



805 CITADEL DR E – ZONE CHANGE

Planning Commission April 16, 2024

Staff Report by Case Planner: Ann Odom



Quick Facts

- Applicant**
Brad Nelson – Farnsworth Group
- Property Owner**
AHS Shack Academy LLC
- Developer**
Santiago Escobedo
- Address / Location**
805 Citadel Dr E
- TSN(s)**
6410401008
- Zoning and Overlays**
Current: MX-N AO (Mixed-use Neighborhood Scale with Airport overlay)
Proposed: MX-M AO (Mixed-use Medium Scale with Airport overlay)
- Site Area**
1.21 acres
- Proposed Land Use**
Any allowable use as allowed in the MX-M (Mixed-use Medium Scale) zone district
- Applicable Code**
UDC

Project Summary

This application is a zone change from MX-N AO (Mixed-use Neighborhood Scale with Airport overlay) to MX-M AO (Mixed-use Medium Scale with Airport overlay). (See “Attachment #1 – Site Plan” and “Attachment #2 – Project Statement”)

File Number	Application Type	Decision Type
ZONE-23-0024	Zone Map Amendment	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Smartt's Addition #9	12/01/1963
Subdivision	Citadel Office Complex filing 4	8/18/1988
Master Plan	South Academy Great Streets Master Plan	2011
Prior Enforcement Action	NA	NA

Site History

This application is subject to the South Academy Master Plan. This Master Plan was publicly initiated in 2011 and is considered operative. The land use plan for the 'Citadel Mall Area Regional Activity Node' explains that this area 'is expected to continue to have a regional retail focus, but over time the larger area is projected to continue to diversify with a variety of land uses including medical, educational, civic, and high density residential development.'

Applicable Code

The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is required 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

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-N AO (Mixed-use Neighborhood Scale with Airport overlay)	Medical Offices	NA
West	MX-M AO (Mixed-use Medium Scale with Airport overlay)	Offices	NA
South	MX-M CU HR AO (Mixed-use Medium Scale with a Conditional Use, High-rise and Airport overlays)	Retail/Restaurant	NA
East	MX-M AO (Mixed-use Medium Scale with Airport overlay)	Commercial Center	NA

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences
(Poster / Postcards)

Internal Review/Planning Commission Public Hearing

Postcard Mailing Radius

1000'

Number of Postcards Mailed

37

Number of Comments Received

1

Public Engagement

- No neighborhood meeting was held for this entitlement request
- 1 public comment was received related to the rezone request. A neighbor was inquiring about what the zoning designation meant and if a new use was being proposed at this location

Timeline of Review

Initial Submittal Date

9/5/2023

Number of Review Cycles

2

Item(s) Ready for Agenda

3/19/2023

Agency Review

Traffic Impact Study

A traffic impact study is not required for the zone map amendment request.

School District

No comments received.

Parks

No comments received.

SWENT

Informational comments regarding process requirements future SWENT related requirements on future development proposals. No SWENT requirements apply currently.

Colorado Springs Utilities

No comments received.

Zone Map Amendment

Summary of Application

In accordance with UDC Section 7.5.704.A, the purpose of a zoning map amendment is to establish standards and provide a mechanism for the City to review and decide on an application to rezone property within the City's jurisdiction, where the City has determined that rezoning of those areas is appropriate. An application to establish or change the boundaries of any zone district is required to include a Land Use Plan unless waived or a development plan is submitted in conjunction with the zone map amendment request. The applicant requested a Land Use Plan waiver by submitting a Land Use Statement demonstrating that a Land Use Plan would not serve the purposes of the UDC because one or more of the criteria for a waiver outlined in UDC Section 7.5.514.B.3.a.(1)-(6) are met (see "Attachment #3 – Land Use Statement").

- (1) The land area under review is less than ten (10) acres and is planned to be developed in a single phase;

Staff Analysis: This site is 1.21 acres

- (2) The land is contained in and subject to a previously approved Master or Concept Plan;

Staff Analysis: The parcel is part of the publicly initiated South Academy Great Streets master plan approved in 2020 and amended in 2022. The 1.21 acre site is within the 'Citadel Mall Area Regional Activity Node' which is intended to 'continue to have a regional retail focus, but over time the larger area is projected to continue to diversify with a variety of land uses including medical, educational, civic, and high density residential development.'

- (3) The land is included in a Development Plan application;

Staff Analysis: The restaurant use was established as part of City File PD DP 88-173

- (4) The land area is part of an established surrounding development pattern;

Staff Analysis: The surrounding land use pattern consists of a variety of commercial, civic and office uses. The approved uses in the MX-M (mixed-use medium scale) zone district align with the existing uses in the area.

- (5) The proposed zoning pattern for the land aligns with adjacent existing zoning or development; and/or

Staff Analysis: The surrounding sites in the area are all zoned MX-M (Mixed-use Medium scale) with the exception of the 37,000 square foot lot directly north of the subject property. This rezone request will continue the already established zoning pattern in the area.

- (6) Major infrastructure or urban services for the land including but not limited to access points and roadway systems, have already been established and are not proposed to be changed.

Staff Analysis: The site is already developed and has existing access points off Portal Dr N and Citadel Dr E.

Staff finds that the request to waive the requirements for a Land Use Plan has been met in accordance with UDC Section 7.5.514.B.3.

Application Review Criteria

UDC Code Section 7.5.704.D

An application for an amendment to the zoning map shall be subject the following criteria for approval:

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).

Staff Analysis: The proposed zone map amendment application has been evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. The proposed zone change and land use statement are substantially in compliance with the goals, policies and strategies within PlanCOS as addressed below. The MX-M (Mixed-use Medium Scale) accommodates a wider range of commercial, civic and residential uses than the existing MX-N (Mixed-use Neighborhood Scale) zone district. The MX-M (Mixed-use Medium Scale) zone district and the allowable uses are more aligned with the surrounding properties in this area.

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

Staff Analysis: The request to rezone the 1.21 acre site from MX-N (Mixed-use Neighborhood Scale) to MX-M (Mixed-use Medium scale) is not expected to be detrimental to the public interest, health, safety, convenience, or general welfare. The proposed zoning is consistent with majority of the surrounding properties which are already zoned MX-M (Mixed-use Medium Scale). The permitted uses in the proposed zone are aligned with the surrounding properties in this area.

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

Staff Analysis: The MX-M (Mixed-use Medium Scale) accommodates a wider range of commercial, civic and residential uses than the existing MX-N (Mixed-use Neighborhood Scale) zone district. The MX-M (Mixed-use Medium Scale) zone district and the allowable uses are more aligned with the surrounding properties in this area.

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.

Staff Analysis: The project site is already developed as a restaurant. The development standards in the MX-M (Mixed-use Medium Scale) zone district and the allowable uses are more aligned with the surrounding properties in this area. The development capabilities of this site would be the same as surrounding properties and there is already existing infrastructure in place to support redevelopment.

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.

Staff Analysis: The proposed rezone does not create a dislocation of tenants or occupants, as the site is currently developed as a restaurant and has sat empty for several years. The rezone will allow the property owner to attract a wider variety of potential occupants to occupy the existing site.

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

Staff Analysis: This criterion is not applicable as the applicant has submitted an accompanying 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 an amended zoning map.

Staff Analysis: This site is not a part of any previously approved concept plan boundary

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 7.2.607.D (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

Staff Analysis: The zone map amendment is not for 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.

Staff Analysis: The zone map amendment is not to a PDZ district.

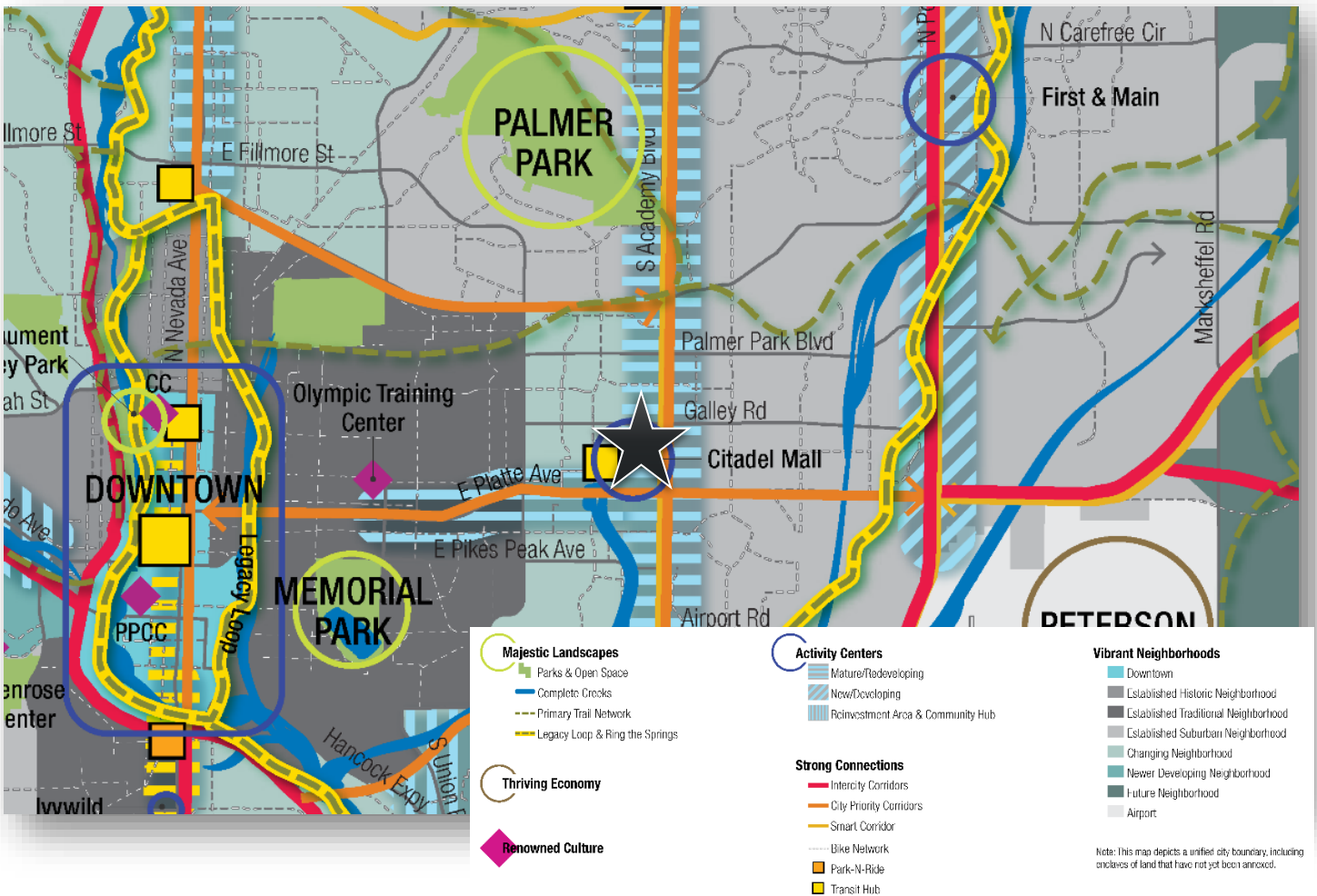
10. Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).

Staff Analysis: The subject property is within the Airport Overlay (AP-O) district. The existing site is currently developed in a way that is consistent with the goals and standards set forth in these overlay districts.

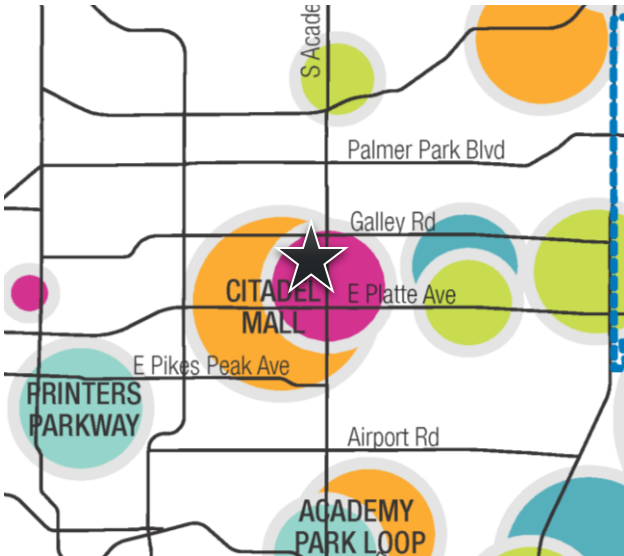
After evaluation of the zone map amendment for the 805 Citadel Dr E project the application meets the review criteria.

Compliance with PlanCOS

PlanCOS Vision



The proposed zone map amendment application has 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 within a “Changing Neighborhood” and a “Mature/Redeveloping” activity center near N Academy Blvd and Galley Rd. This neighborhood typology includes neighborhoods that “have the potential or need for City attention, reinvestment, and land use change... Planning emphasis should be placed on implementing strategies necessary to support, incentivize, or adapt to change resulting from market forces, redevelopment, or disinvestment.” Additionally, ‘Mature/Redeveloping Corridors’ are “corridors [that] represent significant infill and redevelopment opportunities.”

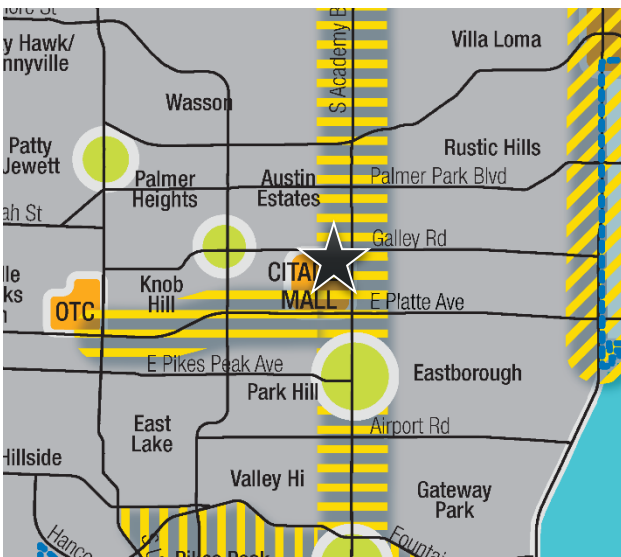


Predominant Typology

- Cornerstone Institutions
- Spinoffs and Startups
- The Experience Economy
- Life and Style
- Industry Icons
- Critical Support
- City Boundary
- Interstate 25
- Major Roads

Thriving Economy

- Goal TE-4: 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

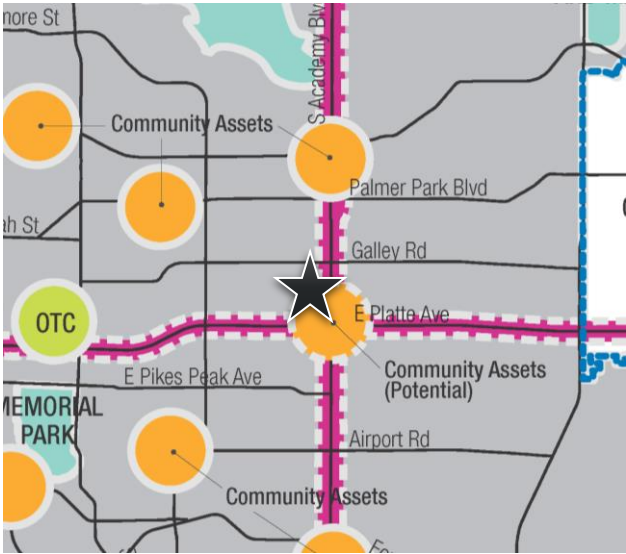


Predominant Typology

- Neighborhood Centers
- Community Activity Centers
- Entertainment and Commercial Centers
- Regional Employment and Activity Centers
- Downtown
- Mature/Redeveloping Corridors
- New/Developing Corridors
- Reinvestment Area and Community Hub

Unique Places

- Strategy UP-2.A-2: Provide opportunities for redevelopment by identifying and supporting catalyst projects in underutilized locations such as disinvested shopping centers and business parks, former “big box” retail spaces, and no longer needed school buildings.
- Strategy UP-4.C-1: Support additional mixing and integration of land uses as zoning use-by-right or administrative approval



Renowned Culture

- Goal RC-2: Add to, enhance, and promote Colorado Springs’ institutions, attractions, and community assets integral to our local culture and civic pride

Predominant Typology

- Defining Institutions
- Historic Districts
- Community Assets
- Creative Districts and Corridors
- Cultural and Tourist Attractions
- Pop-Up Culture

Statement of Compliance

ZONE-23-00024

After evaluation of the 805 Citadel Dr E Zone Change the application meets the review criteria.