



## Legislation Text

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**File #:** 16-00063, **Version:** 5

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Ordinance No. 16-30 amending the zoning map of the City of Colorado Springs relating to 25.615 acres located immediately south of Grand Vista Circle. Quasi-Judicial

**Presenter:**

Mike Schultz, Principal Planner, Land Use Review

**Summary:**

Applicant: Kimley-Horn

Owner: Garden of the Gods Club, LLC

Location: South of Grand Vista Circle

CPC ZC 15-00107 - QUASI-JUDICIAL

CPC CP 15-00108 - QUASI-JUDICIAL

The applicant is seeking approval of the following two applications: 1) a change of zone from R-5/HS and R/HS (Multi-Family Residential and Residential Estate with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay); the PUD zone would allow a maximum of 266 independent living units, 40 memory care units, 66 assisted living units and 56 beds for skilled nursing care; a maximum building height of 57-feet; and 2) Approval of the Sentinel Ridge Senior Living Concept Plan identifying the multiple building facility along with possible expansion plans.

The subject property is located south of Grand Vista Circle and Fillmore Road and consists of 25.615 acres.

**Previous Council Action:**

At the City Council hearing on January 26, 2016, upon consideration of an appeal filed by the neighbors, the City Council referred the matter back to the City Planning Commission. Council requested the Planning Commission to consider Chapter 6 of the City Comprehensive Plan and to accept additional public testimony with notices to be sent to a greater notification area of surrounding property owners.

**Background:**

The project site contains a total of 25.615 acres and is located southwest of West Fillmore Road and Grand Vista Circle (immediately south of the Oasis Apartments). The requested zone change and concept plan applications are necessary to allow the proposed independent living and human service establishment use on the subject property along with addressing the proposed 57-foot building height that includes the hillside overlay zone.

The Garden of the Gods Club Master Plan (formerly Hill Properties Master Plan) has contemplated a

high density multi-family residential land use (12 - 24.99 dwelling units per acre) since the master was adopted in 1982.

The attached City Planning Commission staff report provides additional background information. The staff report does not reflect the final terms of agreement between the applicant and neighbors since staff was not intimately involved in those conversations. The general design and height zones (Figure 1\_Height Zone Diagram) were agreed upon the day before the February 18th Planning Commission meeting.

The height zone diagram demonstrates the site was modified to shift the tallest building to the central portion of the site and not the southernmost point as originally depicted on the concept plan. Although the maximum building height of the PUD zone will be noted as the tallest extent, 57 feet, the development plan will need to conform to the agreed upon building heights as depicted in the diagram and to be included within the concept plan.

It should be noted that the initial request for the change of zone was to R-5 (Multi-Family Residential) along with a request for a non-use variance for the building height. After determining the extent of the proposed building height, staff recommended a rezone to PUD (Planned Unit Development) would be the more appropriate to address this request. PUD zoning can be tailored to a specific site and project. It is most often used in circumstances where the land is being developed for a very specific use, unlike in circumstances where the use of the land is desired to be flexible to accommodate a wide range of tenants and businesses.

This item supports the City's strategic goal relating to promoting job creation and; building community and collaborative relationships. The project will provide both housing and health care needs of an aging demographic within the City.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At their December 17, 2015 meeting, the Planning Commission originally voted to recommend approval of the zone change and concept plan on a 5 to 4 vote. Upon referral by the City Council back to the Commission, at their February 18, 2016 meeting, the Commission voted 8-0 to re-recommend approval of both applications. The unanimous vote was likely due to lowering of the maximum building height from 67 feet to 57 feet, and general support by the nearby residents, including the appellants.

**Stakeholder Process:**

Public notice was originally provided to 37 property owners within a modified 1,000 foot buffer from the property on two separate occasions - during the internal review and prior to the Planning Commission meeting. The modified buffer included residents located off of Broadview Place to the south. Posters were also posted along Grand Vista Circle to help provide notice to the residents of the apartment complex to the north.

Staff received several e-mails voicing concern over the proposed building height but no outright objection. Due to the limited number of citizen inquiries, no neighborhood meetings have been held

regarding this proposal.

Upon Council's decision to refer the matter back to City Planning Commission, it was suggested staff should consider a greater notification area. Notices were sent to 136 property owners and/or HOA members located within an approximate 2,000 foot buffer informing them of the City Planning Commission meeting. Surrounding HOA's were also notified; those included:

- Broadview Ranch
- Friendship / Crescent
- Kissing Camels
- La Posada
- Mesa Neighborhood Assoc.
- Mesa Pointe
- The Park at Kissing Camels Estates

Additionally, a neighborhood meeting sponsored by CONO (Council of Neighbors and Organizations) was held on February 9th to discuss this project along with other recent development on the mesa and the perceived impact to residents as well as the intended nature of the mesa. Attached is a synopsis of the community visioning meeting from CONO (Figure 2 - Report on the Community Meeting to identify a community vision of the Mesa area).

The applicant also has met with the appellant and other property owners involved in the appeal to discuss design modifications to address their concerns regarding the bulk and scale of the buildings proposed on the site. At the February 18, 2016 City Planning Commission, the appellant, James Kin, along with two other property owners, spoke in favor of the project based on the revisions that were made and presented to the Commission.

Staff also sent the plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Landscape, Police and E-911.

**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:**

Approve zone change CPC ZC 15-00107 based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries).

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 25.615 acres located immediately south of Grand Vista Circle. The PUD zoning would permit an independent and assisted living care facility with a maximum 266 independent living units, 40 memory care units, 66 assisted living units and 56 beds for skilled nursing care; building height maximum of 57 feet.