

City of Colorado Springs

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



Meeting Minutes

Wednesday, June 14, 2023

9:00 AM

**Regional Development Center (Hearing Room)
2880 International Circle**

Planning Commission

1. Call to Order and Roll Call

- Present:** 8 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett, Commissioner Slattery, Alternate Griggs and Alternate Cecil
- Excused:** 3 - Commissioner Almy, Commissioner Briggs and Commissioner Raughton

2. Approval of the Minutes

2.A. [CPC 23-306](#) Minutes for the May 10, 2023, Planning Commission Meeting

Presenter:
 Scott Hente, Chair of the City Planning Commission

Motion by Commissioner Rickett, seconded by Commissioner Foos, that this Minutes be accepted 3. Changes to Agenda/Postponements The motion passed by a vote of

- Aye:** 5 - Commissioner Foos, Commissioner Hensler, Chair Hente, Commissioner Rickett and Commissioner Slattery
- Recused:** 1 - Vice Chair McMurray
- Excused:** 3 - Commissioner Almy, Commissioner Briggs and Commissioner Raughton
- Abstain:** 1 - Alternate Griggs and Alternate Cecil

3. Changes to Agenda/Postponements

3.A. A request for postponement was made for case APPL-23-0002. The request was denied.

The request was denied. The motion passed by a vote of 6:0:0:3

Motion by Commissioner Rickett, seconded by Vice Chair McMurray, that this be denied The motion passed by a vote of

- Aye:** 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery
- Excused:** 3 - Commissioner Almy, Commissioner Briggs and Commissioner Raughton

4. Communications

Peter Wysocki - Planning & Community Development Director

Mike Tassi, Assistant Director of Planning had no updates.

5. 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.)

Equipment Share

- 5.A. [CUDP-23-0002](#) A conditional use development plan for a construction equipment rental and sales business with an 11,203 square-foot building with outdoor storage and ancillary site improvements.

(Quasi-Judicial)

Presenter:

Tamara Baxter, Senior Planner, Planning & Community Development

Safe Place 4 Pets

- 5.B. [CUDP-23-0011](#) A conditional use development plan to establish a kennel use in a PBC/HS(Planned Business Center (to become MX-M (Mixed-Use Medium Scale)) with hillside overlay) zone district, located at 808 Village Center Drive.

(Quasi-Judicial)

Presenter:

Austin Cooper, Planner II, Planning and Community Development

Approval of the Consent Agenda

Motion by Commissioner Rickett, seconded by Vice-chair McMurray, 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 6:0:0:3

Aye: 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

Excused: 3 - Commissioner Almy, Commissioner Briggs and Commissioner Raughton

6. Items Called Off Consent Calendar

919 North El Paso

- 5.C. [SUBD-23-0028](#) A Subdivision Waiver to the procedural requirements of a replat set forth in City Code section 7.7.305 to allow only a portion of the boundaries of the original platting configuration to be replatted at 919 N El Paso St. 919 N El Paso St is 5,900 square feet in the SU (Special Use) zone district.

(Quasi-Judicial)

Related Files: SUBD-23-0029, NVAR-23-0012

Presenter:

Ann Odom, Planner II, Urban Planning Division

Motion by Commissioner Rickett, seconded by Commissioner Foos, to approve the 919 N El Paso St Subdivision Waiver based upon the findings that the review criteria for granting a subdivision waiver as set forth in City Code Section 7.7.1302.A have been met. This recommendation includes the following technical modifications: Technical Modification: 1. Update the site plan to include the lot coverage calculation and the location and extent of all encroachments on the property. 2. Update the elevations to show utility meters and meet height requirements for accessory structures. The motion passed by a vote of 6:0:3

Aye: 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

- 5.D. [SUBD-23-0029](#) A Final Plat application that will replat the parcel at 919 N El Paso St. 919 N El Paso St is 5,900 square feet in the SU (Special Use) zone district.

(Quasi-Judicial)

Related Files: SUBD-23-0028, NVAR-23-0012

Presenter:

Ann Odom, Planner II, Urban Planning Division

Motion by Commissioner Slattery, seconded by Commissioner Foos, to approve the 919 N El Paso St Final Plat based upon the findings that the review criteria for granting a subdivision waiver as set forth in City Code Section 7.7.1302 and the replat requirements set forth in City Code Section 7.7.305 have been met. This recommendation includes the following technical modifications:

Condition of Approval: 1. Gain final acceptance of the project's drainage study

Technical Modification: 1. Update replat plans to reflect additional minor details requested by SWENT and Real Estate Services.

The motion passed by a vote of 6:0:3

Aye: 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

- 5.E. [NVAR 23-0012](#) A Nonuse Variance to City Code section 7.3.104.A to allow a 30' wide lot where 50' is required for lots in the SU (Special Use) zone district at 919 N El Paso St. 919 N El Paso St is 5,900 square feet in the SU (Special Use) zone district.

(Quasi-Judicial)

Related Files: SUBD-23-0028, SUBD-23-0029

Presenter:

Ann Odom, Planner II, Urban Planning Division

Staff Presentation:

Ann Odom, Planner II, gave a presentation describing the scope and intent of the project.

Applicant Presentation:

Terilynn Palmer, the applicant, gave a presentation.

Public Discussion:

Carl Meisel, a member of the neighborhood commented in support.

Gary Turner, the neighbor of the property, commented in opposition.

Terilynn Palmer responded to the concerns of the neighbor.

Motion by Commissioner Slattery, seconded by Commissioner Foos, to approve the 919 N El Paso St nonuse variance to City Code section 7.3.104.A to allow a 30' wide lot where 50' is required in the SU (Special Use) zone district, based upon the findings that the review criteria for granting a nonuse variance as set forth in City Code Section 7.5.802.B have been met. The motion passed by a vote of 6:0:0:3

Aye: 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

7. Unfinished Business

Kettle Creek

**7.A. AR PUD
20-00538**

An appeal of the City Planning Commission approval for the Kettle Creek development plan consisting of 61.71 acres located north of the intersection Thunder Mountain Road and Old Ranch Road.

(Quasi-Judicial)

Related Cases: AR FP 20-00539

Presenter:

Katelynn Wintz, Planning Supervisor, Planning Department
Peter Wysocki, Director, Planning Department

Motion by Commissioner Rickett, seconded by Commissioner Slattery, to recommend approval to the City Council for the PUD development plan for the Kettle Creek North subdivision illustrating 247 single-family Motion by Commissioner Rickett, seconded by Commissioner Slattery, to a approve detached lots, based on the finding that the application meets the review criteria contained in City Code sections 7.3.606 and 7.5.502(E), subject to the following conditions:

Conditions of Approval:

1. The standards for the Wildland Urban Interface, as set forth in the Fire Prevention section of Chapter 8 of the City Code, will be required and applied to all new construction in the Kettle Creek North subdivision.
2. There will be a 50-foot wide fuels management area, as described in City Code section 8.4.105-K102, along the northern boundary of the development and that Kettle Creek North's metropolitan district documents require the metropolitan district to maintain the fuels management area according to the requirements of that code section.
3. No Certificates of Occupancy be issued in the Kettle Creek North Filing No. 2 subdivision until a fire station is constructed and staffed along the Highway 83 corridor.
4. An access point to Howells Road will be constructed and maintained by the metropolitan district and must be sufficient for use by emergency vehicles and approved by the Fire Department.

The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Hensler, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

No: 2 - Commissioner Foos and Chair Hente

7.B. [AR FP 20-00539](#) A referral from City Council of 61.71-acre PUD Development Plan for Kettle Creek North

(Quasi-Judicial)

A referral from City Council of a 21.33-acre final plat application for Kettle Creek North Filing No. 1 subdivision, illustrating 74 single-family detached lots.

(Quasi-Judicial)

Related Files: AR PUD 20-00538

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Staff Presentation:

Katelynn Wintz, Planning Supervisor, presented, describing the scope and intent along with the history of the project.

Questions from Commissioners:

Commissioner Rickett confirmed the extension of the streets that lead to Howells Road.

Chair Hente confirmed City Council's comments were for the commissioners to have considered the items for review and not based them on "make or break" items.

Applicant Presentation:

Dean Venezia, part owner of the property, and Chris Lieber, Planning and Landscaping Architecture, presented in further detail what had changed from their previous application.

Public Discussion:

James Loo, a resident of the neighborhood, commented in support, with the only critique being that the height was too high. He asked if there was a consideration for changing the scale of the project.

Ryan Ruebenson, a resident of North Fork, commented in support of the project.

Devin Camacho, Government Affairs Manager, Colorado Springs Chamber & EDC, commented on his organization's mission. He added that this project would close the gap for attainable housing in their community.

Rich Sevcik spoke on behalf of the following who ceded their time: Patrick Flowers, Nadine Duecker-Pratt, Timothy Hromadka, Steve Feldman, Eric Ammermann, and Jay Sklenar. Rich touched on their main concerns: morning traffic, emergency evacuation, and the developer's refusal to add a second exit. He added his disapproval of the traffic study conducted.

Sam Bryant spoke on behalf of the following who ceded their time: Mary Bonner, Robert Medina, Paul Ryan, Rhoda Musella, Michelle Thomason, Trish Sanford, and Scott Sanford. Sam discussed the bridge the community requested, adding that the applicant refused to take it into consideration. He noted their main concern was having an exit plan and shared wind and fire facts.

Matt Westfall spoke on behalf of the following who ceded their time: Erica Morales, Ed Lotterhos, and Shelly Davis. Matt commented on his Navy experience with emergency response. He made reference to a traffic study that he conducted. He added a scenario in which parents were attempting to reach their children and asked the commissioners to evaluate this project properly.

Ben Haney, a resident, questioned the applicant's unwillingness to contribute to a bridge but would contribute to the creek.

Chris Webb, a resident of North Fork, commented on the safety in question, adding the previous devastating fire. He added that adding more homes did not make sense.

Charlie Shay, a resident of Howells Road, provided history and current facts on this project. He added that staff had no right to remove the condition that the City Council recommended accommodating the bridge. He added that the current population already experienced heavy traffic. He suggested denying the development until a safe plan was presented.

General Duncan McNam spoke on behalf of the following who ceded their time: Dave Lomend, Jim Bonner. Duncan shared his background in the Air Force by adding history to the area. He added that the current activity did not honor the commitments made to the residents in the past. He recommended requesting a

bridge for residents before approving this project.

Sarah Noley, a nearby resident, touched base on previous planners' notes from City Fire Department comments. She shared the nearby road history and current growth. Sarah then shared the numerous signatures of residents who did not want Howells road access.

Patricia Gustarson, a longtime resident of the area, shared her perspective on enjoying the wildlife in the area. She noted that altering the area took away from their ability to ride horses, for example. Patricia requested reconsideration and finding another route to build on.

Greg Edwards, a previous North Fork Safety Committee member, commented on Fire Department's time frames being outside of standards. He added that this issue was specifically about evacuation and hoped city staff were the gatekeepers for residents' safety and denied the project.

Debra McNollan, a resident of North Fork, commented on changes to a nearby middle school walking zone. This change caused students to walk about 1.7 miles. She added that the concern was the added traffic for parents dropping off children as well as the distance students would walk. Debra pointed out that adding more homes without an exit would pose multiple risks to their children.

Applicant Rebuttal:

Chris Lieber touched on the residents' concerns about traffic, noting that the study showed the development added three additional cars per minute during peak hours. Bridge costs were also calculated with city engineering to determine the cost presented. Chris added that they were trying to strike a balance on emergency roads to pave.

Scott, the applicant representative, commented on their traffic study by noting that they did not typically count Mondays or Fridays as they tried to anticipate construction projects that might impact the study. He discussed the specifics that went into a study.

Katelynn Wintz clarified the implementation of the master plan and the seven considerations voted on by the City Council.

Questions from Commissioners:

Commissioner Rickett questioned the terms used by the City Council as considerations or conditions.

Katelynn Wintz clarified that the City Attorney's office had determined the conditions could be seen as considerations by the commission to implement or not implement.

Commissioner Slattery asked if there was a pre-1997 Briargate master plan.

Katelynn Wintz noted that this might have been accessible in hard copy due to its age.

Commissioner Slattery asked what the purpose of the city-owned property along Powers between North Fork was.

Commissioner Hensler noted that it might have been the detention pond.

Katelynn Wintz confirmed.

Chair Hente questioned a schedule for a possible fire station.

Kris Cooper, Deputy Fire Marshal, said the station was looking to open in the third quarter of 2024 due to delays in design and the cost of materials.

Chair Hente questioned the emails residents brought up from a fire marshal.

Kris Cooper noted he was not involved in the original emails and could not speak to that, but had been in conversations regarding access and a paved Howells Road. The city would not have control over the pavement, which was why the condition went away.

Commissioner Rickett questioned a review of evacuation based on the development plan showing additional access. He asked if it was acceptable for evacuation and alleviated the concern.

Kris Cooper commented that the fire code in the city required single-family homes with over 30 homes to have two access points that wouldn't be congested. He added that the exception to the code was when there were topographical challenges that would allow their department to make a determination. He noted the fire chief and marshal agreed that Howells Road was a reasonable accommodation. Chris commented that the fire chief and marshal had gone on record about the community being alert to their environment and not waiting for their say should they feel in danger.

Commissioner Foos questioned how they interacted with the county's Zone Haven software.

Kris Cooper noted the software was coordinated with the Office of Emergency Management but could not speak to the specifics.

Commissioner Hensler questioned the fire risk map shown. She asked if this map was accurate.

Kris Cooper noted that he could not answer to the state-level mapping.

Commissioner Rickett questioned a new traffic study since the installation of the modifications to the area to determine improvements.

Todd Frisbee noted they had not done an additional traffic study. They used the study received by Matrix, and they did meet the city's acceptable standards. Todd added that he reviewed the numbers in reference to comments that seniors were not present on the day studied. He had himself and multiple staff members go and observe the area to determine which pick-up and drop-off

zones were causing the majority of the congestion in the area.

Commissioner Rickett questioned the exits out of the area and reconsidered a new reconfiguration.

Todd Frisbee commented that the extension to Powers Road did not affect the interchange at Interquest. Addressing emergency access was discussed with the director of CDOT and it was determined it was not in their code to allow access to the freeway. If it were approved, it would then need to go through a commission, which could then deny approval. Todd wanted the public to understand the hurdles it took to make these changes.

Commissioner Hensler questioned the standard ratio set in the study, taking into consideration those who worked from home.

Todd Frisbee commented that there were rates for single-family homes based on studies done over the years on peak and off-peak hours. As this information was compiled, it accounted for all sceneries. Todd commented on his trust in the consistency with which this study worked based on his years working in traffic, even post COVID.

Commissioner Hensler requested further confirmation from Todd on traffic concerns.

Todd Frisbee confirmed that the impacts of additional traffic from this development did not pose a significant threat to traffic flows.

Commissioner Hensler questioned the residents' comments on the bridge. She requested rejection for future roadways based on other development options.

Chris Lieber touched on potential changes but could not speak to it being on the county's radar to pave. He added there was a connection between Union and Milam that was important.

Commissioner Slattery questioned possible road plans in the future.

Chris Lieber commented on existing proposed access off of Interquest to the north of the development and Kettle Creek drainage: there was the possibility to develop in the north in the future, but access was only intended in the north at this time due to potential changes to the land use.

Commissioner Hensler referenced the original master plan as being residential. She asked if there was coordination in the past to bring forth this project today.

Chris Lieber confirmed there were planned utility extensions and Kettle Creek to connect to Thunder Mountain.

Commissioner Hensler requested confirmation of the size of the design to accommodate this type of development in the future.

Chris Lieber confirmed this based on the current road extensions to hold the

capacity.

Commissioner Hensler asked if there was consideration for lower density.

Chris Lieber answered a development plan and plat had been submitted, and they felt it was appropriate for the large lots, which would not change in density.

Commissioner Slattery requested confirmation on the singular access point from Thunder Mountain.

Chris Lieber answered that these changes would have had to happen during the master plan.

Kate Wintz shared the 2000 amendment to the Briargate master plan.

Discussion and Decision of Planning Commission:

Vice-Chair McMurray noted his back-and-forth decision on this project. He commented on whether or not residents would have rethought purchasing a home in this area knowing this project was in place, he felt it would not have made a difference. He added that emergency access points remained a key topic, yet with his experience, he believed the northern and western access points would not have happened regardless of how good the concept was. The eastern access seemed more logical, as Howells Road would have served a better purpose. The Vice-Chair acknowledged all of the work and discussion, and he felt he could support this project.

Commissioner Rickett thanked the public for their participation and echoed the comments about the eastern access utilization from the vice-chair. He was also in support of this project.

Commissioner Hensler also thanked the public while noting their work on the safety committee. She commented that the developer had done a great job with the considerations requested. She added that traffic would always be a factor and trusted our experts' studies were sufficient.

Chair Hente commented on his change in decision but understood the supply and demand for housing. Ultimately, dumping onto Old Ranch Road was not a clear evacuation plan. He understood the costs the developer was coming across to create more paths, yet he felt that without any other access, it hurt the community, leading to his not supporting this project.

Commissioner Foos noted he was in support of this project but would not support it due to the infrastructure put forth. The safety issue was more important than the cost.

Commissioner Rickett added alternative evacuation points for his peers, noting there was direct access other than Old Ranch Road.

Commissioner Slattery commented that the solution on Howells and the compromise on exits by the developer protected citizens and would support the project.

Motion by Commissioner Rickett, seconded by Commissioner Hensler, to recommend approval to the City Council for the final plat for Kettle Creek North Filing No. 1 subdivision illustrating 74 single-family detached lots, based on the finding that the application meets the review criteria contained in City Code section 7.7.303, subject to the following conditions:

Conditions of Approval:

- 1. The standards for the Wildland Urban Interface, as set forth in the Fire Prevention section of Chapter 8 of the City Code, will be required and applied to all new construction in the Kettle Creek North subdivision.**
- 2. There will be a 50-foot wide fuels management area, as described in City Code section 8.4.105-K102, along the northern boundary of the development and that Kettle Creek North's metropolitan district documents require the metropolitan district to maintain the fuels management area according to the requirements of that code section.**
- 3. An access point to Howells Road will be constructed and maintained by the metropolitan district and must be sufficient for use by emergency vehicles and approved by the Fire Department.**

Technical Modification:

Add note to final plat: "Until such time as the new fire station located at Powers Boulevard and Highway 83 is operational, Colorado Springs Fire Department may have slower response times."

The motion passed by a vote of 4:2:0:3

- Aye:** 4 - Commissioner Hensler, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery
- No:** 2 - Commissioner Foos and Chair Hente

8. New Business

Launchpad Apartments

- 8.A. CPC 2063** An appeal of the Planning Commission's decision to affirm the administrative decision for the approval of a multi-family residential development plan, known as Launchpad Apartments, located at 864 North 19th Street, and deny the appeal filed against Launchpad Apartments.

(Quasi-Judicial)

Related Files: DEPN-23-0001

Presenter:

William Gray, Senior Planner, Planning & Community Development
 Peter Wysocki, Director, Planning & Community Development

Staff Presentation:

William Gray, Senior Planner, presented, describing the scope and intent along with the history of the project.

Catherine Duarte, HUD Programs Manager, Community Development, dove deeper into affordable housing and gave an understanding of what went into approving an affordable housing project within her Community Development division.

Appellant Presentation:

Tom Strand, the appellant (one of four) and nearby resident, commented that his reasons for appealing were mainly due to the location of that project. He supported youth housing but did not support it on 19th Street and Uintah.

Scott Hiller, the appellant (two of four), virtually addressed similar reasons. He added that the main reason to oppose was the height, density, and location, regardless of who would have applied for this type of project on that location.

Applicant Presentation:

Andrea Barlow, Principal, Shawna Kempainen, CEO of The PLACE, Wayne Bland, Housing and Sustainability Committee, The PLACE, and Lisa Sorensen, Development Director, presented their company's mission and vision for the project.

Public Discussion:

Beth Hall Roalstad, CEO of Homeward Pikes Peak, expressed support for this project.

Sam Clark, Pikes Peak Real Estate Foundation, discussed how CHAFA funding allowed us to continue funding for the future. If the city did not accept this type of funding, it went to other cities.

Evan, Homeless Initiatives, expressed the ability to be the lead city in the state as far as ending youth homelessness.

Jason Cooper, a nearby resident, commented on the appellant's previous history and ownership of the property, contradicting the current project.

Zuri, a nearby resident, commented on her experience living nearby affordable housing in California. She felt this project in no way harmed the area and was supportive.

Lisa Guin, Youth Couch at Heart Beauty, commented on her experience living in youth housing. She expressed the positives for youth in need.

Discussion and Decision of Planning Commission:

Commissioner Foos expressed his gratitude for this project and commended what the applicant intended to do.

Commissioner Rickett confirmed that this project met all criteria.

Commissioner Hensler commended those who had worked on this project. She noted that she felt the utilization of this space could not be better.

Aye: 6 - Commissioner Foos, Commissioner Hensler, Chair Hente, Vice Chair McMurray, Commissioner Rickett and Commissioner Slattery

Kum & Go

- 8.B. ZONE-23-00 03** First reading of an ordinance amending the zoning map of the City of Colorado Springs relating to 1.82 acres located at the southwest corner of the East San Miguel Street and North Circle Drive to retain the current zoning classification of MX-M/CR (Mixed-Use Medium Scale with Conditions of Record) and remove condition of record #2, for the purpose of setting a public hearing date for August 8, 2023, and providing notice of the ordinance.

(Quasi-Judicial)

Related Files: COPN-23-0002

Presenter:

Austin Cooper, Planner II, Planning & Community Development
 Peter Wysocki, Director, Planning & Community Development

Motion by Commissioner Hensler, seconded by Commissioner Foos, to recommend approval to the City Council for the Zone Change relating to 1.82-acres to remove Condition No. 2 of City Ordinance No. 12-92 which stipulates "all activities shall be conducted entirely within a building" while retaining the current Zoning classification of PBC CR (Planned Business Center (to become MX-M) (Mixed-Use Medium Scale)) with Condition of Record) based upon the review criteria for a zone change, as set forth in City Code Section 7.5.603. The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Foos, Commissioner Hensler, Chair Hente and Vice Chair McMurray

No: 2 - Commissioner Rickett and Commissioner Slattery

- 8.C. [COPN-23-00 02](#)** A Concept Plan for a Kum and Go Convenience Store and ancillary fueling station located at the southwest corner of North Circle Drive and San Miguel Street.

(Quasi-Judicial)

Related Files: ZONE-23-0003

Presenter:

Austin Cooper, Planner II, Planning and Community Development

Staff Presentation:

Peter Lange, Planner II, presented a description of the scope and intent of the project.

Applicant Presentation:

Mary Castle, Entitlement & Engineering Solutions, and Robert Febic, Kum & Go

Real Estate Manager, presented on behalf of the applicant.

Questions from Commissioners:

Commissioner Slattery questioned the EV charging station locations at that location.

Mary Castle answered that they were planning for that in the future.

Commissioner Hensler requested further clarity on the setbacks of that location.

Mary Castle noted they were allowed 25 feet from the property boundary to the west but were providing a 105-foot boundary.

Commissioner Hensler commented on the abundance of turf on their location and questioned if they were open to less turf on their landscaping.

Mary Castle confirmed that they worked with the native grasses.

Public Discussion:

Abdul Jebuni, a business owner across from the proposed projects, expressed opposition. He felt that this large corporation put his small business in jeopardy. He added that the number of accidents would increase due to the traffic.

Mary Castle addressed Abdul's traffic concerns by expressing that they were committed to adding proper street lighting and bumps to mitigate the accident issues. She added that Kum & Go worked in close proximity to their neighborhood to form partnerships.

Questions from Commissioners:

Commissioner Rickett questioned previous traffic studies by staff.

Todd Frisbee, City of Colorado Springs Traffic Engineering, confirmed that Kum & Go had committed to a future signal installation. His department's traffic studies showed no impact on traffic.

Chair Hensler asked for confirmation on previous zoning changes.

Peter Lange stated that the rezone was done in 2003 and had not changed since.

Commissioner Slattery commented on her support for removing the condition of record.

Commissioner Rickett commented in opposition to the project due to the 24/7 operation next to a residential building.

Motion by Commissioner Hensler, seconded by Commissioner Foos, to recommend approval to the City Council for a Concept Plan for the Kum and Go Convenience Store and Gas Station project, based upon the findings that the plan meets the review criteria for establishing a concept plan, as set forth in City Code Section 7.5.501(E). The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Foos, Commissioner Hensler, Chair Hente and Vice Chair McMurray

No: 2 - Commissioner Rickett and Commissioner Slattery

Creekwalk Apartments

8.D. PUDZ-22-00 08 Ordinance No. 23-32 amending the zoning map of the City of Colorado Springs relating to 4.56 acres of land located between E. St. Elmo Ave. and E. Ramona Ave. just west of S. Nevada Ave. from MX-M (Mixed Use Medium Scale) and R5 (Multi-Family Residential) zone districts, both with the SS (Streamside Overlay) zoning designation, to PDZ/SS (Planned Development Zone District with the Streamside Overlay Zone) for multi-family residential land use, with a maximum building height of 85 feet, and a maximum density of 87.72 DUs/acre.

(Quasi-Judicial)

Related Files: COPN-22-0025, PUDD-22-0038

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

Motion by Commissioner Hensler, seconded by Commissioner Foos, to recommend approval to the City Council for the rezone of 4.5584 acres from C5 - Intermediate Business (recently changed to MX-M, Mixed Use Medium Scale) and R5 (Multi-Family Residential) zone districts, both with the SS (Streamside Overlay) zoning designation, to the Planned Development Zone District with the Streamside Overlay Zone (PDZ/SS) for multi-family residential land use, with a maximum building height of 85 feet, and a maximum density of 87.72 DUs/acre, based upon the findings that the change of zone request complies with the review criteria for establishing a PDZ zone as set forth in City Code Section 7.3.603, and the review criteria for a zone change as set forth in City Code Section 7.5.603. The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Foos, Commissioner Hensler, Chair Hente and Commissioner Slattery

No: 2 - Vice Chair McMurray and Commissioner Rickett

8.E. PUDD-22-00 38 A PUD Development Plan to allow construction of the Creekwalk Apartment project for a 7-story, 400-unit apartment building, located between E. St. Elmo Ave. and E. Ramona Ave. just west of S. Nevada Ave.

(Quasi-Judicial)

Related Files: PDZ-22-0008, COPN-22-0025

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

Motion by Commissioner Hensler, seconded by Commissioner Foos, to recommend approval to the City Council for the PUD development plan for the Creekwalk Apartment project, based upon the findings the proposal meets the review criteria for PUD development plans as set forth in City Code Section 7.5.502.E. and the criteria for PUD development plans set forth in City Code Section 7.3.606. Subject to the following technical modifications:

Technical Modifications to the PUDD Development Plan:

1. Update the "Project Description" section on sheet 1 of the plan to correctly indicate that up to 400 apartment units are proposed within the building.
2. Provide the necessary irrigation notes for specific landscape areas.
3. Update the plan's facilities sheet to address all Colorado Springs Utilities concerns including correctly showing the site's hydrant location and showing the new wastewater main on both the utility and landscape sheets.
4. Update the plan to illustrate all exit pathways required by the Colorado Springs Fire Department.
5. Address Fire standards regarding pavement design, fire standpipe location and hose reach.
6. Address SWENT comments including:
 - a. Need to finalize the project's drainage report ensuring that the report and the plan are consistent with each other.
 - b. Ensure that the plan and the report meet all requirements, criteria and steps.
 - c. Add notes to the plan documenting the entity that will own and maintain the stormwater facility.

The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Foos, Commissioner Hensler, Chair Hente and Commissioner Slattery

No: 2 - Vice Chair McMurray and Commissioner Rickett

- 8.F. COPN-22-00 25** A Concept Plan Amendment for 14.40 acres of land between E. Ramona Ave. and E. Cheyenne Rd. within the Creekwalk Redevelopment Concept Plan to support the proposed Creekwalk Apartment project.

(Quasi-Judicial)

Related Files: PDZ-22-0008, PUDD-22-0038

Presenter:

Ryan Tefertiller, Urban Planning Manager, Planning and Community

Development Department
Peter Wysocki, Planning Director, Planning and Community
Development Department

Staff Presentation:

Ryan Tefertiller, Urban Planning Manager, presented, describing the scope and intent of the project.

Questions from Commissioners:

Commissioner Rickett commented on the height of the project in relation to the largest building nearby, which was 4 stories and 52 feet.

Ryan Tefertiller answered that the Ivy Wild Hotel had been approved, as had the Luxe Apartments, which were significant in height.

Commissioner Rickett questioned the allowed height in Chapter 7 C5.

Ryan Tefertiller answered that the maximum C5 & R5 height was 45 feet.

Applicant Presentation:

Jim Houk, Kimley Horn, presented on behalf of the applicant.

Public Discussion:

James Loo, a resident of the neighborhood, commented in support, with the only critique being the height was too high. He asked if there was consideration of changing the scale of the project.

Jonathan Casper, a resident of the Ivy Wild neighborhood, commented in support with the only critique being the height. He added his excitement about this project.

Danny Meinek responded to both residents, noting that there were changes in height on one side of the building as well as a pedestrian bridge to cross the creek.

Discussion and Decision of Planning Commission:

Commissioner Slattery commented on the positives of the urban renewal done on this project. She appreciated the connectivity and looked forward to the final design.

Vice-Chair McMurray commented that he felt it was out of balance as well as did not pass certain criteria: Development Plan Criteria 1 and Planned Unit Development Criteria C & G.

Chair Hente added his support for this project.

Commissioner Rickett commented in opposition due to the mass and height.

Commissioner Foos commented in support of the project.

Motion by Commissioner Hensler, seconded by Commissioner Foos, to recommend approval to the City Council for the amendment to the Creekwalk

Redevelopment Concept Plan based upon the findings that the request meets the review criteria for concept plans as set forth in City Code Section 7.5.501.E. Subject to the following technical modifications:

Technical Modifications to the Concept Plan:

1. Update the concept plan to ensure that the plan is consistent with the final version of the development plan.

The motion passed by a vote of 4:2:0:3

Aye: 4 - Commissioner Foos, Commissioner Hensler, Chair Hente and Commissioner Slattery

No: 2 - Vice Chair McMurray and Commissioner Rickett

9. Updates/Presentations

10. Adjourn