



**Quick Facts**

**Applicant**

Enertia Consulting Group

**Property Owner**

Colorado Springs Airport

**Developer**

Urban Frontier

**Address / Location**

4415 Grinnell Blvd

**TSN(s)**

5506001021

**Zoning and Overlays**

Current: APD AO APZ2

Proposed: MX-M AO APZ2

**Site Area**

8.197 Acres

**Proposed Land Use**

N/A

**Applicable Code**

Unified Development Code

**Project Summary**

This application requests a rezoning of Lot 2 of Colorado Springs Airport Filing 1D change from APD APZ-2 AP-O (Airport Planned Development Accident Potential Subzone 2 with Airport Overlay) to MX-M APZ-2 AP-O (Mixed-Use Medium Accident Potential Subzone 2 with Airport Overlay) to support a proposed fuel canopy station with a convenience store (**Figure 1\_Project Statement**).

File Number	Application Type	Decision Type
ZONE-23-0018	Rezoning	Quasi-Judicial



## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Municipal Airfield Addition #5	April 1st, 1976
Subdivision	Colorado Springs Airport Filing No. 1D	April 23 <sup>rd</sup> , 2019
Master Plan	Peak Innovation Park	February 24th, 2022
Prior Enforcement Action	N/A	N/A

### Site History

The subject lot has been vacant in the City of Colorado Springs since the site’s annexation in 1976. The current APD zone district was established in 2019 in preparation for further development on the south side of the Peak Innovation Park development. The initial “Peak Innovation Park” concept plan application was approved in 2018 with the latest amendment approved in 2022.

### Applicable Code

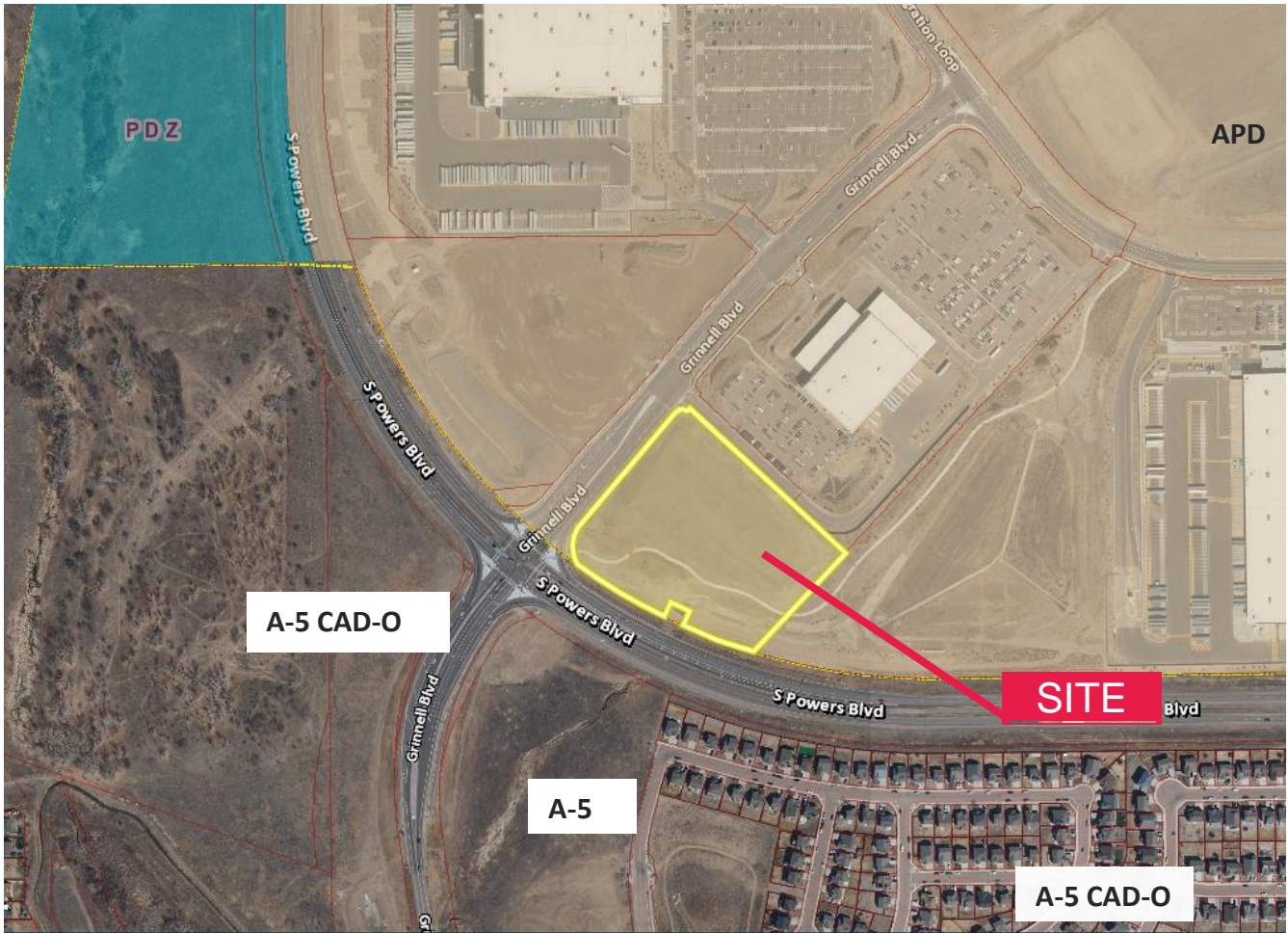
The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

## Surrounding Zoning and Land Use

### Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	APD APZ-2 AP-O	Warehousing/Office	Click or tap here to enter text.
West	A-5 CAD-O	Vacant	Click or tap here to enter text.
South	PUD CAD-O	Single-Family Residential	Click or tap here to enter text.
East	APD APZ-2 AP-O	Warehousing/Office	Click or tap here to enter text.

**Zoning Map**



**Stakeholder Involvement**

**Public Notice**

Public Notice Occurrences (Poster / Postcards)	Internal Review / Prior to Planning Commission Hearing
Postcard Mailing Radius	1000 ft
Number of Postcards Mailed	83 Postcards
Number of Comments Received	None



## PEAK INNOVATION ZONE CHANGE

Planning Commission September 13, 2023

Staff Report by Case Planner: Drew Foxx

### Agency Review

#### Traffic Impact Study

No comments received. Recommended approval.

#### School District

No comments received. Recommended approval.

#### Parks

Informational: Upon Development Plan, Citywide Development Fees (Police and Fire Fees) may be applicable to any commercial or residential development which would be due at Building Permit. If this MX-M Zone were to ever introduce residential development, the Parkland Dedication Ordinance and School Ordinance would be triggered and fees or land dedication would apply.

#### SWENT

No comments received. Recommended approval.

#### Colorado Springs Utilities

No comments received. Recommended approval.

#### Colorado Springs Airport

8/23/23 - The AAC had no objections to comments below.

The following will be presented at the Airport Advisory Commission on 08/23/2023:

Airport staff recommends no objection with the following conditions:

- Avigation Easement: An avigation easement is required for future development plans/plats. This parcel is owned by the Airport and is leased. Additional comments will be provided by Airport Properties Staff.
- APZ-2: The proposed development is within the Accident Potential Zone 2 (APZ-2) subzone of the Commercial Airport Overlay District. The proposed use associated with this development is permissible in the APZ-2 subzone.
- FAA Form 7460-1: The Airport will apply for Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" for future development of this site.

### Zone Change

#### Summary of Application

The applicant is requesting a change of zone request for the proposed 8.197-acre vacant site within the Colorado Springs Municipal Airport Peak Innovation Park development. The rezoning will be from APD APZ-2 AP-O (Airport Planned Development Accident Potential Subzone 2 with Airport Overlay) to MX-M APZ-2 AP-O (Mixed-Use Medium Accident Potential Subzone 2 with Airport Overlay) with a maximum building height of 50 feet and a minimum lot size of 2.5 acres (**FIGURE 2 Exhibits A & B**) to establish zoning that is supportive of a proposed fuel canopy station with a convenience store. A zone change application requires a land use plan per 7.5.514, unless eligible for a land use plan waiver under section 7.5.514.B.3. The applicant has provided a Land Use Plan Statement (**FIGURE 3\_Land Use Plan Project Statement**) requesting a waiver of the requirement for a land use plan.



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### Compliance with Relevant Code Sections and Review Criteria

The request for a zone change to MX-M: Mixed-Use Medium Scale for the subject lot is compliant with the Unified Development Code section(s) 7.2.304 MX-M: Mixed-Use Medium Scale, 7.5.514 Land Use Plan, 7.5.514.B.3.a.2 Waiver by Manager and Land Use Statement, and 7.5.514.C Land Use Approval Process.

The MX-M zone district accommodates a mix of commercial, retail, office, multi-family residential, and civic uses. Additionally, the MX-M zone district is intended to accommodate the development of new activity centers in emerging growth areas and vacant or underused properties. The city planning department believes the proposed commercial use and its location to be compliant with the intent of the MX-M zone district because the subject lot currently exists as vacant in an underutilized location and will be complimentary to the growth occurring within the Peak Innovation Park development and to the surrounding community.

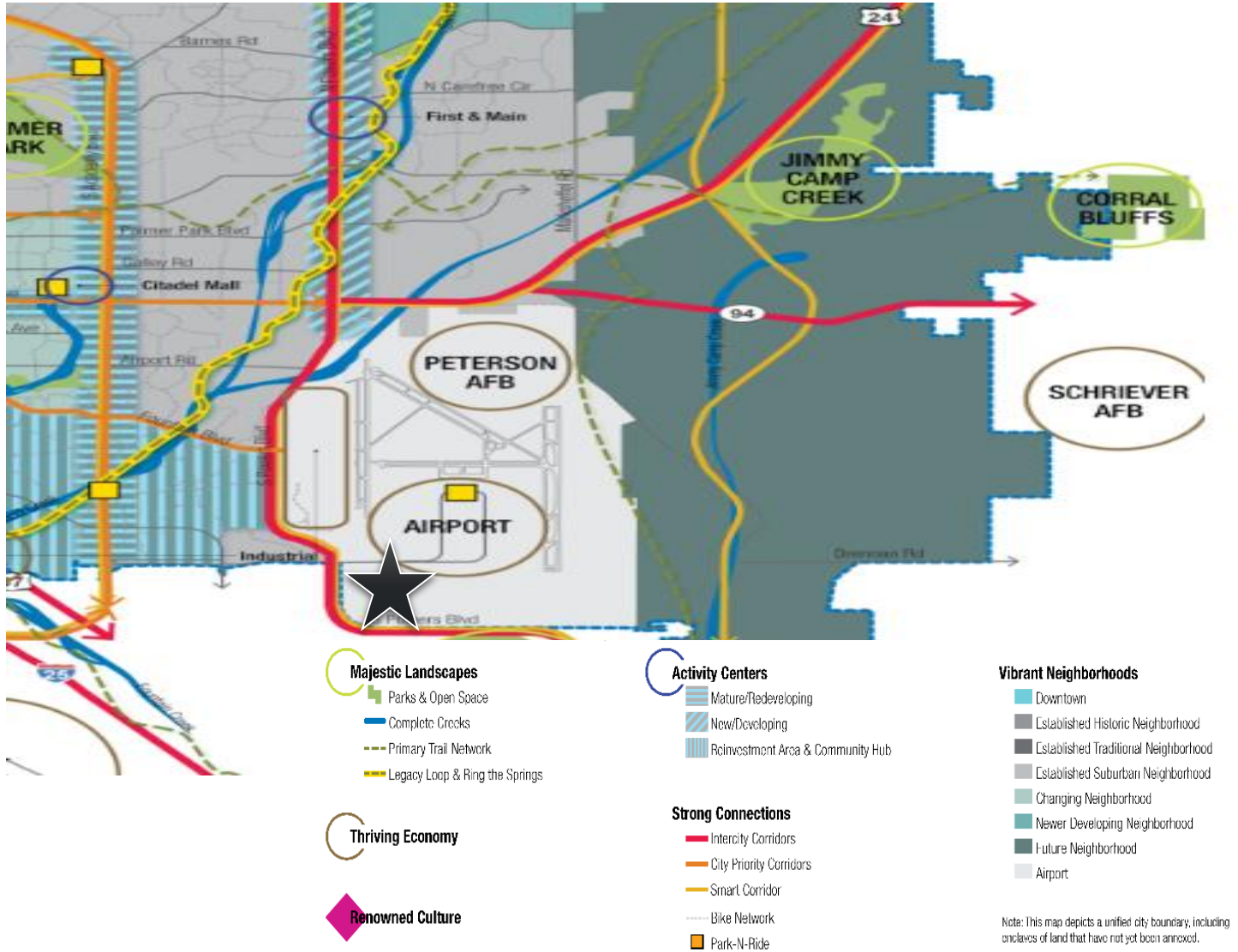
While the zoning code requires a land use plan per section 7.5.514 to lay out permitted use types and outline the proposed zone district, the application is eligible for a "waiver by manager and land use statement" under zoning code section 7.5.514.B.3.a.2 due to the approved concept plan as amended (**FIGURE 4\_COPN-22-0003**). A land use statement has been submitted by the applicant referencing the previously approved concept plan and approved by City Planning. Therefore, the requirement for a land use plan under 7.5.514 and items required to be included in the application under section 7.5.514.C associated with the land use plan has been waived.

### Compliance with Relevant Guiding Plans and Overlays

The applicant's proposed MX-M zone district is consistent with the overall intention of the Peak Innovation Park concept plan as amended. Per the approved Peak Innovation Park concept plan's associated project statement (**Figure 5\_Peak Innovation Project Statement**), the intention was to allow for use types consistent with the use types previously permitted in the APD (Airport Planned District) zone district subject to the Chapter 7 land use zoning code, including a fuel canopy station (previously defined as a "Convenience Food Sales"). After the Unified Development Code was implemented in June of 2023, the applicant's proposed use ("Fuel Canopy Station with Convenience Store) is no longer permitted in the APD zone district. As the intention of the approved concept plan was to allow for this type of use under the previous land use code for the subject lot, it is the applicant's request to change the zoning to allow the proposed use type to comply with the UDC zoning requirements, while still maintaining consistency with the objective(s) of the approved Peak innovation Park Concept Plan. The proposed location is located within the APZ-2 (Accident Protection Zone 2) and AP-O (Airport Overlay) and the use is permitted within both overlays. The airport will continue to be an outside review agency and any future development plan will be remitted to that department for review and comment.

**Compliance with PlanCOS**

**PlanCOS Vision**

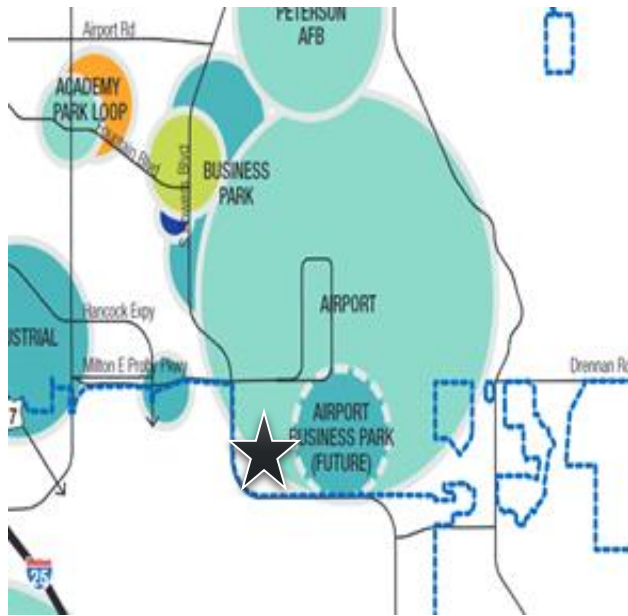


Based on the City’s Comprehensive Plan as amended, the proposed zone change application appears to be consistent with the envisioned development patterns for the subject parcel, which is identified as Airport per the Plan’s 2020 Land Use map. The Colorado Springs Municipal Airport has created several goals found within their “Master Plan Update” that align with some of the objectives of the City’s Comprehensive Plan by making efforts to provide the overall airport development with infrastructure to enable adequate public access and mobility for optimized utilization of the aviation system and surrounding area, support sustainable economic growth and development for the airport development and the Colorado Springs community at-large, and establish land use development investments to ensure the airport’s land use development long-term viability.

# PEAK INNOVATION ZONE CHANGE

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## Thriving Economy

The proposed rezone will allow for greater utilization of the parcel for commercial development, as such is the intention for this rezone to MX-M and the future of the “Airport Business Park”. The rezone to MX-M will align with many desired elements described in PlanCOS to support a thriving economy. This rezone and the subsequent proposed use to follow with a development plan will support a mix of complementary uses to the surrounding community, job growth, and desirable land use integration to the surrounding area.

### Typology 4: Life and Style:

The integration of a mixed-use zone district into this portion of the COS Airport development is supportive of Typology Four (4): Life and Style because it will better support the integration of retail and services that serve the daily needs of local residents and businesses, where currently this sector of the city is lacking this type of support.

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

The request to rezone this parcel to allow more opportunity to incorporate commercial uses increases this underutilized sector of the city’s infill and density “already in, nearby, or surrounded by the city in order to preserve open spaces, maximize investments in existing infrastructure, limit future maintenance costs, and reduce the impacts of disinvestment in blighted areas” (PlanCOS).

As noted above, staff finds the applicant’s application to substantially conform to the Comprehensive Plan’s goals, objectives, and the 2020 Land Use map.



## PEAK INNOVATION ZONE CHANGE

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### Recommendation

#### City File No. ZONE-23-0018

Planning Commission recommends approval to City Council of a zone change related to 8.197 acres located at 4415 Grinnell Blvd from APD APZ-2 AP-O (Airport Planned Development Accident Potential Subzone 2 with Airport Overlay) to MX-M APZ-2 AP-O (Mixed-Use Medium Accident Potential Subzone 2 with Airport Overlay), based upon the findings that the change of Zoning Map Amendment as set forth in City Code Section 7.5.704.