

35 E RAMONA REZONING

Planning Commission October 8, 2025

Staff Report by Case Planner: William Gray, Senior Planner



Quick Facts

Applicant/Property Owner

Danny Mientka

Consultant

Jim Houk, PLC, Kimley-Horn
Associates, Inc

Address / Location

35 E Ramona Avenue

TSN(s)

6430209005

Zoning and Overlays

R-5 (Multi-Family High)

SS-O (Streamside Overlay)

Site Area

14,553 square feet (.33 acres)

Land Use

Office

Future Use

Small Personal and Business
Service (Salon)

Applicable Code

Unified Development Code

Council District

#3

Project Summary

A Zone Map Amendment (Rezoning) to change the zoning of the property located at 35 East Ramona Avenue from R-5 SS-O (Multi-Family High with Streamside Overlay) to MX-M SS-O (Mixed-Use Medium Scale with Streamside Overlay) and to impose restrictions that limit allowed residential and commercial uses (**See “Attachment 1- Zone Map”**). The purpose of the rezoning is to provide the existing building more opportunities to be used as mixed-use, commercial or residential on a small-scale fitting the buildings form and its past and current functions. The site has an approved Use Variance from 2004 that allows as a single commercial use an Interior Design Studio.

File Number	Application Type	Decision Type
ZONE-25-0012	Zone Map Amendment (Rezoning) R-5 SS-O to MX-M SS-O	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

Action	Name	Date
Annexation	Southwest Annexation Area	1980 (Ord. No. 80-171)
Subdivision	Addition No. 1 to Ivywild	1890
Master Plan	Ivywild Neighborhood Master Plan	1993
Prior Enforcement Action	N/A	N/A

Site History

The property is within the “Southwest Annexation Area” (**See “Attachment 2-Ordinance No. 80-171”**). The date of annexation is September 18, 1980, and was done by an emergency ordinance. The Southwest Annexation was originally annexed in 1978 but was voided due to issues regarding whether the city properly annexed the area under the Municipal Annexation Act. Ordinance No. 80-171 brought resolution to the matter, and the Southwest Annexation Area became part of the city.

The parcel is legally described as a part of Lots 4 and 5, Block 7, Addition No. 1 to Ivywild. Addition No. 1 to Ivywild dates to 1890 (**See “Attachment 3-Ivywild Addition No.1”**).



The site is 14,553 square feet (.33 acres) in size. It is developed with a 2,000 square foot principal building, and a small accessory building. The property was developed in 1899. The building was originally designed to be a single-family residence. Since 2004 it has been used as a commercial building (Office for an Interior Design Studio) through an approved

use variance (CPC UV-04-00110). However, the use variance limits the use to only an Interior Design Studio. Along with the use variance is a non-use variance (CPC NV-04-00109) that allowed a parking reduction from five (5) spaces to four (4), parking in the required 10-foot landscape setback, and the surface of the parking area is permitted to be gravel.

The site zoning is R-5 SS-O (Multi-Family High with Streamside Overlay). The R-5 zone has been in place on the property since at least 1978 when it was annexed into the City. Before 1978, the site was in unincorporated El Paso County. The Streamside Overlay was established in 2002.

The current owner purchased the property in 2024 with the intent of using the property for small-scale commercial uses that were like the Interior Design Studio use allowed by the use variance and residential uses for the possibility of mixed use. Any future use of the property would be required to go through the Development Plan review process. The Applicant for this rezoning has submitted a development plan for a Salon (Small Personal or Business Service use), which is being review administratively.

Applicable Code

All references within this report that are made to “the Code” and related sections are references to the Unified Development Code (“UDC”).

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	Edelweiss German Restaurant
West	R-5 SS-O (Multi-Family High with Streamside Overlay)	Parking Lot and Residential	
South	PDZ SS (Planned Development Zone with Streamside Overlay)	Vacant	Approved for a high-density multi-family development
East	R-5 (Multi-Family High)	Vacant	N/A

Context Maps (see “Attachment 4-Context Map”)



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	2, Initial Review and Planning Commission Public Hearing
Postcard Mailing Radius	1,000 feet and Ivywild Improvement Society
Number of Postcards Mailed	173, mailed 2 times – Initial Review and Planning Commission Public Hearing.
Number of Comments Received	No comments received.

Public Engagement

Public engagement for the application was the City’s required public notice requirements for a Rezoning. Postcards were sent to property owners of records within 1,000 feet of the site and the poster was placed on Ramona Avenue.

Timeline of Review

Initial Submittal Date	May 6, 2025
Number of Review Cycles	3 review cycles
Item(s) Ready for Agenda	September 12, 2025

Agency Review

City Surveyor

The City Surveyor identified several items related to the drawing/drafting standards for the zoning exhibits. The Applicant has addressed all the review comments of the City Surveyor.

City Planning – Streamside Overlay

City Planning comments related to gaining an understanding between existing impervious coverage in the outer buffer of the streamside overlay, and the proposed changes and improvements intended to be made to bring the site further in compliance with applicable streamside criteria for a site developed prior to the adoption of the Streamside Overlay. It is the intent of the Applicant to maintain existing impervious coverage and make landscape and bank stabilization improvements to meet Streamside Overlay requirements. The Applicant has addressed all the review comments of City Planning.

SWENT

City Stormwater provided informational comments related to Final Drainage Report requirement and future channel improvements to be addressed at the time of Development Plan.

Engineering Development Review

City Engineering provided informational comments related to future development plans that required the Applicant needing to coordinate future public infrastructure improvements with City 2C pavement overlay for Ramona Avenue.

Traffic Engineering

City Traffic had no review comments for the proposed rezoning.

Zone Map Amendment (Rezoning)

Summary of Application

The Applicant has applied for a Zone Map Amendment (Rezoning) to change the zoning of 35 E Ramona Avenue from R-5 SS-O (Multi-Family High with Streamside Overlay) to MX-M SS-O (Mixed-Use Medium Scale with Streamside Overlay) to facilitate future commercial use. The future use that is being considered is a Salon (Small Personal and Business Service Use), and the application includes a request to limit uses to single-family, two-family, multi-family, live/work dwelling, office, small retail and personal and business service, park, bed and breakfast, and small daycare (**see**



“Attachment 5-Project Statement” and “Attachment 6-Land Use Plan” and “Attachment 7-Legal Description and Drawing”).

The property is located at 35 East Ramona Avenue (see **“Attachment 8-Vicinity Map”**), and across the street from Edelweiss German Restaurant. It is in the Ivywild Neighborhood. The site is 14,553 square feet in area and again, it is zoned R-5 SS-O (Multi-Family High with Streamside Overlay) (see **“Attachment 1-Zoning Map”**).

Access to the site is from a drive off Ramona Street and from the sidewalk adjacent to the parcel. It is also near transit routes and stops and bike routes and trails. The surrounding neighborhood (within two blocks) is a mixture of residential, civic, and commercial uses and residential and mixed-use zone districts and PDZ (Planned Development Zone). Adjacent zone districts include R-5 (Multi-Family High), PDZ (Planned Development Zone), and MX-M (Mixed-Use Medium Scale). MX-M (Mixed-Use Medium Scale) and R-5 (Multi-Family High) are the predominant zone district along Ramona Avenue, and Tejon Street to the west and Nevada Avenue to the east. The R-5 is intended for multi-family residential to single-family residential uses. The MX-M in the neighborhood is primarily the Creekwalk development and development associated with the South Nevada Urban Renewal Area and Plan to the east, Edelweiss Restaurant across the street, Tru Hair Salon, Edelweiss parking, and multi-family residential to the west. This district, as has been indicated, allows for a wide variety of commercial uses (i.e., Retail, Office, Service) and residential uses from single-family detached to multi-family apartments.

An important consideration with zoning is compatibility in terms of use, scale and density of existing and future uses. The neighborhood where this is located is primarily small to medium sized commercial and residential buildings and uses. The one exception is the future Creekwalk Residential development to the south and east that is a 400-unit multi-family dwelling, and seven (7) stories in height (85'). The proposal considers these variations of use and structure sizes by proposing MX-M (Mixed-Use Medium Scale) for the zoning on this property and to allow and facilitate the smaller-scale and limited commercial uses as indicated in the application. In fact, the Applicant has indicated that they want to specifically restrict uses to residential, office, small retail, small personal and business service, bed and breakfast and day care to ensure the property retains small scale residential, commercial or mixed-uses. Plus, the property is located at the edge of an emerging and developing commercial and mixed-use corridor (South Nevada Avenue Urban Renewal Area).

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).



This property and the surrounding blocks are in the Ivywild Neighborhood Plan. The focus of the Ivywild Neighborhood Plan is to guide the conservation, preservation and enhancement of the neighborhood. The site is in the transition zone of

the Cottage Commercial designation. This designation is defined by commercial, and business uses that frequently occupy converted houses to maintain the historic character of the neighborhood.

The property being considered for rezoning is a historic home that has been converted to house a commercial use fitting the Cottage Commercial designation on the neighborhood plan. This rezoning is being done to foster that use and to allow for a wider variety of small neighborhood scale commercial uses in the future. The MX-M district may not be a perfect fit, but its results will be a future development that is compatible with uses, scale, and density of the surrounding area and consistent with the Ivywild Neighborhood Plan. Again, the Applicant is further ensuring that this is the future result by proposing to enact use restrictions on the property to limit uses that will fit into Ivywild neighborhood and work with the new development occurring to the east and adjacent to South Nevada Avenue.

Application Review Criteria

UDC Section 7.5.704.D, Zone Map Amendment

An application for a Zone Map Amendment shall be subject to 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 (PlanCOS) and the Ivywild Neighborhood Plan. It is also consistent with the purpose statement and planned uses of the MX-M zone district. The commercial use that is being considered by the Applicant in this application is permitted in the proposed zone district. This is further reinforced by the Applicant's request to limit the uses on the property to small-scale commercial and residential uses. To impose this requested restriction on the property the zoning ordinance must include a condition of record that specifies the restriction(s).

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 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).*

The property being rezoned is appropriate for the proposed zone district and use.

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 application to rezone can be characterized as a small area of land. This application demonstrates that its size, scale, height, and multi-modal traffic impacts are compatible with surrounding development.

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 application to rezone does not create any dislocation of tenants or occupants.

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).*

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 government 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 future use as small-scale commercial (i.e., salon) complies with the base zone district standards. A Development Plan will be required for any future use to ensure that it complies with applicable use and development standards. It is highly unlikely that any future use or development of the site would result in more intense use than what exists or may occur in the future due to the property's size and the standards applicable to future development. Limiting factors for development include meeting setback standards, off-street parking standards, and streamside overlay standards to name a few.

Relating to Streamside Overlay, its purpose is to ensure that development and stream corridors are environmentally compatible. The submitted Project Statement and Land Use Plan demonstrate that future uses and improvements will meet the applicable review criteria of the overlay. This is being done by limiting site disturbance to existing conditions or better, enhancing the landscape within and adjacent to the stream corridor, and establishing new human connections to the stream corridor to make it an amenity to the property. In addition, Cheyenne Creek is being restored and improved as part of the Cheyenne Creek Channel Improvement Plan. This plan is connected to the larger Creekwalk development.

City Planning Staff finds that the approval criteria of UDC Section 7.5.704.D, which are applicable to a Rezoning are met with this application. It will be necessary to include a condition of record in the ordinance that officially changes the zone to ensure the use restrictions are enacted and can be administered and enforced into the future.

Compliance with PlanCOS

PlanCOS Vision



35 E Ramona Avenue Rezoning is in an “Established Historic Neighborhood” and adjacent to a City Smart Corridor. Established Neighborhoods are predominantly built out and have been for at least a few decades or more. Relative to other neighborhoods, they are stable and do not anticipate high levels of land use changes. However, most Established Neighborhoods within the city should expect some degree of infill and redevelopment. The South Nevada Avenue Corridor is a City Smart Corridor. The goal of this corridor type is to strategically invest in and implement emerging technologies to provide enhanced and safer travel, leverage and economize existing investments, and support the economic development of the city and region. The proposed rezoning will facilitate reuse of a small-scale commercial building that should bring and maintain quality, convenience and attractiveness to the neighborhood.

Typology 1: Established Neighborhoods

The goal of this neighborhood typology 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.

b. Smart Street Corridor: Technology will allow cities to re-imagine their streets. Cameras and sensors along streets have the potential to provide data about how people navigate and interact on and with our streets. This data could be used to improve safety by detecting roadway hazards, to evaluate traffic flows to optimize signal timing in real time, and to create a communication platform for the operations of connected vehicles (CV) and autonomous vehicles (AV).

The goal of this typology is to strategically invest in and implement emerging technologies to provide enhanced and safer travel, leverage and economize existing investments, and support the economic development of the city and region.

PlanCOS also calls for creating vibrant neighborhoods. A big idea for Vibrant Neighborhoods is “Creative Infill”. The goal for this idea is as follows:

EMBRACE CREATIVE INFILL, ADAPTATION, AND LAND USE CHANGE

GOAL UP-2

Embrace thoughtful, targeted, and forward-thinking changes in land use, infill, reinvestment, and redevelopment to respond to shifts in demographics, technology, and the market.

The City Planning Staff finds that the application with the focus being appropriate mixed-use for a small site and neighborhood compatibility is consistent with the goals, policies and strategies of PlanCOS.

Statement of Compliance

ZONE-25-0012 35 E Ramona Avenue Rezoning

City Planning has reviewed the proposed Rezoning for 35 E Ramona Avenue Rezoning and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.704.D with the following conditions:

- 1) The zoning designation for the property being rezoned is revised to be identified as MX-M CR SS-O (Mixed-Use Medium Scale with Condition of Record and Streamside Overlay) to ensure that the use restrictions as requested are captured as a condition of record (CR) for the rezoning.

- 2) The Condition of Record (CR) to be included in the zoning ordinance shall be stated as follows:
 - a. Permitted uses are restricted to Single-family Attached Dwelling, Two-family (duplex) Dwelling, Multi-Family Dwelling, Live/Work Unit Dwelling, Small Adult or Child Daycare, Park, Bed and Breakfast, Office, Small Retail, and Small Personal or Business Service.
 - b. Conditional uses are restricted to Single-family Detached Dwelling.
- 3) A note is added below the Use Table in the Land Use Plan stating the following:
 - a. The restricted uses as identified in the table above are enacted by and through Ordinance No. 25-____.