

**Quick Facts**

**Applicant**

N.E.S. Inc.

**Property Owner**

Mesa Land 1031 LLC & Colorado Springs VA LLC

**Developer**

Mesa Land 1031 LLC

**Address / Location**

Southwest corner of West Fillmore Street and Centennial Boulevard

**TSN(s)**

7336204005, 7336200018, 733620020, 7336204007, 7336204006

**Zoning and Overlays**

Current: PUD (Planned Unit Development; Ord 04-101

Proposed: MX-L (Mixed-Use Larger Scale)

**Site Area**

29 acres

**Proposed Land Use**

Religious Institution; Multi-Family Residential; Office/Medical Highrise

**Applicable Code**

**Project Summary**

The project includes concurrent applications for zone change and a land use plan. The rezone will be from PUD (Planned Unit Development) to MX-L (Mixed-Use Large Scale). The Land Use Plan would allow for the following use types: religious institution, office/medical office and multi-family residential (see "Project Statement" attachment).

File Number	Application Type	Decision Type
ZONE-23-0011	Zone Change	Quasi-Judicial
MAPN-23-0004	Land Use Plan	Quasi-Judicial

**Staff Recommendations**

Recommend approval to City Council the zone change of 28.9 acres from PUD (Planned Unit Development) to MX-L (Mixed-Use Large Scale) based upon the findings that the request complies with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.704, with technical modifications.

Recommend approval to City Council the Mesa Highlands Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514.



# MESA HIGHLANDS

## Planning Commission August 9, 2023

Staff Report by Case Planner: Tamara Baxter

### Background

#### Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	Mesa Addition #2	July 1, 1971
Subdivision	N/A	
Master Plan	Hill Properties Amended Master Plan	August 9, 2022
Master Plan	Mesa Springs Community Plan	October 25, 2022
Prior Enforcement Action	N/A	

#### Site History

The existing PUD Zone Plan was approved by the City on June 16, 2015, which encompassed 83.07 acres. On this plan, the subject area of this application was identified with zones for office, medical office, parking and open space (see “PUD Zone Plan” attachment) with a maximum height of 45 feet. In accordance with the UDC, the proposed Land Use Plan will supersede the Hill Properties Amended Master Plan and Mesa Springs Community Plan. The proposed uses are consistent with both the master and community plans which did identify the area for High-Rise Office.

#### Applicable Code

The subject application(s) were submitted prior to the implementation date (06/05/2023) of the Unified Development Code (UDC), the applicant is permitted to elect which Code they prefer their application(s) be reviewed under. The subject application(s) were chosen to be reviewed under the Unified Development Code.. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

### Surrounding Zoning and Land Use

#### Adjacent Property Existing Conditions

	Zoning	Existing Use	Special Conditions
North	PDZ	Proposed residential and commercial uses	Crestone at Fillmore East project
West	PDZ	Medical Office	Veterans Affairs Outpatient Clinics
South	PDZ	Multi-Family Residential	Centennial North townhome project
East	R-5 & R-1 6	Residential (Single Family and Multi-Family)	Mesa Springs Subdivision

**Zoning Map**

**Stakeholder Involvement**



**Public Notice**

Public Notice Occurrences (Poster / Postcards)	Internal Review / Prior to Planning Commission Hearing
Postcard Mailing Radius	1000 ft
Number of Postcards Mailed	250 Postcards
Number of Comments Received	3 Comments Received

**Public Engagement**

- No neighborhood meeting was held for this entitlement request.
- Public comments received in opposition expressing general concerns of height with the proposed MX-L (Mixed-Use Large Scale), traffic, surface and subsurface water, noise from construction (see “Public Comment”)



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**attachment**). The applicant provided a written response to the received public comments (**see “Public Comment Response” attachment**). No follow-up correspondences from the public were received.

## Agency Review

### Traffic Impact Study

City Traffic Engineering agreed with the Traffic Impact Study (TIS) findings and recommendations prepared by SM Rocha LLC dated April 2023 and support recommendations of approval of the associated applications.

### School District

No comments were received from the school district. A general note has been added to the land use plan that fee in lieu of land dedication for Colorado Springs District No. 11 will be provided per the Unified Development Code for any residential units included within the development.

### Parks

Any residential use triggers the need for parkland dedication or fees in lieu. This will be determined at the time of the development plan

### SWENT

Stormwater comments were addressed during the internal review of this project.

### Colorado Springs Utilities

Colorado Springs Utilities (CSU) comments were all addressed during the internal review of this project and the agency supports the recommendation of approval.

### Colorado Geologic Survey (CGS)

CGS had no objection to conditionally approving the project provided design-level geotechnical investigations are performed as recommended by CTL.

## Zone Change

### Summary of Application

The site is located east of the Veterans Administration medical building and south of West Fillmore Street. The request will rezone 28.9 acres from PUD (Planned Unit Development) to MX-L (Mixed-Use Large Scale) and is in the Wildland Urban Interface (WUI) Overlay (see “Zone Change Exhibit” attachment). The MX-L (Mixed-Use Large Scale) zone district is one of the new zone districts in the newly adopted Unified Development Code (UDC). The purpose of this zone district is to:

*“accommodate a high-intensity mix of, for example, commercial, retail, office, hotels, restaurants, entertainment, and multifamily residential uses...Some MX-L zone districts may also include uses that have a regional draw. Uses in MX-L zone districts may be mixed horizontally or vertically mixed depending on their density and intensity. MX-L zone districts should be organized to promote synergy among uses, combine destinations, support more effective transit service, and provide viable pedestrian and bicycle access and circulation. MX-L zone districts should have direct access to existing or planned major transportation facilities and be designed to promote compatibility with adjacent land uses.”*



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The request to rezone the property to MX-L (Mixed-Use Large Scale) will allow for the development of a future religious institution along West Fillmore Street and Offices/Medical Offices and Multi-Family Residential uses on the remainder of the property. The rezoning of the property is compatible with the surrounding mix of uses which consist of commercial, office, medical office, single-family and multi-family. The request to change the zone district for the subject property from PUD (Planned Unit Development) to a hard zone of MX-L (Mixed-Use Large Scale) is preferred and provides flexibility for the future development of the parcels.

#### Compliance with Relevant Code Sections and Review Criteria

##### UDC Section 7.5.705.D – Review Criteria

Staff finds the zone change review criteria have been satisfied. The rezone request is consistent with the goals and policies of PlanCOS and with the purpose statement of the proposed MX-L (Mixed-Use Large Scale) zone district. The project is not detrimental to the general welfare of the public, and the location of the project is appropriate and compatible with surrounding existing and new development in the area. The surrounding uses consist of the VA outpatient clinic to the west; to the north of the subject project, across West Fillmore Street is the Crestone at Fillmore East project which consists of residential and commercial uses; to the east is Mesa Springs Subdivision which considers of residential (single-family and multi-family) and to the south is the Centennial North townhome project. The extension of Centennial Boulevard south to Fontanero Street provides improvement to the overall accessibility of the property, as well as two transit service lines on West Fillmore Street with a bus stop by the VA. The proposed private 8-acre open space encompasses the steep slopes on the property along the eastern boundary and provided a natural buffer.

## Land Use Plan

#### Summary of Application

With the newly adopted Unified Development Code (UDC), master plans and concept plans are now replaced as Land Use Plans (LUP). Per the UDC, a master plan or concept plan approved prior to the effective date of the UDC shall not expire unless the Master or Concept Plan includes an expiration date. With a rezone of the subject property, an accompanying Land Use Plan application is required and will supersede the approved PUD Zone Plan approved in 2015 for this subject area. A Land Use Plan shows the proposed layouts of land uses, development intensities and densities, primary access points, etc. at a conceptual level. The proposed LUP illustrates the following: the north 7.7 acres to be developed as a religious institution; the east property boundary is proposed 8-acre private open space; and the remaining 13.3 acres will accommodate mixed-use with office/medical office and multi-family residential which will be further refined with future development plans. The LUP identifies the future access point locations from Centennial Boulevard and West Fillmore Street.

Future development will adhere to the applicable dimensional and use standards in the MX-L (Mixed-Use Large Scale) zone district. In accordance with the prior PUD Zone Plan approval, the maximum building height was established at 45 feet. With the proposed rezone to MX-L (Mixed-Use Large Scale) zone district, the maximum building height will increase to 65 feet (general) and 85 feet for lots with arterial frontage along West Fillmore Street and Centennial Boulevard.



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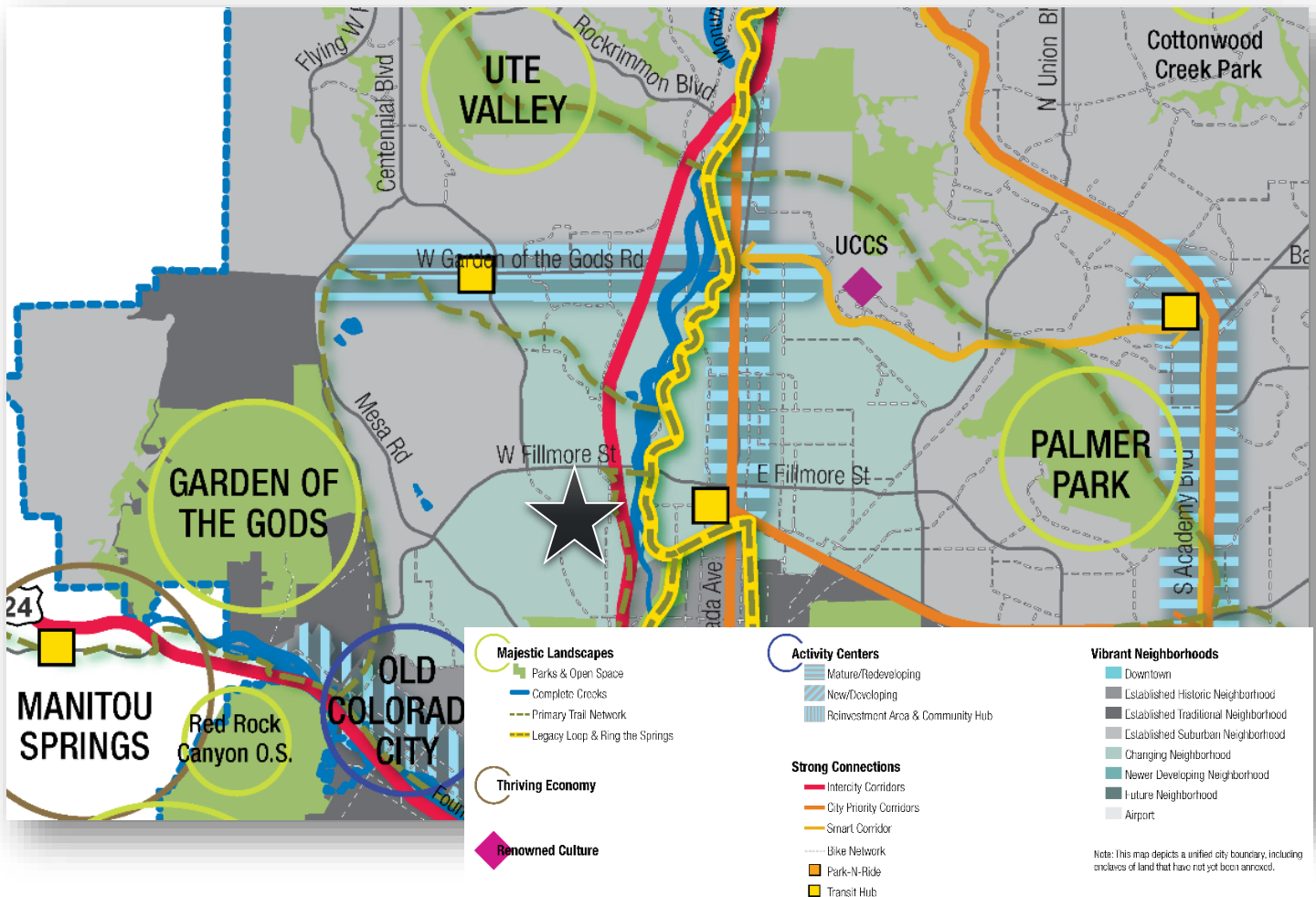
#### **Compliance with Relevant Code Sections and Review Criteria**

##### **UDC Section 7.5.514. C.3 – Review Criteria**

Staff finds that the proposed Land Use Plan review criteria have been satisfied. The Land Use Plan is consistent with PlanCOS as further discuss in this report. The proposed land uses as noted previously are compatible with land use and developments intensities in the surrounding area. This area has a mix of office/medical office, commercial, retail, and residential (single-family and multi-family). The site has adequate ingress/egress and traffic circulation. Primary access to the project will be via a private drive that is accessed from a  $\frac{3}{4}$ -movement access point along West Fillmore Street and a new full-movement access on Centennial Boulevard, south of the VA outpatient clinic property. City Traffic Engineering agreed with the findings and recommendation of the Traffic Impact Study that was prepared by SM Rocha dated April 2023. The development standards of the MX-L (Mixed-Use Large Scale) will be applicable. The proposed multi-family residential density will be dictated by these development standards along with parking and landscaping requirements. This will be addressed with a future development plan. The proposed use types are consistent with the use types that were approved in the PUD Zone Plan approved in 2015. The only significant change is the allowable maximum building height.

### Compliance with PlanCOS

#### PlanCOS Vision



Staff has evaluated the proposed application for conformance with the City’s current comprehensive plan (herein referred to as “PlanCOS”), adopted in January 2019. According to PlanCOS Vision Map (above), the project site is identified as a ‘Changing Neighborhood’. The goal of the ‘Changing Neighborhoods’ is to “retrofit, reinvent, and introduce new features to enhance the identity, quality, affordability, and attractiveness of these neighborhoods.” These neighborhoods will expect to see more infill and redevelopment than other areas of the city. Changing neighborhoods focus on connectivity between commercial and neighborhood and creates community centers redevelopment along arterial corridors. The project site is in an area that is redeveloping. The intersection of West Fillmore Street and Centennial Boulevard is identified as a “Community Activity Center” where the goal is to reinforce and create desirable places to live and offer integrated support and services. The project site supports the demand for diverse housing options and provides a future mix of office use types and institutional use which provides a transition of uses in this area.

Staff finds that the proposed zone change and land use plan to be substantially in compliance with the goals, policies and strategies within PlanCOS.



### Vibrant Neighborhoods

In the Vibrant Neighborhood chapter, PlanCOS recognizes that integration of mixed-use development in neighborhoods support the creation of vibrant neighborhoods. The subject site is identified as ‘Changing Neighborhood’ which supports to see more opportunities for redevelopment.

- Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods.

#### Predominant Typology

Downtown	Established Traditional Neighborhood	City Bour
Newer Developing Neighborhood	Established Suburban Neighborhood	Interstate
Changing Neighborhood	Airport	Major Roa
Established Historic Neighborhood	Future Neighborhood	



#### Predominant Typology

Neighborhood Centers
Community Activity Centers
Entertainment and Commercial Centers
Regional Employment and Activity Centers
Downtown

### Unique Places Framework

This property is within the ‘Neighborhood Centers’ typology which provides a focal point of community life and services at a neighborhood scale.

- GOAL UP-1 Enrich the texture and livability of the city as a tapestry of unique, vibrant, and walkable places.
- Strategy UP-1.A-2: Evaluate new and redeveloping land use related to enhancement and support of existing, transitioning, and new activity centers.
- GOAL UP-2 Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.
- Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the city





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#### **Recommendation**

##### **Zone-23-0011**

Recommend approval to City Council the zone change of 28.9 acres from PUD (Planned Unit Development) to MX-L (Mixed Use Large Sale) based upon the findings that the request complies with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.704, with the following technical modifications:

1. The zone change encompasses the entire property and the tract for the open space area should not be called out separately.
2. Correctly label the bearings and distances to reflect the legal description on all sheets of the exhibit.
3. Depict and label West Fillmore Street right-of-way correctly.

##### **MAPN-23-0004**

Recommend approval to City Council the Mesa Highlands Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514.