

CITY PLANNING COMMISSION AGENDA
September 14, 2022

STAFF: Gabe Sevigny

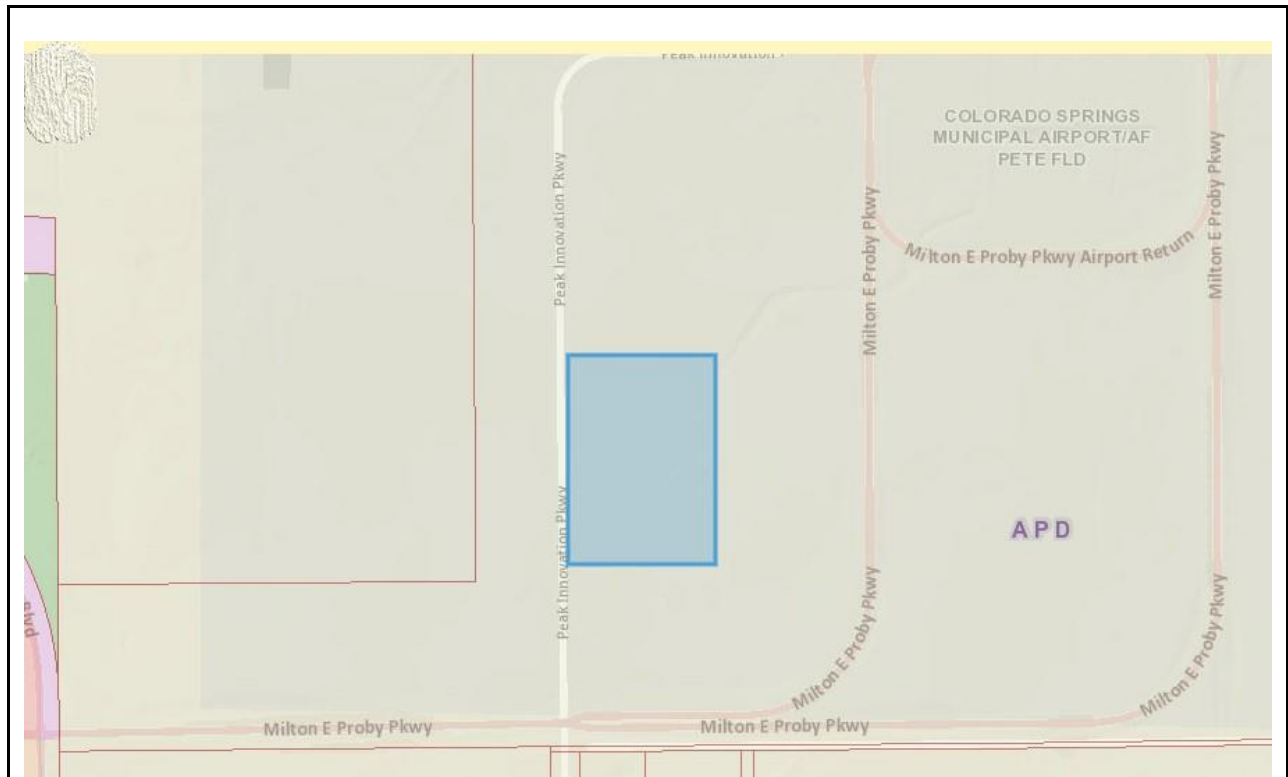
FILE NO:
UVAR-22-0002 – QUASI-JUDICIAL

PROJECT: Use Variance for Colorado Springs Airport Peak Innovation Park

OWNER: City of Colorado Springs

DEVELOPER: UFCS Airport, LLC

CONSULTANT: Enertia Consulting Group, LLC



PROJECT SUMMARY:

1. Project Description: A use variance to allow a Data Center on an approximate 100-acre APD zoned lot within the Peak Innovation Park (**see attachment “Peak Innovation Park”**)
2. Applicant’s Project Statement: Peak Innovation Park intends to subdivide Lot 1 into two new parcels, one tract, and an airport roadway that are east of Peak Innovation Parkway and north of Milton E. Proby Parkway. The intent to subdivide this area is to create an approximate 100-acre lot, Lot 1, for further development within the Peak Innovation Master Development that will be consistent with the existing allowed uses. (**see attachment “Project Statement”**)
3. Planning and Development Team’s Recommendation: Staff Recommends approval

BACKGROUND:

1. Site Address: TBD – Located on Peak Innovation Parkway approximately 775 feet north of Milton E Proby Parkway
2. Existing Zoning/Land Use: APD APZ1 AO RPZ - Airport Planned Development
3. Surrounding Zoning/Land Use: Surrounded on all sides by APD zoning, Colorado Springs Airport, and Peak Innovation Park.
4. Master Plan/Designated Master Plan Land Use: Airport Master Plan

STAKEHOLDER PROCESS AND INVOLVEMENT:

City Planning noticed 3 property owners within a 1,000-foot buffer distance. The application has been fast tracked due to time sensitivities; therefore, as of the writing of this report, no public comment has been received. The site will also be noticed and posted prior to the City Planning Commission hearing.

Given the nature of the application, no other review agencies were notified; however, any future development will still require a development plan that will be reviewed by the necessary outside agencies..

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

The applicant (the City) requests approval of a Use Variance to allow a Data Center use in the Airport Planned Development (APD) zone district within the Peak Innovation Center on an approximate 100-acre site. Staff considers this a correction to an “oversight” in the Code given the Peak Innovation Center, proximity to the Colorado Springs Airport, and other existing and proposed industrial uses in the vicinity make this a prime zoning district for a Data Center use.

The APD zone is intended for development that includes a mix of airport compatible uses. Further, the APD zone is limited in the City of Colorado Springs to this location. Denial would only result in a delay in allowing this use since the updated UDC (ReTool) permanently corrects this “oversight” and allows data centers as permitted uses in the APD zone.

The applicant has submitted an amended Concept Plan to update uses and a Final Plat (**see attachment “Final Plat”**) to create the approximate 100-acre parcel that are both currently under administrative review.

Section 7.5.803 (Use Variances) of the City Code requires evaluation of three approval criteria, listed below:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the petition would result in undue property loss; and
2. That such variance is necessary for the preservation and enjoyment of a property right of the petitioner; and also
3. That such variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of other owners of property.

Staff has evaluated and finds that the proposed use variance meets the established criteria and therefore recommends approval.

2. Conformance with the City Comprehensive Plan:

Staff has evaluated the proposed application for conformance with the City’s current comprehensive plan (herein referred to as “PlanCOS”). According to PlanCOS, the project site is identified on the Vision Map, as Airport. The subject site is identified as “Industry Icons” Typology on the Thriving Economy Framework map. PlanCOS identifies policies related to the proposed use variance.

Goal TE-2 – *Diversify the local economy by fostering a range of business types and sizes*

Policy TE-2.A – *Preserve and Strengthen the city’s Industry Icons Typology*

Strategy TE-2.A-1 – *Identify, accommodate, and provide supportive zoning for key sites for industrial uses with good multimodal access to highway, railroad, and the Airport.*

City Planning staff finds that the proposed use variance for a data center is in substantial compliance with PlanCOS.

3. Conformance with the Area’s Master Plan:

The site is part of the Colorado Springs Airport Master Plan and is currently designated as Office/Business Park. Staff has determined that this proposal to be in compliance with the master plan.

STAFF RECOMMENDATION:

UVAR-22-0002

Approve a Use Variance to allow the Data Center use in the Airport Planned Development zoning district, based upon the review criteria in City Code Section 7.5.803.