



10 S 23RD STREET REZONING

Planning Commission July 9, 2025

Staff Report by Case Planner: William Gray, Senior Planner



Quick Facts

Applicant/Property Owner

Rodney Beers

Design Consultant

William Guman, William
Guman & Associates, Ltd.

Address / Location

10 S 23rd Street

TSN(s)

7411301001

Zoning and Overlays

R-2 (Two-Family)

Site Area

2,163 square feet

Land Use

Vacant

Future Use

Neighborhood scale
Commercial

Applicable Code

Unified Development Code
Commercial

Council District

District 3

Project Summary

A Zone Map Amendment (Rezoning) to change the zoning of the property located at 10 South 23rd Street from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale). The purpose of the rezoning is to provide the existing building the opportunity to be used commercially to match its historic form and function (**See “Attachment 1-Zone Map”**).

File Number	Application Type	Decision Type
ZONE-25-0004	Zone Map Amendment (Rezoning) R-2 to MX-N	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

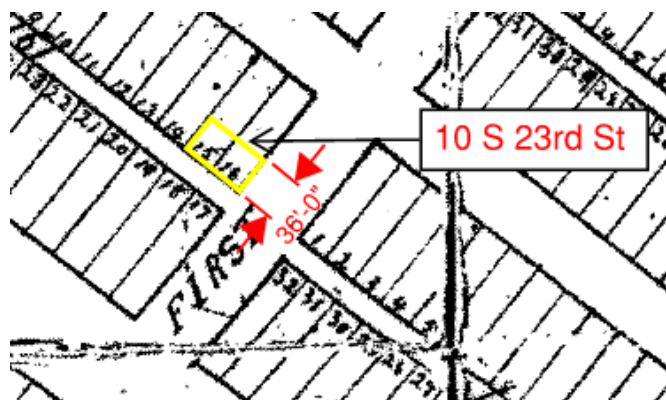
Action	Name	Date
Annexation	Colorado City and Vicinity	1917
Subdivision	Colorado City Plan	1873
Master Plan	The Westside Plan	1979
Prior Enforcement Action	N/A	N/A

Site History

The property is within the 1917 Colorado City and Vicinity Annexation. This annexation corresponds with the decline of the railroads and the ore processing industry plus the prohibition of liquor which together destroyed the economic base of Colorado City. So, unable to sustain itself as a separate municipality it was annexed to the City of Colorado Springs.



The parcel itself is a part of the Colorado City Plat that dates to 1873 (see “Attachment 2-Colorado City Plat”) and is legally described as the South 36 feet of Lots 15 and 16, Block 161, Colorado City. Colorado City was formally established as a city in 1859.



The parcel is 2,136 square feet. It is developed with a vacant building. The property was developed in 1905. The building was originally constructed as a commercial print shop that designed and printed maps. It was most recently used as an office, but exact dates could not be determined when this use started and stopped. It is known that in February 2023 the City responded to a fire at this location, and the report from the incident stated that the building was abandoned. The building has been vacant for the last two (2) years.



The site zoning is R-2 (Two-Family). The R-2 zoning has been in place on the property since at least 1951. As indicated above, the property has always had a commercial use beginning as a print shop and more recently as an office. At one point the office use was likely legal non-conforming but due to the length of time the building has been vacant the legal non-conforming status has been lost. Any future use of the building is required to comply with the UDC and would require a Development Plan and/or Conditional Use.

The Applicant purchased the property on April 28, 2023 (Warranty Deed, recorded at Reception No. 223034945) with the intent of renting or selling the property for commercial use. Since owning the building, the Applicant has restored the façade and improved the building’s HVAC, electric, plumbing, gas, and roof.



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	R-2 (Two-Family)	Residential – Single Family	N/A
West	R-2 (Two-Family)	Residential -Single Family	N/A
South	MX-M (Mixed-Use Medium Scale)	Commercial – Retail Storage	N/A
East	R-2 (Two-Family)	Residential – Single Family	N/A

Context Maps (see “Attachment 3-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, HOA, and Organization of Westside Neighbors
Number of Postcards Mailed	360, mailed 2 times – Initial Review and Planning Commission Public Hearing.
Number of Comments Received	Upon making the initial notice of the application City Planning Staff received one (1) comment from a property owner that enthusiastically supported the rezoning (see “Attachment 4 - Public Comment”). In addition, a single phone call was received when notice for the Planning Commission hearing was made. The call was from an adjacent owner who supported the application so long as the building was not going to get any bigger.

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 a Poster was placed on 23rd Street.

Timeline of Review

Initial Submittal Date January 7, 2025

Number of Review Cycles 2 review cycles

Item(s) Ready for Agenda April 29, 2025

Agency Review

City Surveyor

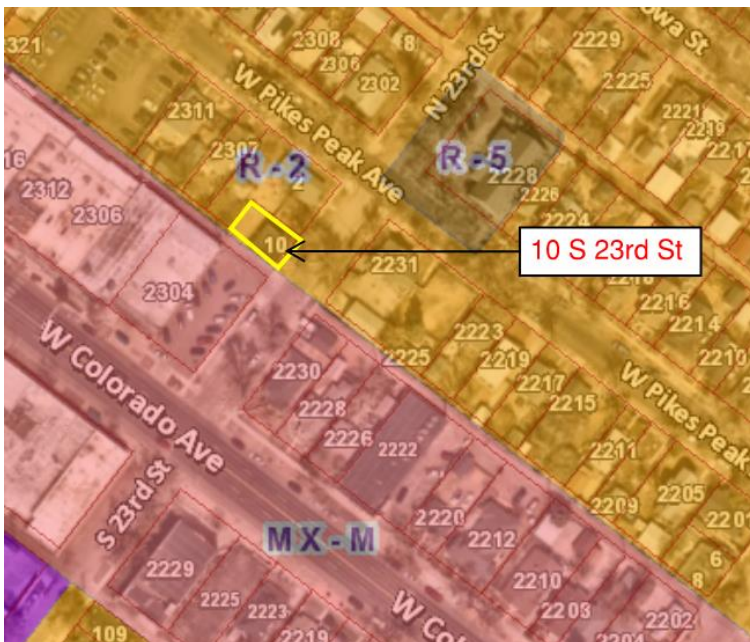
The City Surveyor identified several items related to the drawing/drafting standards for the zoning exhibits. The Applicant has addressed all the review comments of the City Surveyor.

Zone Map Amendment (Rezoning)

Summary of Application

The Applicant has applied for a Zone Map Amendment (Rezoning) to change the zoning of 10 South 23rd Street from R-2 (Two-Family) to MX-N (Mixed-Use Neighborhood Scale) to facilitate future commercial use. Future uses being considered are neighborhood scale commercial uses like a café, office, retail (**see "Attachment 5-Project and Land Use Statement" and "Attachment 6-Rezone Legal and Drawing"**).

The property is located at 10 South 23rd Street, which is one-half (1/2) block north of West Colorado Avenue and South 23rd Street intersection in what is known as the Westside neighborhood. The site is 2,136 square feet in area and again, it is zoned R-2 (Two-Family) (**see "Attachment 1-Zoning Map"**).

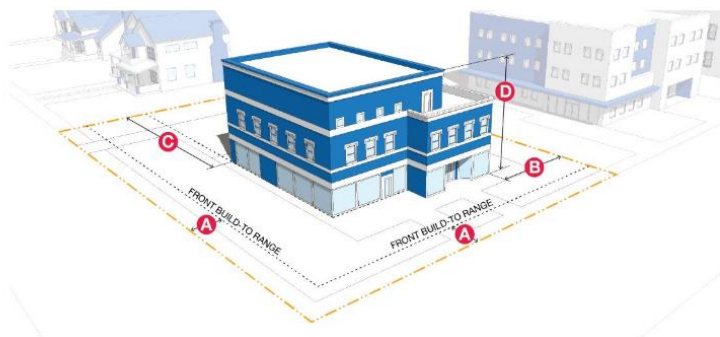


Access to the site is from South 23rd Street, the alley adjacent to the south property line, and the sidewalk on the east side of the parcel. It is also near transit stops and bike routes and trails. The surrounding neighborhood is a mixture of residential and commercial uses and zone districts. Adjacent zone districts include R-2 (Two-Family), R-5 (Multi-Family High), and MX-M (Mixed-Use Medium Scale). R-2 (Two-Family) and MX-M (Mixed-Use Medium Scale) are the predominant zone districts in proximity to the property. The R-2 is intended for single-family detached and duplex residential uses. The mixed-use district, MX-M (Mixed-Use Medium Scale), allows for a wide variety of commercial uses (i.e., Retail, Office, Auto Repair) and residential uses for 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, single-family structures, and commercial uses in one (1) to two (2) story buildings. The proposal considers these variations of use and structure sizes by proposing MX-N (Mixed-Use Neighborhood Scale) for the zoning on this property and to allow and facilitate the smaller-scale and limited commercial uses as indicated in the application. Plus, the property is located at the edge of a residential neighborhood and near an intersection with an arterial street.

7.2.302 MX-N: Mixed-Use Neighborhood Scale

A. Purpose

The MX-N zone district provides opportunities for a compact mix of, for example, low intensity neighborhood-serving commercial, office, institutional, low-scale multi-family residential uses. Land uses are as indicated in Table 7.3.2-A (Base and NNA-O District Use Table). MX-N zone districts are generally located at the edges of, or internal to, a residential neighborhood, at a local street intersection with a collector or arterial street. MX-N zone districts are intended to maintain the scale of the adjacent neighborhood, to avoid establishments so large that they serve as destinations for persons from outside the neighborhood, and to have safe and convenient pedestrian and bicycle access. 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 Westside Plan. Its location lies at the edge of the Old Colorado City and The Bluffs sub-area. The focus of the Old Colorado City area is to encourage commercial development which adds stability, strength, and historic character. In The Bluffs sub-area maintaining the current residential is the theme. The recommended future land use for the subject site is low-density residential. It is always challenging to determine how a single parcel fits into a plan that was developed to guide the “probable” evolution and redevelopment of the Westside in a manner to minimize the negative and maximize the positive. In the Westside Plan there are overarching goals that apply throughout the Westside study area and that are not sub-area specific. One of those goals is titled “Develop Unique Features”. The objective of the goal is as follows:

Develop Unique Features
Explore and recommend the development of a feature which characterizes the uniqueness of the Westside.

The property being considered for rezoning is a historic commercial building. The building was built in 1905 and exhibits characteristics of buildings in the Old Colorado City Historic District that is located roughly between 24th Street and 26th Street on the north side of Colorado Avenue. The building and its future use are on the edge of a major commercial and historic corridor and a stable, strong and historic residential neighborhood. This rezoning is being done to foster the use of a formally abandoned and vacant building and supports the character and uniqueness of the city’s Westside (see **“Attachment 7- The Westside Plan”**). The MX-N 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 Westside

Plan. This can further be administered as any new use would likely require both a Development Plan and/or Conditional Use.

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 Westside Plan. It is also consistent with the purpose statement and planned use(s) of the MX-N zone district. The commercial uses being considered by the Applicant are either permitted or conditional uses in the proposed zone district.

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 neighborhood commercial use (i.e., café, salon, office, or vintage clothing and consignment shop) complies with the base zone district standards. A Development Plan and/or Conditional Use will be required for any future use to ensure that it complies with use and development standards. It is highly unlikely that any future use or development of the site would result in more intense use due to the properties size and the standards applicable to that future development. A limiting factor(s) for development is meeting setback standards and off-street parking standards to name a few.

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.

Compliance with PlanCOS

PlanCOS Vision



10 S 23rd Street Rezoning is in a “Mature/Redevelopment Corridor” and “Established Traditional Neighborhood” as defined by Plan COS. The Mature/Redevelopment Corridors represent places and areas in the city for infill and redevelopment opportunities. 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 proposed rezoning will facilitate reuse and redevelopment of a historic, small-scale commercial building that should bring quality, convenience and attractiveness to the neighborhood.

Typology 5: Corridors

The goal of this place typology is to take advantage of the capacity and potential of these corridors to create unified, vital, connected, and more transit supportive urban places, each with its unique character, identity, and design.

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.

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 find that the application is consistent with the goals, policies and strategies of PlanCOS.

Statement of Compliance

ZONE-25-0004 10 S 23rd Street Rezoning

City Planning has reviewed the proposed Rezoning for 10 S 23rd Street Rezoning and finds that the proposed application meets the approval criteria as set forth in City Code Section 7.5.704.D.