

MESA HIGHLANDS ZONE CHANGE, LAND USE PLAN

PROJECT STATEMENT

APRIL 2023

TSN: 7336200018, 7336200020, 7336204007, 7336204006, 7336204005

LOCATION: SOUTHEAST CORNER OF CENTENNIAL BLVD AND WEST FILLMORE ST

REQUEST

N.E.S. Inc. on behalf of Mesa Land 1031, LLC requests approval of the following applications:

1. A Zone Change from PUD (Office-Highrise) to MX-L (Mixed Use Large Scale)
2. A Land Use Plan for the entire property for Religious Institution and Mixed Use (Residential-25 DU/AC, General/Medical Office-High Rise).

LOCATION

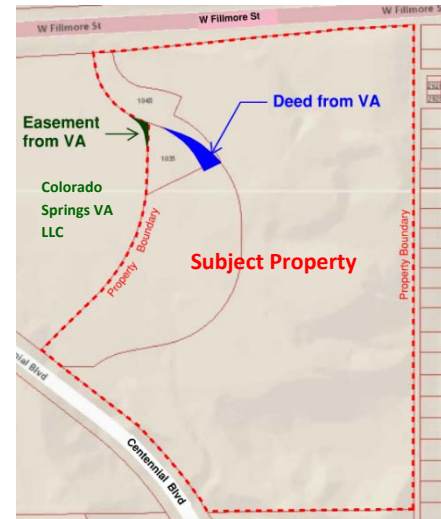
The site is located on the southeast corner of the intersection of W Fillmore St and Centennial Blvd. The surrounding mix of uses include commercial, single-family and multifamily residential, institutional,



and vacant land. To the east of the site, is a mixed-use neighborhood of commercial and low and medium density residential uses. To the west is the Colorado Springs Veterans Administration and Clinic. To the south is undeveloped land zoned PUD office use. To the north, across W. Fillmore St is vacant land proposed for commercial and multi-family development.

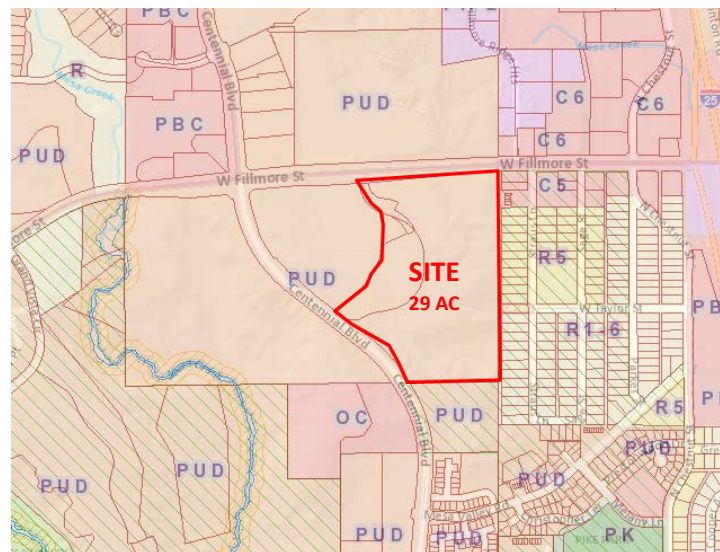
PROJECT DESCRIPTION

The site includes five parcels comprising 29-acres. The Colorado Springs VA LLC owns the smallest of the parcels, which will be deeded to the applicant, who is the owner of the remaining parcels. The project involves Rezoning from PUD (Office-Highrise) to MX-L (Mixed Use Large Scale-) and associated Land Use Plan to allow for a mix of uses including a religious institution, office/medical office high rise, and residential. It should be noted that the Land Use Plan shows a portion of the private access drive on a small portion of the adjacent property, for which an easement will be required.



ZONE CHANGE

All parcels have consistent zoning of PUD (commercial and office-high rise). The request is to rezone the property to MX-L (Mixed Use Large Scale), one of the new zoning districts created in City's Unified Development Ordinance. The intent of the rezone to MX-L zone is to provide for a mix of land uses, including Religious Institution, General/Medical Office Hospital/Clinic Multi-family Residential and Open Space. Surrounding zoning includes PUD to the north, west and south, and C5-Intermediate Business, R-5, Multi-family Residential, and R1-6000-Single-family Residential to the east.



The property is part of a larger 83-acre PUD zone under Ordinance No. 04-101. The ordinance does not identify a specific use for the PUD zone, but the accompanying approved PUD Concept Plan (CPC-PUP-04-45-A1MN15) shows Office and Private Open Space for the property east of Centennial Boulevard.

The proposed MX-L zone better accommodates the owner's interest in developing a mix of uses, including institutional, general and medical office-high rise, and residential opportunities to meet the need for new residential housing alternatives in Colorado Springs. The proposed MX-L zone will be compatible with the surrounding mix of zones and uses, which consists of commercial, office, medical office, multifamily residential, and single-family residential uses. The MX-L zone is intended to

encompass all potential multi-family residential use types to allow the flexibility that the MX-L zone is intended to accommodate.

Residential uses in the MX-L zone must follow the R-5 zone district standards; all other uses are subject to the MX-L zoning standards. Residential uses will be required to meet a maximum density of 25 DU/AC, 20' front setback, 5' side setback, and 15' rear setback, and a 50' maximum building height. All other uses will meet the MX-L standards, which establish no setbacks except a 20-foot front parking setback, and a maximum general building height of 65', with a provision for building height up to 85' on lots with arterial frontage. W Fillmore Street and Centennial Boulevard adjacent to the site are both arterial streets.

There are no specified setbacks for the MX-L zone. The landscape setback of 20' on Centennial Blvd (Minor Arterial) and 25' on W. Fillmore St (Principal Arterial) will also act as the building setback on those frontages. A 10' wide landscape buffer is required along all other boundaries due to the proposed mixed use and differing adjacent land uses and will also be the side setback in those areas as applicable. It should be noted that the UDC provides for increased building height with increased building setbacks on a 1:1 basis, for places of public assembly such as religious institutions and other places of public assembly. The UDC also provides for reduced side yard setbacks if approved by Storm Water Enterprise (SWENT) and Colorado Springs Utilities (CSU).

A Traffic Impact Analysis (TIS) has been prepared for the proposed development, assuming a religious institution and multi-family housing, however, final land uses have not yet been determined on Lot 2. The TIS indicates that the proposed development at full build-out is expected to generate approximately 2,182 daily trips, with 175 of these trips occurring during the morning peak hour and 205 of these trips occurring during the afternoon peak hour. Based on the analysis presented in the TIS, the Mesa Highlands development is expected to create no negative impact to traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed in the analysis (see full report for details). The study intersections are projected to operate at future levels of service comparable to Year 2043 background traffic conditions. Proposed site accesses have long-term operations at LOS B or better during peak traffic periods and upon build-out.

LAND USE PLAN

The Land Use Plan for the property shows the north 7.7-acres of the proposed MX-L area to be developed as a religious institution, 13.2-acres as mixed use with medical/general office-high rise, and multi-family residential (Max density 25 DU/AC, max height 85'), and 8.1-acres as open space. The layout will be further refined with future Development Plans.

This property has good access and visibility to the Filmore and Centennial intersection. Primary access to the proposed new development will be via a private drive that is accessed from a 3/4-movement access along W. Fillmore St, and a new full movement access on Centennial Blvd, in the southwest corner of the property.

PROJECT JUSTIFICATION

CONFORMANCE WITH ZONE CHANGE CRITERIA (UDC SECTION 7.4.704)

1. THE PROPOSED REZONING IS CONSISTENT WITH THE GOALS AND POLICIES OF THE COLORADO SPRINGS COMPREHENSIVE PLAN, WITH OTHER PLANS AND POLICIES ADOPTED BY THE CITY COUNCIL; AND WITH THE PURPOSE STATEMENT OF THE PROPOSED ZONE DISTRICT(S).

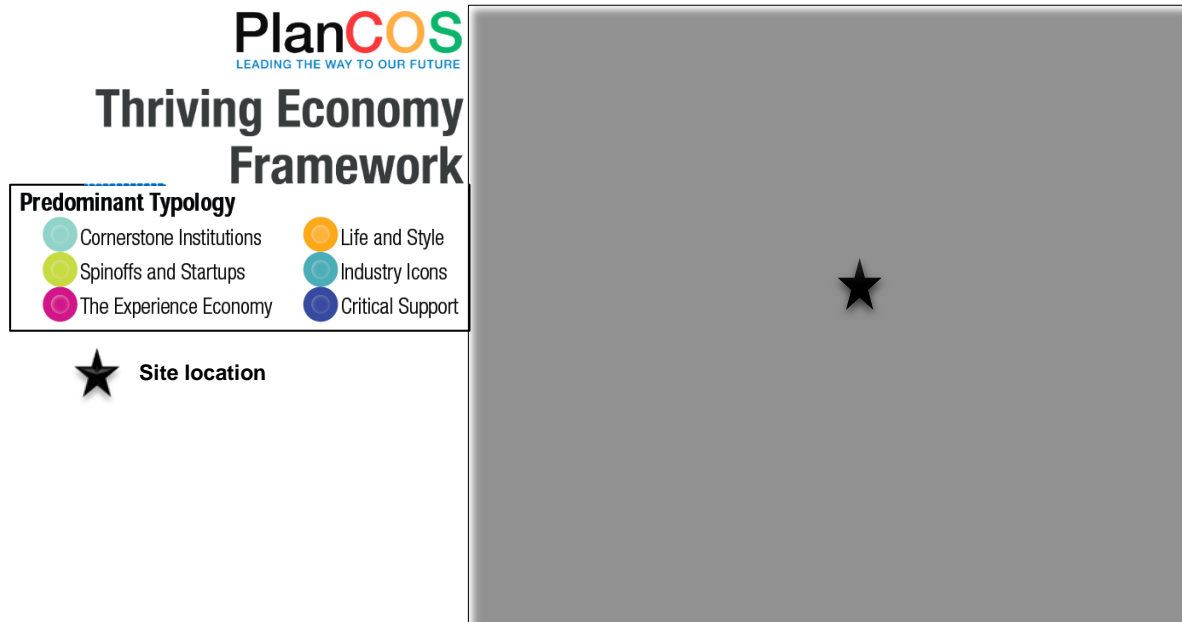
The proposal is consistent with the goals and policies of the Comprehensive Plan. The objective of the zone change, and associated Master Plan Amendment and Land Use Plan, is to retain general and medical office uses, including high rise, and to add residential uses to the permitted land use mix to support the demand for diverse housing options in Colorado Springs. This approach is consistent with the PlanCOS emphasis on infill and adapting to ever-changing market needs and demands. Policy UP-2.A supports infill and land use investment throughout the mature and developed areas of the city.

PlanCOS also focuses on the importance of creating vibrant neighborhoods and providing diverse housing choices. The property is identified as part of a “Changing Neighborhood” where the emphasis is to support, incentivize, or adapt to change resulting from market forces, redevelopment, or disinvestment. These neighborhoods will expect to see more infill and redevelopment than other areas of the city. Strategy VN-2.A-3 supports land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels. These strategic objectives of PlanCOS are met through the intent to broaden the residential use opportunities in the area, increase the density of development on the site, and the potential for introducing multifamily residential uses to meet workforce needs.

The intersection of W Fillmore St and Centennial Blvd is identified as a “Community Activity Center” where the goal is to reinforce and create desirable places that provide identity, mixed use focus, and offer integrated support and services to subareas of the city. These places should be designed to be multimodally connected to the surrounding development and should include a well-integrated mix of uses including smaller businesses and a variety of housing choices.

The site has excellent access to various multi-use trails, and two transit services are present on W Fillmore St. The extension of Centennial Boulevard south to Fontenero St will improve the overall accessibility of this property. The introduction of multifamily residential use on the property will benefit from the proximity of the existing commercial center and grocery store on the north side of

W Fillmore St and other proposed commercial centers in the immediate area and will provide the additional population needed to support these facilities.



The Thriving Economy framework map shows that the proposed residential community is in a convenient and central location to employment corridors associated with Industry Icons, Spinoffs and Startups, Critical Support and Experience Economy Icons. Improving housing options to the Colorado Springs workforce is a key outcome. PlanCOS strategies to support these typologies include:

Strategy TE-1.C-3: Ensure an adequate supply of attainable housing for the workforce across all industries, and that it is conveniently located near hubs of employment and/or public transportation.

Strategy TE-4.A-2: Ensure land use regulations allow for increased density in areas identified for this, including Downtown, activity centers, and urban corridors.

The development is consistent with the intent of the MX-L zone district, the purpose of which is as follows:

The MX-L zone district accommodates a high-intensity mix of, for example, commercial, retail, office, hotels, restaurants, entertainment, and multifamily residential uses. MX-L zone districts typically serve the City as a whole and have significant traffic generation potential. 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 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. The layout of permitted use types shall be as shown in a Land Use Plan approved pursuant to Section 7.5.514 (Land Use Plan).

The development provides for a mix of general and medical office uses, including high rise; as well as religious institutions and multi-family residential uses. Such proposed uses may only serve the City, but some could have a regional draw. The development will be organized to promote synergy among uses within and surrounding the development, taking advantage of the existing transit, pedestrian and trail, and bike infrastructure in the vicinity. The site has excellent access to all modes of transportation, including Centennial Blvd and Fillmore St, which are arterials, and I-25 which is just a few blocks away.

2. THE REZONING WILL NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR GENERAL WELFARE.

The zone change, as proposed, will not be detrimental to public interest, health, safety, convenience, or general welfare. The residential land use proposed in the MX-L zone provides additional, but less intense, land use mix in the area which is generally considered more compatible with existing and proposed neighboring residential areas. The traffic generated by the proposed development will be less than anticipated from the previously approved commercial and office only uses for this property. The residential uses proposed will not impact air quality, create discharge or excessive noise that would negatively impact the community. The need for varied residential opportunities is great and the zone change to allow increasing residential capacity in Colorado Springs will have a positive impact on the community.

The R-5 standards that are applicable to the residential uses being added, limits the height of the residential uses to 50 feet unless height incentives or other provisions are employed, where the maximum height for all other uses in the district is up to 65', except for lots with frontage on Centennial and Fillmore where height can be up to a maximum of 85'. The proposed multi-family residential uses will provide transition from office uses to the established mixed residential uses to the east and residential uses proposed to the south.

3. THE LOCATION OF THE LANDS IN THE ZONING MAP AREA BEING AMENDED ARE APPROPRIATE FOR THE PURPOSES OF THE PROPOSED ZONE DISTRICT(S).

The site is in a growing mixed-use area and has excellent access to local and regional transportation, various multi-use trails, and two transit services which are present on W Fillmore St. The extension of Centennial Boulevard south to Fontenero St will improve the overall accessibility of this property. The introduction of multifamily residential use on the property will benefit from the proximity of the existing commercial center and grocery store on the north side of W Fillmore St and other proposed commercial centers in the immediate area, and will provide additional population to support these facilities.

4. IF THE APPLICATION PROPOSES TO REZONE A SMALL AREA OF LAND, THE APPLICATION DEMONSTRATES THAT THE SIZE, SCALE, HEIGHT, DENSITY, AND MULTIMODAL TRAFFIC IMPACTS OF THE PROPOSED REZONING ARE COMPATIBLE WITH SURROUNDING DEVELOPMENT OR CAN BE MADE COMPATIBLE WITH SURROUNDING DEVELOPMENT THROUGH APPROVAL CONDITIONS.

The objective of the zone change, and associated Master Plan Amendment and Land Use Plan, is to retain general and medical office and hospital uses, including high rise, and to add residential uses to the permitted land use mix to support the demand for diverse housing options in Colorado Springs. The proposed multifamily use is compatible with the surrounding mix of commercial, office, medical, multifamily residential, single-family residential and industrial uses. The development preserves 8.1-acres of open space in areas of steep slopes. This open space area will provide continued harmony with existing adjacent natural features and open space areas and will provide a buffer to existing and proposed lower density development to the east and south. The open space buffer and natural features prevent street connections to existing developed areas to the east and undeveloped land to the south, placing traffic from the development to the arterial streets of West Fillmore St and Centennial Blvd. This traffic pattern will prevent cut-through traffic and minimize noise in these existing and developing areas. Further, the proposed residential use will generate similar low noise levels as surrounding residential uses, which will be less than potential noise generated by office/commercial development over the entire property.

5. IF THE APPLICATION PROPOSES TO REZONE A RELATIVELY SMALL AREA OF LAND, THE APPLICATION DEMONSTRATES THAT THE CHANGE IN ZONING WILL NOT CREATE SIGNIFICANT DISLOCATIONS OF TENANTS OR OCCUPANTS OF THE PROPERTY, OR THAT ANY IMPACTS ARE OUTWEIGHED BY OTHER PUBLIC BENEFITS OR PROGRESS TOWARD OTHER COLORADO SPRINGS COMPREHENSIVE PLAN GOALS THAT WOULD BE ACHIEVED BY APPROVAL OF THE APPLICATION.

The development property is currently vacant and will have no displacement of tenants or residents.

6. IF A LAND USE PLAN OR AMENDMENT TO A LAND USE PLAN ACCOMPANIES THE APPLICATION, THE LAND USE PLAN OR AMENDMENT COMPLIES WITH THE APPLICABLE CRITERIA IN IN SUBSECTION 7.5.514C.3 (LAND USE PLAN CRITERIA).

A. CONSISTENCY WITH THE COLORADO SPRINGS COMPREHENSIVE PLAN AND OTHER PLANS AND POLICIES ADOPTED BY CITY COUNCIL;

The proposal is consistent with the goals and policies of the Comprehensive Plan, as indicated in Criteria #1 under Zone Change.

The rezone is consistent with the Park System Master Plan vision to “take care of what we have” as 8.1 acres of open space consisting of steep undevelopable land is being preserved, though this is not a public park. There are no planned parks, open spaces or trails shown in or adjacent to the subject property.

B. CONSISTENCY WITH DEVELOPMENT STANDARDS THE ZONE DISTRICT IN WHICH THE PROPERTY IS LOCATED, OR WOULD BE LOCATED AFTER A REQUESTED ZONE DISTRICT CHANGE;

All development on the site will be consistent with the MX-L zoning district standards and provisions, as well as the R-5 zoning standards, to which residential development will be subject. This includes up to a maximum height of 85' on arterial fronting lots.

C. COMPATIBILITY WITH THE LAND USES AND DEVELOPMENT INTENSITIES SURROUNDING THE PROPERTY;

The type and intensity of the proposed land uses, which consist of general and medical office-high rise, religious institution, and multi-family residential, are appropriate to the surrounding area, which is mixed use in nature. All of the proposed use types currently exist, or are in some level of approval in the surrounding area, except for a religious institution. With existing and proposed additional residential development in the area, a religious institution will add to the mix of supporting land uses in the area. The existing PUD allows for all proposed uses except for the residential, so this is a minor change as it relates to density.

There are apartment developments either existing or approved in various stages on adjacent or surrounding properties, with which proposed residential in this development will be compatible. There are also office developments both general and medical in the area, with which the religious and office uses proposed within the development will be compatible. The existing and proposed commercial areas to the north will benefit from the addition of residential development on this site.

D. IMPACTS OF THE PERMITTED OR REQUESTED USES, ARE APPROPRIATE TO THE TYPE OF DEVELOPMENT, THE NEIGHBORHOOD, AND THE COMMUNITY;

As indicated in D above, rezoning to MX-L will retain the uses allowed in the current PUD, and will add residential uses as a permitted use. Since MX-L residential must be multi-family, all proposed uses will be consistent with existing, approved, or proposed uses in the area. The neighborhood is very mixed use, providing all of the land uses proposed in the development, except for a religious institution, so the change to MX-L and the addition of that use and residential as permitted uses is appropriate.

As also noted above additional housing options in the community is a high priority of PlanCOS. Adding residential and additional supporting land uses to the property will help fulfil this community priority.

E. ADEQUACY OF PROPOSED INGRESS/EGRESS POINTS AND TRAFFIC CIRCULATION, BOTH ON AND OFF THE SITE;

The site has excellent access to local and regional transportation networks, various multi-use trails, and two transit services are present on W Fillmore St. The extension of Centennial Boulevard south to Fontenero St has improved the overall accessibility of this property. Access to the site will be via the existing 3/4- movement access at W Fillmore St,

currently serving the VA clinic. This access will become a private access road and will be extended through the new development to connect via a full-movement access to Centennial Blvd in the southwest corner of the property. Two full movement direct accesses to the site are proposed from the extended private access road.

Future development will likely include a network of private internal access drives and sidewalks/trails, to facilitate direct access to individual developments. Provisions for pedestrian, bike, and public transit, including accessible facilities will be addressed in conjunction with Development Plan submittals.

F. CAPACITY OF THE EXISTING STREETS, UTILITIES, PARKS, SCHOOLS, AND OTHER PUBLIC FACILITIES TO SERVE THE PROPOSED DEVELOPMENT;

A Traffic Impact Study (TIS) has been completed for the proposed development, and is included in this submittal. The TIS indicates that the proposed development at full build-out is expected to generate approximately 2,182 daily trips, with 175 of these trips occurring during the morning peak hour and 205 of these trips occurring during the afternoon peak hour. Based on the analysis presented in the TIS, the Mesa Highlands development is expected to create no negative impact to traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed in the analysis (see full report for details). The study intersections are projected to operate at future levels of service comparable to Year 2043 background traffic conditions. Proposed site accesses have long-term operations at LOS B or better during peak traffic periods and upon build-out.

G. PROMOTION OF TRANSITIONS IN HEIGHT, INTENSITY, OR CHARACTER BETWEEN PROPOSED NON-RESIDENTIAL OR MIXED-USE DEVELOPMENT AND NEARBY LOW-DENSITY RESIDENTIAL ZONE DISTRICTS.

The rezone from PUD to MX-L retains the uses permitted in the current PUD, including high rise development, all of which have previously been deemed appropriate for this property and neighborhood. The addition of residential and religious institution uses provide transition from office and commercial, including allowed high rise, uses on the subject property and to the north and west to existing and proposed residential uses to the east and south/southwest. The mixed-use development will provide a compatible transition through uses similar and new to the area, in height and intensity that is similar and yet transitional.

7. THE APPLICATION IS CONSISTENT WITH ANY APPROVED CONCEPT PLANS IN THE AREA FOR WHICH THE MAP IS BEING AMENDED OR INCLUDES OR IS ACCOMPANIED BY A PROVISION THAT APPROVED CONCEPT PLANS THAT HAVE BEEN CLASSIFIED AS IMPLEMENTED DO NOT HAVE TO BE AMENDED IN ORDER TO BE CONSIDERED CONSISTENT WITH AN AMENDED ZONING MAP.

The approved PUD Concept Plan for the property is not considered implemented, as it is only partially developed with the VA clinic. A new PUD Concept Plan for the area to the west of Centennial Boulevard was approved in 2022. The remaining portion of the Concept Plan to develop is the subject property, and the uses proposed are either consistent with (general and medical office, including high rise) or compatible with currently approved land uses (religious institution and multi-family residential). A Land Use Plan, as required by the newly adopted UDC, must be adopted in conjunction with the rezoning, to provide for the religious institution and residential uses.

- 8. IF THE APPLICATION IS FOR CREATION OF AN ADS-O DISTRICT, THE APPROVAL CRITERIA APPLICABLE TO THE CREATION OF THE TEXT OF THE ADS-O DISTRICT IN SECTION 7.2.607D.47.5.702 (DECISION) SHALL ALSO APPLY TO CONSIDERATION OF THE ZONING MAP AMENDMENT REQUIRED TO CREATE OR AMEND THE BOUNDARIES OF THE ADS-O DISTRICT.**

The application is not for creation of an ADS-O district.

9. IF REZONING TO A PDZ DISTRICT, THE PROPOSED PDZ DISTRICT PROVIDES SIGNIFICANT COMMUNITY AMENITIES OR OTHER BENEFITS, AS DETERMINED BY THE MANAGER, THAT PROMOTE THE ACHIEVEMENT OF COLORADO SPRINGS COMPREHENSIVE PLAN GOALS AND WOULD NOT OTHERWISE BE REQUIRED OF THE APPLICANT UNDER THIS UDC OR OTHER CITY OR GOVERNMENTAL REGULATIONS.

The application is not for rezoning to a PDZ district, in fact, it is eliminating an existing PUD (now PDZ) in favor of a new mixed-use zone of MX-L in the new UDC.

10. COMPLIES WITH THE ADDITIONAL STANDARDS OF THE BASE ZONE DISTRICT WHERE THE PROPERTY IS LOCATED (SEE ARTICLE 7.2 (ZONE DISTRICTS)) OR IN AN OVERLAY DISTRICT THAT APPLIES TO THE PROPERTY (SEE PART 7.2.6 (OVERLAY DISTRICTS)).

The development will comply with all MX-L standards and provisions, as well as the standards and provisions of the R-5 district, which is applicable to all residential development on the property.