

City of Colorado Springs

Due to COVID-19 Health Concerns, this meeting will be held remotely.



Meeting Minutes - Draft

Thursday, February 18, 2021

8:30 AM

Remote Meeting - Call 720-617-3426

Conf ID: 815 137 01#

Planning Commission

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](#) An ordinance 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](#) An ordinance 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