



## Legislation Details (With Text)

**File #:** CPC ZC 21-00053    **Version:** 3    **Name:** Garden of the Gods West  
**Type:** Ordinance    **Status:** Mayor's Office  
**File created:** 8/9/2021    **In control:** City Council  
**On agenda:** 10/26/2021    **Final action:** 10/26/2021

**Title:** Ordinance No. 21-86 amending the zoning map of the City of Colorado Springs relating to 2.78 acres located at 1105 West Garden of the Gods Road and 4470 Forrest Hills Road, from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC CP 21-00054

**Presenter:**

Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord\_ZC\_GardenOfTheGodsWest, 2. Exhibit A - Legal Desc, 3. Exhibit B - Zone Change, 4. Vicinity Map, 5. Signed Ordinance 21-86

Date	Ver.	Action By	Action	Result
10/26/2021	2	City Council	finally passed	Pass
10/12/2021	2	City Council	approved on first reading	Pass
8/19/2021	1	City Planning Commission	referred	Pass

Ordinance No. 21-86 amending the zoning map of the City of Colorado Springs relating to 2.78 acres located at 1105 West Garden of the Gods Road and 4470 Forrest Hills Road, from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business).

(Quasi-Judicial)

Related File: CPC CP 21-00054

**Presenter:**

Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Summary:**

Owner: Bibles of the World, Inc. and Western National Bank of Colorado  
Developer: Centerpointe Development Group

Representative: Wallace Engineering

Location: 1105 W Garden of the Gods and 4470 Forrest Hills Road

The project includes applications for a zone change and concept plan for 2.78 acres of land located at 1105 W Garden of the Gods and 4470 Forrest Hills Road. The project is herein referred to as "Garden of the Gods West". The zone change request would change the current zoning from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business). The proposed concept plan illustrates the envisioned redevelopment of the two commercially developed parcels into three commercially developed parcels.

**Background:**

The Applicant has requested a change of zone to rezone the 2.78-acre project site from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business). Per City Code Section 7.3.203 Permitted, Conditional and Accessory Uses, the envisioned commercial development will be developed with land uses permitted or conditionally permitted within the C5 (Intermediate Business) zone. The project outlined on the accompanying concept plan will also comply with all applicable development standards as set for in City Code Section 7.3.204 Office, Commercial, Industrial, and Special Purpose Zone District Development Standards. City Planning staff notes that the previous conditions of record applied to the property at 4470 Forrest Hill Road established more restrictive landscape buffer setbacks along the eastern edge of the zone district, which is adjacent to residential uses, and limited the principally permitted land uses to a handful of commercial uses (Business Parks, Offices, Banks and Financial Institutions, and Sit-Down Restaurants) and required all other land uses to be conditionally permitted. The prohibited Staff find this limitation from 1982 to be overly restrictive and not consistent with modern zoning or land use regulation principals in use today.

The Applicant's proposed concept plan for the Garden of the Gods West project illustrates the envisioned redevelopment of two commercially developed parcels into three commercially development parcels. As an infill redevelopment, the Applicant's proposal is a good fit for the surrounding area. City Planning staff finds this to be true because the entire Garden of the Gods Road corridor contains of mix of commercial and industrial land uses, which, as of late, has seeing significant interest for redevelopment. The envisioned commercial uses will also be supportive of the nearby residential developments, which would benefit from additional commercial opportunities. The Applicant's envisioned development standards are in conformance with the established controls, set forth in City Code Section 7.3.204 Office, Commercial, Industrial, and Special Purpose Zone District Development Standards.

From a site design and layout perspective, the Applicant has set forth a conceptual development configuration that accounts the logical access and site design configuration to support the proposed commercial uses. The final site design and establishment of specific uses will occur with future development plan applications for each of the proposed parcels. The envisioned on and off-site pedestrian and vehicular improvements will afford greater connectivity for customers visiting the development and the surrounding area.

As an infill development, the Applicant's proposal is a good fit for the surrounding area. City Planning staff find this to be true because the envision land use is a good transitional use for the area and the development standards will help to blend the development into the surrounding neighborhood. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing a concept plan, as set forth in City Code Section 7.5.501.

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the concept plan and accompanying final drainage report, prepared by Wallace Engineering. SWENT has accepted the analysis and recommendations set forth in the report. An addendum to the drainage report will be required with future applications and will determine the design and placement of all stormwater improvements and ensure their compliance with the City's Drainage Control Manual.

The project applications have been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site is identified as a Changing Neighborhood and is adjacent to a Mature/Redeveloping Activity Center (Garden of the Gods Road). In the context of these key elements, which capture the essence of the "Big Ideas" and goals set forth throughout PlanCOS, the Garden of the Gods West project reinforces the positive change that can occur when infill is encouraged..

One of the big ideas in Chapter 3, entitled "*Embrace Creative Infill, Adaptation, and Land Use Change*", has Goal UP-2 that states:

*"Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market."*

A policy for this goal further speaks to "*Supporting infill and land use investment throughout the mature and developed areas of the city.*"

The above referenced big ideas reinforce a core value of PlanCOS, which supports adaptive and responsive land use change. On balance with this perspective, City Planning staff has determined that the project's land use, location and site design meet the overall intent of this idea.

For the reasons provided in this overall staff report, City Planning staff finds that this redevelopment proposal and its associated applications to be in substantially conformance with PlanCOS and its guidance.

The project supports the City's Strategic plan goals of building community and collaborative relationships and provides a platform for the building neighborhoods and communities through the infill redevelopment of the properties with new commercial use. The development of new commercial options will further redevelopment and investment within the area and strengthen the Colorado Springs economy through the orderly growth of the corridor.

**Previous Council Action:**

City Council previously took action on this property in the 1980s when the property was zoned.

On October 12, 2021, City Council approved this ordinance on the Consent Calendar.

**Financial Implications:**

N/A

**City Council Appointed Board/Commission/Committee Recommendation:**

At the City Planning Commission meeting held on August 19, 2021, the project applications were considered under the Consent Calendar portion of the agenda. The Planning Commission voted 6-0-3 (Commissioners Hente, Raughton, and Rickett) to approve the project applications.

### **Stakeholder Process:**

The public notification process consisted of providing notice to surrounding homeowners associations and adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 83 property owners on three occasions: during the internal review and prior to the Planning Commission hearing. The site was also posted during the three occasions noted above. City Planning staff did not receive any comments in-favor or opposing the project.

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 including Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), Police, and E-911. All comments received from the review agencies have been addressed. As an infill project within an established neighborhood, City Planning staff notes that the following review agency provided project specific comments:

- City Engineering - Engineering reviewed the project applications and acknowledged the future need for off-site public improvements along Buckingham Drive and Forrest Hill Road. As the site is located west of Interstate 25, the Applicant per City Code was required to submit a geological hazard analysis or waiver. A waiver application was subsequently provided and accepted. This report will be executed for approvals upon approval of the project applications.
- City Traffic - Traffic reviewed and accepted the Traffic Impact Analysis prepared by the Applicant's consultants.

### **Alternatives:**

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration.

### **Proposed Motion:**

CPC ZC 21-00053

Adopt an ordinance amending the zoning map of the City of Colorado Springs relating to 2.78 acres located at 1105 West Garden of the Gods Road and 4470 Forrest Hills Road, from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business) based upon the findings that the change of zone request complies with the criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

An ordinance amending the zoning map of the City of Colorado Springs relating to 2.78 acres located at 1105 W Garden of the Gods Road and 4470 Forrest Hills Road from PIP2/C5/P (Planned Industrial Park and Intermediate Business with Planned Provisional Overlay) to C5 (Intermediate Business).