



## Legislation Details (With Text)

**File #:** ZONE-23-0033      **Version:** 3      **Name:** Garden of the Gods Trading Post

**Type:** Planning Case      **Status:** Mayor's Office

**File created:** 4/19/2024      **In control:** City Council

**On agenda:** 6/25/2024      **Final action:** 6/25/2024

**Title:** Ordinance No. 24-43 to amend the zoning map of the City of Colorado Springs pertaining to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay).

(Quasi-Judicial) (Second Reading and Public Hearing)

**Presenter:**  
Allison Stocker AICP, Planner II, Planning and Neighborhood Services Department  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services Department

**Sponsors:** Planning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. GOG Trading Post\_Draft\_Ordinance, 2. GOG Trading Post\_Staff\_Report\_Revised\_20240514, 3. Staff\_Report\_Garden of the Gods Trading Post\_ADS, 4. Attachment 1 - Exhibit A - Revised Legal Descriptions, 5. Attachment 2 - Exhibit B - Rezone Map\_0604\_11x17, 6. Attachment 3 - Zone Change Project Statement, 7. Attachment 4 - Land Use Statement, 8. Attachment 5 - Parks Letter of Support, 9. Attachment 6 - Public Comments, 10. Attachment 7 - Public Comments 2, 11. Attachment 8 - Land Swap Agreement, 12. Additional Public Comment 3, 13. Additional Public Comment 4, 14. Additional Public Comment 5, 15. 7.5.704 ZONING MAP AMENDMENT (REZONING), 16. Signed Ordinance No. 24-43.pdf

Date	Ver.	Action By	Action	Result
6/25/2024	3	City Council	finally passed	Pass
6/11/2024	2	City Council	approved on first reading	Pass
5/8/2024	1	City Planning Commission	accepted	Pass

Ordinance No. 24-43 to amend the zoning map of the City of Colorado Springs pertaining to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay).

(Quasi-Judicial) (Second Reading and Public Hearing)

**Presenter:**  
Allison Stocker AICP, Planner II, Planning and Neighborhood Services Department  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services Department

**Summary:**  
Owner: Tim O Haas & Terrance E Haas PTR LLP  
Developer: N/A

Representative: Zach Taylor, Taylor Architects  
Location: 324 Beckers Lane

This request is on behalf of Tim O Haas & Terrance E Haas PTR LLP, the owner of the two unplatted lots known under Tax ID's 7404107002 and 740410001, which are adjacent to the Garden of the Gods Trading Post. The request for a zone change is to support the Trading Post's ability to expand their parking lot onto these two lots, which is presently not permitted under the current zone district. This zone map amendment application has been submitted with a Land Use Statement as the manager found that the application met the requirements for a waiver to the Land Use Plan.

**Background:**

Please refer to the City Planning Commission staff report for further details on this project.

**Review Criteria:**

The review criteria for Zoning Map Amendments as set forth in City Code Section 7.5.704 (UDC) are noted below.

City Council shall approve the application only if it complies with the following criteria:

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).
2. The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.
3. The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).
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.
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.
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).
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.

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.

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.

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)). (Ord. 23-03)

Planning Commission and Staff finds the Zone Map Amendment to substantially meet the above review criteria.

**Previous Council Action:**  
N/A

**Financial Implications:**  
N/A.

**City Council Appointed Board/Commission/Committee Recommendation:**  
The City Planning Commission recommended unanimous approval of this zone change proposal on May 8<sup>th</sup>, 2024.

**Proposed Motions:**  
Motion to Approve:  
Adopt Ordinance No. 24-43 amending the zoning map of the City of Colorado Springs relating to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay) zone district based upon the findings that the request complies with the criteria for establishing a zone district as set forth in City Code Section 7.5.704.

Motion to Deny:  
Deny Ordinance No. 24-43 amending the zoning map of the City of Colorado Springs relating to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay) zone district based upon the findings that the request does not comply with the criteria for establishing a zone district as set forth in City Code Section 7.5.704.

An ordinance amending the zoning map of the City of Colorado Springs relating to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay) zone district.