

# AMERCO<sup>®</sup>

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## REAL ESTATE COMPANY

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### **Zoning map amendment (Rezone) / Land Use Statement**

**DATE:** November 6 ,2023

**PROPERTY OWNER:** 6805 Corporate EAT, LLC

**APPRICANT:** UHC of Southern Colorado– Jeff Gilley

**PROJECT NAME:** 6910 Mark Dibling Blvd.

**CASE NUMBER:** \_\_\_\_\_

**REQUEST:** Zoning map amendment (Rezone) for removal of conditions of record per Ordinance 82-95 to allow mini warehouse storage and outside RV storage uses.

**PROJECT ADDRESS:** 6910 Mark Dabling Blvd. Colorado Springs CO

## DESCRIPTION OF THE REQUEST

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Colorado Springs participation and counseling regarding a rezone application for the property located at 6910 Mark Dabling Blvd. Colorado Springs, CO. This application is for zoning map amendment (rezone) to remove conditions of record per Ordinance: 82-95 dated 8/18/2011 to allow for ministorage warehousing / self-storage and outside RV storage uses , which are permitted in current zoning district BP ( Business Park) .

## EXISTING CONDITIONS:

The property is located at 6910 Mark Dabling Blvd. The Parcel is identified as: 63074-05-009 (6.26 acres). The location is an established suburban neighborhood area. The current use of the property is a parking lot, previously supporting Tiffany Square site.

## CURRENT ZONING/ INTENT OF ZONING AMENDMENT:

The property is zoned BP (Business Park) / with Streamline Overlay, WUI Overlay, Hillside Overlay and USAFA Overlay. Lot 1 has condition of records Ord 82-95, which prohibits Commercial laundries, meat packing, truck and tractor trailer, bus storage or motor freight terminals and mini- warehouses uses and outside storage is not allowed as an accessory use.

The intent of this rezone application is to remove the conditions of record to allow mini-warehouse / self-storage use and outside storage- RV storage uses. Mini warehouse/ Self-storage is permitted use in BP zoning district. It is conditional use in the SS Overlay. Outside RV storage is allowed as an accessory use in BP zoning district.

The current conditions of records state:

### CONDITIONS OF RECORD (Per Ordinance No 82-95):

- i. "Commercial laundries, meat packing and processing, truck, tractor, bus storage yards or motor freight terminals and mini -warehouses not permitted as allowed uses."
- ii. Outside storage is not allowed as an accessory use.

The proposed amendment to the conditions of records are as follows:

### CONDITIONS OF RECORD (Per Ordinance No 82-95):

- i. "Commercial laundries, meat packing and processing, truck, tractor, bus storage yards or motor freight terminals ~~and mini-warehouses~~ not permitted as allowed uses."
- ii. ~~Outside storage is not allowed as an accessory use.~~

**ADJACENT USES AND ZONING:**

The property is in an area which is separated from surrounding uses by a major arterial overpass on E Woodmen Road to the North. The property is fronting Mark Dabling Blvd (local street) to the east and a drainage canal next to Monument creek. Grande Western Railroad is to the west and a large undeveloped area to the south which terminates in a driving truck school. Refer to **Exhibit 1** -Existing Conditions Map.

The property is surrounded by the following zoning districts and uses:

**To the North** – BP (Business Park) and MX-N (Mixed-Use Neighborhood Scale), Storage use is permitted as a conditional use.

The area to the north is across the E Woodman Road overpass which is mostly undeveloped. There is a small parking lot for the Edmonson trails network. Outback restaurant and Circle K are at the corner with Commerce Center Road and a park and ride.

**To the West** the property is zoned W- MX-M (Mixed-Use Medium Scale) and PDZ (Planned Development- Residential. The MX-M zoning district permits self - storage use by right. The mixed use /commercial property is developed as a shopping plaza with various commercial services. This commercial property, being located between the residential neighborhood and the subject property, serves as an additional layer of buffer together with the railroad and provides additional screening.

**To the East-** the properties are zoned MX-M (Mixed-Use Medium Scale). The zoning district permits self - storage use by right. This commercial area is where the existing U- Haul center is located. There are several tenants on the property at Tiffani Square. Other commercial business such as a real estate office south of there and a motorcycle dealership are south of the Tiffani Square property.

**To the South** the vacant property is zoned R-5- ( Multi Family High residential).

**REZONE JUSTIFICATION:**

- 1. The proposed zoning 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.*

**Response:**

The proposed rezone will allow for investment in redevelopment of the property which will reduce vacant acreage. The rezone meets the land use goals of the Comprehensive Plan as it is not changing the zoning district of the property and only removing a condition of record. The area along Woodman Road corridor is identified as a new developing activity area. The rezone will allow for new commercial activity and new services for the residents. The

proposed rezone will also meet the economic development goals of the City for creating jobs, increasing tax revenues and retaining and developing new commercial activities.

*2. The rezoning will not be detrimental to the public interest, health, safety, convenience or general welfare.*

**Response:**

The proposed rezone will not be detrimental to the public interest, health or general welfare of the community. The rezone will not cause any vibration, noise, odor, smoke and glare or other negative effects on the adjacent land uses and development. The rezone proposal shall not cause a material reduction in the value of existing abutting properties or approved developments.

The rezone application is to remove condition of record by Ordinance 82 -95 which currently restricts mini- warehousing storage and outside RV storage uses on the property. The proposed uses are permitted in the BP zoning district and the surrounding zoning districts. Any of other uses listed in the conditions of record such as meat packing and processing, truck, trailer, bus storage yards or motor freeing terminals uses will remain as not permitted.

*Comment (12/13/23): The conditions of record established by ordinance number 82-95 were recommended to ensure development was compatible with the neighborhood. Specific to mini warehouse PC felt that there was little that could be done to make mini warehouse look attractive to the point of neighborhood compatibility. Address why the removal of conditions of record will not be detrimental to public interest, health, safety and general welfare, and how these uses fit with the surrounding zoning and uses.*

**Response :**

The mini-storage buildings will meet the requirement of design guidelines of the current zoning ordinance, which did not exist in 1982. The mini storage will meet the requirements for mass/ height, it will not appear overly prominent or obstructive as seen from the street. The buildings will be designed to implement natural appearing materials and the facade will be broken into several elements to avoid a single form structure.

The development will meet the landscape buffering and screening requirements by providing the required street frontage trees and planting at the perimeter and the parking lot of the development.

3. *The location of the lands in the zoning map area being amended are appropriate for the purpose of the proposed zone district(s).*

**Response:**

This rezoning request does not propose changing the zoning district. The current zoning district BP (Business Park) will remain the same. The rezone application is to remove condition of record by Ordinance 82 -95 which currently restricts mini- warehousing storage and outside RV storage uses on the property. These uses are permitted in the BP zoning district and the surrounding zoning districts and are appropriate and complimentary to the surrounding uses.

4. *If the application process to rezone a relatively small area of land, the application demonstrates that the size, scale, height density and multimodal traffic impact of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.*

**Response:**

The proposed rezone will allow for a redevelopment of the site. Any proposed development will be designed to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area. Any proposed redevelopment will be designed per the development standards of the City, with respect to building size, scale, design and materials, and appropriate landscaping and it will promote efficient and safe movement of traffic within the community.

5. *If the application process to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocation 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.*

**Response:**

The proposed rezone will allow for redevelopment of this currently underutilized site and will provide additional services for the surrounding residents. The rezone will create new jobs and increase revenues to the City.

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 Subsection 7.5.514C.3 (Land Use Plan Criteria).*

**Response:**

The submittal is with a Land Use statement.

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 the amended zoning map.*

**Response:**

The current zoning does not require the implemented approved Concept plans for the area to be amended. The zoning map amendment is to remove conditions of record to allow the proposed mini warehousing and outside RV storage uses.

8. *If the application is for creation of an ADS-O District, the approval criteria to the creation of the text of the ADS- O district Section 7.2.607D.47.5.702 (Decisions) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.*

**Response :** Not applicable.

9. *If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manger, 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.*

**Response:** Not applicable.

10. *Complies with the additional standards of the base zone district where the property is located ( See Article 7.2 ( Zone District) or in an overlay district that applies to the property ( See part 7,2,6 ( Overlay Districts)).*

**Response:**

Any future development will comply with the Hillside Overlay, Stream side Overlay, WUI Overlay standards.

In closing, we would like to request the approval of this rezone application from City of Colorado Springs for the removal of conditions of record.

Sincerely,

Lora Lakov  
AMERCO Real Estate – Planner

**EXHIBIT 1- EXISTING CONDITION MAP**

