

TAVA MOUNTAIN ENERGY STORAGE FACILITY

Planning Commission May 14, 2025

Staff Report by Case Planner: Allison Stocker



Quick Facts

Applicant

esVolta Development LLC

Property Owner

C & M ENTERPRISE LLC

Address(s)

1031, 1133 and 1145 S Royer Street; 1121 S El Paso Street

TSN(s)

6420300008; 6420300005;
6420300006; 6420300007;
6420300009

Zoning and Overlays

Current: General Industrial (GI)

Proposed: PDZ (Planned Development Zone)

Site Area

4.49 Acres

Proposed Land Use

Public Facility

Applicable Code

UDC

Council District

District 3

Project Summary

The Tava Mountain Energy Storage Facility project consists of a Zone Map Amendment and Land Use Plan applications for 4.49 acres located at 1133 S Royer Street. The proposed Zone Map Amendment seeks to change the zoning from GI (General Industrial) to PDZ (Planned Development Zone; nonresidential; 180,000 maximum square footage; 80 feet maximum building height). (Quasi-Judicial)

The Land Use Plan application proposes the establishment of the Tava Mountain Energy Storage Facility Planned Development Land Use Plan, which envisions the future development of a major utility land use (i.e. energy battery storage facility). (Quasi-judicial)

File Number	Application Type	Decision Type
PDZZ-25-0001	PDZ Zone Change	Quasi-Judicial
PDZL-25-0002	PDZ Land Use Plan	Quasi-Judicial

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Reannexation of Southwest Annex. Area	October 27, 1980
Subdivision	Mount Washington Subdivision	April 5, 1911
	Remainder of site is unplatted tracts	N/A
Master Plan	Prospect Peak Master Plan Area	Unknown
Prior Enforcement Action	N/A	N/A

Site History

The subject property consists of 4.49 acres made up of several parcels of unplatted or partially platted land. The site is presently zoned General Industrial (GI) and is located within an established industrial area. The site has historically been undeveloped and has been utilized as a heavy vehicle storage yard as far back as 2005. At present, the applicant is pursuing Zone Map Amendment (Exhibit A – Zone Map Amendment Legal Description; Exhibit B – Zone Map Amendment Boundaries). and Land Use Plan (Attachment 1 – Land Use Plan) applications in order to develop the site with a major utility use consisting of an energy battery storage facility.

The applicant is proposing an energy battery storage facility (“Major Utility”), but the only zone district that allows this use would be Public Facility (PF). This limits the landowner to either fully committing to the energy battery storage facility through a zone change to Public Facility (PF) and risking needing to complete another zone change later if the proposal falls through, or to use the innovative nature of the Planned Development Zone (PDZ) district to create a zone district that would allow for various possible scenarios. The proposed zone change of General Industrial (GI) to Planned Development Zone (PDZ) was an intentional decision to support both the proposed land use but also allow for continuity of the existing use in the interim, which is further discussed in Attachment 2 – Project Statement. Additionally, choosing to pursue a PDZ district will provide a contingency plan in the event that the end use should change post-zone change.

Along with the Zone Map Amendment application, the applicant has submitted a Land Use Plan that is used to showcase the proposed land uses, dimensional criteria, and other facets of the PDZ district that are unique and not a standard Unified Development Code (UDC) requirement. Under the proposed PDZ district, the applicant is requesting the establishment of non-residential as its use-type with a maximum 180,000 square footage of buildings and a maximum building height of 80 feet. Similar to the General Industrial (GI) zone district’s setbacks, this PDZ district will only follow front-yard building setbacks and all other property boundary buffers will be set by the required landscape buffers.

The Land Use Plan establishes the basic land use configuration, ingress/egress, traffic circulation and includes notes pertaining to required improvements. Further details on the site design and layout will be evaluated at time of the development plan submittal. Per the associated Land Use Plan (discussed further below), the allowable land uses shall follow the Use-Table listed in Section 7.2.301 for General Industrial (GI) and Public Facilities (PF) zone districts. Uses shall be permitted, conditional, or prohibited based on this table, and there are no conflicts in this table between the PF and GI uses as the only difference between the two zones is that “Major Public Facility” is the only permitted use in the PF zone district and it is not permitted in any other zone district.

Applicable Code

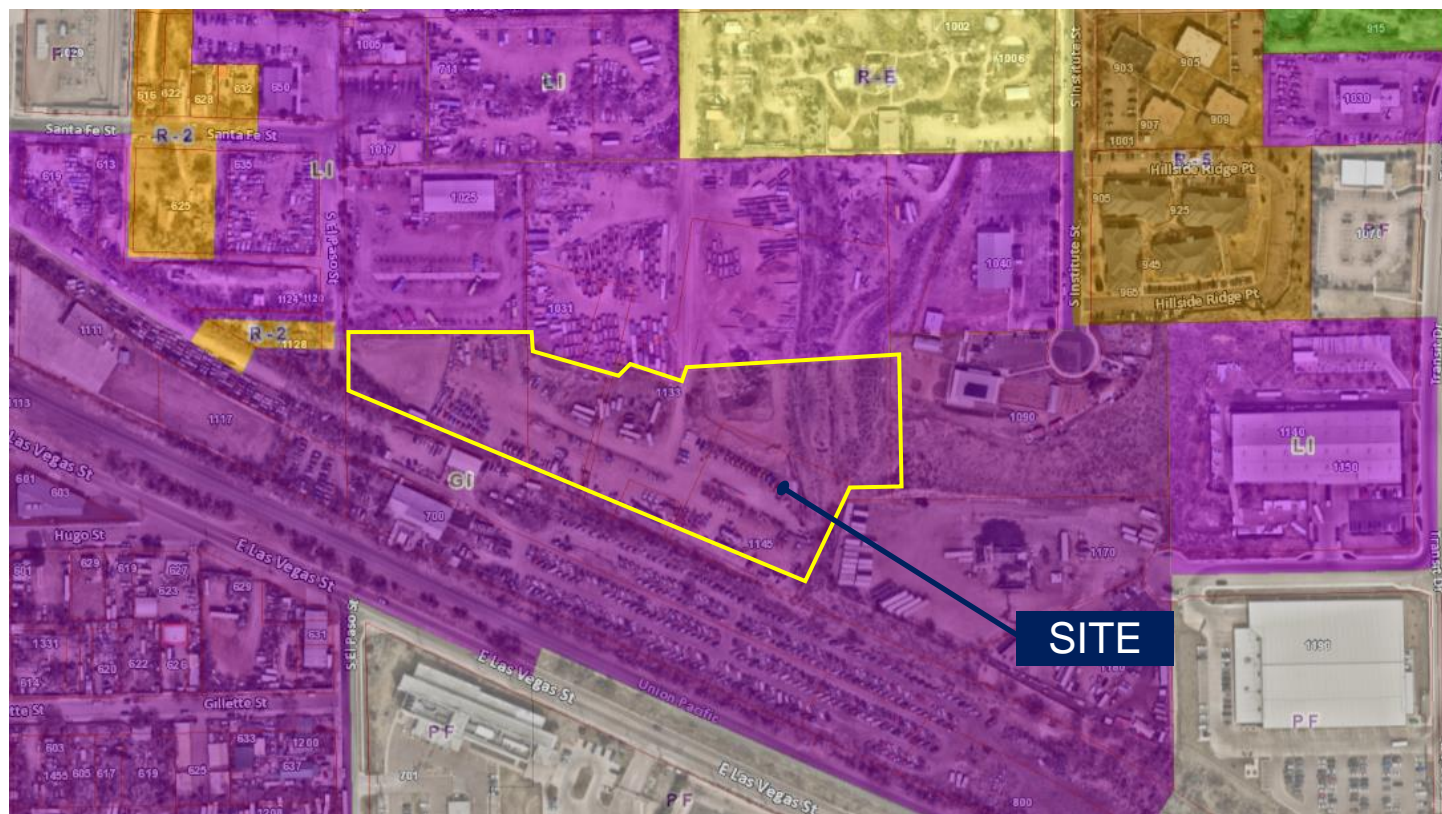
The subject applications were submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is required to be reviewed per the Unified Development Code standards. All subsequent references within this report that are made to “the Code” and related sections are 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	Light Industrial (LI)	Heavy Vehicle Storage	N/A
West	General Industrial (GI) Two-Family Residential (R2)	Vacant Commercial Lot Single-family Residential	N/A
South	General Industrial (GI)	Auto Storage	N/A
East	Light Industrial (LI) Public Facilities (PF)	Warehouse / Storage City Transportation Facility	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Concurrent to administrative review / once prior to Planning Commission Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	111 postcards
Number of Comments Received	1 comment

Public Engagement

At time of writing this report, the only public comment received (Attachment 3 – Public Comments) was to express concern about the issues that truck through-traffic has caused in the area and concern that further development could increase these issues.

Timeline of Review

Initial Submittal Date	6/4/2024
Number of Review Cycles	3 cycles
Item(s) Ready for Agenda	April 18, 2025

Agency Review

Traffic Engineering

The developer will be responsible for improving El Paso Street to City standard and providing a turnaround area where the street dead ends. The proposed site access location and spacing meets the City Traffic Criteria Manual. Any onsite or offsite improvements should be incorporated into the Civil Drawings and conform to standards of the City of Colorado Springs and the Manual on Uniform Traffic Control Devices (MUTCD).

SWENT

All comments have been addressed.

Colorado Springs Utilities

All comments have been addressed

City Engineering

All comments have been addressed.

Colorado Springs Police Department

No comments on this project.

Colorado Springs Fire Department

No comments on this project.

Landscape Review

The Planned Development Zone required community benefits (further discussion on community benefits below) which include options for higher quality landscaping that are above and beyond the required landscape for the proposed use type. Landscape review has confirmed that these options would meet the intent of this requirement, but further review will be required at time of development plan review.

Planned Development Zone Change

Summary of Application

The proposed Zone Map Amendment to establish a Planned Development Zone (PDZ) district was selected due to collaboration between the applicant, landowner, and Planning Staff as a means to allow an appropriate level of flexibility. The applicant is pursuing the zone change in order to allow development of a energy battery storage facility, but the current use (heavy vehicle storage) is expected to stay in operation until the proposed use can start construction. Energy battery storage facilities are only permitted in the Public Facilities (PF) zone district and these zones do not allow for any other land uses. As such, to allow the continuation of the current use and to allow a contingency should the energy storage facility fail to develop, the landowner has the option of using the site for industrial or public facility uses.

Due to limited applicability of Planned Development Zones (PDZ) districts within the UDC and its utilization being set aside primarily for situations in which a hard zone is not feasible in supporting the proposed development, Section 7.2.705 of the UDC states that any PDZ is required to provide at least two (2) of the listed community benefits in this Section. These options include High Quality Design Features, Community Amenities, Mix of Housing Types, and Sustainable Development Practices. The applicant has satisfied this requirement by selecting High Quality Design Features and Sustainable Development Practices. The exact benefit options are outlined in the associated Land Use Plan (discussed further below).

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 was found to be consistent with the goals and policies of PlanCOS. Further discussion on its compliance can be found below.

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

During the administrative review of this application, a number of City review agencies reviewed this application for its compliance with City standards and to identify any possible issues with the proposal. No major concerns were raised with the proposed zone or its proposed land use as it relates to public safety, public health, 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 proposed zone change is to amend the subject property's zone district from General Industrial (GI) to Planned Development Zone (PDZ). As noted in the associated land use plan (further discussion below), the uses within the proposed PDZ will follow the Use-Table listed in Section 7.3.201-A for General Industrial (GI) and Public

Facilities (PF). The subject property is located adjacent to General Industrial (GI) and Public Facilities (PF), making the proposed zone district compatible with the zoning for the immediate area.

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.**

N/A.

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.**

N/A.

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.**

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 governmental regulations.**

The proposed zone change to a Planned Development Zone (PDZ) district includes High Quality Design Features and Sustainable Development Practices as their community benefits. The specific options are defined below. In addition to these options, Staff has acknowledged that the open-ended nature of the end-user necessitates flexibility in allowing for additional discussion on these options. Therefore, at time of development plan review additional negotiation on these benefits can occur, which could include altering the benefits provided. No applicable UDC requirements can count toward these benefits. The defined benefits are listed below.

High Quality Design Features:

For 65% of the site permitter, one of the following options (A-C) will be incorporated for permitter landscaping.

- A. *Landscape strip meeting the standards for trees, shrubs, and vegetative cover in the landscape policy manual at least fifteen (15) feet in width.*
- B. *Landscape strip meeting the standards for trees, shrubs, and vegetative cover in the landscape policy manual at least fifteen (15) feet in width with considerations to meet local Fire Department requirements and fencing of architectural value, considering design and materials with height and security allowances necessary to meet NERC and/or applicable code requirements.*
- C. *Decorative hardscape strip at least fifteen (15) feet in width with an approved mix of hardscape materials and vegetation with considerations to meet local Fire Department requirements and fencing of architectural value, considering design and materials with height and security allowances necessary to meet NERC and/or applicable code requirements.*

Permitter landscaping may be substituted with internal landscaping on a foot-by-foot basis, per Section 7.4.90, all nonresidential development projects must allocate at least 5% of the total site area to non-activated green space. However, for heavy industrial projects where internal landscaping may not be suitable due to site configuration and usage the Manager may permit some or all of the required interior landscaping to be relocated to the main property entrances, office areas, or outside the permitter wall or fence.

Sustainable Development Practices:

Development plan to be reviewed to provide the community benefit via sustainable development practices. Sustainable development practices may include, but are not limited to, the use of low impact development (LID) design features throughout the development, solar orientation of building forms and other passive energy-efficient design strategies throughout the development, Green-Infrastructure measures, community-level renewable energy production, and district heating and cooling throughout the development.

Although the exact benefits will be solidified at time of development plan review, Staff has found that the applicant's chosen community benefits are appropriate for the potential land uses as set forth in the Planned Development Zone. The options laid out are not standard UDC requirements of the potential land uses, and these options would be considered above and beyond for this kind of development.

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)).

N/A.

After evaluation of the Zone Map Amendment application, the application meets the review criteria.

Planned Development Land Use Plan

Summary of Application

In addition to the Zone Map Amendment application, the Planned Development Zone (PDZ) district is required to be submitted with a Land Use Plan that establishes the specific allowable land uses, dimensional standards, and community benefits associated with the PDZ. The Land Use Plan is limited to showing areas that are intended for development and areas to be used for onsite drainage facilities. Beyond these simple site configuration details, all other development criteria will be fully assessed at time of development plan review.

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 proposed Land Use Plan was found to be in consistent with the goals and policies of PlanCOS. Further discussion on its compliance can be found below.

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 established under the PDZ 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 a energy battery storage facility, which is considered a major utility use. This use is appropriate for the subject location as it will be surrounded by industrial uses and in close proximity to other public facilities. Many of the surrounding properties include heavy vehicle storage, automotive storage, and warehousing / storage uses. The proposed PDZ's dimensional standards are reflective of the dimensional standards of the General Industrial (GI) zone district which will allow for further consistency in development patterns for the area.

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

With the proposed land use of energy battery storage facility ("major utility"), the impact on the surrounding area is anticipated to be minimal. This use has a low traffic generation as only official personnel will need access to the site and the site will not generate any other impacts aside from noise. Energy battery storage facilities are known to generate noise despite being a lower-impact land use. As such, the applicant has agreed that noise mitigation strategies such as sound walls may be required at time of development review, depending on the anticipated output and the potential for impact on neighboring properties.

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 El Paso Street which supports the main ingress / egress point and public infrastructure such as adjacent sidewalks, curb/gutters, and an emergency turnaround at the dead-end of El Paso Street. These improvements will be a significant upgrade for the immediate area, as this portion of El Paso Street is currently substandard and there is concern for vehicular safety in this area. Since the proposed use is a low traffic generating use, City Traffic Engineering did not require a traffic impact report for the proposed use.

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

Besides the required roadway and infrastructure improvements discussed above, the site was reviewed by a number of review agencies. 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.

Since the subject property is surrounded by other industrial zone districts and the proposed Planned Development Zone (PDZ) district and accompanying Land Use Plan follow the dimensional standards of the General Industrial (GI) zone district, the need for transitioning between use types is currently not a concern for the project. In the event that the surrounding area changes prior to development plan review, further evaluation will ensure compatibility.

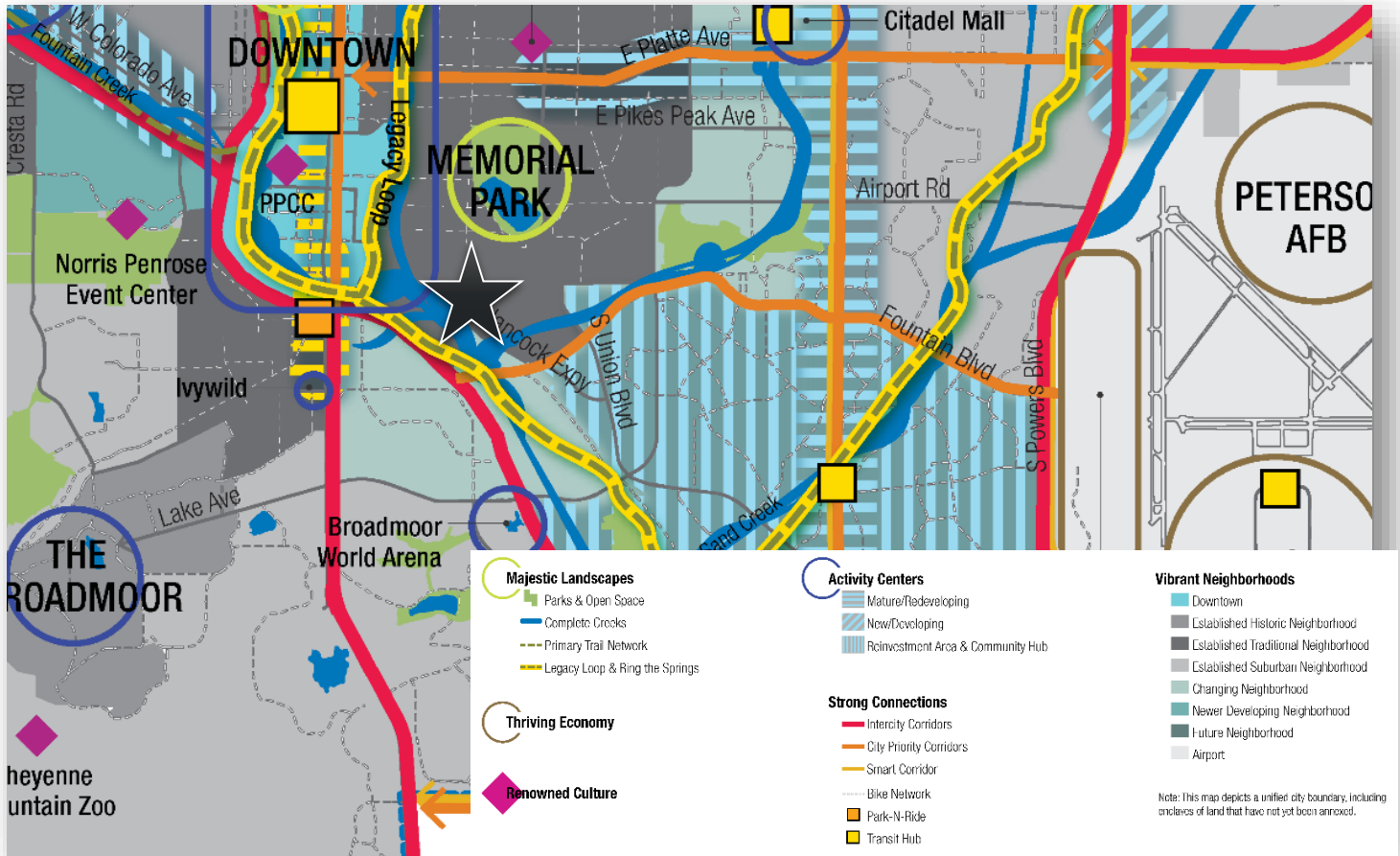
After evaluation of the Land Use Plan, the application meets the review criteria.

Compliance with Relevant Guiding Plans and Overlays

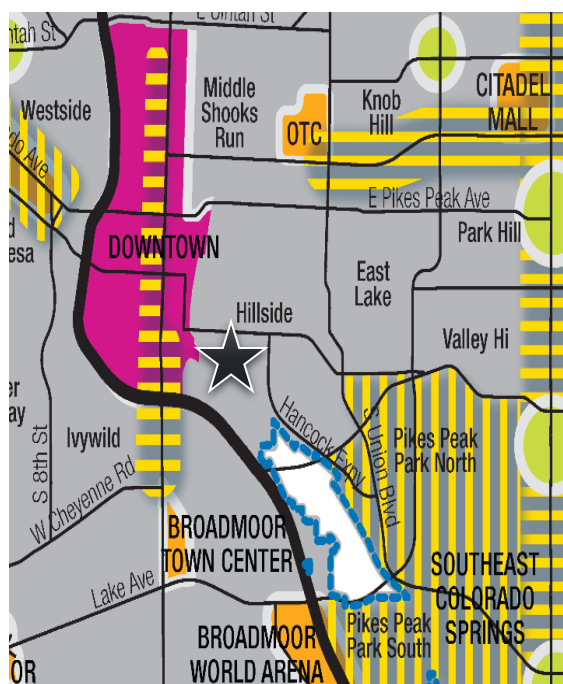
The subject property is located within the Prospect Park Neighborhood Plan (Plan). This plan has not been recoverable by Staff, but it is known to be a publicly initiated plan. Understanding that this plan was likely a reflection of current and proposed future conditions, it is believed that the proposed use of public facilities and/or industrial facilities would have been consistent with the Plan. The subject property has been used as an industrial use (heavy vehicle storage) for some time and it likely contributed this land use pattern to the Plan at time of adoption.

Compliance with PlanCOS

PlanCOS Vision Map



The subject site is located within PlanCOS Visions Map's typology of "Established Traditional Neighborhoods". This typology is used to describe areas where thoughtful redevelopment and continuous support of existing development patterns should occur.



Predominant Typology

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

Unique Places

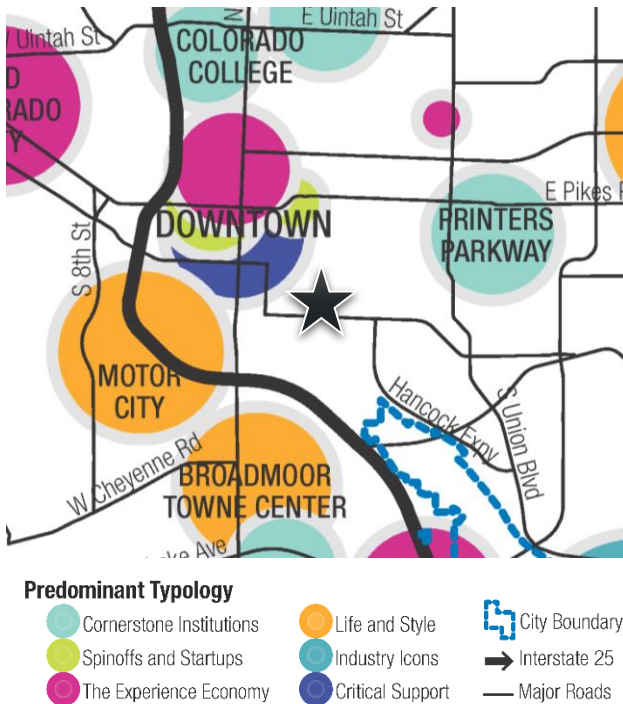
The subject property is located in the "Neighborhood Center" typology which is intended to support existing land uses and encourage appropriate redevelopment efforts. The proposed Zone Map Amendment and Land Use Plan fulfill this typology through the following policies and strategies:

Policy UP-2.A: Support infill and land use investment throughout the mature and developed areas of the City.

Strategy UP-2.A-1: Encourage the development or redevelopment of vacant properties in the core area of the City by using a combination of incentives, zoning, and creative design solutions.

Strategy UP-2.A-4: Actively support ongoing and potential infill projects, employ problem solving approaches, and continue to implement process improvements in support of infill and redevelopment.

Policy UP-5.B: Encourage cost-effective development that promotes the wise use of resources.



Thriving Economy

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

Policy TE-1.A: Preserve and strengthen key economic sectors and strive to grow medium and high-wage jobs in targeted industries

Policy TE-4.A: prioritize development within the existing City boundaries and built environment (not in the periphery)

Policy TE-4.C: Promote sustainable efforts and initiatives in the private and public sector

Strategy TE-4.C-1 through Strategy TE-4.C-3

Statement of Compliance

PDZZ-25-0001 – Zone Map Amendment

After evaluation of the Zone Map Amendment application for the Tava Mountain Energy Storage Facility project, the application meets the review criteria.

PDZL-25-0002 –Land Use Plan

After evaluation of the Land Use Plan application for the Tava Mountain Energy Storage Facility project, the application meets the review criteria.