



Quick Facts

Applicant

RMG Architects

Property Owner

Briargate Church – Assembly of God

Address

9550 Otero Ave

TSN

6229007020

Zoning and Overlays

Current: A/AF-O (Agriculture with United States Air Force Academy Overlay)

Proposed: MX-M/AF-O (Mixed-Use Medium Scale with United States Air Force Academy Overlay)

Site Area

7.73 Acres

Proposed Land Use

Commercial/Residential

Applicable Code

UDC

Council District

District 2

Project Summary

The project includes concurrent applications for a Zone Map Amendment (rezone) and Land Use Plan for the 7.73 acres located northeast of Voyager Parkway and Springcrest Road. The proposed Zone Map Amendment seeks to change the zoning from A/AF-O (Agriculture with United States Air Force Academy Overlay) to MX-M/AF-O (Mixed-Use Medium Scale with United States Air Force Academy Overlay). The Land Use Plan proposes to allow for most uses within the MX-M (Mixed-Use Medium Scale) zone district and specifically excluding Marijuana Related Services, Industrial Hemp, Adult Entertainment, Hookah Bar, and Detoxification Center.

File Numbers	Application Type	Decision Type
ZONE-24-0012	Zoning Map Amendment	Quasi-Judicial
LUPL-24-0012	Land Use Plan	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Briargate Church – Assembly of God Annexation	February 26, 2019
Subdivision	Spring Crest Amended Filing	December 7, 1959
Master Plan	None	Not applicable
Prior Enforcement Action	Large boulders were placed along Springcrest Road within City right-of-way. Boulders were removed and Enforcement Case was closed	November 2023

Site History

The subject property consists of 7.73 acres made up of a single platted lot. The site is presently zoned A/AF-O (Agriculture with United States Air Force Academy Overlay) and is located within a transitional area with county single-family zoning to the north and east with BP/AF-O (Business Park with United States Air Force Academy Overlay) and A/AF-O (Agriculture with United States Air Force Academy Overlay) zoning to the south. The site was annexed into the City in August of 2019. The annexation was initiated by the church mainly for utility issues relating to the planned expansion of the church. The zoning choice of A (Agriculture) was discussed at City Council with former Councilmember Knight curious as to the utility of that zone district vs a PBC (Planned Business Center) zone district, now referred to as MX-M (Mixed-Use Medium). Staff mentioned that the A (Agriculture) zoning was preferred due to the additional buffering provided to the residential to the north vs the more permissive standards of commercial zones.

Applicable Code

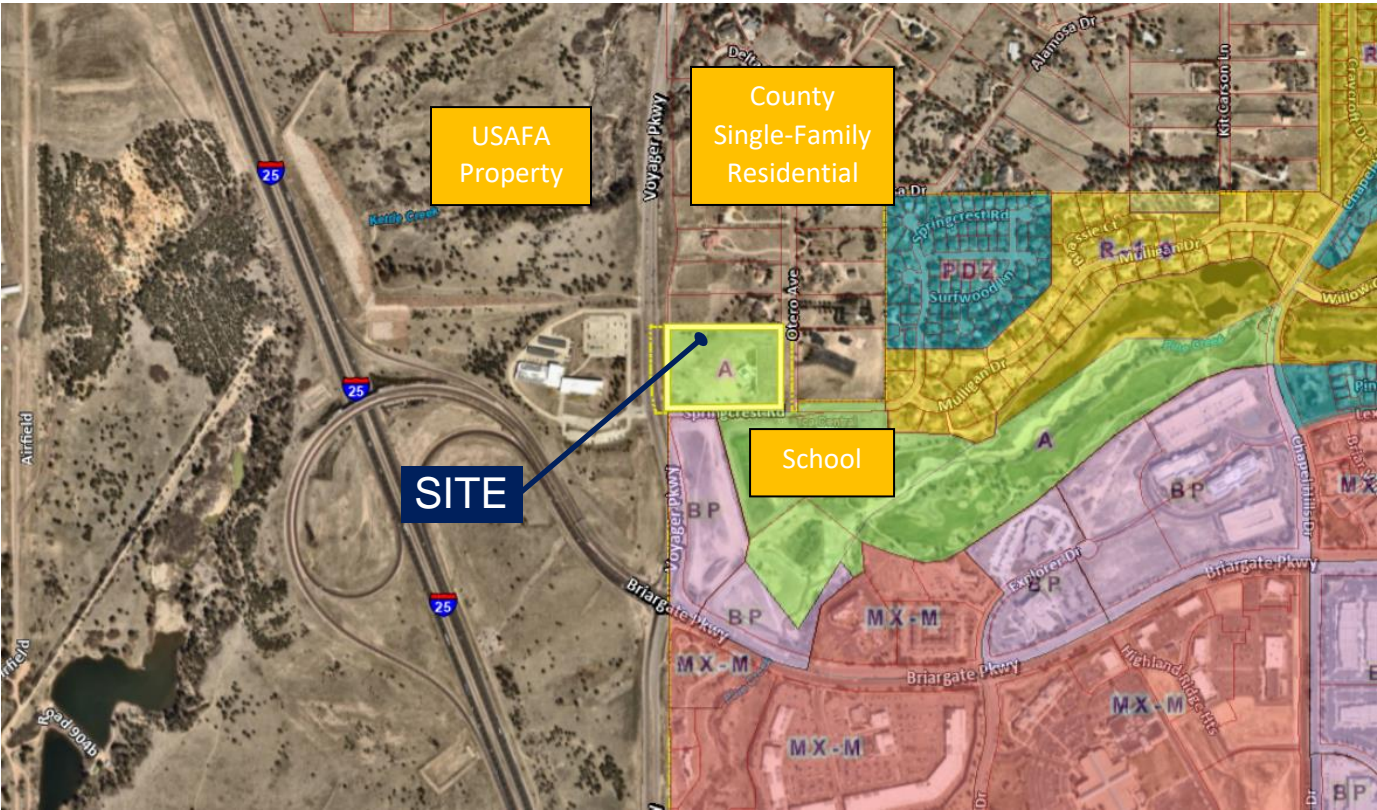
The subject applications were submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the application was reviewed per the Unified Development Code standards. All subsequent references within this report that are made to “the Code” and related sections are references 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	County RR-2.5 (Rural Residential)	Large Lot Single Family Residential	N/A
West	County RR-5 (Rural Residential)	USAFA Campus/Colorado National Guard Armory	N/A
South	A (Agriculture) BP/HR-O/AF-O (Business Park with High Rise and United States Air Force Academy Overlays)	TCA School Vacant Land	Applications Zone Map Amendment and Land Use Plan are currently in review
East	County RR-5 (Rural Residential)	Church	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Initial Review / Prior to Neighborhood Meeting / Prior to Planning Commission Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	57 postcards
Number of Comments Received	56 comments

Public Engagement

Due to the number of public comments received during the initial review of this project, Staff required the applicant to have a neighborhood meeting which was held on September 7, 2024. The neighborhood meeting was well attended with approximately 116 attendees. Concerns were centered around intensity of potential future development, allowable uses within the MX-M zone district, traffic and safety concerns (refer to Attachment 3 – Public Comments and Attachment 4 – Public Comment Response Letter).

Timeline of Review

Initial Submittal Date	June 18, 2024
Number of Review Cycles	6 cycles for the Land Use Plan application, 3 cycles for the Zone Map Amendment application
Item(s) Ready for Agenda	August 18, 2025

Agency Review

Traffic Engineering

All Traffic Engineering comments for this project have been addressed. Below are the findings from Traffic Engineering's review of the Traffic Impact Study (TIS)

- 1- Traffic Engineering reviewed the Traffic Impact Study (TIS) prepared by LSC Transportation Consultants (refer to Attachment 5 – Traffic Impact Study) and determined that the TIS was complete and provided the adequate information and analysis per the requirements of the Traffic Criteria Manual.. The applicant will be responsible for the TIS recommended traffic mitigation measures and roadway improvements shown in Exhibit 1-a & 1-b of the LSC TIS.*
- 2- All nearby intersections and site access point(s) are expected to operate at acceptable level of service per the city Traffic Criteria Manual.*
- 3- The developer will be responsible for the roadway improvements along Springcrest Road.*
- 4- All proposed access widths meet the City Traffic Criteria Manual.*
- 5- All proposed access point's horizontal sight distances meet the City Traffic Criteria Manual.*
- 6- All proposed access point locations and spacing meet the City Traffic Criteria Manual.*
- 7- Any onsite or offsite improvements should be incorporated into the Civil Drawings and conform to the City of Colorado Springs standards and the Manual on Uniform Traffic Control Devices (MUTCD). (Attachment 5 – Traffic Impact Study)*

Stormwater Enterprise (SWENT)

All SWENT comments for this project have been addressed.

Colorado Springs Utilities (CSU)

Colorado Springs Utilities did not have comments with this applicant, however, noted that they will provide comments at the time of the development plan entitlement.

City Engineering (EDR)

All Engineering comments have been addressed.

Academy District 20

The District is requesting fees in lieu of land dedication per the existing City Code for all residential units within this development. The District noted its ability to serve each student who is a resident of District 20.

Colorado Springs Fire Department (CSFD)

CSFD reviewed this application and noted that there were no issues with this project.

Zone Map Amendment Application

Summary of Application

The applicant is proposing a Zone Map Amendment to rezone the property to MX-M/AF-O (Mixed-Use Medium Scale with United States Air Force Academy Overlay) to create and sell lots in the future to fundraise for their planned church building expansion which was reflected in their initial annexation and development plan applications in 2019. The applicant has not indicated any intent to develop the western half of their property beyond their envisioned expansion.

After the initial submittal and subsequent public comments and neighborhood meeting, Staff suggested the applicant consider rezoning the property to MX-N (Mixed-Use Neighborhood Scale) or a residential zone district to be more harmonious with the surrounding properties. However, the applicant wished to continue to pursue the MX-M (Mixed-Use Medium Scale) zone district to allow for greater flexibility and, alternatively, chose to limit some uses within their Land Use Plan which will be covered in the following section. (Attachment 6 – Project Statement)

Application Review Criteria

This application complies with Section 7.4.704 as described 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).*

The proposed zone change is for an area that was not included within PlanCOS vision maps as it was annexed after the establishment of PlanCOS. Certain elements of PlanCOS are met with this application which will be discussed in the conformance with PlanCOS section of this staff report.

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

During the administrative review of this application, City agencies reviewed this application for its compliance with City standards and to identify any possible issues with the proposal. Traffic was a significant concern during the review which led to many rounds of review dedicated to the traffic impact study. Traffic Engineering was ultimately satisfied with the Traffic Impact Study. Any alterations to the tenants proposed within the Traffic Impact Study which would have a greater impact to the surrounding roadways would require an update to the Traffic Impact Study.

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 proposed zone change to MX-M (Mixed-Use Medium Scale) would be a significant change from the existing landscape of the surrounding area which is, for the most part, large lot county residential development with school and church sites nearby. While the property is adjacent to a major roadway in Voyager Parkway, the site's only access would be from residential roads - Springcrest Road and the county residential road of Otero Avenue.

4. *If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height, 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 MX-M (Mixed-Use Medium Scale) zone district is described in the UDC as a district that is 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. With the surrounding properties to the north established as low density residential, MX-N (Mixed-Use Neighborhood Scale) may be a better fit to serve the surrounding community. UDC describes MX-N as a zone district that provides

opportunities for a compact mix of, for example, low intensity neighborhood-serving commercial, office, institutional, low-scale multi-family residential uses. This zone is generally located at the edges of, or internal to, a residential neighborhood, at a local street intersection with a collector or arterial street. This property is at the intersection of a principal arterial and local residential street.

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 land is currently vacant. Development would not lead to the 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).*

See below discussion on the associated Land Use Plan and its compliance with the Land Use Plan application 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 approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.*

Not applicable. There are no approved concept plans for the project site.

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.*

Not applicable. ADS-O zoning district is not proposed.

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.*

Not applicable as the property is not proposed to be zoned PDZ (Planned Development Zone District).

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)).*

Conformance with the AF-O (United States Air Force Academy Overlay) requires notes to be added to the development plans and plats within the USAFA Overlay to maintain the safety of the navigable airspace and to be free of obstacles in and around the Academy's airfield in compliance with 14 Code of Federal Regulations (CFR) Part 77. This will be reviewed and enforced during the development plan and platting processes for this site.

After evaluating the Zone Map Amendment application, staff cannot confirm that the application meets the review criteria.

Land Use Plan

Summary of Application

In addition to the Zone Map Amendment application, a Land Use Plan that establishes the specific allowable land uses, dimensional standards and conceptual visions for site design was submitted. The Land Use Plan is limited to showing areas that are intended for development and areas to be used for onsite drainage facilities. The Land Use Plan shows that the area outside of the established and proposed church expansion is to be used for many of the allowable uses within the MX-M zone, which could be commercial, residential or office. The applicant has proposed prohibiting several uses under the Land Use Plan which include: uses that are within the subcategories of Marijuana Related Services and

Industrial Hemp. Adult Entertainment, Hookah Bar and Detoxification Center are also proposed as being prohibited. All other development criteria will be fully assessed at time of development plan submittal.

Application Review Criteria

If the Land Use Plan is submitted in connection with an application to establish a zone district or to change zone district boundaries, the Land Use Plan shall be reviewed based on the following criteria:

A. Consistency with the Colorado Springs Comprehensive Plan and other plans and policies adopted by City Council;

The subject property was not included within PlanCOS vision maps as it was annexed after the establishment of PlanCOS. Certain elements of PlanCOS are, however, met with this application which will be discussed in the conformance with PlanCOS section of this staff report.

B. Consistency with development standards the zone district in which the property is located, or would be located after a requested zone district change;

The Land Use Plan was designed to be consistent with the proposed dimensional and use standards of the MX-M (Mixed-Use Medium Scale) zone district. All other dimensional standards and development specific details will be fully reviewed at time of development plan submittal.

C. Compatibility with the land uses and development intensities surrounding the property;

The proposed land use is not specified within the Land Use Plan. The proposed lot 1 is to continue operation as a church with a planned expansion in the future. The remaining area to the west of the church site is proposed as allowing most of the uses allowed within the MX-M zone district with the exception of a number of uses that are prohibited as part of the Land Use Plan. These prohibited uses include uses that are within the subcategories of Marijuana Related Services and Industrial Hemp. Adult Entertainment, Hookah Bar and Detoxification Center are also proposed as being prohibited. The proposed height of 50' is the maximum height allowed in the MX-M zone district however it is significantly higher than the height of development in the surrounding properties which consist of mainly single and two story single family residences. Additional height restrictions should be considered to promote a more harmonious development transition.

D. Impacts of the permitted or requested uses, appropriate to the type of development, the neighborhood, and the community;

Considering the Land Use Plan allows for most uses allowed within the MX-M (Mixed-Use Medium Scale) zone district, the permitted uses could vary greatly depending on the end user of the vacant land adjacent to the church. The Land Use Plan does prohibit many of the uses neighbors found most concerning. The MX-N (Mixed-Use Neighborhood Scale) zone district which is intended for low intensity neighborhood-serving uses might be a better fit for the neighborhood and surrounding community.

E. Adequacy of proposed ingress/egress points and traffic circulation, both on and off the site;

Significant effort was taken by City Engineering and City Traffic Engineering to identify areas of improvement that need to be addressed prior to development. Within the Land Use Plan there are notes that describe the required improvements on Springcrest Road which supports the main ingress / egress point and public infrastructure such as adjacent sidewalks and curb/gutters. Traffic Engineering ultimately accepted the Traffic Impact Study prepared for the site.

F. Capacity of the existing streets, utilities, parks, schools, and other public facilities to serve the proposed development;

The project was reviewed by a number of review agencies including CSU, Traffic Engineering and Academy School District 20. There are presently no major concerns about the site's ability to support the proposed use. The review agencies will ensure that the site meets all applicable standards at time of development plan review.

G. Promotion of transitions in height, intensity, or character between proposed non-residential or mixed-use development and nearby low-density residential zone districts.

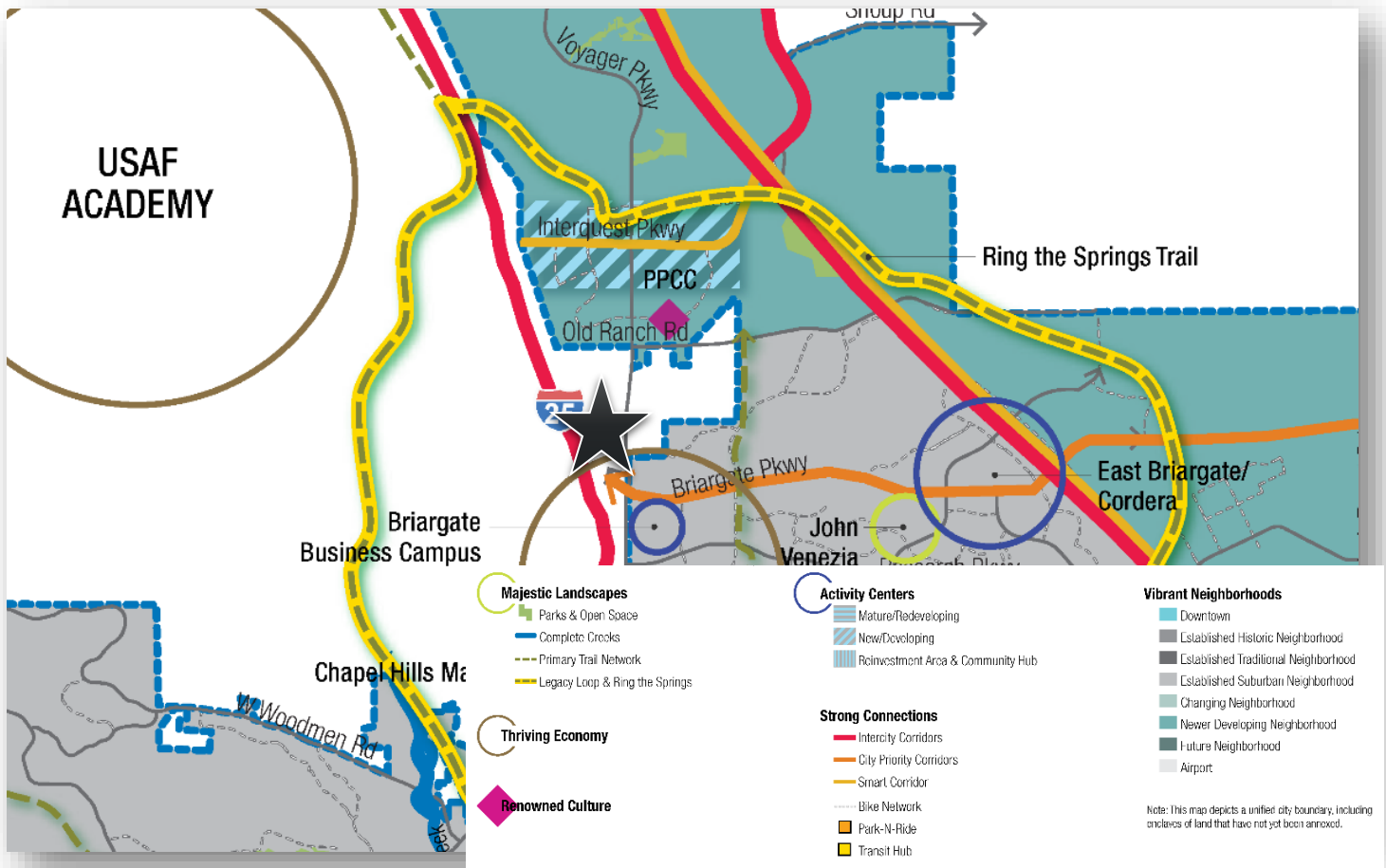
The proposed Land Use Plan suggests a max height of 50' which is permitted within the MX-M (Mixed-Use Medium Scale) zone district but is not observed in the immediate vicinity of the subject property. While there are codified requirements for landscaping buffers to the development to the north, no additional transitions or buffers are proposed with this development. The transition from the county residential zoning to the north to this site was discussed during the city council's public hearing for the annexation of this site. Staff encouraged the A (Agriculture) zone district for this site to promote a better transition from city to county. Additional height restrictions should be considered to promote a more harmonious development transition.

After evaluating the Land Use Plan application, staff cannot confirm that the application meets the review criteria.

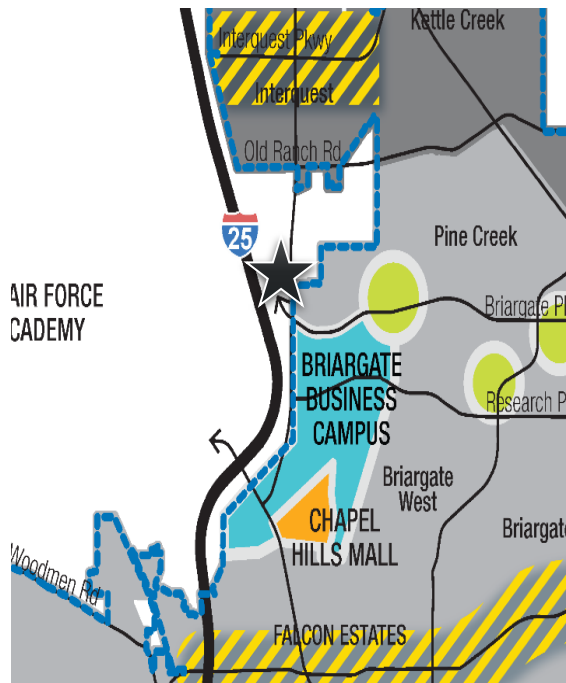
Compliance with Relevant Guiding Plans and Overlays

The subject property is not located within any established Master Plans, Land Use Plans or Concept Plans. Conformance with PlanCOS will be discussed below. Conformance with the AF-O (United States Air Force Academy Overlay) requires notes to be added to the development plans and plats within the United States Air Force Academy Overlay to maintain the safety of the navigable airspace and to be free of obstacles in and around the Academy's airfield in compliance with 14 Code of Federal Regulations (CFR) Part 77. This will be reviewed and enforced during the development plan and platting processes for this site.

PlanCOS Vision Map



While the subject site is not located within PlanCOS Visions Map, the typology most adjacent to the property “Established Suburban 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.



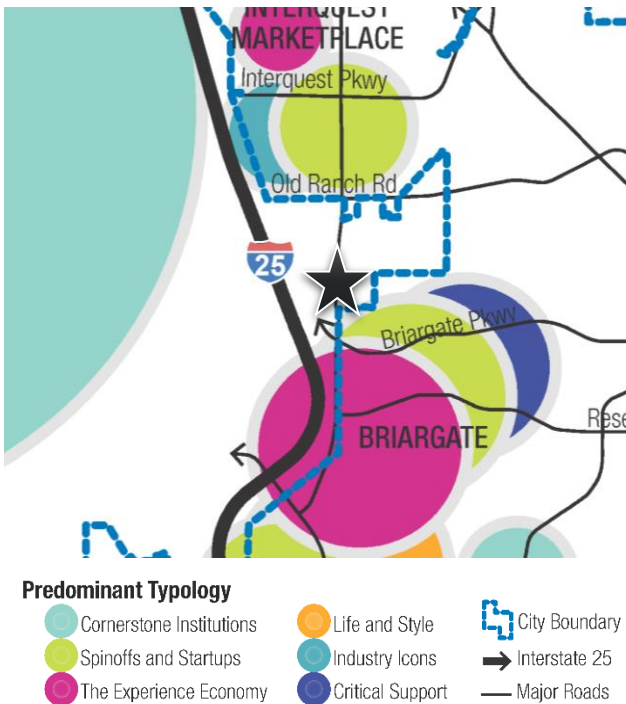
Predominant Typology

- | | |
|--|-------------------------------------|
| Neighborhood Centers | Mature/Redeveloping Corridors |
| Community Activity Centers | New/Developing Corridors |
| Entertainment and Commercial Centers | Reinvestment Area and Community Hub |
| Regional Employment and Activity Centers | |
| Downtown | |

Unique Places

The subject property is located near the “Neighborhood Center” typology which is intended to support existing land uses and encourage appropriate redevelopment efforts. The proposed Zone Map Amendment and Land Use Plan fulfill this typology through the following policies and strategies:

Strategy UP-4.C-1: Support additional mixing and integration of land uses as zoning use-by-right or administrative approval.



Thriving Economy

While the project site is located near but not in a Thriving Economy typology, the proposed use does satisfy several key policies within the Thriving Economy chapter of PlanCOS.

Strategy TE-2.C-3: Identify and develop new and underutilized areas as opportunities for unique attraction of new retail, dining, entertainment, and housing development.

Strategy TE-4.A-3: Support greenfield development that includes mixed-use, higher-density clusters, and quality design.

Statements of Compliance

ZONE-24-0012 – Zone Map Amendment

After evaluation of the Zone Map Amendment (Rezone) application for the Briargate Church Assembly of God project, staff cannot confirm the application meets the review criteria.

LUPL-25-0012 – Land Use Plan

After evaluation of the Land Use Plan application for the Briargate Church Assembly of God project, staff cannot confirm the application meets the review criteria.