

OFFICE CLUB POINT ZONE CHANGE

PROJECT STATEMENT

JULY 2024

REQUEST

N.E.S. Inc., on behalf of Purgatory Land Holdings LLC requests approval of a zone change from MX-M (Mixed-Use Medium Scale) and BP (Business Park) to MX-M (Mixed-Use Medium Scale).

LOCATION AND ZONING

The Office Club Point rezone project site is comprised of 2.1 acres, is located northwest of Briargate Pkwy and Explorer Drive, and is currently undeveloped. The site is currently split-zoned with BP (Business Park) and MX-M (Mixed-Use Medium Scale), though majority of the site (1.5 acres) is within the MX-M zone district. Surrounding zone districts include MX-M to the southwest, south, and east of the parcel. These adjacent parcels are developed with hotel and office uses. The parcel to the west is split zoned with BP and A zone districts and is being used as open space. The parcel to the north is zoned A and is developed as a golf course.



SITE HISTORY

A portion of the project site was involved in the 1997 rezone request and approval from PIP-1 to PBC (CPC P 97-00267/Ordinance No. 97-179) however, approximately .6 acres of the 2.1-acre site was not included in the rezone exhibit. The site was platted into its existing configuration in 2003 but the dual zoning was not addressed at that time. Furthermore, the site gained land use approval in 2006 for a Major Development Plan Amendment (AR DP 06-00357) despite the dual zoning. This approval was for a 3-story commercial/office building but the site was never developed. This site is a platted lot within a developed commercial and industrial area of the city but is undevelopable until the dual zoning is addressed.

PROJECT JUSTIFICATION

CONFORMANCE WITH ZONE MAP AMENDMENT CRITERIA (CODE SECTION 7.5.704.D)

- 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).**

PlanCOS Compliance:

The proposed rezone complies with many of the strategies set forth in PlanCOS.

The project site is within the 'Spinoffs and Startups' typology in the Thriving Economy Framework. The comprehensive plan states, *"The goal of this typology is to become increasingly competitive at business and worker attraction in medium and high-wage jobs by supporting the creation of environments that attract them and allow them to thrive."*

Strategy TE-1.A-1: Provide an adequate supply of varied, development ready sites that are appropriate for new investments in existing industry and targeted clusters.

Policy TE-4.A: Prioritize development within the existing City boundaries and built environment (not in the periphery).

This site is a platted lot within a developed commercial and industrial area of the city. There are existing services in the area including retail, restaurant, and civic uses that could help attract new businesses and serve future employees and visitors. The dual zoning of the site is a barrier to development and by addressing this issue, a new development ready site would be introduced to the area.

The project site is within the 'Modern Upgrades' utilities typology in the Strong Connections Framework. The comprehensive plan states, *"The goal of this typology is to adaptively and systematically retrofit and modernize older buildings, facilities, and local utility systems to promote responsive and efficient resource use, production, and distribution, and to reduce negative impacts of utilities systems and use at local scale."*

Strategy SC-4.A-1: Support a combination of density, infill, redevelopment, and design to reduce the rate of addition of pipeline and conductor miles that need to be maintained by Colorado Springs Utilities (CSU) or other entities.

As noted above, this site is in a developed commercial and industrial area of the city and all the necessary utility infrastructure is in place directly adjacent to the site. As such, the development of this site will not require significant additional pipeline or conductor miles and would be an efficient use of existing services. This rezone will eliminate the dual zoning that encumbers the site and allow for infill development on an already platted lot within city boundaries.

Briargate Master Plan Compliance:

The Briargate Master Plan was approved in 2003 and most recently amended in 2020 (CPC MP 07-00061-A8MN20). The project site is within an area designated as ‘Regional Commercial’ on the plan. The City Code at the time of Master Plan approval defined Regional Commercial as *“primarily retail land uses intended to provide some of the functions of the other commercial centers, plus the sale of general merchandise and may include some office uses... The service area is a radius of about five (5) miles or at least one hundred thousand (100,000) people.... Traffic generation is constant and volumes are high relative to other commercial types.”* The definition of Regional Commercial aligns with the purpose and permitted uses in the MX-M zone district which is intended to accommodate commercial, retail, office, multi-family residential, and civic uses. While a future development has not been identified for this site, it is adjacent to other commercially developed, MX-M properties. The proposed rezone complies with the goals of the Briargate Master Plan.

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

The proposed rezone will not be detrimental to public interest, health, safety, convenience, or general welfare. The majority of the parcel is currently zoned MX-M. The MX-M zone district accommodates commercial, retail, office, multi-family residential, and civic uses which is consistent with the development pattern in the surrounding 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).

The purpose of the MX-M zone district, as stated in City Code section 7.2.304.A, is to *“promote the adaptive reuse or redevelopment of single-use commercial centers that are vacant or underused.”* Additionally, as described in the response to Criteria 2 above, the zone district accommodates commercial, retail, office, multi-family residential, and civic uses. The surrounding area is already mostly developed with commercial, office, and lodging uses. The proposed rezone would allow for this vacant site to be developed in a consistent manner with the surrounding 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.**

The project site is relatively small at just 2.1 acres. The request to rezone the lot to MX-M is in keeping with the surrounding area as 1.5 acres of the site is already zoned MX-M and 3 of the adjacent lots are zoned MX-M as well. The site has platted access via the private road Office Club Pt which is also the access for the adjacent MX-M lots. Additionally, the development standards in the MX-M zone district would allow for similar size, scale, height, and density as the 3 adjacent MX-M lots. While a future development has not been identified for the site, the potential uses and impacts are consistent with those existing and allowed in the immediate area.

- 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 project site is relatively small at just 2.1 acres and is currently vacant so no displacement of tenants or occupants will occur. The rezone will bring the lot into compliance and allow for future development.

- 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).**

This rezone request is submitted with a Land Use Statement demonstrating how the criteria set forth in City Code section 7.5.514.A.3 are met.

- 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.**

There are no concept plans relevant to this site.

- 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.4](#) (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.**

This application will not create an ADS-O zone 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.**

This application is not a rezone to a PDZ zone 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)).**

This site is not within an overlay-district. City Code section 7.2.305.C outlines the additional standards for the zone district. These additional standards include:

1. *When land is zoned into this zone district after the Effective Date, the Manager may require that a Land Use Plan designating the percentage of land in the zone district to be occupied by residential or nonresidential uses be approved along with the rezoning. A Land Use Plan that integrates multi-family uses may qualify the development for incentives pursuant to Section 7.4.202 (Incentives)*
2. *Reference Part 7.3.3 for additional use-specific standards*

This rezone request is for a small lot consisting of 2.1 acres in a developed commercial and industrial area. This rezone request qualifies for a Land Use Plan Waiver as it meets all the criteria set forth in City Code section 7.5.514.A.3. Additionally, the master plan for the area designates this site as 'Regional Commercial' which is consistent with the uses allowed in the MX-M zone district. Any future development will require the submittal of a development plan and any use specific standards related to the future use will be addressed at that time.