



MARK DABLING U-HAUL ZONE CHANGE

Planning Commission February 14, 2024

Staff Report by William Gray, Senior Planner



Quick Facts

Applicant/Developer

U-Haul CO. of Southern Colorado

Property Owner

6805 Corporate Eat, LLC

Address / Location

6910 Mark Dabling Boulevard

TSN(s)

6307405009

Zoning and Overlays

Current: BP (Business Park)

Proposed: BP (Business Park)

Overlay(s): United States Air Force Academy, Hillside, Wildland Urban Interface, and Streamside

Conditions of Record: Ordinance No. 82-95

Site Area

6.26 acres

Proposed Land Use

Self-Storage

Applicable Code

Unified Development Code

Project Summary

The Applicant is proposing a Zone Map Amendment (Rezoning) to revise the conditions and restrictions (aka Conditions of Record) established by Ordinance No. 82-95 to make mini storage warehouses and accessory outdoor storage allowed uses in the BP (Business Park) zone district.

| File Number | Application Type | Decision Type |
|--------------|------------------------|----------------|
| ZONE-23-0029 | Zone Change (Rezoning) | Quasi-Judicial |

Background

Prior Land-Use History and Applicable Actions

| <i>Action</i> | <i>Name</i> | <i>Date</i> |
|--------------------------|-------------------------------|-------------------|
| Annexation | Golden Cycle Addition No. 1 | April 1, 1966 |
| Subdivision | Corporate Centre Filing No. 2 | February 23, 1984 |
| Master Plan | Rockrimmon Master Plan | July 1978 |
| Prior Enforcement Action | N/A | |

Site History

The site is known as Lot 1 Corporate Centre Filing No. 2. It is addressed as 6910 Mark Dabling Boulevard (“6910 Mark Dabling”) and located west of the Interstate 25 and Woodmen Road interchange adjacent to Woodmen Road and Mark Dabling Boulevard, Monument Creek, and the Pikes Peak Greenway Trail. The lot is 6.26 acres in area.

6910 Mark Dabling was annexed into the city 1966 as a part of the 3,222-acre Golden Cycle Addition No. 1 annexation. It is also a part of the Rockrimmon Master Plan and is identified for light industrial uses by the master plan. The Rockrimmon Plan is considered an implemented master plan. A master plan does not require an amendment once it has been determined to be implemented. The planned land use identified with the application is Self-Storage, which is in the commercial and light industrial land use category. Even though implemented the planned use is consistent with the Rockrimmon Master Plan.

In 1982, the property and an additional 47.121 acres (totaling 53.399 acres) was zoned to PIP-2 (Planned Industrial Park). PIP-2 is a zoning district from the previously adopted development code (see “**Ordinance No. 82-95**” and “**Exhibit to Ordinance No. 82-95**” attachments). In June 2023, the PIP-2 zone district was renamed BP (Business Park) with the adoption of the Unified Development Code of the City of Colorado Springs (“UDC”). With the 1982 zoning, the following conditions and restrictions were instituted over and across the 53.399 acres (“Conditions of Record”):

Ordinance No. 82-95 Conditions of Records

1. Commercial laundries, meat packing and processing, truck, tractor, trailer, bus storage yards or motor freight terminals and mini warehouses are not permitted as allowed uses.
2. Outside storage is not permitted as allowed accessory use.

The main reason for the Conditions of Record to be placed on the property was to ensure future development was compatible with the surrounding neighborhood and that the property lied adjacent and along Monument Creek. Mini warehouses were added to the list of uses not allowed during the Planning Commission review in 1982. The Planning Commission concluded that mini-warehouse development was not an attractive use particularly the structures associated with the use and that there was little that could be done to improve the appearance of this use to ensure neighborhood compatibility.

6910 Mark Dabling was subdivided to its current configuration in 1983 with the approval and recording of the Corporate Centre Filing No. 2 subdivision final plat (see “**Corporate Centre Filing No. 2**” attachment). The lot was developed in

2011 as a surface parking lot with 577 spaces (see “**Conditional Use Development Plan**” attachment). This use was approved by Conditional Use Development Plan (City File No. CU 11-00074) under a previously adopted zoning code in which a parking lot was a conditional use. The site use remains a parking lot with limited use. Surrounding uses to the property include a commercial center and multi-family residential to the west, planned multi-family residential to the south, public trailhead, Pikes Peak Greenway and Self-Storage to the north, and Monument Creek, Pikes Peak Greenway, Park N’ Ride and Self-Storage to the east (see “**Context Map**” attachment)

Applicable Code

All 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 (Mixed Use Neighborhood Scale with United States Air Force Academy, Streamside, Wildland Urban Interface, and Hillside Overlays) | Pikes Peak Greenway and Trailhead | Condition of Record as set forth in Ordinance No. 82-95 and owned by City of Colorado Springs. |
| West | MX-M and PDZ (Mixed Use Medium Scale and Planned Development Zone with United States Air Force Academy, Wildland Urban Interface, and Hillside Overlays) | Commercial Center and Multi-Family Residential (Raven Crest Townhomes) | Separated from the site by Union Pacific railroad track and right-of-way. Northwest of site on north side of Woodmen Road is a Self-Storage use. |
| South | R-5 (Multi-Family High with United States Air Force Academy, Streamside, Wildland Urban Interface, and Hillside Overlays) | Undeveloped, vacant land | Zoned R-5 in 2021 by Ordinance No. 21-72 with an approved Concept Plan for up to 180 duplexes and is also subject to Condition of Record as set forth in Ordinance No. 82-95. |

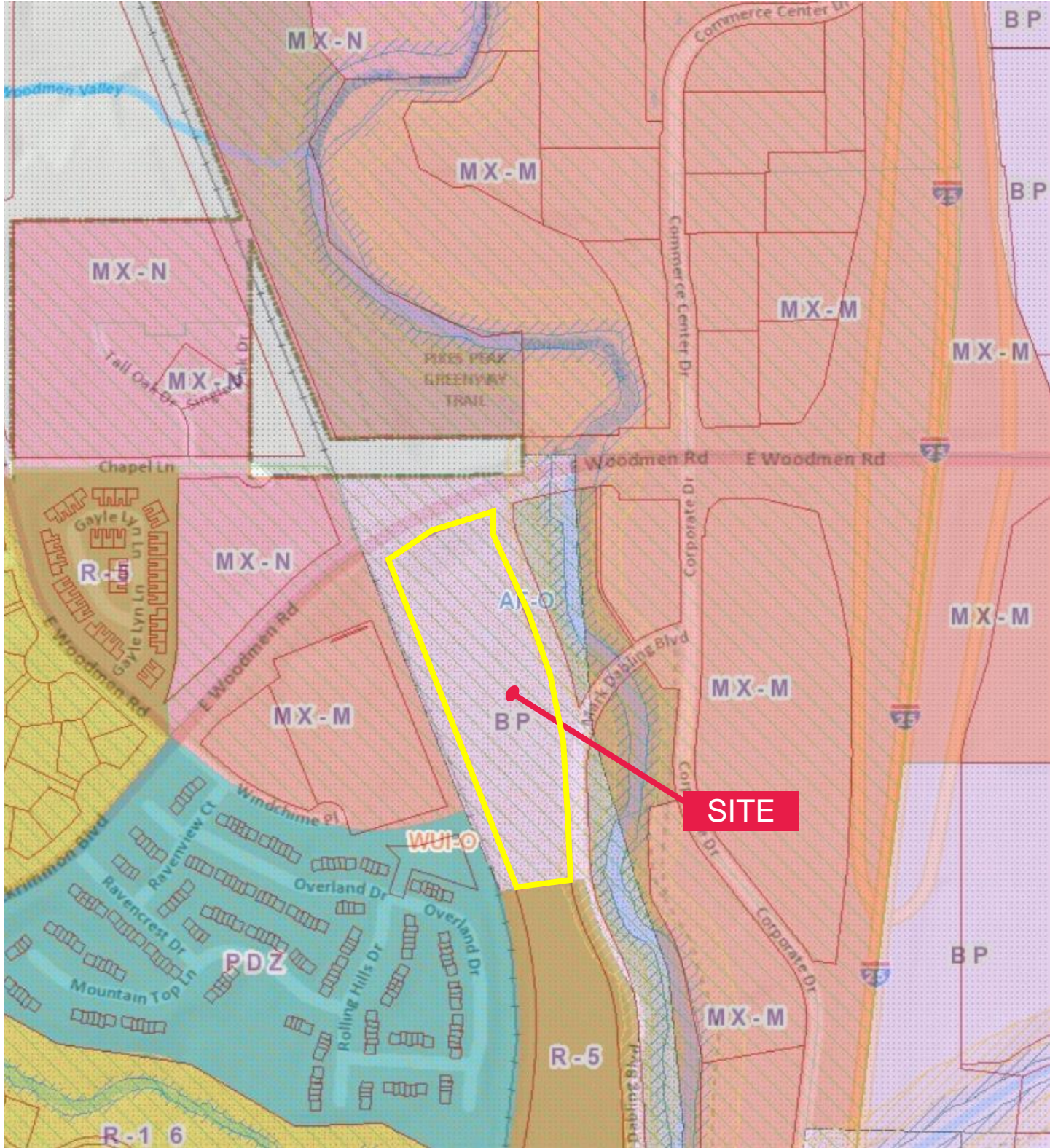
East

BP and MX-M
(Business Park and
Mixed Use Medium
Scale with United
States Air Force
Academy,
Streamside,
Wildland Urban
Interface, and
Hillside Overlays)

Pikes Peak Greenway
and CDOT Park N'
Ride Lot

Condition of Record as set forth in Ordinance No. 82-95 for the area of the adjacent parcel zoned BP. Self-Storage use as southeast corner of Woodmen Road and Corporate Drive intersection.

Zoning Map



Stakeholder Involvement

Public Notice

| | |
|---|--|
| Public Notice Occurrences (Poster / Postcards) | Two (2) times, Administrative Review and prior to Planning Commission public hearing |
| Postcard Mailing Radius | 1,000' |
| Number of Postcards Mailed | 253 postcards were mailed with each of the two (2) public notices |
| Number of Comments Received | No comments received |

Public Engagement

- No neighborhood meeting was held for this entitlement request.
- City Planning Staff received no public comment on the proposed application.

Timeline of Review

| | |
|--------------------------|------------------|
| Initial Submittal Date | December 5, 2023 |
| Number of Review Cycles | Two (2) |
| Item(s) Ready for Agenda | January 16, 2024 |

Agency Review

Traffic Engineering

No review comments provided.

Engineering

No review comments provided.

SWENT

No review comments provided.

Colorado Springs Utilities

No review comment provided.

USAFA

No review comments provided.

The application had no review comments that were specific to the Zone Map Amendment. A primary reason is that no development is proposed, and the application does not request a change of zoning. The application only requests that a change to the Conditions of Record so mini-warehouses and accessory outside storage uses may be considered with any future use of the property. Review comments that were provided were informational and pertained to development standards and requirements that would be applicable with any future development proposal for this lot.

Summary of Application

The application is for 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 (see “**Land Use Statement**”, “**Legal Description**” and “**Zoning Exhibit**” attachment). 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, Hillside, Wildland Urban Interface, and Streamside 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.

Ordinance No. 82-95 restricted mini-warehouse and accessory outside storage uses on the site. This ordinance also restricted other uses as well (see “**Ordinance No. 82-95**” attachment). The main reason for these prohibitions of use to be enacted with the 1982 zone change was neighborhood compatibility. To reiterate, the application only pertains to Lot 1, Corporate Centre (aka 6910 Mark Dabling) containing 6.26 acres. The condition and restrictions for the remaining

The Applicant is wanting to pursue a self-storage development with accessory outside storage for recreational vehicles on the lot. This can't be a consideration for U-Haul of Southern Colorado if the conditions and restrictions related to mini-warehouse and outside accessory storage remain in place. The procedure to remove or change adopted Conditions of Record is the Zone Map Amendment (Rezoning) process (City Code Section 7.5.704).

Mini warehouse is a use that is no longer used. Mini warehouse was replaced by the use Self-Storage when the UDC became effective in June 2023. A Self-Storage use is defined as follows:

Self-Storage

A use with buildings designed primarily for the storage of household items and inventory of small commercial businesses where storage units are individually leased or rented, where access to storage units is infrequent, and where no utilities are provided except for the service of a manager's apartment and for lighting of individual storage units.

In addition, Self-Storage is subject to use-specific standards. Use-specific standards are a set of requirements and other standards that a use must meet for the purpose of establishing neighborhood compatibility. The use specific standards that are applicable to Self-Storage are as follows:

Self-Storage Use-Specific Standards

- a. All storage shall be kept within an enclosed building, except recreation or other oversized vehicles which shall be stored only in exterior areas screened from view from any street frontage.
- b. Only storage of goods and materials are allowed in self-storage rental spaces. The use of storage spaces to conduct or operate a business is prohibited.
- c. The storage of hazardous materials is prohibited.
- d. Loading docks may not be located on a side of the facility adjacent to a residential zone district.
- e. A permanent screen shall be required along all property boundaries and shall conform to landscaping and screening requirements in Part 7.4.9 (Landscaping and Green Space).
- f. If the facility is within an OR or MX-N zone district, all storage shall be contained within a fully enclosed structure that:
 - (1) Is at least a two (2) story structure with storage units on upper floors with access doors to storage units accessed from interior hallways; and

- (2) Does not have any garage doors or access doors to any storage unit facing any public street, park, or green space, unless the doors are screened from all visible public streets, parks, and green spaces.
- g. The use of shipping containers for permanent structures is subject to Development Plan review and architectural review pursuant Part 7.4.11 (Building Design and Site Features).
- h. Exterior façade treatment shall be consistent within the developed area including materials and colors.

Self-Storage is a permitted use in the BP (Business Park) zone district, and it is a Conditional Use in the Streamside Overlay District. A future Self-Storage Use is subject to Conditional Use, Development Plan and Streamside Overlay Review Criteria. This means that future development for Self-Storage would be subject to building design, landscaping, buffering, lighting, and streamside standards to establish neighborhood compatibility. Furthermore, the definition of Self-Storage use does provide that all storage be in an enclosed building except for recreational vehicle or other oversized vehicles if they are screened from view from any street frontage. This further emphasizes that if a Self-Storage use has outside vehicle storage as allowed it must be screened and landscaped from any street view.

The other element of this application is to make Accessory Outside Storage an allowed accessory use. Accessory Outside Storage is allowed in the Business Park Zone District. Just like Self-Storage it is also subject to Use-Specific Standards. The Use Specific Standards for Accessory Outdoor Storage are as follows:

M. Outdoor Storage, Accessory

Outdoor storage shall be allowed only following Development Plan review, and areas used for permanent storage shall be clearly identified on an approved Development Plan and subject to the following standards:

1. All outdoor storage shall be fully screened from adjacent properties and rights-of-way. Buffer screening is considered adequate regardless of topographic conditions if it includes a screening wall or an opaque fence that is at least seven (7) feet in height, and materials and merchandise may not be stacked or stored higher than the wall or fence. Buffer screening is not required for the storage of vehicles for sale or rental if permitted by an approved Development Plan.
2. The maximum height of stacked materials, stacking height maximums, the proximity of stacked materials to lot lines, and requirements specific to wood products and tires shall comply with any additional requirements of the Fire Code Official.
3. In the OR and MX-N zone districts, outdoor storage of materials and display of merchandise related to nonresidential uses is prohibited.
4. Shipping containers used for storage shall not be stacked.

Like Self-Storage, an Accessory Outdoor Storage use is permitted in the BP (Business Park) zone district, and it is a Conditional Use in the Streamside Overlay District. A future use with Accessory Outdoor Storage is subject to Conditional Use, Development Plan and Streamside Overlay Review Criteria. This means that future development that includes Accessory Outdoor Storage would be subject to landscaping, buffering, lighting, and streamside standards to establish neighborhood compatibility.

The UDC, unlike the 1982 zoning and development code of the city includes review criteria, standards, and requirements to ensure that a self-storage (mini warehouse) with accessory outside storage achieve neighborhood compatibility and that require development to contribute architecturally, aesthetically, and ecologically to the growth and economic prosperity of the city; and that achieve healthy, attractive, and safe environment at a site, neighborhood, and city-wide level. It is reasonable to conclude that the UDC contains the necessary provisions to address the reason(s) for imposing

the conditions and restrictions when this lot was rezoned in 1982. Therefore, it is appropriate to remove the conditions and restrictions applicable to mini warehouse and accessory outside storage use as proposed.

Application Review Criteria

UDC Section 7.5.704.D, Approval Criteria for a Zone Map Amendment (Rezoning)

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).

The proposed application is consistent with the Colorado Springs Comprehensive Plan, and the future planned use is consistent with the BP (Business Park) zone district purpose statement. The use is allowed in the BP (Business Park) zone district.

The site is also located in the Streamside Overlay District where Self-Storage and Accessory Outdoor Storage are both conditional uses. The approval criteria for conditional use further ensure that the intended future land use as proposed by with this application meets the purpose statement of the BP (Business Park) zone district and that it is consistent with the goals and policies of the City of Colorado Springs Comprehensive Plan are

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

The proposed application will not be detrimental to the public interest, health, safety, convenience, or general welfare. The future planned uses are subject to the review criteria and standards for conditional use, development plan and streamside overlay to ensure the important community interests are addressed.

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 application does not change the zoning of the property. It only amends the conditions and restrictions related to self-storage and accessory outside storage. Both the base zone district and Streamside Overlay District allow for self-storage and accessory storage uses to be proposed. These uses are subject to the review criteria and standards for a conditional use, development plan and streamside.

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 review criteria enacted by the UDC will ensure that any future application demonstrates that the size, scale, height, density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development and that they be made compatible with surrounding development through approval conditions. The future planned use of the property is subject to conditional use, development plan and streamside review criteria and standards. In addition to this, all other restrictions on uses (i.e., meatpacking) remain in full force and effect.

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 proposed application does not rezone the property. It only deals with conditions and restriction imposed by Ordinance No. 82-95. In addition, the property is developed as a surface parking lot. The proposed change to permit Self-Storage and Accessory Outdoor Storage will not create significant dislocation of tenants or occupants. The change would allow the Applicant to pursue their desired future land use of Self-Storage. The future use will

be required to comply with the requirements of the UDC. The UDC was enacted to further the goals and policies of the Colorado Springs Comprehensive Plan.

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).

N/A

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.

N/A

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.

N/A

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.

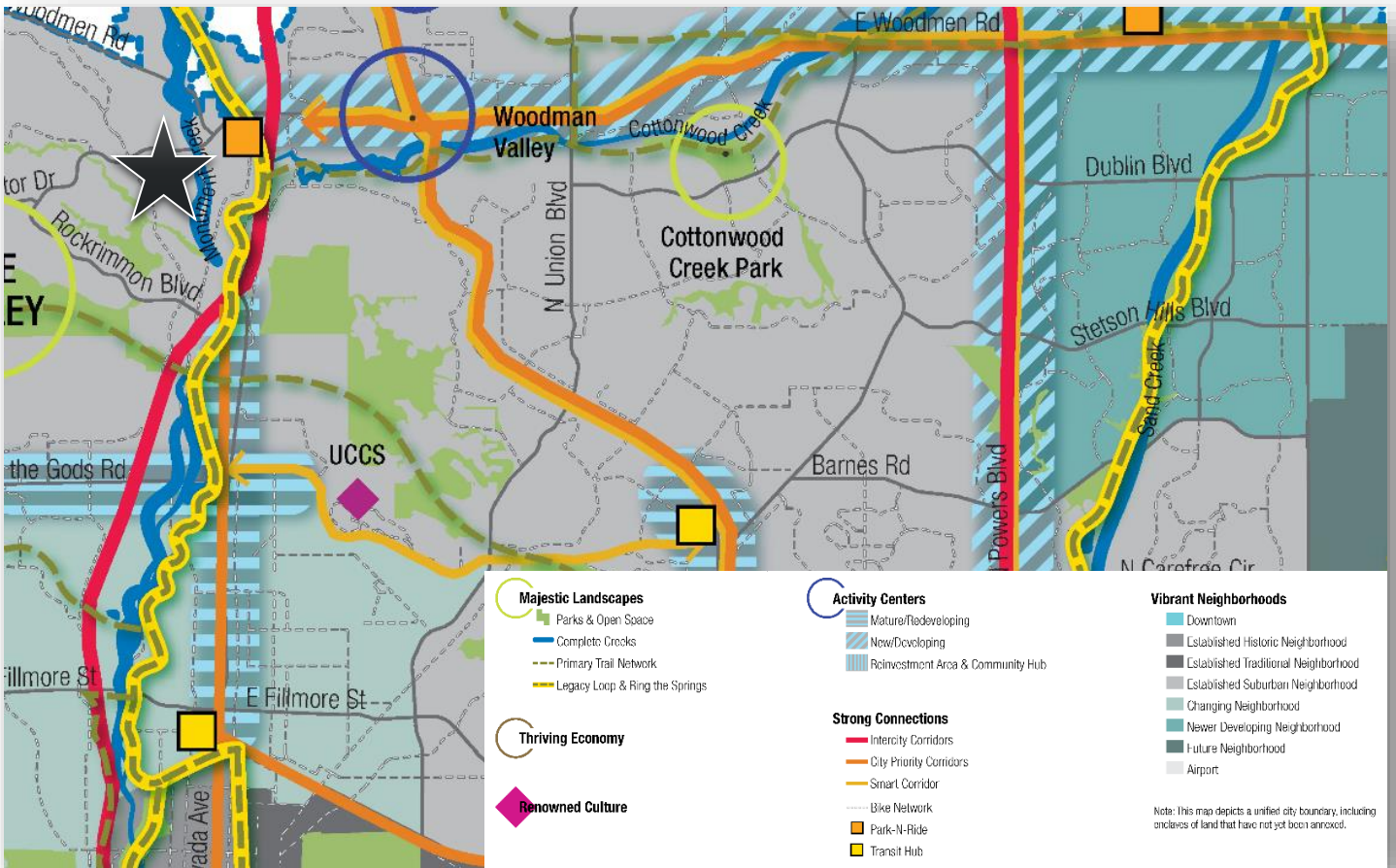
N/A

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)).

The intend future use of the lot for Self-Storage and Accessory Outside Storage are both allowed in the BP (Business Park) zone district and the Streamside Overlay Zone District. These future uses are subject to the review criteria for conditional use, development plan and streamside.

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.

PlanCOS Vision



Staff evaluated the proposed application for conformance with the City’s current comprehensive plan (herein referred to as “PlanCOS”), adopted in January 2019. According to the PlanCOS, the project site is in a “Established Suburban Neighborhood” type.

The goal of the ‘Established Neighborhood’ is to “recognize, support, and enhance the existing character of these neighborhoods, while supporting their ongoing investment and improved adaptation. New development and/or redevelopment should incorporate elements of the existing neighborhoods.” However, most Established Neighborhoods within the city should expect some degree of infill and redevelopment. As a “Established Neighborhood” some infill development should be expected. As stated above this site is part of the “Suburban” subset of the “Established Neighborhood” land use type. New development should focus on safe connections into and within these neighborhoods.

Staff finds that the proposed Rezoning for a future Self-Storage infill land use and development and one that contemplates no changes to the connections into and within the neighborhood to be substantially in compliance with the goals, polices, and strategies within PlanCOS.

The recently adopted UDC that improved and enhanced site design and use standards and requirements, which will includes building design, buffering between land uses, landscaping, lighting, and water quality to name a few, will ensure compliance and alignment with Plan COS at the time of development review.

Statement of Compliance

ZONE-23-0029

City Planning has reviewed the proposed Zone Map Amendment (Rezoning) for the Mark Dabling U-Haul Zone Change to allow Self-Storage and Accessory Outdoor uses on Lot 1, Corporate Centre Filing No. 2 and retain all other conditions and restrictions enacted by Ordinance No. 82-95 and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.704.D.