

City of Colorado Springs

*Plaza of the Rockies
South Tower, 5th Floor
Blue River Board Room
121 S Tejon St, Colorado Springs, CO 80901*



Meeting Minutes - Final

Thursday, February 18, 2021

8:30 AM

Remote Meeting - Call 720-617-3426

Conf ID: 815 137 01#

Planning Commission

1. Call to Order

- Present:** 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks
- Excused:** 2 - Commissioner Wilson and Alternate Griggs

2. Approval of the Minutes

2.A. [CPC 21-101](#) Minutes for the November 19, 2020 Planning Commission Hearing

Presenter:
Reggie Graham, Chair of the City Planning Commission

Motion by Commissioner Rickett, seconded by Commissioner Almy, to approve the November 19, 2020 Planning Commission minutes. The motion passed by a vote of 8:0:1:0

- Aye:** 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks
- Absent:** 1 - Commissioner Wilson

2.B. [CPC 21-122](#) Minutes for the December 17, 2020 Planning Commissioner Hearing

Presenter:
Reggie Graham, Planning Commission Chairman
Postponed until March meeting

3. Communications

Peter Wysocki - Director of Planning and Community Development

Mr. Wysocki explained that Items 5.A. and 6.A. would be postponed to the August 19, 2021 Planning Commission Hearing. City Council directed staff to work on a Chapter 7 code amendment to somehow regulate and allow carports in the front yard setbacks. In doing so, City Council adopted the moratorium suspending enforcement of certain carports within the front yard setbacks.

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.)

603 El Paso

- 4.A. [CPC ZC 20-00139](#) Ordinance No. 21-36 amending the zoning map of the City of Colorado Springs pertaining to 0.39-acre located at 603 South El Paso Street from C5/cr (Intermediate Business with Conditions of Record) to C5/cr (Intermediate Business with Conditions of Record).

(Quasi-Judicial)

Related Files: CPC DP 20-00140

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

This Ordinance was referred on the Consent Calendar to the City Council.

- 4.B. [CPC DP 20-00140](#) A Development Plan for the 603 South El Paso project to allow for a catering/restaurant use within an existing structure located at 603 South El Paso Street

(Quasi-Judicial)

Related Files: CPC ZC 20-00139

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

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

Colorado Springs Youth Symphony

- 4.C. [CPC UV 20-00175](#) A Use Variance Development Plan for the Colorado Springs Youth Symphony project establishing a proprietary school for music located at 3113 Primrose Drive.

(Quasi-Judicial)

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development

This Planning Case was approved on the Consent Calendar.

Kaleidos

- 4.D. [CPC ZC 20-00151](#) Ordinance No. 21-38 amending the zoning map of the City of Colorado Springs pertaining to 9.51 acres located at 1750 South Murray Boulevard from PIP-2/CR/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) to R5/AO (Multi-Family Residential with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC ZC 20-00151, CPC DP 20-00152

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

This Ordinance was referred on the Consent Calendar to the City Council.

- 4.E. [CPC DP 20-00152](#) A Development Plan for the Kaliedos project to allow the development of 150 units within 30 5-plexes, a community center, and open space located at 1750 South Murray Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00151

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

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

Templeton Gap Townhomes

- 4.G. [CPC PUZ 20-00012](#) Ordinance No. 21-37 amending the zoning map of the City of Colorado Springs pertaining to 10.64 acres from PUD/AO (Planned Unit Development 5.66 dwelling units per acre, 30' maximum building height; airport overlay) to PUD/AO (Planned Unit Development 20 dwelling units per acre, 35' maximum building height; airport overlay) located northeast of the Templeton Gap Road and Wolf Ridge.

(Quasi-Judicial)

Related Files: CPC PUP 20-00013, CPC PUD 20-00014

Presenter:

Katie Carleo, Senior Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

This Ordinance was referred on the Consent Calendar to the City Council.

- 4.H. [CPC PUP 20-00013](#) Templeton Gap Townhomes PUD Concept Plan for establishment of townhouse development located northeast of the Templeton Gap Road and Wolf Ridge Road consisting of 10.64 acres.

(Quasi-Judicial)

Related Files: CPC PUZ 20-00012, CPC PUD 20-00014

Presenter:

Katie Carleo, Senior Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

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

- 4.I. [CPC PUD 20-00014](#) Templeton Gap Townhomes PUD Development Plan located northeast of the Templeton Gap Road and Wolf Ridge Road intersection consisting of 10.64 acres.

(Quasi-Judicial)

Related Files: CPC PUZ 20-00012, CPC PUP 20-00013

Presenter:

Katie Carleo, Senior Planner, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

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

5590 N Nevada Ave - WCF

- 4.J. [CPC CM1 20-00174](#) A conditional use development plan application to allow for the installation of new 80-foot tall non-stealth monopole wireless communications facility located at 5590 North Nevada Avenue.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

This Planning Case was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Commissioner Raughton, 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 Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

ITEMS CALLED OFF CONSENT

Outlook at Briargate

4.F. [CPC CU 20-00104](#) A conditional use development plan for a 300-unit rental housing community located at 1650 Briargate Boulevard and consisting of 12.62 acres.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Motion by Commissioner Rickett, seconded by Vice Chair Hente, to approve the Conditional Use Development Plan for the Outlook at Briargate in the PBC (Planned Business Center) zone district, based upon the findings that the request meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 (A, B, and C) and meets the review criteria for granting a Development Plan as set forth in City Code Section 7.5.502(E). The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

5. UNFINISHED BUSINESS

Carport Appeal

5.A. [CPC AP 20-00178](#) Postpone an appeal of a Notice and Order to Abate for violation of a carport within the 25-foot front yard setback on a residentially zoned (PUD) property located at 1325 Challenger Drive.

(Quasi-Judicial)

Presenter:

Kurt Arnoldussen, Senior Code Enforcement Officer, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to postpone the appeal for the Notice and Order to Abate violation issued

against 1325 Challenger Avenue to the August 19, 2021 Planning Commission.
The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

6. NEW BUSINESS CALENDAR

Carport Appeal

6.A. [CPC AP 21-00001](#) Postpone an appeal of a Notice and Order to Abate for violation of a carport within the 25-foot front yard setback on a residentially zoned (PUD) property located at 1315 Challenger Drive.

(Quasi-Judicial)

Presenter:

Kurt Arnoldussen, Senior Code Enforcement Officer, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to postpone the appeal for the Notice and Order to Abate violation issued against 1315 Challenger Avenue to the August 19, 2021 Planning Commission. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

Withdraw 4815 Barnes Rd - WCF

6.B. [CPC CM1 20-00164](#) Withdrawal of a conditional use development for new antennas and the 20-foot extension of an existing wireless telecommunications facility at 4815 Barnes Road.

(Quasi-Judicial)

Presenter:

Matthew Alcuran, Planner II, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Almy, to withdraw the 4815 Barnes Road Conditional Use Development Plan. The motion passed by a vote of 8:0:1:0

Aye: 8 - Commissioner Raughton, Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

East Fountain Apartments

6.C. [CPC CU 20-00142](#) A conditional use development plan for the East Fountain Apartments proposing construction of a 208-unit apartment complex located at the northeast corner of the Fountain Boulevard and Aero Plaza Drive intersection.

(Quasi-Judicial)

Presenter:
 Gabe Sevigny, Principal Planner, Planning & Community Development

Staff presentation:
 Gabe Sevigny, City Planning, presented a PowerPoint with the scope and intent of this project.

Applicant Presentation:
 Phil Stuepfert, HR Green, presented a PowerPoint with the scope and intent of this project. He was accompanied by Nicole Renner with Goodwin Knight and Ken Huhn, HR Green.

Questions:
 Commissioner Raughton asked what the basis was for the request for an additional 10-foot height.

Mr. Stuepfert said it was the ideal building architecture, as well as internal to the building to what they think will meet the market demand in the area. Ms. Renner added that it was the building they designed, and they believed it would meet the market demand in the area.

Supporters:
 None

Opponents:
 Kim Skinner, dpiX

- dpiX is opposed to the construction of apartment buildings. Colorado Springs has had a history of putting residential or multifamily facilities next to industrial facilities
 - there is building night light pollution
 - delivery trucks that come in 24/7
 - noise manufacturing issues
- Even though everyone might do their best to keep noise, light pollution, and machinery noise down, having multifamily and industrial that close together will cause issues with the residents
- The apartment buildings would not be a compatible use of the land and the apartment building could be a hindrance to our future expansion

Rebuttal:

Mr. Stuepfert said they had taken a lot of precautions to make sure that it is a logical transition of use. Between the buffers and the parking garages and putting those buildings way to the west, they did the best they could. This is an infill property and there is a great need for attainable housing in this market. Mr. Stuepfert went over the site plan to describe what they did to mitigate any issues.

Mr. Sevigny also wanted to clarify with the commissioners that the site is zoned PBC, which allows mixed uses. It could be commercial on the first floor, and then residential on the upper floors. The reason this is a conditional use application is because the multifamily will be the only thing on this site and no commercial.

Questions:

Commissioner Raughton asked if there was sound mitigation or architectural solutions built into the design of the structure.

Ms. Renner said they are reusing this design somewhat from another site, but the building is designed to meet STC requirements as per code, which are sound mitigation techniques that have been implemented for the comfort of the residents, as well as to the dpiX concerns.

Commissioner Almy asked to get a positive statement from the applicant or staff on how the conditional use is consistent with the intent and purpose of the zoning code to **promote** public health, safety, and general welfare.

Mr. Sevigny said the findings he made for this project on promoting the general welfare and protecting of the general health of the area was in the concept of pulling back and taking into consideration for the neighboring properties, relocating the buildings, applying the additional landscape buffers, and the site area for the general layout for the buildings that protected the property rights. Mr. Sevigny said he found for the neighboring properties, when it came to the health and safety and welfare of the general area, that it's the multifamily itself that is a necessity for the city of Colorado Springs, as indicated by the HomeCOS.

The other indications for protecting the general health of the area is allowing for future uses of commercial on those other lots that can bring much needed uses. Currently, there is a pre-application for the corner lot for a gas station that can add some extra amenities to the area because right now, there are just hotels and single-family dwellings. That was all taken into consideration for this project.

Commissioner Almy said he did not disagree with Mr. Sevigny's arguments, but again, it's the meeting the letter of the conditional use requirements. Mr. Almy said he intended to support the project because there is a need for attainable housing for the industry and other airport related work in that area.

Mr. Stuepfert added that this use is better suited than one of the PBC (Planned

Business Center) uses that could be placed next to the single-family homes, which are currently allowed. This proposal makes it safer.

City Attorney Ben Bolinger pointed out that the incorrect review criteria was attached for the administrative relief and said it should have been 7.5.1102 (Findings necessary for granting administrative relief) and explained those were the criteria that needed to be applied. Mr. Bolinger proceeded to read those four criteria to the commissioners.

Ms. Renner said they could change the roof line of the building and not need to ask for administrative relief, but by asking for the administrative relief, it gave flexibility in designing the architecture of the building to be a little bit more conducive or sympathetic to the surrounding single-family roof pitches rather than putting a flat roof on the building, which was the genesis of asking for that administrative relief.

Commissioner Rickett asked the applicant if they could keep to the 45-feet.

Ms. Renner said she believed they could stick to the 45-feet, but one of the reasons why they looked at the height was there are buildings in the area that do come closer to exceeding that 45-foot height, and they thought it would be more compatible to the neighborhood to meet that. Mr. Stuepfert added that the buildings immediately to the west exceed the 50-feet, although he did not have the exact dimensions.

Mr. Sevigny commented there are still components on the roof that would still be higher than that 45-foot. There could be parapets or elevator shafts that are still going to be above that. That's why the administrative relief was supported by staff in this case because there's still going to be components that would be there. Then the overall effect of having that flat roof just didn't add to the appeal for the overall application.

There would still be some of those components that would meet code requirements as mentioned in that the 45-foot is the max height for the building. That is measured from the median elevation to five foot below that highest ridge. They are technically right now at 49 ½, and legally they could go to that 50-foot to the highest point on the ridge. By adding that extra amount they are at that 54 ½ feet from the average elevation to the highest point. Again, we would only take that measurement going five foot below that. It is in the code that we don't add that extra point just because of those architectural features.

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioners McMurray and Rickett both said they did not find there was extraordinary physical conditions present to allow the administrative relief.

There was a motion to reconsider the conditional use that was initially passed by a 7:1:1:0 vote because it was incongruent with the administrative relief vote that failed by a vote of 3:5:1:0 to give relief for the height of the building. The motion to reconsider the conditional use was passed by a vote of 6:2:1:0.

The conditional use was voted on again to include the technical modification of

the height of the building will be reduced to meet the zone limits in City Code, which is 45-foot maximum height, plus an additional five feet allowed for certain architectural features. The motion passed by a vote of 5:3:1:0.

Motion by Vice Chair Hente, seconded by Commissioner Slattery, to approve the East Fountain Apartments conditional use development plan, based upon the findings that the request complies with the three review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.E, subject to the following technical modification:

1. Add the following note to the first page of the Conditional Use Development Plan, "This property is subject to the findings, summary, and conclusions of a Geologic Hazard Report prepared by Terracon, dated December 14, 2020, which identified the following specific geologic hazard on this property: shallow groundwater and potentially collapsible soils. A copy of said report has been placed within file #CPC CU 20-00142 or within the subdivision file of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Ave., Suite 701, Colorado Springs, CO, if you would like to review said report." The motion passed by a vote of 7:1:1:0

Aye: 7 - Commissioner McMurray, Vice Chair Hente, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 1 - Commissioner Raughton

Absent: 1 - Commissioner Wilson

6.D. [CPC R 20-00170](#) Administrative Relief for over-all building height not to exceed 55 feet where the maximum building height for the zone district is 45 feet located at the northeast corner of the Fountain Boulevard and Aeroplaza Drive intersection.

(Quasi-Judicial)

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Motion by Vice Chair Hente, seconded by Commissioner Slattery, to approve the administrative relief from City Code Section 7.3.204 allowing for over-all building height not to exceed fifty-five feet (55') where the maximum building height for the zone district is forty-five feet (45') from the average elevation to a point five feet (5') below the highest ridge of a gable, hipped or gambrel roof as set forth in City Code Section 7.5.1102. The motion failed by a vote of 3:5:1:0

Aye: 3 - Vice Chair Hente, Chair Graham and Commissioner Eubanks

No: 5 - Commissioner Raughton, Commissioner McMurray, Commissioner Slattery, Commissioner Rickett and Commissioner Almy

Absent: 1 - Commissioner Wilson

6.C. [CPC CU 20-00142](#) A conditional use development plan for the East Fountain Apartments proposing construction of a 208-unit apartment complex located at the northeast corner of the Fountain Boulevard and Aeroplaza Drive intersection.

(Quasi-Judicial)

Presenter:

Gabe Sevigny, Principal Planner, Planning & Community Development

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to Reconsider the development plan for Item 6.C. CPC CU 20-00142. The motion passed by a vote of 6:2:1:0

Aye: 6 - Commissioner McMurray, Chair Graham, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 2 - Commissioner Raughton and Vice Chair Hente

Absent: 1 - Commissioner Wilson

Motion by Commissioner Rickett, seconded by Commissioner McMurray, to approve the East Fountain Apartments conditional use development plan, based upon the findings that the request complies with the three review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the development plan review criteria in City Code Section 7.5.502.E, subject to the following technical modification:

1. Add the following note to the first page of the Conditional Use Development Plan, "This property is subject to the findings, summary, and conclusions of a Geologic Hazard Report prepared by Terracon, dated December 14, 2020, which identified the following specific geologic hazard on this property: shallow groundwater and potentially collapsible soils. A copy of said report has been placed within file #CPC CU 20-00142 or within the subdivision file of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Ave., Suite 701, Colorado Springs, CO, if you would like to review said report."

2. The height of the building will be reduced to meet the zone limits in City Code, which is 45-foot maximum height, plus an additional five feet allowed for certain architectural features. The motion passed by a vote of 5:3:1:0

Aye: 5 - Commissioner McMurray, Commissioner Slattery, Commissioner Rickett, Commissioner Almy and Commissioner Eubanks

No: 3 - Commissioner Raughton, Vice Chair Hente and Chair Graham

Absent: 1 - Commissioner Wilson

Reagan Ranch

- 6.E. [CPC MP 87-00381-A2 7MJ20](#) A Resolution amending the Banning Lewis Ranch Master Plan relating to 235.8 acres located southeast of State Highway 94 at Marksheffel changing land use designations to commercial and residential.

(Legislative)

Related Files: CPC CP 20-00137, CPC PUP 20-00136, CPC ZC 20-00135, CPC PUZ 20-00134

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning and Community Development

Staff presentation:

Tasha Brackin, City Planning, presented a PowerPoint with the scope and intent of this project.

Applicant Presentation:

Jason Alwine, Matrix Design Group, presented a PowerPoint with the scope and intent of this project, as well as Danny Mientka (The Equity Group)

Questions:

Commissioner Hente asked Ms. Brackin to describe the differences between Accident Potential zones 1 and 2.

Ms. Brackin explained the accident potential zones are established through airport administration. Since Colorado Springs is a unique airport in that it is used both by the military and commercially, there are a combination of factors that create the location of those zones. The airport overlay is a protected area that extends about 14,000 feet from the edge of the runway to give the airport control over things like noise impacts and provide statements on subdivisions relating to those noise impacts. The accident potential zones are based on a certain specified distance from the end of the runways and it is also specified width at the end of the runways. It is a military term used to indicate the location where land uses should be studied more carefully to minimize the potential for incidents in those areas. Commissioner Hente explained when he hears accident potential, he thinks of things like airplanes going down, and it isn't practical to say the airplane will go down in one area, but not in another.

Commissioner Raughton asked if the annexation agreement was reviewed with all the stipulated commitments made in the agreement. Ms. Brackin said she did not see any contradictions between the proposed project and the agreement. Given the fact that these properties have zoning in place, and the zoning conditions require a concept plan to be prepared prior to any development, and that concept plan is required to include a traffic impact study and drainage studies. Ms. Brackin said that the conditions of the zoning were in furtherance of the annexation and did not contradict it.

Supporters:

None

Opponents:

None

Questions of Staff:**Rebuttal:**

Danny Mientka, The Equity Group

- Regarding concerns about the interface with this development and the Colorado Springs airport and potentially the US Space Force
 - Mr. Mientka shared they were very deliberate throughout this process to personally meet with all of the stakeholders to include Ellicott schools
 - Met and briefed the base commander for Peterson Air Force Base in person
 - Met with the base commander for Schriever Air Force Base, who were highly supportive of this development
 - Mr. Mientka shared he serves on the Airport Advisory Commission and there was a great deal of evaluation and review of this particular project because of its relationship to the runway, to the accident potential zones, noise contours and that sort of thing
 - A lot of growth is happening by the airport and we have to accommodate this growth with housing
 - If the housing isn't reasonably located, then it impacts the traffic system
 - There is a resounding support from Peterson Air Force Base and Schriever Air Force Base for this project as it relates to noise contours
 - They have agreed to notice every purchaser or resident within this development that they are within an airport overlay and there will potentially be noise
 - Compelled the buildings within this development to use construction materials to reach a certain DB level when folks are in their homes
 - Tried to turn every page to make sure to address these issues in terms of how does it help support
 - Peterson Air Force Base and Schriever
 - The Colorado Springs Airport and its growth at Peak Innovation
 - Does it become a hindrance or barrier to further space and military missions?

DISCUSSION AND DECISION OF PLANNING COMMISSION:

Commissioner Hente said he was not in support of this project. He said he understood that the residential area has been spaced apart from Marksheffel and it is technically out of the Airport Overlay zone, but in five or ten years, all

those people living in those residential areas close to the airport are going to be complaining about airplane noise.

Commissioner Hente said he believed it was the proper zoning for this area of Banning Lewis Ranch when it was Industrial Park or Research and Development. To put residences there has the potential to impact military and civilian operations out of the airport in the future when they start complaining about airplane noise, which they will do. In addition, as the Air Force and the City of Colorado Springs is trying to bring Space Command back to Colorado Springs, the potential of putting Space Command right across the street from this area with big satellite dishes, etc., people will be objecting to that and it won't help the city's causes. For those reasons, Commissioner Hente will not be supporting this project and said the original zoning was the right thing.

Chair Graham asked if we received comments from Peterson Air Force Base on this project. Ms. Brackin confirmed that comments were received from base leadership commenting that Peterson Air Force Base was not opposed to the developments subject to adherence to the traffic study with the purpose of redesigning the East Gate intersection and revisiting the proposed traffic pattern at the intersection of Space Village and Marksheffel, as these locations directly affect traffic entering and exiting the installation. Ms. Brackin further added they want to be updated in the progress of development, changes to transportation and plans for pedestrian and bicycle connectivity.

Assistant Director of Planning and Community Development, Ms. Meggan Herington, added that staff just didn't do what is typical, which is send the plans to the base reviewer, but the city's Economic Development Office meets with the base and the airport regularly, and had a number of meetings with officials at Peterson. There were also discussions with the Chamber EDC. Ms. Herington just wanted to make the point that staff went above and beyond just sending it to the base planner and receiving an email back.

Commissioner McMurray said he has worked in compatible use planning with military installations for a decade now and has been involved with code changes to address incongruities with accident potential zones in other communities. Commissioner McMurray said conceptually, there is an issue there, but by the technical standards that the Air Force employs in evaluating these kinds of things, he believed this project falls in bounds.

Commissioner Raughton agreed with Commissioner Hente in that this raises a very serious question because if this in any way interferes with our bid to reopen the Space Command. Commissioner Raughton asked strategically if it would make more sense not to act on this now, and asked staff if they have been involved with any of the strategic studies to reopen the Space Command proposal.

Mr. Peter Wysocki, Director of Planning and Community Development, said he has not been directly involved in the discussion of reevaluating the location of Space Command. The mayor's office has obviously had significant discussion, as well as the city's economic development office and Chamber and EDC. Space Command is not intended to be located near this site; it's

further away. Mr. Wysocki added there were several people who reviewed this proposal for a number of different reasons. One of those has been whether or not the land uses are compatible and how does the Chamber and EDC feel about eliminating substantial land that is zoned industrial. This has gone through scrutiny for a number of months.

Commissioner Almy asked if there was someone looking out to the future strategic direction of the airport itself, whether it will not expand or grow, and then all of a sudden become a downtown airport?

Mr. Wysocki said the Airport Advisory Commissioner and the airport staff evaluate projects that are within the airport overlay zone. Mr. Wysocki addressed Commissioner Hente's earlier concern and said imagine the airport overlay as the umbrella overlay that triggers review by the airport staff and they make a determination whether projects are scheduled to be heard by the Airport Advisory Commissioner, which is no different that the City Planning Commission, just more on a micro scale on managing the operations, development, and future planning of the airport. The accident potential overlay zones are sub zones of the airport overlay. Imagine the overlay being the umbrella and then the protection zones are within but are narrower and more restrictive sub zones of the overlay. In this case, the accident protection zone does not allow residential users. So, there are a number of people who are looking out for the interest of the airport.

As for the discussion on the complaints of airplanes, the city places notes on plats, developers often go above and beyond to significantly educate at least the first round of buyers. There are mechanisms in place where we do warn potential homebuyers that they will be living next to the airport.

Commissioner Rickett said he understood the concerns that have been brought forward, but he feels this does meet the criteria.

Commissioner Eubanks said she agreed with Commissioner Hente and said she has worked in military planning for nine years. She said it is incredibly important to take into consideration the Accident Potential Zones, the clear zones, and the noise zones. They are there for a reason. Even if the military bases support the need for more housing, we have a greater need to look out for the people who live there. They might not think it is a big deal at the time to live under a certain noise contour, but it can be incredibly damaging to a person's health, and that something we shouldn't necessarily change the land use zone for.

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend to City Council approval of the master plan amendment to change land use designations from R/D (Research and Development), INP (Industrial Park), and R (Retail) land uses to COM (Commercial/Office/Light Industrial with an FAR of 25%); RES-M (single-family residential); and RES-H (multi-family residential), based upon the findings that the request complies with the review criteria for master plan amendments as set forth in Section 7.5.408. The motion passed by a vote of 6:2:1:0

- Aye:** 6 - Commissioner Raughton, Commissioner McMurray, Chair Graham, Commissioner Slattery, Commissioner Rickett and Commissioner Almy
- No:** 2 - Vice Chair Hente and Commissioner Eubanks
- Absent:** 1 - Commissioner Wilson

6.F. [CPC CP 20-00137](#) A Concept Plan establishing the locations of land uses, major roads, access points and density of planned commercial, office, and light industrial uses for 98.1 acres of land located southeast of State Highway 94 at Marksheffel Road.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A27MJ20, CPC PUP 20-00136, CPC ZC 20-00135, CPC PUZ 20-00134

Presenter:
 Tasha Brackin, Senior Planner, Planning & Community Development
 Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend to City Council approval of the 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 Raughton, Commissioner McMurray, Chair Graham, Commissioner Slattery, Commissioner Rickett and Commissioner Almy
- No:** 2 - Vice Chair Hente and Commissioner Eubanks
- Absent:** 1 - Commissioner Wilson

6.G. [CPC PUP 20-00136](#) A PUD Concept Plan establishing the location of land uses, major roads, access points and density of planned residential uses for 137.7 acres of land located southeast of State Highway 94 at Marksheffel Road.

(Quasi-Judicial)

Related Files: Related Files: CPC MP 87-00381-A27MJ20, CPC CP 20-00137, CPC ZC 20-00135, CPC PUZ 20-00134

Presenter:
 Tasha Brackin, Senior Planner, Planning & Community Development
 Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend to City Council approval of the PUD concept plan, based upon the findings that the PUD concept plan meets the review criteria for PUD

concept plans as set forth in City Code Section 7.3.605 and 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 Raughton, Commissioner McMurray, Chair Graham, Commissioner Slattery, Commissioner Rickett and Commissioner Almy

No: 2 - Vice Chair Hente and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

6.H. [CPC ZC 20-00135](#)

Ordinance No. 21-40 amending the zoning map of the City of Colorado Springs pertaining to 77.8 acres located southeast of State Highway 94 at Marksheffel Road from PIP2/CR/APZ1/APZ2/AO (Planned Industrial Park 2/Conditions of Record/Accident Potential Zone 1/Accident Potential Zone 2/Airport Overlay) to PBC/APZ1/APZ2/AO (Planned Business Center/Accident Potential Zone 1/Accident Potential Zone 2/Airport Overlay) for commercial development.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A27MJ20, CPC CP 20-00137, CPC PUP 20-00136, CPC PUZ 20-00134

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
 Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend to City Council approval of the zone change for 77.8 acres from PIP2/CR/APZ1/APZ2/AO (Planned Industrial Park 2/Conditions of Record/Accident Potential Zone 1/Accident Potential Zone 2/Airport Overlay) to PBC/APZ1/APZ2/AO (Planned Business Center/Accident Potential Zone 1/Accident Potential Zone 2/Airport Overlay) based upon the findings that the change of zone request complies with the zone change criteria as set forth in Section 7.5.603. The motion passed by a vote of 6:2:1:0

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

No: 2 - Vice Chair Hente and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

6.I. [CPC PUZ 20-00134](#)

Ordinance No. 21-41 amending the zoning map of the City of Colorado Springs pertaining to 137.7 acres located southeast of State Highway 94 at Marksheffel Road, from PIP2/PBC/CR/AO (Planned Industrial Park 2/Planned Business Center/Conditions of Record/Airport Overlay) to PUD/AO (Planned Unit Development/Airport Overlay) for residential development including 112.5 acres of single-family residential at a density of 3.5-11.99 units

per acre and a maximum height of 45 feet; 21.2 acres of multi-family residential at a density of 12-24.99 units per acre and a maximum height of 45 feet; and 4 acres of future right of way.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A27MJ20, CPC CP 20-00137, CPC PUP 20-00136, CPC ZC 20-00135

Presenter:

Tasha Brackin, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning and Community Development

Motion by Commissioner Rickett, seconded by Commissioner Raughton, to recommend approval to City Council the zone change for 137.7 acres from PIP2/PBC/CR/AO (Planned Industrial Park 2/Planned Business Center/Conditions of Record/Airport Overlay) to PUD/AO (Planned Unit Development/Airport Overlay, including 112.5 acres of single-family residential at a density of 3.5-11.99 units per acre and a maximum height of 45 feet; 21.2 acres of multi-family residential at a density of 12-24.99 units per acre and a maximum height of 45 feet; and 4 acres of future right-of-way, based upon the findings that the change of zone request complies with the review criteria for establishment of a PUD 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. The motion passed by a vote of 6:2:1:0

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

No: 2 - Vice Chair Hente and Commissioner Eubanks

Absent: 1 - Commissioner Wilson

7. PRESENTATIONS/UPDATES

7.A. [21-088](#) Presentation of the 2020 PlanCOS Annual Report

(Legislative)

Presenter:

Hannah Van Nimwegen-McGuire, Senior Planner, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

8. Adjourn