

City of Colorado Springs

*Regional Development Center
2880 International Circle
Colorado Springs, CO 80910*



Meeting Minutes

Wednesday, April 12, 2023

9:00 AM

2nd Floor Hearing Room

Planning Commission

1. Call to Order and Roll Call

Alternate Jen Cecil joined the meeting a few minutes late.

Alternate Mark Morgan joined the meeting at 9:49 a.m.

Present: 11 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett, Commissioner Slattery, Alternate Griggs, Alternate Cecil and Alternate Morgan

Excused: 1 - Commissioner Hensler

2A. Approval of the Minutes

2A.A. [CPC 23-196](#) Minutes for the March 8, 2023, Planning Commission Meeting

Presenter:

Scott Hente, Chair of the City Planning Commission

Motion by Commissioner Rickett, seconded by Vice Chair McMurray, to approve the minutes for the March 8, 2023, Planning Commission meeting. The motion passed by a vote of 7:0:1:1

Aye: 7 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

Recused: 1 - Chair Hente

2B. Changes to Agenda/Postponements

Kettle Creek North

6.A. [AR PUD 20-00538](#) A referral from City Council of a 61.71 acre PUD Development Plan for the Kettle Creek North subdivision illustrating 247 single-family detached lots.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Almy, to postpone this item to the June 14, 2023, City Planning Commission meeting. to the Planning Commission, due back on 6/14/2023. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

- 6.B. [AR FP](#)
[20-00539](#) A referral from City Council of a 21.33 acre final plat application for the Kettle Creek North Filing No. 1 subdivision illustrating 74 single-family detached lots.

(Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner Almy, to postpone this item to the June 14, 2023, City Planning Commission meeting. to the Planning Commission, due back on 6/14/2023. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

3. Communications

Peter Wysocki, Director of Planning & Community Development

Mike Tassi, Assistant Director of Planning provided an update in the absence of Peter Wysocki. The City Council heard the appeal of the Mikado Daycare that was heard in March's planning commission. That appeal was denied therefore approving the daycare with a 7:2 vote.

4. CONSENT CALENDAR

These items will be acted upon as a whole, unless a specific item is called for discussion by a Commissioner/Board Member or a citizen wishing to address the Commission or Board. (Any items called up for separate consideration shall be acted upon following the Consent Vote.)

Adventure Way Townhomes

- 4.F. [ZONE-23-00](#)
[02](#) A zone change relating to 3.83 acres from A/AO (Agriculture with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay (to be known as MX-M/AO (Mixed-Use Medium Scale with Airport Overlay)) located east of Adventure Way and Quail Brush Creek Drive.

(Quasi-Judicial)

Presenter:

Kyle Fenner, Senior Planner, Planning & Community Development

This Planning Case was referred on the Consent Calendar to the City Council.

- 4.G. [COPN-23-00](#)
[01](#) A concept plan for Adventure Way Townhomes illustrating multi-family development with a maximum density of 11.5 dwelling units per acre.

(Quasi-Judicial)

Presenter:

Kyle Fenner, Senior Planner, Planning & Community Development

This Planning Case was referred on the Consent Calendar to the City Council.

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Commissioner Foos, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

5. ITEMS CALLED OFF CONSENT

535 East Costilla Street

- 4.A. [ZONE-22-00](#)
[19](#) A zone change pertaining to 1.779 acres from PIP-1/CR (Planned Industrial Park with Condition of Record) to C-5 (Intermediate Business (to be known as MX-M (Mixed-Use Medium Scale)) located at 535 East Costilla Street.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Staff Presentation:

Matthew Alcuran, Planner II, gave a presentation describing the scope and intent of the project.

Questions from Commissioners:

Commissioner Rickett questioned the decision made to break up the projects.

Matthew Alcuran explained the project includes both the north and south structures. The lower section is not intended for multi-family use.

Applicant Presentation:

Andrea Papierski, Matrix Design Group was present to answer any questions

and provide a presentation if requested.

Public Discussion:

Chris Rudnick, a resident of the neighborhood, questioned the impact this project would have on their water and sewer. After providing background of the Hillside neighborhood and its infrastructure relating to the underground piping, he stated the concern comes from the possible impact on the water supply causing insufficiencies in their homes. He ended by questioning if a possible sewer rebuild can handle a large influx of sewage.

Jason Alwine, applicant representative, responded to the resident stating they are in the concept plan and rezone stage. They will work with CSU regarding both sanitary and water services to assess the capacity and conditions of those lines before construction moves forward. He adds, there were no concerns with drainage impact according to Swint's study.

Discussion and Decision of Planning Commission:

Chair Hente noted the resident has valid concerns and they will be addressed once the project is in its development stages.

Katie Carleo, Planning Manager, reiterated all project concerns are reviewed with their partners at CSU and Stormwater before any development plan is approved.

Commissioner Briggs questioned if the community would have a chance to comment as CSU is looking at the issues.

Katie Carleo confirmed all major development applications go through a standard notification process.

Commissioner Briggs questioned if this case would come back to Planning Commission for approval of the development plan.

Katie Carleo stated it would not return to the commissioners as the zone change in the concept plan would set it for administrative approval.

Commissioner Briggs sought further details as to when the next opportunity would be for public comment.

Katie Carleo confirmed the public can comment again at the end of the process when postcards are mailed to the neighborhood and staff is available to answer questions throughout the project.

Commissioner Briggs requested a reminder of the appeal process.

Katie Carleo noted an appeal can be made 10 days after administrative approval.

Motion by Commissioner Rickett, seconded by Commissioner Almy, to recommend approval to the City Council the zone change of 1.779 acres from

PIP-1/CR (Planned Industrial Park/Condition of Record) to C-5 (Intermediate Business (to be known as MX-M (Mixed-Use Medium Scale)) based upon the findings that the change of zoning request complies with the three (3) criteria for granting a zone change as set forth in City Code Section 7.5.603(B). to the City Council. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

4.B. [COPN-22-00](#) [19](#) A concept plan proposing multi-family residential development with a density of 30-40 dwelling units per acre located at 535 East Costilla Street.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Foos, to recommend approval to City Council a Concept Plan for the 535 East Costilla Street Multi-Family project, based upon the findings that the request meets the review criteria for granting a Concept Plan, as set forth in City Code Section 7.5.501(E). The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

2508 Gunnison Street

4.C. [CUDP-22-00](#) [11](#) A conditional use development plan proposing conversion of an existing single-story commercial outbuilding to a single-family residence located at 2508 Gunnison Street.

(Quasi-Judicial)

Presenter:

Johnny Malpica, Planner II, AICP Candidate, Planning & Community Development

Staff Presentation:

Johnny Malpica, Planner II, gave a presentation describing the scope and intent of the project.

Applicant Presentation:

None.

Public Discussion:

Rebecca Glasser, a resident of the neighborhood noted comments were submitted by her and her neighbors.

She questions if this will be residential use or turned into business development.

Johnny Malpica confirms the application is to convert current commercial zoning to residential and keep it as such. Adding that the applicant who owns the property intends to live in the home.

Rebecca Glasser commented on her support as long as it does not turn into a business.

Motion by Commissioner Rickett, seconded by Vice Chair McMurray, to approve the conditional use development plan for 2508 Gunnison St. in the C-6 (General Business) zone district, based upon the finding that the conditional use development plan request complies with the review criteria for granting a conditional use development plan as set forth in City Code Section 7.5.704 and the development plan criteria set forth in Section 7.5.502.E. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

- 4.D. [NVAR-22-00](#) Nonuse Variance to allow for a 3'-6" side-yard setback where 5' is required along the western portion of the property addressed as 2508 Gunnison Street.

[39](#)

(Quasi-Judicial)

Presenter:

Johnny Malpica, Planner II, AICP Candidate, Planning & Community Development

Motion by Commissioner Rickett, seconded by Vice Chair McMurray, to approve the nonuse variance from City Code section 7.3.104 to allow a 3'-6" side yard setback along the western portion of the property where 5' is required based upon the findings that the request meets the review criteria for granting a nonuse variance as set forth in City Code Section 7.5.802.B. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

- 4.E. [NVAR-22-00](#) Nonuse Variance to allow for a 2' side-yard setback where 5' is required along the eastern portion of the property addressed as 2508 Gunnison Street.

[50](#)

(Quasi-Judicial)

Presenter:

Johnny Malpica, Planner II, AICP Candidate, Planning & Community Development

Motion by Commissioner Rickett, seconded by Vice Chair McMurray, to approve the nonuse variance from City Code section 7.3.104 to allow for a 2' side yard setback along the eastern portion of the property where 5' is required based upon the findings that the request meets the review criteria for granting a nonuse variance as set forth in City Code Section 7.5.802.B. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foes, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

6. UNFINISHED BUSINESS

7. NEW BUSINESS CALENDAR

Village at Cottonwood Creek

- 7.A. [MAPN-22-0007](#) A major amendment to the Powerwood 2 Master Plan for multi-family residential with a density of 7.5-12 dwelling units per acre located southwest of the intersection of Tutt Boulevard and Sorpresa Lane.

(Legislative)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning & Community Development

Chair Hente disclosed he previously had a financial interest in some of the properties that were in this master plan, but those interests ended twelve or thirteen years ago, and feels he can hear this with no prejudice.

Staff Presentation:

Gabe Sevigny, Planning Supervisor, gave a presentation describing the scope and intent of the project.

Applicant Presentation:

Heather Gridlock, Galloway, representing the applicant, was present to answer any questions.

Questions from Commissioners:

Chair Hente questioned city staff on the highlighted red section in their map presentation and how it seemed to be a subset. He requested confirmation if

the master plan covers the highlighted or the entire map.

Gabe Sevigny confirmed the highlighted pertains to a portion of the entire master plan.

Commissioner Rickett questioned if the developments were independent or tied together.

Gabe Sevigny commented that they are separate applicants and have different development in the same general area.

Motion by Commissioner Rickett, seconded by Commissioner Foos, to recommend approval to City Council the major amendment to the Powerwood 2 Master Plan, based upon the finding that the master plan amendment complies with the review criteria in City Code Section 7.5.408, with one (1) Condition of Approval:

1. Applicant will receive final approval from SWENT for the Master Drainage Development Plan (MDDP) prior to final approval of the Master Plan Amendment. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Almy, Commissioner Briggs, Commissioner Foos, Chair Hente, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

Absent: 1 - Commissioner Hensler

Reagan Ranch

- 7.B. [MAPN-22-00](#) A major amendment to the Reagan Ranch Master Plan adding
[10](#) 21.86-acres as Single-family Residential and Commercial/Office and changing the land use designation for 16.09-acres to Multi-family located south of State Highway 94 at Marksheffel Road.

(Legislative)

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development

Staff Presentation:

Chris Sullivan-Robinson, Senior Planner, gave a presentation describing the scope and intent of the project.

Applicant Presentation:

The owner, Danny Mientka, was present for questions.

Questions from Commissioners:

Chair Hente requested clarification on some of the terms in the presentation. Chris Sullivan-Robinson clarified the terms.

Commissioner Briggs questioned the intent of the property West of Mark Shuffle Road.

Danny Mientka commented it is zoned industrial with the current entertainment of a warehouse distribution site.

Commissioner Briggs sought clarification if APZ 1 and 2 did not allow residential.

Danny Mientka confirmed that this is correct.

Chair Hente followed up on Commissioner Briggs's question, asking if the previous request was from APZ 1 to PUD with Airport Overlay, if so, does that mean they are not in the accident protection zone?

Chris Sullivan-Robinson noted the airport overlay will not change but because the land is being split, the left side 4 1/2 acres would still be affected by the sub-overlays.

Chair Hente sought further clarity to understand why that area allows for residential while being in an accident zone.

Vice Chair McMurry clarifies the measurements to Chair Hente as it pertains to the center line of the runway.

Chris Sullivan-Robinson adds to confirm that historically this parcel was subject to the APZ restrictions as it was not intended to be split. Now only one part of the land will be subject to APZ as it was within the airfield's APZ.

Chair Hente voices his concerns as it relates to safety. He notes the sensitivity comes from potential engine failure after take-off causing fatality from allowing residential in that area.

Commissioner Briggs adds to the concerns by noting the risks with landing and external additional lighting that can come from residences. He requests insight from the Airport agency representative to comment further on the criteria.

Christine Andrews, Colorado Springs Airport, confirms the Airport Advisory Commission did have concerns with how close residential lies in proximity to the airport, but as long the area is permitted by zoning, they can only provide recommendations.

Commissioner Briggs questioned how construction cranes and other equipment get factored into the safety of the aircraft being it is so close in proximity to the landing zone.

Christine Andrews, Colorado Springs Airport, adds that an FAA 7460 form needs to be submitted before approval as a notice of proposed construction/alteration for an airspace analysis.

Gabe Sevigny, Planning Supervisor, adds that an airport overlay (AO) review criteria still goes through the airport for multiple reviews during the development process due to the proximity.

Commissioner Almy adds he feels the layout of this project is off in terms of the North and South lines.

Chris Sullivan-Robinson adds he feels it is more strategic due to the high possibility of further subdivision of the land in the future.

Commissioner Almy requests further clarification on the safety measures being taken to account for possible wind and engine failure.

Katie Carleo, Planning Manager adds that there is a wedge between the runways, but those zones are not set by the planning department.

Commissioner Rickett notes cranes need to be permitted by the FAA.

Discussion and Decision of Planning Commission:

Chair Hente commented he is torn on his decision due to understanding the intent of the project but has known people who have passed away due to an aircraft accident and structures being so close to the runway.

Commissioner Briggs echoes Chair Hente's comments, he feels there should be a larger buffer to separate the residential from the landing zone and cannot currently support this project.

Vice Chair McMurray adds his long-time background working with military land use compatibility and accident potential zones. He notes the military and FAA ensure the buffer zones are in place, therefore the current criterion of separation is the buffer zone and has been reviewed to determine safety. For these reasons, he is in support of the project.

Commissioner Raughton comments on his previous experience as former planning director in Aurora during a period of history involving Stapleton. He has confidence in the zones set forth to set those protection zones and will support this project.

Commissioner Rickett agrees with supporting this project if the military base has no issues with the proximity.

Commissioner Briggs notes he previously lived on the border of those zones from 2004 to 2017 and it is risky, especially at night. He adds that commercial airlines approach fields in a straight line and military aircraft approaches from the east in a curve due to less population.

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend approval to City Council a major amendment to the Reagan Ranch Master Plan adding 21.86-acres as Single-family Residential and Commercial/Office and changing the land use designation for 16.09-acres to Multi-family, based upon the findings that the master plan request complies with the review criteria as set forth in City Code Section 7.5.408. to the City Council. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner Almy, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Briggs and Chair Hente

Absent: 1 - Commissioner Hensler

- 7.C. [ZONE-22-00](#) [23](#) A zone change for 4.54-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Aeronautical Protection Zone-1, and Runway Protection Zone) to PBC/AO/APZ-1/RPZ (Planned Business Center (to be known as MX-M (Mixed-Use Medium Scale) with Airport Overlay, Aeronautical Projection Zone-1 and Runway Protection Zone) located at Marksheffel Road south of State Highway 94.

(Quasi-Judicial)

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Foos, to recommend to City Council approval of the zone change for 4.54-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Aeronautical Protection Zone-1, and Runway Protection Zone) to PBC/AO/APZ-1/RPZ (Planned Business Center (to be known as MX-M (Mixed-Use Medium Scale) with Airport Overlay, Aeronautical Protection Zone-1 and Runway Protection Zone) based upon the findings that the change of zone request complies with the zone change criteria as set forth in Section 7.5.603. to the City Council. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner Almy, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Briggs and Chair Hente

Absent: 1 - Commissioner Hensler

- 7.D. [COPN-22-00](#) [27](#) A major amendment to the Reagan Ranch Concept Plan adding 4.54-acres illustrating parcel outlines and land uses located at Marksheffel Road south of State Highway 94.

(Quasi-Judicial)

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend to City Council approval of the amended Reagan Ranch Concept Plan, based upon the findings that the concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501.E. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner Almy, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Briggs and Chair Hente

Absent: 1 - Commissioner Hensler

- 7.E. [PUDZ-22-00](#)
[07](#) A zone change for 17.32-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Aeronautical Protection Zone-1, and Runway Protection Zone) to PUD/AO (Planned Unit Development with Airport Overlay (to be known as PDZ/AP-O (Planned Development Zone with Airport Overlay) Single-family Residential, 3.5-11.99 dwelling units per acre; Multi-family, 12-24.99 dwelling units per acre; 45-foot maximum building height) located at Marksheffel Road south of State Highway 94.

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Foos, to recommend to City Council approval of the zone change for 17.32-acres from OC/CR/AO/APZ-1/RPZ (Office Commercial with Conditions of Record, Airport Overlay, Accident Protection Zone-1, and Runway Protection Zone) to PUD/AO (Planned Unit Development with Airport Overlay (to be known as PDZ/AP-O (Planned Development Zone with Airport Overlay) Single-family Residential, 3.5-11.99 dwelling units per acre; Multi-family, 12-24.99 dwelling units per acre; 45-foot maximum building height) based upon the findings that the change of zone request complies with the review criteria for establishing a PDZ zone as set forth in City Code Section 7.3.603 and the zone change criteria as set forth in Section 7.5.603.B. to the City Council. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner Almy, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Briggs and Chair Hente

Absent: 1 - Commissioner Hensler

- 7.F. [PUDC-22-00](#)
[06](#) A major amendment to the Reagan Ranch PUD Concept Plan to add 17.32-acres to the existing concept plan illustrating parcel outlines and land uses located at Marksheffel Road south of State Highway 94.

(Quasi-Judicial)

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Foos, to recommend to City Council approval of the amended Regan Ranch PUD Concept Plan based upon the findings that the concept plan meets the review

criteria for PUD concept plans as set forth in City Code Section 7.3.605 and 7.5.501.E. to the City Council. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner Almy, Commissioner Foos, Vice Chair McMurray, Commissioner Raughton, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Briggs and Chair Hente

Absent: 1 - Commissioner Hensler

8. PRESENTATIONS/UPDATES

Commissioner Briggs would like the next planning commission meeting to discuss and have opposition to senate bill 23-213. The city council posted a letter in opposition to the bill which involves removing the city planning commissions from the overview of development inside neighborhoods.

Lisa O'Boyle, Senior Attorney, notes it is not the responsibility of the planning commission to take a stance on matters like this, therefore, is possibly outside of this commission's purview. She adds a discussion can be had, but it is unclear as to the action item that can be taken as a result.

Chair Hente, notes to add this as a discussion item and requests the city attorney's office research options.

Commissioner Briggs adds his concern is that this bill removes the planning commission from the review process.

Mike Tassi, Assistant Director of Planning thanks alternate Commissioner Morgan for his service in the planning commission and wishes him well in his endeavors.

9. Adjourn