



City of Colorado Springs

30 S Nevada
Suite 204
Colorado Springs, CO

Ph: 719-385-2367

Receipt # 180768
Date Issued: 2/20/2026

Receipt

Record Information

Record ID: 10FDD-00000-#0001

Record Type:

Project Name

Site Address

Payor

AMC PAINTING LLC

Fee Information

Fee Item	Notes	Amount
Planning Appeal Fee	Airport Road Rezone.	\$ 176.00
Total Fee Amount:		\$ 176.00

Payment Information

Method	Reference No	Comments	Transaction Amount
Credit Card in-house	265817022	PLANNING APPEAL FOR AIRPORT ROAD REZONE ZONE-24-0020 ZONE MAP AMENDMENT	\$ 176.00
Total Amount Paid:			\$ 176.00



PLANNING + NEIGHBORHOOD SERVICES

Land Use Review

Appeal of a City Planning Commission Decision to City Council

Appeal of a City Planning Commission Decision to City Council

Complete this form if you are appealing a **City Planning Commission, Historic Preservation Board or Downtown Review Board Decision** to City Council.

Appellant Contact Information

AMC Painting LLC

719.884.1374

Name of Appellant

Phone Number

3923 MAIZELAND RD, Colorado Springs, CO 80909

Address (Include City, State, ZIP)

aodom@nescolorado.com

Email

Project Information

4880 Airport Road Rezone

Project Name

4880 Airport Road

Site Address (TSN if not yet addressed)

Zone Map Amendment

Type of Application Being Appealed

ZONE-24-0020

All File Numbers Associated with the Application

Chris Sullivan

2/11/2026

A

Project Planner's Name

Hearing Date

Item Number on Agenda

Appellant Authorization

The signature(s) below certifies that I (we) is(are) the authorized appellant and that the information provided on this form is in all respects true and accurate to the best of my (our) knowledge and belief. I(we) familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this petition. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval.

Signature of Appellant

2/19/26
Date



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Appeal Submittal Should Include:

All Items Are Required

- Completed Appeal Form (this document).
- Evidence of "Affected Party" Status – check the box below and provide justification for the chosen box.
- Notice of Appeal Statement (see requirements on page 3 of this document).
- \$176 fee payable to the City of Colorado Springs.

Submit all 4 items above to into the City Clerk's Office at **30 South Nevada, Colorado Springs, Colorado**. Appeals are accepted for 10 days after a decision has been made. Submittals must be received no later than 5pm MST on the due date of the appeal. Incomplete submittals and / or submittals received after 5pm or outside of the 10-day window will not be accepted. If the due date for the submittal falls on a weekend or federal holiday, the deadline is extended to the following business day no later than 5 pm MST.

If you need additional assistance with this application, please call the Land Use Review front desk at (719) 385-5905.

Affected Party Status

Please indicate, per UDC Subsection 7.5.415.A(1)(a) (Right to Appeal), which of the definitions of "Affected Party" that applies to the Appellant.

- (1) The applicant for the decision being appealed;
- (2) The owner or tenant of a lot or parcel of land located within one thousand (1,000) feet of the subject lot; or
- (3) Any owner or tenant of a lot or parcel of land located within three (3) miles of the subject property who has preserved standing by:
 - (a) Testifying at the public hearing on the application;
 - (b) Submitting written comments prior to the public hearing on the application; or
 - (c) In the case of applications approved by the Manager or an administrative official, submitting written comments to the Manager or administrative official during the comment period before the Manager or administrative official's action.



PLANNING + NEIGHBORHOOD SERVICES

Land Use Review

Appeal of a City Planning Commission Decision to City Council

Notice of Appeal

UDC 7.5.415.A.2 (Notice of Appeal):

- (1) The specific provision(s) of this UDC that is the basis of the appeal;
- (2) Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
 - (a) The decision is contrary to the express language of this UDC;
 - (b) The decision is erroneous; or
 - (c) The decision is clearly contrary to law; and
- (3) Describe how the criteria for the relevant application have or have not been met.



ZONE-24-0020 - 4880 Airport Road Zone Change – Notice of Appeal Statement

- UDC Provision that is the basis of the appeal:

7.5.704.D

- Criteria for reversal or modification:

- The decision is contrary to the express language of this UDC
- The decision is erroneous
- The decision is contrary to law:

- Describe:

The Planning Commission's denial of the requested rezoning is erroneous as it was based on unsubstantiated concerns and a misapplication of the Unified Development Code (UDC), particularly Criteria 1 – 4 of the Zoning Map Amendment Review Criteria in UDC Section 7.5.704.D The application satisfies all applicable rezoning criteria, and no substantive evidence was presented showing that the rezoning would be incompatible with surrounding development or detrimental to the public interest.

Applicable Approval Criteria

Criteria #1: *The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s)*

The proposed R-5 rezoning is consistent with the Colorado Springs Comprehensive Plan. The proposed rezoning is consistent with the Vibrant Neighborhoods Framework, which states that *"Most Established Neighborhoods within the city should expect some degree of infill and redevelopment."* The project directly supports Goal VN-2: *"Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs."* In addition, the rezoning advances Strategy VN-2.A-3: *"Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels."*

The proposed project is also consistent with Thriving Economies Framework which emphasizes the need to provide nearby attainable housing for employers. Strategy TE-1.C-3 states *"Ensure an adequate supply of attainable housing for the workforce across all industries, and that it is conveniently located near hubs of employment and/or public*

transportation" The proposed project is near major employers such as Peterson Space Force Base, the Airport, and supporting industrial parks and will provide a new housing option for employees in a growing area of the city.

Criteria #2: The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.

No evidence was introduced demonstrating that the rezoning would adversely affect public health, safety, or welfare. The proposed R-5 zone district allows a variety of residential uses in an existing residential area. The R-5 zone has a maximum density of 25 du/ac, providing greater certainty and predictability of what can be developed.

Concerns related to traffic, buffering, emergency service access, and site design are required to be addressed through the Development Plan review process.

Criteria #3: The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s)

The Purpose Statement of the R-5 Zone District states, "*The R-5 zone district accommodates attached and detached single-family, two-family, and multi-family dwelling structures at the highest density permitted in the City's standard residential districts (non-R-Flex). It is intended for use in areas adjacent to the FBZ district or R-Flex, Mixed-Use, or PDZ districts where similar or higher densities or intensities of use are permitted.*"

The proposed rezone is an expansion of the existing R-5 zone district that spans approximately 19 acres directly east/northeast of the site. The site is located on a 4-lane Principal Arterial in an area experiencing significant growth and transition. The site is surrounded by residential development with a range of densities and is within half a mile of expanding commercial and industrial uses to the east, and major traffic improvements at the Airport Road and South Powers Boulevard intersection. The location of the 2-acre rezone parcel is a logical expansion of the existing R-5 zone district, the higher density use is appropriate adjacent to a principal arterial, the rezone is consistent with the varied and changing development pattern in the area and, therefore, is consistent with the purpose of the zone.

Criteria #4: If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.

The site is only two acres in size, inherently limiting development intensity and the 50-foot height allowance is consistent with adjacent R-5 districts. The application of UDC

requirements, including parking, stormwater detention, open space, and landscape buffers, further limit the potential size of the development and associated impacts on surrounding properties.

City Traffic Engineering did not require a traffic analysis with the rezone application because the anticipated trip generation is minimal from this small-scale rezone and will not have an adverse impact on surrounding roadways. The traffic accident data at the Airport/Karr intersection does not indicate the intersection is dangerous or underperforming, as noted by City Traffic Engineering at the Planning Commission Hearing. Similarly, based on an inquiry to the City Fire Department prior to the Planning Commission hearing, City Fire indicated that the proposed development can meet City Fire standards. Denial based on "unknowns" and unsubstantiated concerns relating to compatibility and traffic improperly applies Criteria #4 and disregards the requirements and criteria for the future development plan review process, which will address any warranted access and traffic improvements and site design compatibility

Conclusion

The rezoning application satisfies all applicable UDC approval criteria. The application includes all required review materials demonstrating compliance with the UDC, and no substantial evidence supports denial. City Council should overturn the Planning Commission's decision and approve the rezoning on appeal.

1. The first part of the report deals with the general situation of the country and the position of the various groups of the population.

2. The second part of the report deals with the economic situation of the country and the position of the various groups of the population.

3. The third part of the report deals with the social situation of the country and the position of the various groups of the population.

4. The fourth part of the report deals with the cultural situation of the country and the position of the various groups of the population.

5. The fifth part of the report deals with the political situation of the country and the position of the various groups of the population.

6. The sixth part of the report deals with the international situation of the country and the position of the various groups of the population.

7. The seventh part of the report deals with the future of the country and the position of the various groups of the population.

8. The eighth part of the report deals with the conclusion of the report and the position of the various groups of the population.

9. The ninth part of the report deals with the appendix of the report and the position of the various groups of the population.

10. The tenth part of the report deals with the bibliography of the report and the position of the various groups of the population.

11. The eleventh part of the report deals with the index of the report and the position of the various groups of the population.

12. The twelfth part of the report deals with the list of figures of the report and the position of the various groups of the population.

13. The thirteenth part of the report deals with the list of tables of the report and the position of the various groups of the population.