



Legislation Details (With Text)

File #: CPC PUZ 21- 00069 **Version:** 3 **Name:** Crestone at Fillmore East

Type: Ordinance **Status:** Mayor's Office

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On agenda: 3/8/2022 **Final action:** 3/8/2022

Title: Ordinance No. 22-12 amending the zoning map of the City of Colorado Springs relating to 28.55 acres located 1300 West Fillmore Street from PUD (Planned Unit Development: Hospital, Office, Medical Office, and General Commercial Uses, maximum building height 165-feet, and maximum gross floor area of 1,850.000 square feet) to PUD (Planned Unit Development: Residential, 25-33.99 dwelling units per acre, maximum building height of 75-feet; and Office/Commercial, maximum building height 45-feet, maximum gross floor area 20,000 square feet)

(Quasi-Judicial)

Related Files: CPC MPA 04-00043-A8MJ21, CPC PUP 21-00070

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

Sponsors:

Indexes: Hill Properties MP

Code sections:

Attachments: 1. ORD_ZC_CrestoneAtFillmoreEast, 2. Exhibit A - Legal Description, 3. Exhibit B - Zone Depiction, 4. 7.3.603 Establishment & Development of a PUD Zone, 5. 7.5.603.B Findings - ZC, 6. Signed Ordinance 22-12

Date	Ver.	Action By	Action	Result
3/8/2022	2	City Council	finally passed	Pass
2/22/2022	2	City Council	approved on first reading	Pass
1/20/2022	1	City Planning Commission	recommended for approval	Pass

Ordinance No. 22-12 amending the zoning map of the City of Colorado Springs relating to 28.55 acres located 1300 West Fillmore Street from PUD (Planned Unit Development: Hospital, Office, Medical Office, and General Commercial Uses, maximum building height 165-feet, and maximum gross floor area of 1,850.000 square feet) to PUD (Planned Unit Development: Residential, 25-33.99 dwelling units per acre, maximum building height of 75-feet; and Office/Commercial, maximum building height 45-feet, maximum gross floor area 20,000 square feet)

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Related Files: CPC MPA 04-00043-A8MJ21, CPC PUP 21-00070

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

Summary:

Owner/Developer: Crestone Development

Representative: NES Colorado, Inc.

Location: 1300 West Fillmore Street

The project includes applications for a major master plan amendment, PUD zone change and PUD concept plan for 28.55 acres of land located at 1300 West Fillmore Street. The project is herein referred to as "Crestone at Fillmore East". The major amendment to the Hill Properties Master Plan changes the land use designation from hospital, office, medical office, and general commercial uses to residential and office/commercial. The zone change request would change the current zoning from PUD (Planned Unit Development) to PUD (Planned Unit Development for residential and office/commercial land uses, maximum building heights of 75 feet (residential) and 45 feet (commercial), and residential density of 25-33.99 dwelling units per acre and maximum gross floor area of 20,000). The proposed PUD concept plan illustrates the envisioned land use pattern for a mix of multi-family residential, townhomes, senior living, office/commercial, and open space land uses and ancillary site improvements.

Background:

The Applicant has requested a major amendment to the Hill Properties Master Plan to change the land use designation from hospital, office, medical office, and general commercial uses to residential and office/commercial uses for the 28.55 acres of land associated with the Crestone at Fillmore East project. This change in master planned land use designations will position the site for redevelopment and the introduction of residential and commercial uses along the southern edge of the master planned area. City Planning staff notes that an amendment was approved in 2015 for the project site that changed the master plan land use designation for the project site from neighborhood commercial, office and general industrial to the more intensive hospital, office, medical office, and general commercial uses. While this change alters the envisioned land use trajectory for the master planned area, which previously focused on medical oriented uses, the incorporation of residential and neighborhood commercial uses into the area creates a more dynamic land use pattern on the mesa. The higher density residential uses being proposed, which are anticipated to range from 25-33.99 dwelling units per acre, will provide additional rooftops that will support the current and future commercial uses. The siting of the residential use near the northwest corner of the site affords a more gradual transition and buffer between the general industrial uses developed along Fillmore Ridge Heights and the heavily traffic West Fillmore Street.

The submitted zone change request proposes to rezone the project site from PUD (Planned Unit Development for hospital, office, medical office, and general commercial uses, a maximum building height of 165 feet and maximum gross floor area of 1,850.0000 square feet) to PUD (Planned Unit Development for residential and office/commercial land uses, maximum building heights of 75 feet (residential) and 45 feet (commercial), and residential density of 25-33.99 dwelling units per acre and maximum gross floor area of 20,000). The Applicant has proposed tailored maximum building heights and density/intensity ranges that will govern the future build-out of the project area. More specifically, the envisioned residential land use will be limited to a maximum building height of 75 feet and a developed density of 25-33.99 dwelling units per acre, and the commercial uses will be limited to a maximum building height of 45 feet and developed gross floor area of 20,000 square feet. These development standards are comparable with the established development parameters for the surrounding area.

While the proposed mix of uses, as discussed above, adjusts the land use direction for the Hill Properties neighborhood; the new uses are not dissimilar to those land uses already found within the immediate area. As noted above, the proposed uses will afford a more gradual transition and buffer between established uses nearby and will make available a greater mix of land uses for the larger neighborhood. Together, the proposed dimensional standards and land use controls outlined above mitigate the project's impacts and meets the applicable City Code standards for a zone change request.

The Applicant's proposed PUD Concept Plan for the Crestone at Fillmore East project illustrates the layout for a mix of residential and commercial uses and ancillary site improvements, which include improved access points along West Fillmore Street. The proposed layout of the project area envisions the proposed residential use (14 acres) adjacent to a future City open space/parkland area located to the north, commercial/office uses (6.7 acres) along West Fillmore Street, and a private detention facility/open space (7 acres) upslope from the general industrial uses developed along Fillmore Ridge Heights. The placement of uses takes into account both the developability of the site and the desire of the City's Parks, Recreation, and Cultural Services Department (herein referenced as "Parks") to see compatible uses developed adjacent to the future City open space/parkland adjacent to an existing open space to the north. The Applicant has proposed a maximum building height for residential uses at 75 feet and commercial uses at 45 feet, which is a reduction from the 165-foot height limit set for the previously envisioned hospital use in 2017. At 75 feet and 45 feet, the proposed building heights are also a reasonable transition from the height limits for the surrounding area. The manner for calculating the above referenced maximum building height will follow the methodology set forth in City Code Section 7.2.201 Definitions Enumerated - Building Height (Nonhillside Zone).

In terms of pedestrian and vehicular access, the Applicant will be developing improvements along West Fillmore Street. The pedestrian improvements will consist of sidewalks along West Fillmore Street and trail improvements that will extend north in the future City open space/parkland. The roadway improvements include two new access points along West Fillmore Street, which will consist of a $\frac{3}{4}$ movement access and a right-in/right-out access. Discussions are also on-going with Parks to determine if a full-movement or emergency only access can be accommodated at the northwest corner of the project area. All access and intersection designs will be finalized through future development plan submittals.

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 of the proximity this project will have to surrounding development to the west (West Mesa Commons), which is envisioned to contain a mix of commercial uses, the future City open space/parkland to the north, and future commercial development to the south of West Fillmore Street. The project site and general area are also services by Mountain Metro bus service (Routes 2 and 17), which supports the development of a greater mix of uses.

The above discussed development parameters and envisioned supportive land uses mitigate the impacts of this infill development and reinforce why this project will be a compatible with the surrounding neighborhood. City Planning staff finds that the proposed plan, as stipulated, is in conformance with the purpose for establishing PUD concept plan, as set forth in City Code Section 7.3.601, and a concept plan, as set forth in City Code Section 7.5.501.

The City's Engineering Development Review Division (EDRD) of Public Works and Planning & Community Development Department, with consultation from the Colorado Geological Survey (CGS),

has reviewed the PUD concept plan and accompanying geological hazard investigation report, prepared by Entech Engineering, Inc., for the project. The reviewing agencies have accepted the analysis and recommendations set forth in the report prepared by the applicant's consultant. The documented geological hazards and engineering geological conditions on the project site included undocumented artificial fill, loose soils, natural spring and expansive soils. As noted by Entech, the documented hazards and conditions will have some constraints on the proposed development and construction, but even the most significant problem affecting development can be avoided. Other conditions can be mitigated through proper engineering design and construction practices or avoidance. Future development plan and final subdivision applications will need to be accompanied by site specific geological hazard analysis to further evaluate site conditions and set forth property engineering and construction practices. Upon approval for the Crestone at Fillmore East project, City staff is prepared to execute the provided report.

The City's Traffic Engineering Division of Public Works (herein referenced as "Traffic") has reviewed the proposed PUD concept plan and accompanying Traffic Impact Study, prepared by SM Rocha, LLC. Traffic has determined that the site design and layout afford adequate sightlines and queuing for vehicles entering and exiting the site via the proposed access intersections off West Fillmore Street. All intersections will require public improvements and consist of one stop control condition, so the remitting of funds trigger will be applied to future development plans. City Planning and Traffic will monitor the build-out of this project to determine if additional roadway or intersection improvements are necessary.

The City's Water Resources Engineering Division of Public Works (herein referenced as "SWENT") has reviewed the PUD concept plan and accompanying Master Development Drainage report, prepared by Michael A. Bartusek, PE. SWENT has accepted the analysis and recommendations set forth in the report. Stormwater from the project will be captured and directed into an on-site full spectrum water quality and detention facility. As designed, all proposed stormwater improvements were found to comply with the City Drainage Control Manual. The Applicant will be required to submit a final drainage report with each future development plan and final subdivision plat applications.

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 Future Neighborhood. The Crestone at Fillmore East project is consistent with one of the core values of PlanCOS, which reinforces the importance of encouraging the infill development proposals. One of the "Big Ideas" in the Vibrant Neighborhood Chapter 2 of PlanCOS is entitled "Reclaim Neighborhood Space", which has goal VN-3 that states:

"Through neighborhood plans, associations, and partnerships, empower neighborhoods to reinvest in order to create community, vibrancy, and to address their specific vision and needs."

To do this, PlanCOS suggests, *"New development should focus on safe connections into and within these neighborhoods"*.

A "Big Idea" from Chapter 4, entitled "Embrace Sustainability", has 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."

A policy for this goal further reinforces that development should “*Prioritize development within the existing City boundaries and built environment (not in the periphery).*”

Adaptive and responsive land use change is one of the core values of PlanCOS. On balance with this perspective, City Planning staff has determined that the project’s land uses, location and site development standards meet the overall intent of this idea. For the reasons provided in this overall staff report, City Planning staff finds that this project and its associated applications to be in substantial 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 development of vacant parcels with a mix of commercial, office and multi-family residential uses. The development of new commercial square footage and residential units will further development 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 when the property was rezoned in 2017 when a former owner intended to development to site with a hospital, medical offices and commercial uses.

Financial Implications:

A fiscal impact analysis was prepared for this project by the City’s Budget Office of the Finance Department. (see “City Finance FIA Memo” attachment) The results of the analysis indicate a negative cumulative cashflow for the City during the 10-year timeframe. The reason for this outcome is that multi-family residential and office commercial zoning creates a higher level of obligation for City services than the revenue generated by those developments

City Council Appointed Board/Commission/Committee Recommendation:

At the City Planning Commission meeting held on January 20, 2022, the project applications were heard under the Consent Calendar portion of the hearing, so no discuss occurred. The Planning Commission voted 8-0-1 (Commissioner Eubanks was absent) 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 93 property owners on two occasions: during the internal review and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. City Planning staff received one written comment for the project, which focused on traffic concerns.

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 included Colorado Springs Utilities, Colorado Geological Survey, City Engineering, City Traffic, City Fire, City SWENT, City Parks, Council of Neighborhood Organizations (CONO), District 11, 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:

- Colorado Geological Survey - Colorado Geological Survey reviewed the proposed concept plan, geological hazard report and envisioned land uses. Standard notes were applied to the entitlement documents to acknowledge the geological hazard analysis and documented

hazards on the site. Future development plan and final subdivision plat applications will require a more details site specific geological hazard and slope stability analysis.

- City Finance - The Budget Office of the Finance Department will be conducting a Fiscal Impact Analysis (FIA) with a ten-year time horizon to understand the estimated expenditures and revenues attributed to the Hill Properties Master Plan amendment application. The results of this analysis are forthcoming and will be provided to City Council as part of their review.
- City Traffic - The City's Traffic Engineering Division reviewed and accepted the proposed site design and layout, and the accompanying Traffic Impact study for the project. The submitted study assessed current and projected traffic volumes based on the proposed land uses along Centennial Boulevard and West Fillmore Street, and concluded there to be adequate roadway capacity. The Applicant will be required to install public improvements along West Fillmore Street to make the identified access points functionally compliant with the City's Traffic Control Manual.
- School District 11 - No comments were received from the School District 11. As such, City Planning staff will require the payment of fees in lieu of land dedication for the new residential units.

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 PUZ 21-00069

Approve an ordinance changing the zoning of 28.55 acres associated with the Crestone at Fillmore East project from PUD (Planned Unit Development for hospital, office, medical office, and general commercial uses, a maximum building height of 165 feet and maximum gross floor area of 1,850,000 square feet) to PUD (Planned Unit Development for residential and office/commercial land uses, maximum building heights of 75 feet (residential) and 45 feet (commercial), and residential density of 25-33.99 dwelling units per acre and maximum gross floor area of 20,000), based upon the findings the request complies with 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.

An ordinance amending the zoning map of the City of Colorado Springs relating to 28.55 acres located 1300 West Fillmore Street from PUD (Planned Unit Development: Hospital, Office, Medical Office, and General Commercial Uses, maximum building height 165-feet, maximum gross floor area of 1,850.000 square feet) to PUD (Planned Unit Development: Residential, 25-33.99 dwelling units per acre, maximum building height of 75-feet; and Office/Commercial, maximum building height 45-feet, maximum gross floor area 20,000 square feet)