



Legislation Details (With Text)

File #: ZONE-23-0029 Version: 3 Name: Mark Dabling U-Haul Rezone
Type: Planning Case Status: Mayor's Office
File created: 11/27/2023 In control: City Council
On agenda: 3/26/2024 Final action: 3/26/2024
Title: Ordinance No. 23-029 amending Ordinance No. 82-95 to revise condition of record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:
William Gray, Senior Planner, Planning + Neighborhood Services
Peter Wysocki, Director, Planning + Neighborhood Services

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Land Use Statement, 3. Ordinance No. 82-95, 4. Exhibit to Ordinance No. 82-95, 5. Mark Dabling UHaul Rezone Ordinance_Final, 6. Zone Map, 7. Context Map, 8. Zone Map Amendment Legal Description, 9. Zone Map Amendment Exhibit_Revised, 10. Corporate Centre Filing No 2, 11. Conditional Use Development Plan, 12. Mineral Estate Owner Notification Certification Affidavit, 13. Public Comment_Mark Dabling UHaul Rezone_Van Doren_02132024, 14. 7.5.704 ZONING MAP AMENDMENT (REZONING), 15. Mark Dabling CPC minutes draft, 16. CC_City Staff Presentation_Mark Dabling U-Haul Rezone_WEG, 17. Signed Ordinance No. 24-14.pdf

Table with 5 columns: Date, Ver., Action By, Action, Result. Rows show dates 3/26/2024, 3/12/2024, and 2/14/2024 with corresponding actions like 'finally passed', 'approved on first reading', and 'approved'.

Ordinance No. 23-029 amending Ordinance No. 82-95 to revise condition of record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard (Quasi-Judicial) (Second Reading and Public Hearing)

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Summary:

Owner: 6805 Corporate Eat, LLC
Developer: U-Haul CO of Southern Colorado
Representative: Jeffrey Gillley, U-Haul CO of Southern Colorado
Location: 6910 Mark Dabling Boulevard

The application is a Zone Map Amendment (Rezoning) for the purpose of changing the established Conditions of Record under Ordinance No. 82-95 that are applicable to 6910 Mark Dabling. This application does not propose to rezone the property. The zoning of the property will remain BP (Business Park) with United States Air Force Academy, Streamside, Wildland Urban Interface, and Hillside Overlays. The application is only requesting to change the conditions and restrictions established in Zoning Ordinance No. 82-95 to make mini storage warehouses and accessory outdoor storage uses allowed in the BP (Business Park) zone district, consisting of 6.26 acres located at 6910 Mark Dabling Boulevard. All other conditions and restrictions of Ordinance No. 82-95 will remain in effect.

Background:

Please see the attached City Planning Commission Staff Report for a complete analysis of the proposed application.

Review Criteria:

The Approval Criteria for a Zone Map Amendment (Rezoning) as set forth in City Code Section 7.5.704.D (UDC) are noted below.

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 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 the approved Concept Plans have been classified as implemented and do not have to be amended 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 7.2.607.D.4 (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)).

Staff finds that the approval criteria of UDC Section 7.5.704.D, which are applicable to a Rezoning have been met with this application.

Previous Council Action:

City Council previously acted on this property as follows:

- (1) 1982 with the adoption of Ordinance No. 82-95.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

City Planning Commission voted 7-0-1 to approve the Mark Dabling U-Haul Zone Map Amendment (Rezoning) at the February 14, 2024, meeting (The application was approved on Consent Agenda by a 7-0-1 with Commissioner Ricket absent).

Proposed Motions:

Approve the Zone Map Amendment (Rezoning) to change the conditions and restrictions established in Zoning Ordinance No. 82-95 to make mini-storage warehouses and accessory outdoor storage uses allowed in the BP (Business Park) zone district, based upon the findings that the request meets the approval criteria for a Zone Map Amendment (Rezoning) as set forth in City Code Section 7.5.704.D.

An ordinance amending Ordinance No. 82-95 to revise condition of record no. 1 as it relates to mini warehouses being a use that is not permitted and delete condition of record no. 2 related to outside storage as an accessory use pertaining only to 6.26 acres located at 6910 Mark Dabling Boulevard.