

# LA KITCHEN PARKING VARIANCE

Planning Commission July 8, 2026

Staff Report by City Planner: William Gray, Senior Planner



**Quick Facts**

**Project Summary**

**Applicant**

La Do Re Mi, LLC represented by Bernie Kern, BBKernDesigns, LLC

**Property Owner**

La Do Re Mi, LLC

**Address / Location**

2001 West Colorado Avenue

**TSN(s)**

7411419001

**Zoning and Overlays**

Current: MX-M (Mixed-Use Medium Scale)

Proposed: N/A

**Site Area**

3,600 square feet

**Proposed Land Use**

Restaurant

**Applicable Code**

Unified Development Code (UDC)

**Council District**

District 3

The Applicant is proposing a Non-Use Variance (“NVAR”) to allow one (1) off-street parking space for a Restaurant use with outdoor seating where seven (7) off-street parking spaces are required. (see “Attachment 1-Vicinity Map”). A development plan will be required at a future date to convert the existing residence into a commercial use.

File Number	Application Type	Decision Type
NVAR-26-0005	Non-Use Variance	Quasi-Judicial

## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Colorado City	1917
Subdivision	Rustic Home Addition	1901
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

### Site History

The property is within the 1917 Colorado City Annexation that included a total of 370 acres. The annexation encompassed the area from approximately 19<sup>th</sup> Street on east to Ridge Road on the west, and Platte Avenue on the north and Vermijo Avenue and U.S. Highway 24 on the south. Colorado City was established as trade supply post in 1859. It reached its peak prosperity in the 1860's. Citizens of Colorado City voted to annex to Colorado Springs in April 2017. The rationale was the efficiencies that would result in lower costs and better public services, particularly for water infrastructure, the lower property taxes that would result, and the prestige for Colorado City residents to associate with Colorado Springs, which had seen unprecedented levels of wealth generated from Cripple Creek gold mining. The annexation occurred on June 10, 1917.

The site is 3,600 square feet in size and is legally described as Lot 16, Block 2, Rustic Home Addition to Colorado City. The map of Rustic Home Addition was completed in 1901. The shape of the lot is rectangle. It is a corner lot. Colorado Avenue is the primary street frontage, and 20<sup>th</sup> Street is the secondary street frontage. The lot has little to no slope.

The property was developed in 1890 in Colorado City (unincorporated El Paso County) with a single-family home that is oriented toward Colorado Avenue. The building is 2,208 square feet in size. There is also a small, 288 square foot detached garage off the alley behind the home that can be accessed from 20<sup>th</sup> Street (see **“Attachment 2-Plan View”** and **“Attachment 3-Street View View”**).

Zoning of the property is MX-M (Mixed-Use Medium Scale). It has been zoned commercially since zoning was established for the City in 1951; the most recent designation is from implementation of the UDC in 2023.

The Applicant has owned the property since May 10, 2024. Its current use remains as a single-family home.

## Surrounding Zoning and Land Use

### Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	MX-M (Mixed-Use Medium Scale)	Commercial - Office	N/A



## Stakeholder Involvement

### Public Notice

Public Notice Occurrences (Poster / Postcards)	2, Initial Review and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	194, mailed 2 times – Initial Review and Planning Commission Public Hearing.
Number of Comments Received	No public comment was received at the time of initial review of the application

### Public Engagement

Public engagement for the application was the City's required public notice requirements for a Non-Use Variance. Postcards were sent to property owners of records within 1,000 feet of the site and posters were displayed facing both Colorado Avenue and 20<sup>th</sup> Street.

No written public comment was received. City Staff did receive a phone call from a nearby property owner. The owner was concerned about traffic and on-street parking.

No Neighborhood Meeting was held for this application.

## Timeline of Review

Initial Submittal Date	April 20, 2026
Number of Review Cycles	1
Item(s) Ready for Agenda	June 12, 2026

## Agency Review

### Traffic

Traffic reviewed the application and identified no issues with the proposed non-use variance.

### Engineering

Engineering provided informational review comments to the applicant related to future development. All existing curbs, gutters, sidewalks, pedestrian ramps, crosspans and driveway aprons posing a safety hazard, damaged, exhibiting excessive deterioration or not meeting current City Engineering Standards along all public streets adjacent to the site will need to be removed and replaced prior to issuing the certificate of occupancy (C.O.).

### SWENT

An Informational comment was provided to make the applicant and owner aware that all applicable stormwater requirements are to be addressed and met at time of development plan.

### Colorado Springs Utilities

Colorado Springs Utilities has no comment for the proposed Non-Use Variance application. Comments will be provided with the submittal of the Development Plan.

## Planning – Community Development Impact Fees

Citywide Development Impact (Police & Fire) Fees will be due with the Development Plan.

### Non-Use Variance

#### Summary of Application

This Application is for a Non-Use Variance to allow one (1) off-street parking space for a Restaurant use with outdoor seating where the parking standard requires seven (7) off-street parking spaces (see “Attachment 5-Project Statement” and “Attachment 6-Site Plan”).

The site is located at 2001 West Colorado Avenue and is legally described as Lot 16, Block 2, Rustic Home Addition to Colorado City. It is an original Colorado City lot dating back to 1901. The lot is 30 feet in width and 120 feet in depth, fronts both Colorado Avenue and 20<sup>th</sup> Street, and is 3,600 square feet in size. All lots in Rustic Homes are this dimension. The lot has little to no slope. It is developed with a one and one-half (1-1/2) story home and a detached garage. The home and outbuilding were originally built in 1890. Vehicle access to the lot is from 20<sup>th</sup> Street and the alley on its south side. It also has pedestrian access from Colorado Avenue and 20<sup>th</sup> Street (see “Attachment 2-Plan View”).

The zoning of the property is MX-M. Mixed-use zoning was established in 1951 (prior to 2023, the zoning designation was C-5 (General Commercial)) (see “Attachment 4-Zoning Map”). Under either designation mixed-uses (commercial and residential) were allowed by-right or as a conditional use since the inception of zoning in the City. The current use, Single-Family Detached Residential, is allowed as a conditional use in the zone district. As indicated previously the Applicant is considering a Restaurant use for the property. A Restaurant is permitted in the MX-M zone district.

#### 7.2.304 MX-M: Mixed-Use Medium Scale

##### A. Purpose

The MX-M zone district accommodates a mix of, for example, commercial, retail, office, multi-family residential, and civic uses. Land uses are as indicated in Table 7.3.2-A: Base and NNA-O District Use Table. MX-M zone districts are intended to accommodate the development of new activity centers in emerging growth areas, as well as to promote the adaptive reuse or redevelopment of single-use commercial centers that are vacant or underused, or of other obsolete buildings or properties. Activities and uses within MX-M zone districts may be horizontally or vertically mixed based on their density and intensity but should be organized in a compact pattern that promotes pedestrian activity, provides a variety of outdoor gathering spaces, supports multimodal access and circulation, and minimizes impacts on established residential neighborhoods. The layout of permitted use types shall be as shown in a Land Use Plan approved pursuant to Section 7.5.514 (Land Use Plan).



The Applicant’s goal for the property is to convert the existing home that has 2,200 square feet of Gross Floor Area to a restaurant. This plan includes demolishing the detached garage to make room for an accessible parking space that would be accessed from the alley. The conversion of the use from Residential to Commercial requires a Development Plan. The proposed change of use also triggers compliance with the City’s off-street parking standards for the new commercial use. The standard for a Restaurant is one (1) space per 300 square feet of Gross Floor Area (“GFA”). The existing building has a GFA of 2,200 square feet resulting in a parking requirement of seven (7) off-street parking spaces. The size of the property alone makes meeting this standard impractical. In pre-application discussions with the Applicant, City Staff

provided directions to split the process to convert the home to a restaurant into two (2) steps. The first step is to address the parking situation through a Non-Use Variance, and step number 2 is the Development Plan application. A decision on the off-street parking standard is necessary for this Applicant before investing more time and money into the Development Plan application.

To reiterate, the Applicant has requested that the City consider reducing the off-street parking standard to one (1) off-street parking stall where seven (7) spaces are required. The one (1) off-street parking space that is planned is a Van Accessible parking space to meet requirements of the Americans with Disabilities Act.

Based on the property’s location on Colorado Avenue and 20<sup>th</sup> Street, it also qualifies for an on-street parking credit because both Colorado Avenue and 20<sup>th</sup> Street allow on-street parking. There is a total of seven (7) on-street parking spaces adjacent to the site. Also, the property qualifies for a ten percent (10%) transit proximity reduction and a five percent (5%) bike route reduction. The code caps parking adjustments to 40% of the required off-street parking standard. 40% of the required parking standard for a Restaurant use in the existing building is four (4) off-street parking spaces. The developed condition of the property along with its size can’t reasonably accommodate off-street parking. The Applicant’s proposal also includes outdoor seating. The outdoor seating proposed is planned to be less than 20% of the seating area for the restaurant so no additional parking standard is imposed by the development code.

Outdoor Seating or Dining, Accessory	If accessory to a bar or restaurant: If outdoor seating area is less than 20% of the size of the indoor seating area, then no additional parking is required. If outdoor seating area is greater than 20% of the indoor seating area, then additional parking required is 1 per 350 sf For other uses: No requirement
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The neighborhood has strong mix of well-established commercial, religious and residential uses. Many of the uses, particularly the surrounding homes and Sacred Heart Catholic Church date to the 1900’s. The commercial use to the east across 20<sup>th</sup> Street is most likely from the 1940’s or 1950’s. Conversion of many of the homes into commercial uses (i.e., office) have been happening since the 1920’s when Colorado City was annexed into Colorado Springs (see “**Attachment 7-Context Map**”). The context map also shows the property’s location for both Transit and Bike routes, and at a very granular level that all streets within two (2) blocks of the property allow for on-street parking. On-street parking is also characteristic of the commercial and residential areas in Old Colorado City. The location is also very walkable from the nearby residential neighborhoods. The effect of this is that the proposed use is less motor vehicle dependent than many restaurants in other parts of the city. The new use will have an impact on the neighborhood, but it should not have an adverse impact. As the application is being considered, the project will preserve the architectural character of the existing home, enhance the streetscape, and will add a small, neighborhood-serving café to Old Colorado City and its well-established mixed-use character along Colorado Avenue.

**Application Review Criteria**

**UDC Section 7.5.526, Non-Use Variance**

An application for Non-Use Variance is subject to the following Criteria for Approval:

**Section 7.5.526.E Criteria for Approval**

1. *The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards).*

N/A.

2. *The property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district;*

The property has an exceptional physical condition. It is small lot, 30 feet wide by 120 feet deep, and 3,600 square feet in area. Many of the nearby properties are much larger, particularly those that were originally developed as commercial or religious uses or that have been converted from a home to a commercial use. For example, the former home converted to

offices and now is “gather” food studio (Cooking Classes and Spice Shop) at 2011 West Colorado Avenue is 7,200 square feet in size. The subject property does have a physical constraint that does not “generally” exist in nearby properties.

- 3. That extraordinary or exceptional physical condition of the property will not allow a reasonable use of the property in its current zone, absent of relief;*

The small size of the property does not allow for reasonable use in the MX-M zone district without relief from off-street parking standards.

- 4. That the granting of the Non-Use Variance will not have an adverse impact upon surrounding properties;*

The proposed use will have an impact on the use of the adjacent streets. It will add additional on-street parking demand. This increased demand for on-street parking is not expected to have an adverse impact upon surrounding properties. In addition, the proposed (future) use as a Restaurant requires a Development Plan before the conversion can occur. A requirement or standard with a Development Plan application is to mitigate off-site impacts.

The City Planning Staff finds that the approval criteria of UDC Section 7.5.526.E, which are applicable to Non-use Variances, are met with this application.

## **Statement of Compliance**

### **NVAR-26-0005 La Kitchen Parking Variance**

City Planning has reviewed the proposed Non-Use Variance for La Kitchen and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.526.E with the following conditions:

1. The outdoor seating area for the Restaurant use shall not exceed 20% of the size of the indoor seating area.