

2424 Garden of the Gods Project

PUDZ-22-0005 and PUDC-22-0003

February 28, 2023

Daniel Sexton, AICP
Planning Supervisor



Applications



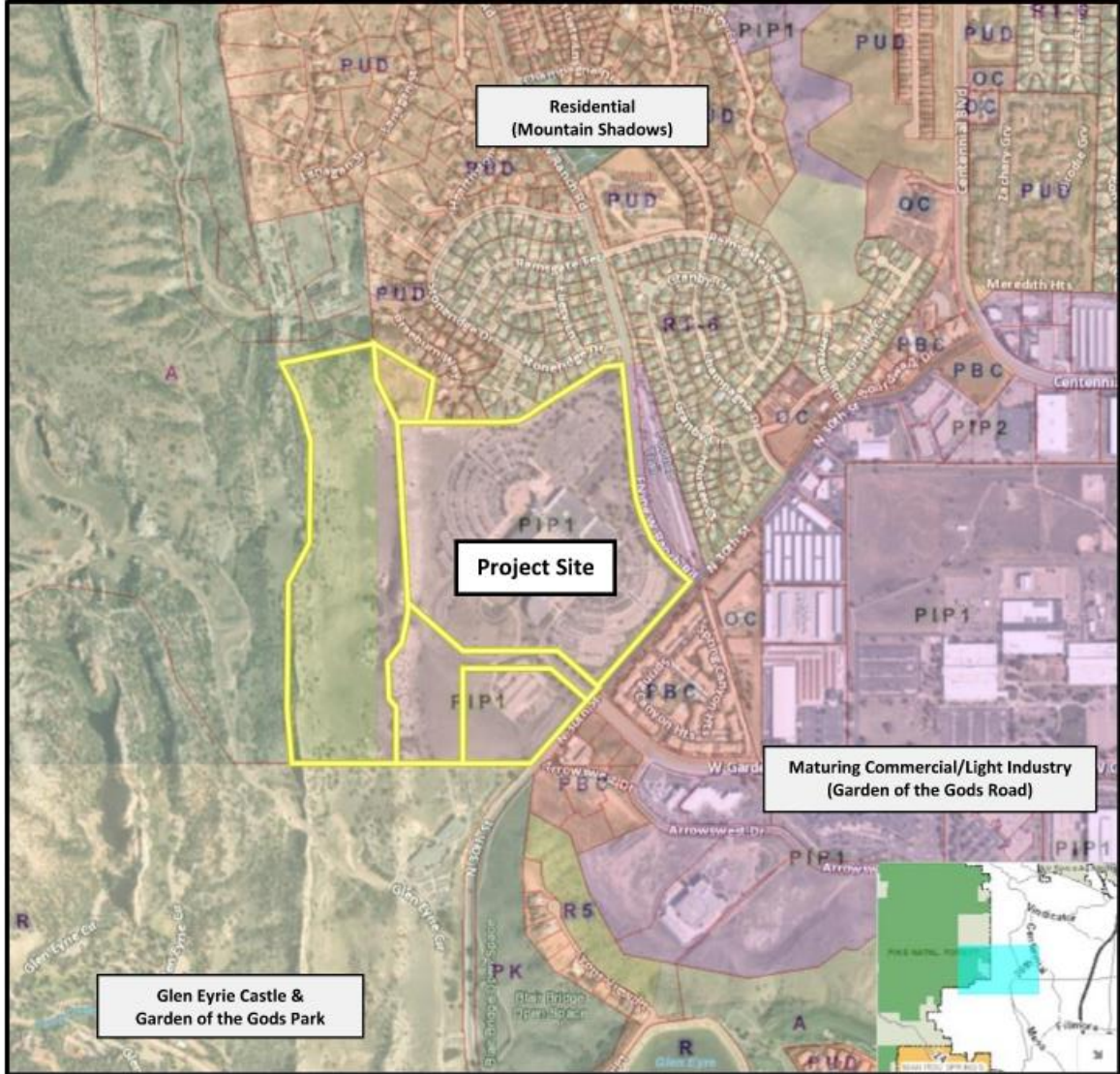
PUDZ-22-0005

PUD Zone Change for 125.34 acres of land from PIP1/A/PUD/HS (Planned Industrial Park, Agriculture, Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: Civic, Commercial, Office, Open Space and Residential uses; Maximum Building Height 45-feet; 9–14.5 du/ac residential and 950,000 maximum non-residential square footage; with Hillside Overlay). (Quasi-Judicial)

PUDC-22-0003

A PUD Concept Plan for the 2424 Garden of the Gods project illustrating mixed-use development with redevelopment with commercial, civic, office, open space, and residential uses. (Quasi-Judicial)

Context Map



General Information



Site Details:

- 125.34 acres of land, located west of the North 30th Street and Garden of the Gods int.
- Zoned PIP1/A/PUD/HS (Planned Industrial Park, Agriculture, Planned Unit Development with Hillside Overlay)
- The project site is part of the Mountain Shadows Master Plan and is identified for a mix of commercial, office, open space and residential uses
- The project site has significant slopes along the western edge of the property; the developed areas of the site are relatively flat.

Public Notification and Involvement:

- Public notice was mailed to 254 property owners and surrounding HOAs, on two occasions: a combined notice for the initial review and a neighborhood meeting, and prior to this City Planning Commission hearing
- The site was also posted on the two occasions above
- A neighborhood meeting was held on December 6, 2022, which was well attended by 200+ interested residents
- City Planning staff received comments supporting and objecting to the project.

Background



Previous Project Decisions:

- May 2021, City Council approved amended Mountain Shadows Master Plan
- August 2021, City Council denied PUD Zone Change and, thereby, nullified the previously approved PUD Concept Plan

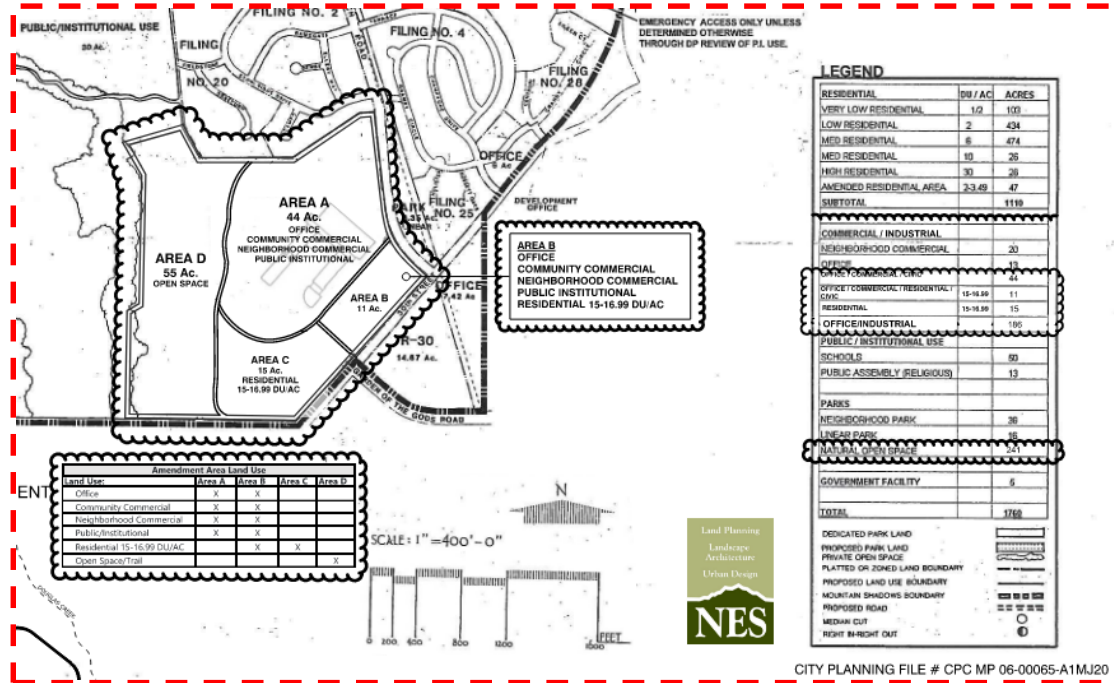
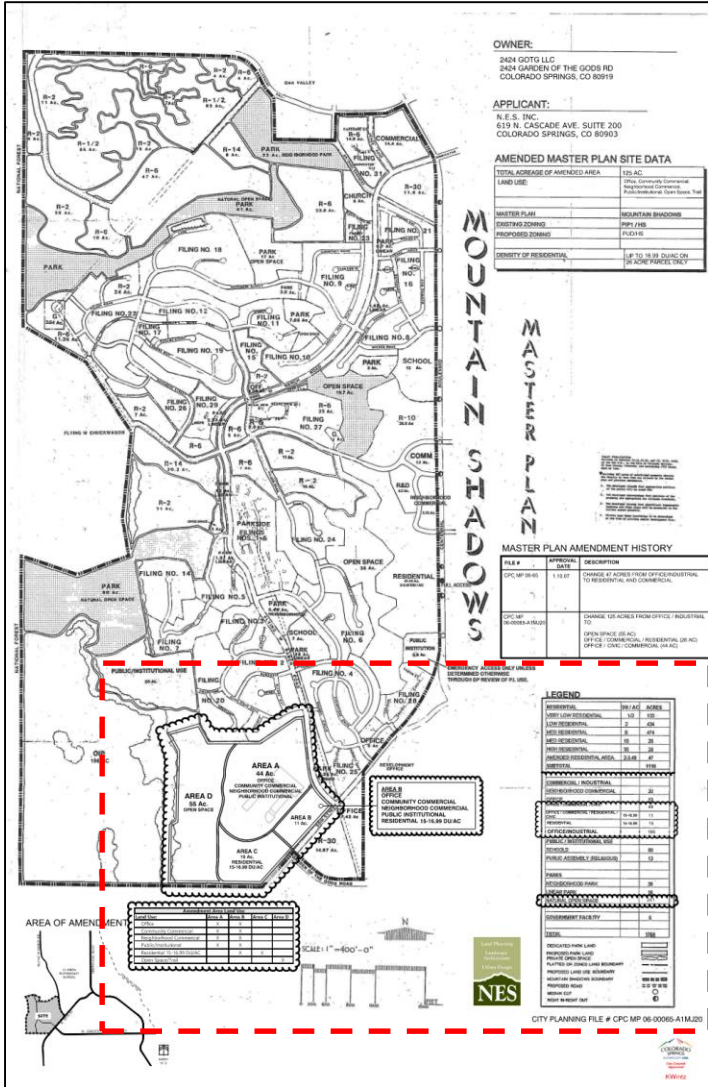
Appeals Action:

- September 2021, an appeal was filed in District Court of City Council's decision under C.R.C.P. 106(a)(4) (*No stay was sought at time of appeal filing.*)
- May 2022, District Court denied the appeal
- July 2022, Appeal file an appeal of the District Court decision with the Colorado Court of Appeals (Judicial review of the latest appeal is on-going)

Limitations on Further Applications:

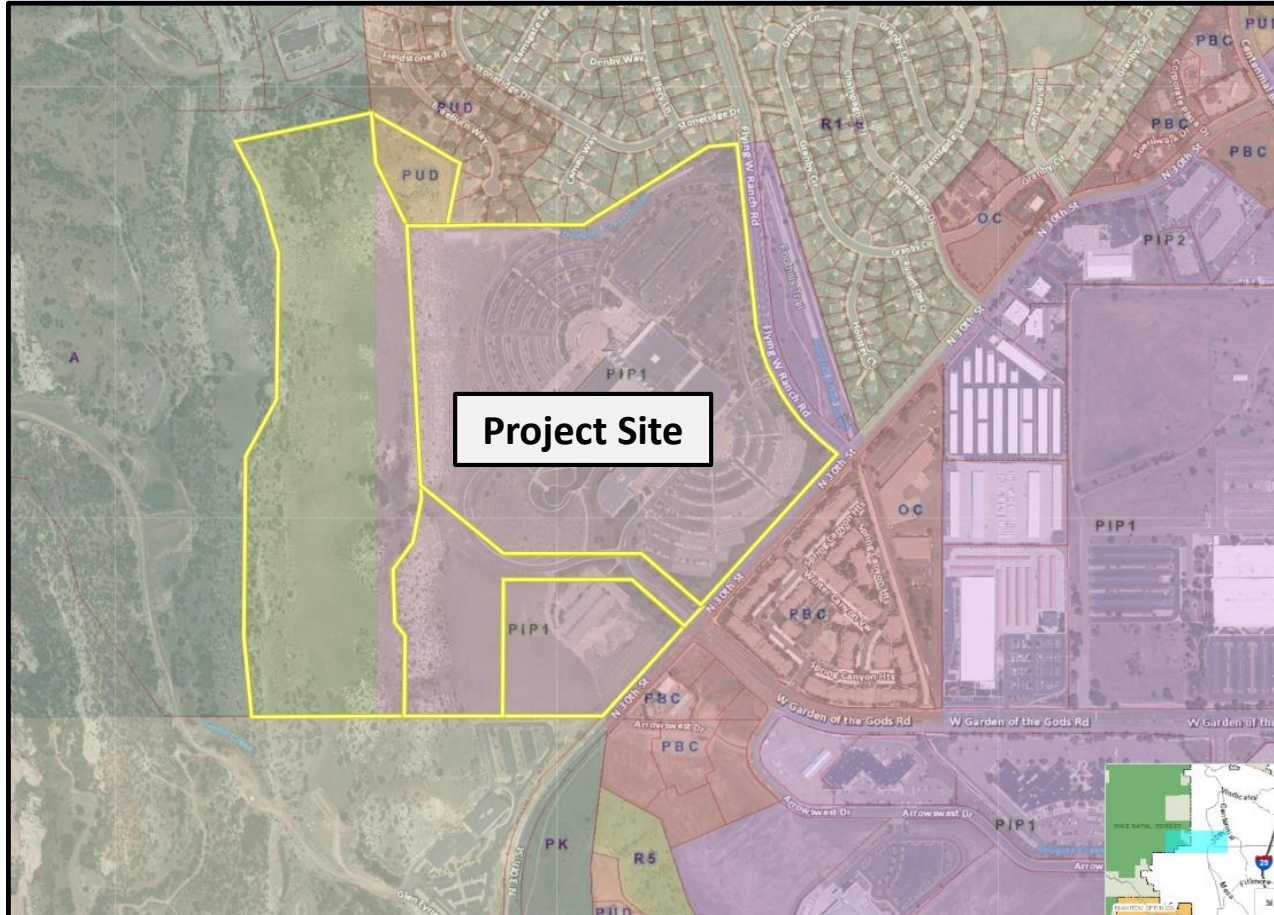
- Per City Code Section 7.5.907 *Limitations on Further Application*, projects that have been previously denied can resubmit after a determination of change or following a period of 12 months from the date of the final disapproval.

Mountain Shadows Master Plan



****City Council approved the amended Mountain Shadows Master Plan in May 2021, which allowed a mix of commercial, office, open space and residential uses**

Current Zoning



PIP1 (Planned Industrial Park): Residential, Office, Commercial, Civic and Industrial uses as uses (ex. Human Service Est., Gen. Office, Data Center, Restaurant, Schools, Religious Inst., Light Industrial, Manufacturing, R&D Warehouse, etc.)

PUD Zone Change

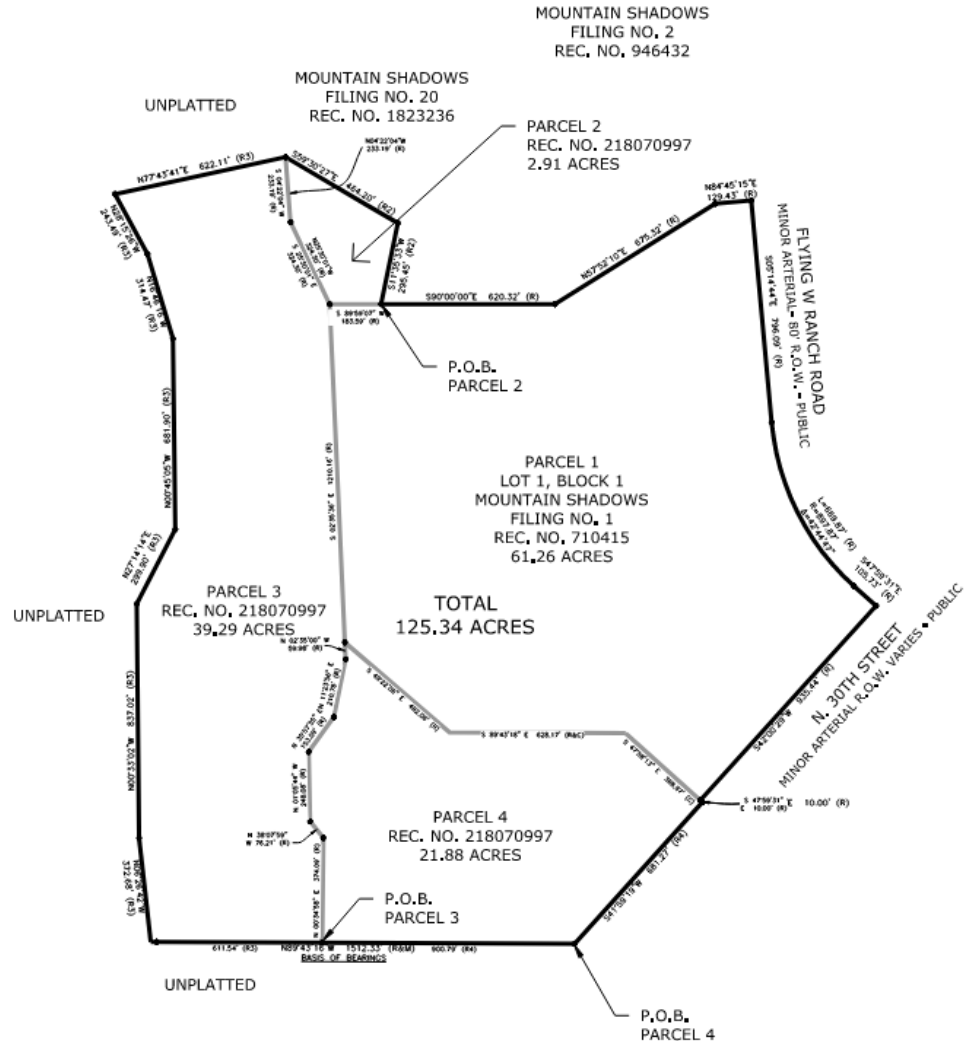


Existing Zone:

PIP1/A/PUD/HS (Planned Industrial Park, Agriculture, Planned Unit Development with Hillside Overlay)

Proposed Zone:

PUD/HS (Planned Unit Development with Hillside Overlay)



Land Use Table



PUD Permitted Uses By Area				
	Area A	Area B	Area C	Area D
Office use types:				
Call center	x	x		
Financial services	x	x		
General offices	x	x		
Medical offices, labs and/or clinics	x	x		
Mixed office/residential use		x		
Civic use types:				
Club (membership, social, and recreational)	x	x		
Cultural services	x	x		
Daycare services	x	x		
Public/private school, college or university	x	x		
Hospital	x	x		
Religious institution	x	x		
Semipublic community recreation	x	x		
Neighborhood/Community Parkland	x	x	x	
Open Space			x	x
Residential use types:				
Multi-family dwelling, apartments			x	
Multi-family dwelling, townhomes		x		
Retirement home		x	x	
Single-family detached or attached dwelling		x	x	
Commercial use types:				
Business office support services	x	x		
Communication services	x	x		
Data Center	x	x		
Funeral services	x	x		
Hotel/motel	x	x		
Mixed commercial-residential		x		
Miniwarehouses	x	x		
Personal consumer services	x	x		
Pharmacy	x	x		
Indoor Entertainment	x	x		
Indoor Sports and Recreation	x	x		
Restaurant (No Drive-in)	x	x		
Retail (Neighborhood Serving/Specialty Food)	x	x		

Dimensional Standards



Code Required Dimensional Standards:

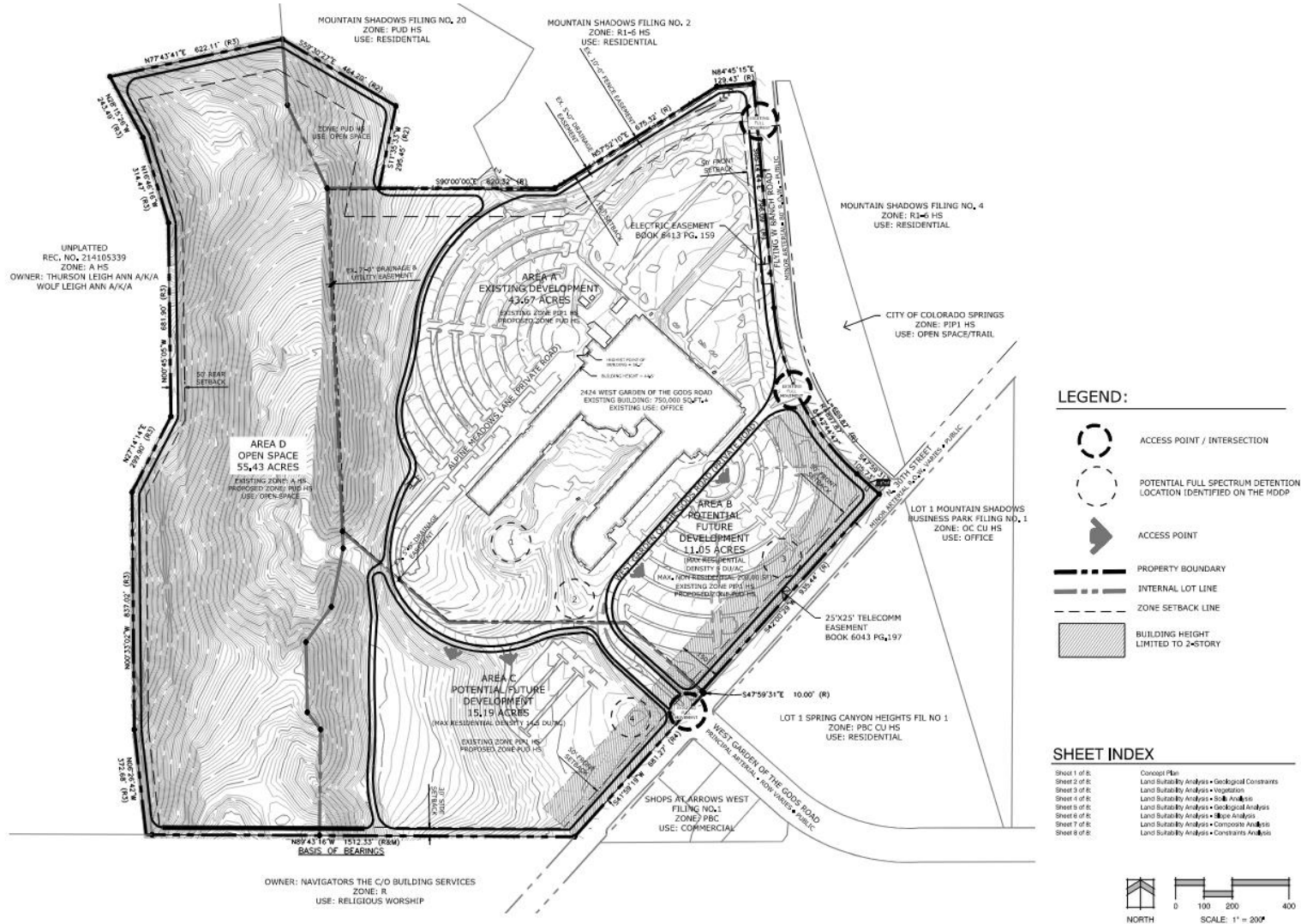
Project Subarea	Max. Building Height	Density/Intensity
Area A	45ft or Three (3) stories, whichever is less or otherwise limited to Two (2) stories	750,000sf (non-residential)
Area B		Max. 9 du/ac and 200,000sf (non-residential)
Area C		Max. 14.5 du/ac
Area D		n/a

Additional Development Restrictions:

Building Setbacks:

- Front: 50 feet
- Rear: 50 feet
- Side: 30 feet (100 feet along the northern boundaries of Areas A and D)

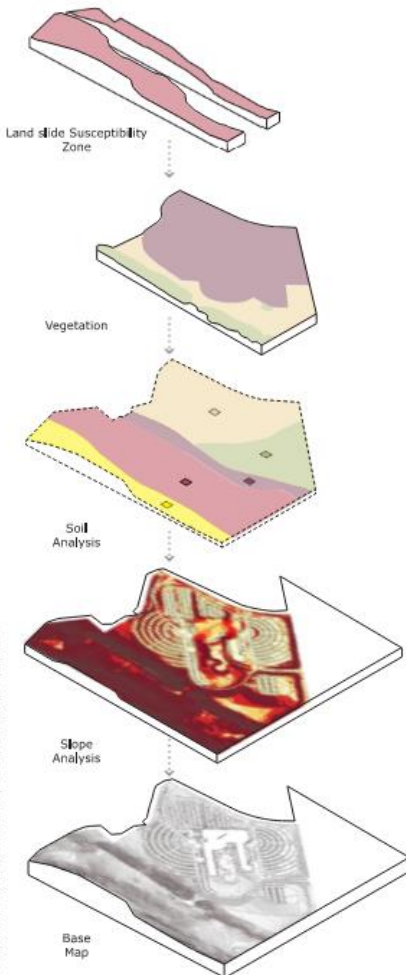
PUD Concept Plan



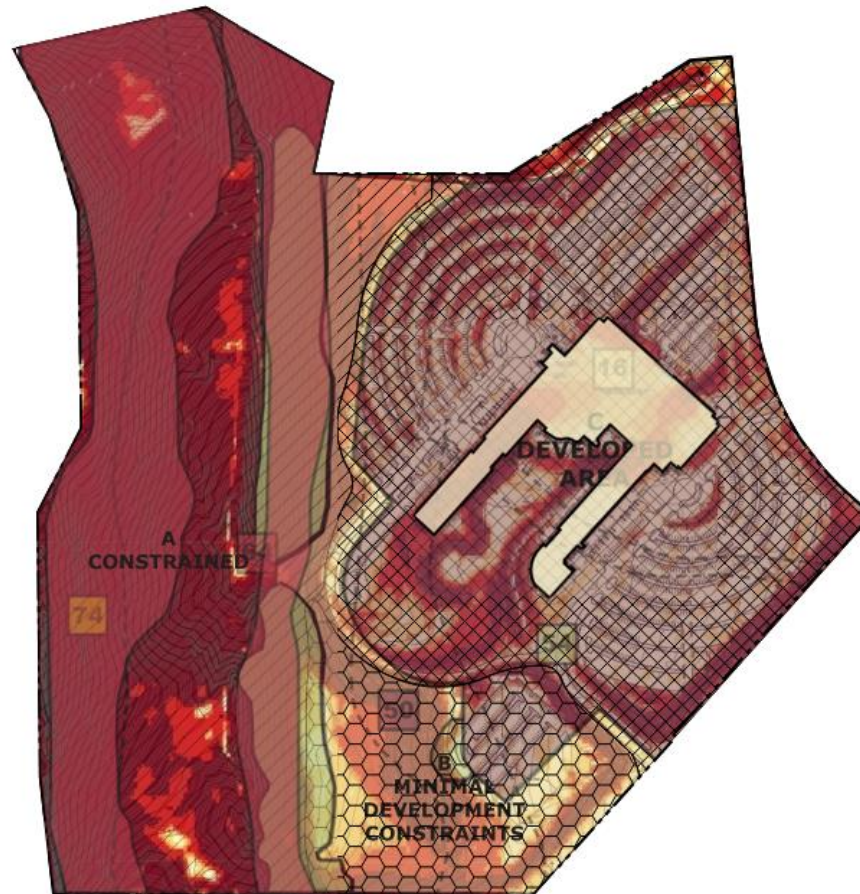
Land Suitability Analysis



KEY



2424 GARDEN OF THE GODS CITY OF COLORADO SPRINGS, COLORADO PUD CONCEPT PLAN



Wildlife Impacts



City Code

- City Code does not contain review criteria to directly evaluate wildlife impacts
- Per City Code, The HS overlay may be used with any zone district in the City when needed to meet certain objectives.
 - City Code Section 7.3.504(3)(g) states, *“To preserve wildlife habitat and wetland areas which provide wildlife migration corridors.”*

Colorado Parks & Wildlife

- No recent coordinate
- December 2020 letter comment:
“It is CPW’s professional opinion that any new development at the proposed project site at 2424 W Garden of the God’s Rd. will have little to no impact on the Rampart Range Bighorn Sheep herd.”



COLORADO
Parks and Wildlife
Department of Natural Resources

Southeast Regional Office
4255 Sinton Rd.
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5223

December 17, 2020

Land Use Review Division
City of Colorado Springs
c/o Katelynn Wintz - Senior Planner
30 S Nevada Avenue, Suite 701
Colorado Springs, CO 80903

Re: Project Proposal for 2424 W Garden of the Gods Rd.

Dear Ms. Wintz,

Colorado Parks and Wildlife (CPW) has analyzed the project proposal for 2424 W Garden of the Gods Rd. which includes a review of a master plan amendment, zoning change and a concept plan for future site development. CPW is familiar with the project site that borders the intersection of W. Garden of the Gods Rd. and N. 30th St. to its southeast and borders Flying W Ranch Rd. to its east. CPW staff has visited the site and offers the following comments for your consideration.

Fences can cause many problems for wildlife, including death, entanglements, and barriers to movements. CPW recommends the developers consult our publication “Fencing with Wildlife in mind.” (cpw.state.co.us. *Hanophy 2009*) when considering the design of fences within the development. The publication is available on our website and we would be happy to provide a link to the PDF specifically. The use of privacy fencing, chain link fencing, and other exclusionary fencing should be at least 6 feet high and should be restricted to the immediate area surrounding the buildings or within the designated building envelope and should not be used as a method to designate boundaries of larger lot sizes (> 1 acre). Fencing outside the immediate building envelope or area surrounding the buildings on larger lots within the known range of elk, deer and pronghorn should be a maximum top height of 42” with at least 12” spacing between the top two wires or rails and a bottom wire or rail at least 16” above the ground to allow passage of juvenile animals and pronghorn antelope. It is also recommended that the top and bottom wires be a twisted barbless construction. Construction of ornamental wrought iron fencing with closely spaced vertical bars (<12”) and sharp projections extending beyond the top horizontal bar should be strongly discouraged in areas where deer, elk, and black bear are known to occur. This type of fencing typically ensnares deer and elk by the hips when trying to squeeze through and impales animals attempting to go over the top.

Black bears are common along the Front Range, and this development will have bears coming into and around the development. CPW recommends several measures to reduce the potential for human bear conflicts. First, we strongly recommend that home owners are advised to



PlanCOS Conformance



The PlanCOS – Vision Map identifies the project site as part of an Established Suburban Neighborhood and at the end of a Mature/Redeveloping Activity Center

Ch. 2 – Vibrant Neighborhoods

- Goal VN-2 that states: *“Strive for a diversity of housing types, styles, and price points distributed throughout our city...that is adaptable to market demands and housing needs.”*

Ch. 3 – Unique Places

- *“We value the preservation of our built environment...But, for our city to be even more competitive, we also need areas to infill and adapt in response to a myriad of trends including demographics, technology, and the market. As a community we should embrace the prospect of managed, thoughtful, and forward-thinking changes in land use by reinvesting in key areas.”*

Ch. 4 – Thriving Economy

- Goal TE-4 that states: *“Focus on productively developing and redeveloping areas already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas.”*

Public Comments



Comments were in *favor* and *opposition*, those objecting cited mainly:

Traffic

- 30th and Garden of the Gods Road - “Chock Point”
- Scope of traffic Impact study
- Roadway capacity

Evacuation

- Lack of emergency evacuation planning

Parks/Schools

- Not enough parkland
- Overburdened schools

Environmental/Wildlife Impacts

- Further development will negatively impact the sheep herd and sensitive landscape

Aesthetics/Property Values

- To much residential development
- Negatively impact a gateway to Garden of the Gods Park

Recommendations



PUDZ-22-0005

Approve an ordinance amending the zoning map of the City of Colorado Springs related to 125.34 acres of land from Planned Industrial Park, Agriculture and Planned Unit Development with Hillside Overlay (PIP1/A/PUD/HS) to Planned Unit Development: Civic, Commercial, Office, Open Space and Residential uses; Maximum Building Height 45-feet; 9–14.5 du/ac residential and 950,000 maximum non-residential square footage; with Hillside Overlay (PUD/HS), based upon the findings that the request meets the review criteria for establishing a PUD zone, as set forth in City Code Section 7.3.603, and the review criteria for a zone change, as set forth in City Code Section 7.5.603.

PUDC-22-0003

Approve the PUD concept plan for the 2424 Garden of the Gods project, based upon the findings the proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) and criteria for PUD concept plans set forth in City Code Section 7.3.605.