



Legislation Text

File #: ZONE-24-0004, **Version:** 4

Ordinance No. 24-38 to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay).
(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

William Gray, Senior Planner, Planning and Neighborhood Services
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

Summary:

Owner: Arrowswest Apartments I, LLC
Developer: Arrowswest Apartment I, LLC
Representative: Nick Nowotarski, Weidner Apartment Homes
Location: 4145 Arrowswest Drive

The proposed project includes an application for a Zone Map Amendment and Development Plan located at 4145 Arrowswest Drive near the southwest corner of the West Garden of the Gods Road and North 30th Street Intersection.

The Zone Map Amending (Rezoning) proposes to rezone 6.87 acres from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed-Use Medium Scale with Wildland Urban Interface Overlay). This application is required due to a GIS mapping error.

Background:

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

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 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) 2005 with the adoption of Ordinance No. 05-11. Ordinance No. 05-11 rezoned the area located north of Arrowswest Drive and adjacent to West Garden of the Gods Road and North 30th Street from PIP-2 (Planned Industrial Park) to PBC (Planned Business Center). It is important to note that PIP-2 and PBC zoning were changed to BP (Business Park) and MX-M (Mixed Use Medium Scale) with the adoption of the UDC in June 2023.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

City Planning Commission, at their April 16, 2024, meeting voted 7-2 to approve the Arrowswest Apartments Zone Map Amendment (Rezoning), with Commissioners Hente and Rickett voting no for reasons related to public safety; and voted 7-2 to approve the Arrowswest Apartments Development Plan with Commissioners Hente and Rickett voting no for reasons related to public safety.

Possible Motions:

Should the City Council wish to approve the Zone Map Amendment (Rezoning) application, the following motion is suggested:

Approve the Zone Map Amendment to change 6.87 acres from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay), based upon the findings that the request complies with the criteria for a Zone Map Amendment as set forth in City Code Section 7.5.704.

Should the City Council wish to deny the Zone Map Amendment application, the following motion is suggested:

Deny the Zone Map Amendment to change 6.87 acres from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay), based upon the findings that the request does not comply with the criteria for a Zone Map Amendment as set forth in City Code Section 7.5.704.

An ordinance to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay).