, youth or individuals in assisted living, short term convalescence, rehabilitative or long-term care.

The proposed building follows the PBC zone district setback requirements and maximum building height. The proposed building is located to take advantage of the views to the mountains and the front entrance is located facing west.

The parking requirement of 1 space per 8 beds for this type of use is met. For 110 total beds, 14 parking spaces are required and 67 are provided. Legend Senior Living intends to provide more parking to accommodate both staff and visitors. During holidays, the facility needs more parking than is required by Code to ensure visitors have a safe and convenient place to park.

Focus on the Family has agreed to allow the use of the 33 parking stalls located to the north of Lot 5 for staff of the assisted living facility.

There is an existing intersection off of Research Parkway providing access to the site. The intersection is right- in right-out and has a designated right turn lane into the site. There is a future anticipated right-in right-out access point off of Research Parkway, located to the east of Lot 5, which will serve as the extension of Highland Ridge Heights through the Highlands at Briargate development. A future connection may be made from the northeast corner of the assisted living site to Highland Ridge Heights. The Traffic Impact Study was prepared by Felsburg Holt & Ullevig in October 2014 as part of the Highlands at Briargate Concept Plan submittal. The report assesses the impacts of project generated traffic on the adjacent street network and makes recommendations for the types of intersections necessary to handle the increased traffic due to the proposed development. A copy of the report is included in this submittal.

The site plan and grading plan has been designed to minimize impacts to the existing landscape on the north parking lot island and along Research Parkway. Some of the existing trees will be preserved and incorporated into the design. Landscape setback requirements are met along Research Parkway and landscape buffers are provided on the west and north boundaries of the site. The proposed parking lot encroaches into the 15' buffer setback, as measured from the north property line. However, the existing landscape island on the north side of the site is to remain and will provide space for the landscape buffer. The developer has agreed to landscape and maintain this entire island, although a portion of it is not within their lot.

There is a proposed detention pond located at the northwest corner of the site to accommodate the storm water runoff from the proposed development. This is described in more detail in the Drainage Report prepared by Classic Consulting Engineers and Surveyors.

There are two proposed monument signs located on the site. One is located along Research Parkway and the other is located near the entry drive. The proposed sign locations are consistent with the approved Coordinated Sign Plan for the Highlands at Briargate Development, under file number CPC CP 14-00115-A2MN18 (CSP). Exact sign locations and details will be provided in a separate submittal.

#### **DEVELOPMENT DATA**

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Site area (Lot 5 Highlands at Briargate Filing No. 1):	4.52 Acres
Land use:	Human Service Facility (82,912 SF)
Maximum building height:	45 Feet

## **DEVELOPMENT PLAN REVIEW CRITERIA**

### **1. Will the project design be harmonious with the surrounding land uses and neighborhood?**

The project design will be harmonious with the surrounding land uses and neighborhood. The area immediately adjacent to the site is comprised of primarily office and commercial uses, most within the Briargate Business Campus, as is this parcel. There are also several apartment communities and single family residential neighborhoods in the surrounding area.

### **2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?**

The proposed development will not overburden the capacities of existing infrastructure and public facilities.

### **3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?**

The building is set back from Research Parkway well beyond the required 25-foot building setback. The proposed location of the building allows for landscape buffers between the site and the adjacent road and properties. The 2-story building is under the required maximum height of 45 feet.

### **4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development?**

Most of the existing berm and some of the existing trees along Research Parkway will remain to buffer the site from the adjacent road. Landscape buffers will be provided on the west and north property boundaries. The City's landscape standards as well as the Briargate Business Campus standards for landscaping are met.

### **5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?**

The internal drives and access points have been designed to channel traffic to and from the site conveniently, efficiently and safely.

### **6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?**

The building and parking areas are safely and conveniently accessible via the main access point off of Research Parkway and are connected through internal drives.

### **7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?**

Internal drives are designed to discourage their use by through traffic.

**8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?**

Parking is provided to meet the City's minimum parking requirements and additional spaces are provided for facility staff and visitors. The parking lots are located to provide safe and convenient access to the building.

**9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles to the handicapped be accommodated in the project design?**

Accessible ramps and appropriately sized sidewalks are provided to ensure adequate movement around the property for handicapped persons. For the total parking provision of 67 spaces, the City's parking standards are met through the provision of 4 handicapped accessible spaces. An accessible route is provided from the public right-of-way to the front door of the facility.

**10. Will the design of streets, drives and parking areas within the project result in a minimum area devoted to asphalt?**

There are 67 spaces proposed for the assisted living facility, which exceeds the City's minimum requirements. The extra spaces are proposed to ensure adequate parking for staff and visitors. The design of the parking lot minimizes area devoted to asphalt.

**11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?**

The pedestrian walkways are functionally separated from vehicular traffic and internal driveways by parking or by landscaped areas.

**12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design?**

There are no significant natural features on this property. Many of the existing mature trees along Research Parkway will be preserved and are incorporated into the project design.

**CONDITIONAL USE REVIEW CRITERIA**

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.** The value and qualities of the surrounding neighborhood will not be injured.
- B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.** The proposed use is consistent with the intent of the Zoning Code.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.** The proposed use is consistent with the intent of the Comprehensive Plan of the City.

**CONCEPT PLAN MINOR AMENDMENT**

This application includes a Concept Plan Minor Amendment to update the proposed use from a hotel to an assisted living facility and to update the proposed phasing of the development. The currently approved Concept Plan is under file number CPC CP 14-00114-A1MN17.