



City of Colorado Springs

Regional Development
Center (Hearing Room)
2880 International Circle

Meeting Minutes - Draft Planning Commission

Wednesday, September 10, 2025

9:00 AM

2880 International Cir., 2nd Floor, Hearing Room

1. Call to Order and Roll Call

Present: 7 - Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

Absent: 2 - Chair Slattery and Commissioner Gigiano

2. Changes to Agenda/Postponements

3. Communications

Kenneth Casey - Planning Commission Chair

Chair Casey said interviews for prospective candidates for Planning Commissioners and alternates are taking place on September 19th and 24th.

Kevin Walker - Planning Director

4. Approval of the Minutes

4.A. [CPC 2714](#) Minutes for the August 13, 2025, Planning Commission Meeting

Presenter:

Andrea Slattery, City Planning Commission Chair

Attachments: [CPC_Minutes_8.13.25 Draft](#)

Motion by Commissioner Rickett, seconded by Commissioner Hensler, to approve the Minutes for the August 13, 2025, Planning Commission Meeting.

The motion passed by a vote of 7-0-0-2.

Aye: 7 - Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

Absent: 2 - Chair Slattery and Commissioner Gigiano

5. Consent Calendar

Motion by Commissioner Rickett, seconded by Commissioner Hensler, to approve the Consent Calendar.

The motion passed by a vote of 7-0-0-2.

Aye: 7 - Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

Absent: 2 - Chair Slattery and Commissioner Gigiano

Phelan Gardens Zone Map Amendment

5.A. ZONE-25-00 13 An ordinance to amend the zoning map of the City of Colorado Springs pertaining to 4.09 acres located at 4955, 4965, 4985, 4995, and 5015 Austin Bluffs Parkway from MX-N/cr/AP-O (Mixed-Use Neighborhood Scale with conditions of record and Airport Overlay) and RE/AP-O (Single-Family Estate with Airport Overlay) to MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay). (Quasi-Judicial - 1st Reading only to set the public hearing for October 28th, 2025)

Related Files: N/A
Council District # 6

Presenter:
Allison Stocker, Senior Planner, City Planning Department
Kevin Walker, Planning Director, City Planning Department

- Attachments:** ZONE-25-0013_Ordinance
 ZONE-25-0013_Staff Report_v2
 Attachment 1- CPC CU 02-00184-A2MN12
 Attachment 2 - Ordinance 82-15
 Attachment 3 - Land Use Statement
 Attachment 4 - Project Statement
 Attachment 5 - Exhibit A Legal Description
 Attachment 6 - Exhibit B Zone Change Map
 7.5.704 ZONING MAP AMENDMENT (REZONING)

Colorado Springs Conservatory

5.B. [CUDP-25-00 20](#) Conditional Use to allow Club, Lodge, and Service Organization use in the R-5 (Multi-Family High) zone district located at 420 North Nevada Avenue. (Quasi-Judicial)

Council District # 3

Presenter:

William Gray, Senior Planner, City Planning Department
Kevin Walker, Planning Director, City Planning Department

Attachments: [Staff Report COS Conservatory](#)

[Attachment 1-Vicinity Map](#)

[Attachment 2 - Town of Colorado Springs](#)

[Attachment 3 - Zoning Map](#)

[Attachment 4 - Context Map](#)

[Attachment 5 - Project Statement](#)

[Attachment 6 - Land Use Statement](#)

[Attachment 7 - Site Plan](#)

[Attachment 8 - Parking Analysis](#)

[7.5.601 CONDITIONAL USE](#)

Woodmen Road Addition No. 3 Annexation

- 5.C. [ANEX-24-00](#) A Resolution finding a petition for annexation of the area known as
[14R](#) Woodmen Road Addition No. 3 Annexation consisting of 0.11 acres
to be in substantial compliance with section 31-12-107(1), C.R.S.
and setting a hearing date of November 10, 2025, for the Colorado
Springs City Council to consider the annexation of the area.
(Legislative)

Related Files: N/A

Council District # 1 (Upon successful annexation)

Presenter:

Chris Sullivan, Senior Planner, City Planning Department
Kevin Walker, Planning Director, City Planning Department

- Attachments:** [Resolution Setting Hearing Date ANEX-24-0014](#)
[Memo to Clerk to Advertise ANEX-24-0014](#)
[Public Notice ANEX-24-0014](#)
[Staff Report ANEX-24-0014 CSR](#)
[Attachment 1 - Vicinity Map](#)
[Attachment 2 - Project Statement](#)
[Attachment 3 - Petition](#)
[Attachment 4 - Legal Description](#)
[Attachment 5 - Annexation Plat](#)
[Woodmen Road Annexation - CPC 9 10 2025 Minutes Excerpt](#)
[7.5.701 ANNEXATION OF LAND](#)
[Signed Resolution No. 115-25.pdf](#)

6. Items Called Off Consent Calendar

7. Unfinished Business

8. New Business

Dakota Crossing Conditional Use Minor Modification

- 8.A. [CUDP-25-0023](#) A Conditional Use Minor Modification to remove a condition, relating to front yard setbacks, of approval from the approved conditional use allowing single-family detached residential in MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) Zone District consisting of 7.62 acres northwest of the future intersection of South Chelton and Hancock Expressway. (Quasi-judicial)

Council District # 4

Presenter:

Allison Stocker, Senior Planner, City Planning Department
Kevin Walker, Planning Director, City Planning Department

- Attachments:** [CUDP-25-0023 Staff Report1_v2](#)
[Attachment 1 - CUDP-24-0020 Approval Letter](#)
[Attachment 2 - DEPN-25-0018](#)
[Attachment 3 - SUBD-25-0025](#)
[Attachment 4 - Project Statement](#)
[7.5.516 MODIFICATION OF APPROVED APPLICATIONS](#)

Allison Stocker, Senior Planner, presented the Conditional Use Minor

Modification to remove a condition, of approval from the approved conditional use allowing single-family detached residential in MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) Zone District consisting of 7.62 acres northwest of the future intersection of South Chelton and Hancock Expressway. She said the current conditional use does allow for single-family detached units, which is a conditional use in the Mixed-Use Medium zone district. There was a condition of approval on December 2024 that all internal lots shall meet the R-Flex Medium dimensional standards; and at that time, the applicant considered that all setbacks would be met. The request today is to remove that condition so the internal lots can have different front yard setbacks. Ms. Stocker said the lots on the development plan have front facing garages, which require a 20-foot front yard setback, however, 28 out of 69 lots do not meet that requirement. Ms. Stocker said an issue with the proposal is that people could potentially park in driveways that are less than 20 feet, but the applicant has agreed that no parking will be allowed on the driveways on these units. These units have the option to park in their garage or in the communal parking.

Ms. Stocker said this project only went through one review cycle as the development plan was previously reviewed, and there was a good understanding of the concept and if it would meet criteria. Standard notice was done and one public comment was received with concerns about the design related to denser development within single-family detached communities. Agency review was conducted and there were no concerns regarding the conditional use. The application meets the criteria for modifications of approved applications.

Commissioners' Questions

Chair Casey asked why this is considered a minor modification when decreasing building setbacks is usually a major modification. Ms. Stocker said it is a minor modification because the conditional use does not have those dimensional standards attached to those approvals, however, if this were a development plan, it would be considered a major modification.

Chair Casey asked if minor modifications are usually approved by the Manager. Ms. Stocker said in this case the Commission would have to approve or deny it because the original condition of approval was decided upon by this body.

Commissioner Rickett asked if the Development Plan will continue under administrative approval. Ms. Stocker said it is correct, if the decision today goes through, both applications will be approved.

Applicant's presentation

Andrea Barlow, Principal with NES, representing the applicant, said this project was approved as a conditional use to meet the R-Flex Medium Development Standards at the edges of the property since they were applying common development. She said they submitted the development plan that went through three rounds of review, and they addressed all agencies' comments when this issue of the garage setbacks was brought up. She said these are only garage setbacks, not building setbacks that would trigger a major modification, that is why they are requesting this original condition of approval to be removed.

Ms. Barlow said the lots around the perimeter of the proposed development will include a full length 20-foot driveway, however, the inside lots will only have aprons, not driveways, to allow exiting the garage with enough visibility. She said they will provide 24 guest parking spaces, where 14 are required by code. She said there will be no sidewalks along the lots with aprons, to avoid pedestrian conflicts. Ms. Barlow said the 20-foot driveways will allow parking, however the 7.5-foot aprons will not. She said at the time of approval they agreed to the condition considering the building setbacks, that they do meet, since R-Flex Medium calls for a 20-foot garage setback, but allows a 10-foot front building setback.

Ms. Barlow emphasized the project has gone through three reviews, making redesign not an option at this point, because it will represent a significant loss. She said the design is very compatible with the neighborhood and it is internalized, so no one would need to drive through the development to get anywhere else. She said this compact lots meet a market need for entry level housing, and this design is not unusual throughout the city. She said the visibility concerns have been addressed by providing a 7.5-foot apron, where five to eight feet are required. Ms. Barlow said fire lane markings will be placed on both sides of the private streets, which will prohibit on-street parking. She said there will also be an HOA to enforce parking and have signs that parking violations will be

enforced. Ms. Barlow said they are not changing anything from the original review criteria for conditional use.

Commissioners' Questions

Commissioner Cecil asked if the HOA would have contracts with towing companies, since the developer will be enforcing the "no parking" and the City the fire lanes. Ms. Barlow said they will.

Commissioner Cecil asked, if this is an entry level affordable type housing, what AMI it would be affordable to. Ms. Barlow said that she does not have the AMI details, but the houses would be in the low 400s, where the average house price is around \$600,000. She said this is not a subsidized product, it is a market average detached home product, that a lot of people would prefer rather than attached townhomes.

Commissioner Cecil asked how the developers reached the conclusion not to have sidewalks, knowing that a lot of people interested in entering the market in Colorado Springs are very outdoorsy. Ms. Barlow said there are sidewalks throughout the development, just not on the internal section where they only have aprons, but around the open space and around the edge. She said they are also providing a sidewalk along Chelton Road that is nonexistent today.

Commissioner Cecil asked if there are going to be units accessible for people that have walking issues or use a wheelchair. Ms. Barlow said that she is not aware of any specific accessibility requirements for this size of development, she thinks when you get to more than 80 units that certain portion of the development is required to be ADA accessible. She said anybody with a specific requirement can be accommodated, the grade on the site is not significant, and the sidewalks will have to be ADA compliant.

Commissioner Henseler said she appreciates the presentation because it helped her understand the information about the aprons, and she will be in support of the project.

Commissioner Robbins said he is concerned about trying to have a lot of product in the area, resulting in the decreased driveway requirement. Commissioner Robbins said if this is supposed to be affordable, HOA will

count against the buyer for their mortgage. Commissioner Robbins said not having sidewalks is also an issue. Ms. Barlow said at this point there is no other option, because the project has gone to multiple reviews. She said the density is consistent with the surrounding area, as well as the proposal, because the zone allows for commercial use and higher density residential developments. She said their proposal is what the market requires, smaller size for a lower price, that brings less traffic. Ms. Barlow said the HOA will be responsible of maintaining common areas, the private streets and the retention pond; as well as for enforcing standards.

Commissioner Hensler reminded the Commission that the item being presented is for conditional use only, and not other issues, just the setbacks for the garages.

Chair Casey said HOAs are responsible for the maintenance of common areas and amenities.

Public Comment

Marie Keaton , resident of the neighborhood, said she has seen communities with shorter driveways and that reduces quality of life of the residents. She said when there are gatherings people will have to park in the driveway because street parking will not be allowed. She said having no sidewalks also reduces quality of life for kids with bikes and scooters, and for people with strollers. She said she has been to communities with no parking, and it is unacceptable.

Commissioners' Questions

Commissioner Rickett asked if staff recommended the zone to be MX-M. Ms. Stocker said the zone has not changed.

Commissioner Rickett asked if it was known that this change of setbacks would be required. Ms. Stocker said it was recommended establishing dimensional standards to understand what the project would look like for the conditional use, but did not know the 20 feet setback would be a conflict.

Commissioner Rickett asked if they could have proposed a PDZ to

establish their own setback. Ms. Stocker said they could have, but under UDC that zoning is only allowed when no other option is viable.

Commissioner Rickett said the 10-foot, 20-foot split might be something to revise in the code. Commissioner Rickett said he does not consider this to be affordable, but it might be for the neighborhood it is in. Commissioner Rickett said he considers there is enough sidewalk, and he will be in support.

Commissioner Cecil said she voted in opposition because, as she interprets the code, sidewalks are required in both sides of the streets. Commissioner Cecil said she feels this request goes against the condition of record in the original approval.

Commissioner Robbins said he does not agree with the shorter aprons, and he thinks it would be better to reconsider the options to have a full-size driveway.

**Motion by Commissioner Rickett, seconded by Commissioner Sipilovic, to approve the Conditional Use Minor Modification based upon the finding that the request complies with the criteria as set forth in City Code Section 7.5.516.D.2.
The motion passed by a vote of 4-2-0-2.**

Aye: 5 - Commissioner Hensler, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

No: 2 - Commissioner Cecil and Commissioner Robbins

Absent: 2 - Chair Slattery and Commissioner Gigiano

Briargate Church - Assembly of God Rezoning

- 8.B. [ZONE-24-00](#) A Zoning Map Amendment (rezone) consisting of 7.73 acres located northeast of Voyager Parkway and Springcrest Road from A/AF-O (Agriculture with United State Air Force Academy Overlay) to [12](#) MX-M/AF-O (Mixed-Use Medium Scale with United State Air Force Academy Overlay). (Quasi-Judicial)

Council District #2

Presenter:

Austin Cooper, Senior Planner, City Planning Department
Kevin Walker, Planning Director, City Planning Department

Attachments: [Staff Report_ZONE-24-0012](#)
[Attachment 1 - Exhibits A & B](#)
[Attachment 2 - Land Use Plan](#)
[Attachment 3 - Public Comments](#)
[Attachment 4 - Public Comment Response Letter](#)
[Attachment 5 - Traffic Impact Study](#)
[Attachment 6 - Project Statement](#)
[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

Commissioner Robbins recused himself as he is familiar with the owner of this project.

Austin Cooper, Senior Planner, presented the Zoning Map Amendment (rezone) and the Land Use Plan for Residential, Commercial and Public/Institutional consisting of 7.73 acres located northeast of Voyager Parkway and Springcrest Road from A/AF-O (Agriculture with United State Air Force Academy Overlay) to MX-M/AF-O (Mixed-Use Medium Scale with United State Air Force Academy Overlay). He described the surrounding areas with the presence of residential, undeveloped and school. He said there is no end-user proposed at this time, but they are proposing restriction to the MX-M district such as marijuana and hemp uses, adult entertainment, hookah bar and detoxification center. Standard notice was sent out, 63 comments were received with concerns regarding the intensity of potential future development, allowable uses for the zone, traffic and safety. Agency review was conducted; comments were either approved or are under review. The project complies with PlanCOS, however staff could not confirm this project met the review criteria. Mr. Cooper said staff felt MX-N was a more appropriate zone considering the area.

Commissioner Hensler asked clarification about the application being for MX-M. Mr. Cooper said at early stages of the application staff suggested MX-N was a better fit for the area, however, the applicant chose to pursue an MX-M rezoning, as is his right.

Commissioner Hensler asked if they will be only reviewing the MX-M application. Mr. Cooper said yes.

Applicant's Presentation

Keith Moore, with KEM Architecture and Planning, representing Briargate Church, said the church is looking to rezone and subdivide the lot, as they do not need all the property. He explained they decided to go with MX-M and not MX-N because the first one does allow retail sales, the setbacks are more restrictive but would allow denser development. He said as part of the traffic proposal for the development plan they are proposing improvements to Springcrest.

Commissioner Rickett asked if they chose MX-M because it is less restrictive and allows retail sales. Mr. Moore said it is more restrictive with larger setbacks but does allow retail sales. He said the preferred MX-M however they did want to restrict the uses.

Todd Frisbie, City Traffic Engineering, Public Works Department, said the study was reviewed and accepted because it represented no significant impacts to nearby intersections. He said the applicant did have some recommendations about a left turn lane and striping. Mr. Frisbie said there is a school to the south and their traffic is queuing for pick-up and drop-off, with a lot of space in their site. He said even for retail, the peak time is later than school pick-up and drop-off time.

Commissioner Hensler asked if there are any other improvements in the area, other than addressing issues on Springcrest, to create any additional outlets. Mr. Frisbie said if the dead end in Mulligan were to open it would release traffic from the school, but it would also have drawbacks. Mr. Frisbie said if a development plan came with a request of access from Voyager, it would be approved to make a right-in right-out, that would be traffic relief as well, and it can be addressed during the development phase.

Chair Casey said he thinks there is emergency access with a chain on Voyager, and it looks like a County road because there are no sidewalks, so it might not be an option.

Commissioner Rickett said he does not think it would be ideal to have a right-in right-out in that area.

Public Comment

Scott Bottoms, pastor of the church, said they are not the traffic impact, but

instead they help relief the traffic from the school, because they can accommodate 60 to 70 cars in their property, as they only have 10 cars in their parking lot during the week. He said they are applying for MX-M because they would like to have barbeque and donuts retail sales. He said selling the other properties will help them expand their church.

Patricia Peveto ceded time to Ronald Peveto.

Ronald Peveto, resident to the north of the property, said he has a beautiful view of Pikes Peak. He said when they first arrived in Colorado Springs, they loved the neighborhood with quiet open spaces, so when a house came out for sale, they purchased it immediately. He said there were not many large buildings other than the school and community churches, but that has changed significantly. Mr. Peveto said development and growth are driven by individual initiative, passion, and vision of residents. Mr. Peveto said that the Church at Briargate, as a neighbor, has a vision for growth, but so do the residents of the Otero neighborhood, who have invested in enhancing the area over the past 23 years. Mr. Peveto said that the proposed zoning change would introduce commercial development into a residential area, and while the church claims it would have low impact, the reality of zoning changes is uncertain. He said he is concerned that the church's goal is to sell the land for maximum profit, with little control over what is developed. Mr. Peveto said this diverges from the neighborhood's vision and raises concerns about increased traffic, safety, and the potential for 24-hour commercial activity disrupting the area's tranquility and safety. He said in his 17 years of experience with church building projects, none began by selling off land. He said the neighborhood meeting did not provide any straightforward answers. He said the zoning change would permanently alter the character and quality of life in the Otero neighborhood.

Tim Hedges and Paul Danielson ceded time to Elizabeth Gilbert.

Elizabeth Gilbert, renter in the area, said she opposes the rezoning proposal. She said the first issues is traffic congestion, that during school drop-off and pick-up times Spring Crest becomes severely congested, often backing up onto Voyager Parkway. Ms. Gilbert said this congestion is not just inconvenient but poses a safety risk, as it has previously delayed emergency vehicle access. She said the rezoning would worsen these accessibility issues. Ms. Gilbert said many TCA families live nearby, and children frequently walk, bike, or ride scooters to school, making increased traffic a serious pedestrian safety concern. She noted that Otero Road is

not a viable alternative due to its narrow, rural design and lack of sidewalks, and that it too is facing increased density from new apartment developments, and wondered if the applicant's traffic studies accounted for these future changes. Ms. Gilbert also raised concerns about fire safety and said that increased density near undeveloped land adjacent to the Air Force Academy could hinder evacuation efforts during emergencies, especially since Spring Crest is the only exit for several neighborhoods. She said regarding neighborhood character, the Comprehensive Plan calls for protecting the character of established suburban neighborhoods. She said that medium-density mixed-use development is inconsistent with the area's current character. Ms. Gilbert said at the community meeting the church representative, Scott Bottoms, claimed the land would be sold under covenant to retain some control, however, she said he declined to share the church's full vision at that time. She said the church prioritized profit over neighborhood preservation, seeking maximum value from the land sale to fund a new facility. Ms. Gilbert said maybe the church chose this specific zone because of political motivation given Mr. Bottoms' candidacy for governor.

Jaqueline Peveto, resident to the north of the site, said her family has lived next to the church for 23 years and has often shared their backyard for church events, as good neighbors. She said the current rezoning proposal would change that relationship by introducing commercial development into a rural area and removing a natural boundary between properties. Ms. Peveto said that five years ago, she and her neighbors opposed the annexation and rezoning of properties along their northern boundary, which had served as a buffer between their unincorporated neighborhood and the city. She said that decision allowed commercial development to encroach on their community, and rezoning the southern boundary along Springcrest Road would eliminate the last remaining natural border. Ms. Peveto said another development is being proposed across Spring Crest near the TCA campus, adding to the pressure on the area. She said the sudden interest in developing the neighborhood feels exploitative to long-term residents who have invested in and cared for the area. She said they only found out about it through a neighbor who shared a postcard. She said the church refused to make any changes to the proposal despite hearing community concerns. Ms. Peveto said the neighborhood is more than just land for convenient business solutions and suggested preserving the area open, hospitable, and safe for families for generations to come.

Ariane Peveto said she grew up in the neighborhood and has a lot of personal memories restoring the house, planting gardens, and caring for the trees along the property line shared with the church. She said every part of their home reflects long-term care and stewardship, and that many of her neighbors have similar stories of investing in the community. Ms. Peveto said she opposes the rezoning because it threatens the character and boundaries of the neighborhood. She explained that a previous rezoning on the north side already set a damaging precedent, pressing some residents to sell their properties, and this new proposal would eliminate the southern boundary along Springcrest Road as well. She said there will be a lack of buffer between the proposed mixed-use development and existing rural homes. She said the church could become a busy access point for future development, bringing traffic and disruption close to homes.

Steve Luna, resident of the area, said he opposes the rezoning proposal due to his concerns about materials and traffic study. He said he thinks it fails to meet the review criteria. Mr. Luna said the proposed MX-M zoning would allow buildings up to 50 feet tall, which will not be compatible, as all existing structures are no more than two stories. He suggested a condition be added to limit building height to 30 feet or two stories to better align with the neighborhood. He said he is also concerned about potential land uses allowed under MX-M zoning, such as gas stations and auto repair shops, which could pose risks to public health and safety. Mr. Luna said the Springcrest neighborhood relies on well water, and fuel-related facilities could contaminate the groundwater, and suggested these uses to be prohibited. Mr. Luna said traffic issues, stating that Spring Crest and Otero Road are already over capacity, with gridlock during school drop-off and pick-up times. He said the proposed development would increase traffic by 33% during these peak hours, worsening an already unsafe situation. He said the site lacks a proper access point, as it does not directly border Voyager Parkway, which has the capacity to handle more traffic. Mr. Luna concluded by stating that the land is not suitable for commercial development due to inadequate access and incompatibility with the surrounding area.

Dave Wahl, resident of the area, said he has lived on Springcrest for 26 years and shares the concerns raised by his neighbors. He said the neighborhood is a quiet and beautiful place and said the proposed rezoning threatens that character. He said traffic is a major concern, but the uncertainty around the type and scale of future retail development is also

concerning. Mr. Wahl said the land to the south is being considered for the development of three apartment buildings, potentially four to five stories tall, and would impact the traffic and density as well.

Jeremy Unruh, resident of the area, said his family loved the area and was thrilled to move there. He said the rezoning proposal feels like an encroachment on the character of the neighborhood. Mr. Unruh said the traffic impacts of the proposed mixed-use zoning, especially during school hours. He said that many drivers need to turn left to reach I-25, which already causes significant backups at the intersection. He said the traffic situation is manageable on weekends but becomes a serious problem during the week, and that the proposed development would only make it worse. Mr. Unruh wondered how long any covenants would remain in place and whether future owners would honor them. He said the proposal would remove the southern boundary that helps define the neighborhood's character.

Jay Stoner, president and owner of Land Developers Incorporated, said he has over 50 years of experience in residential and commercial development. He said he is building his personal residence in the area and would be directly impacted by the proposed project. Mr. Stoner said the new development should be compatible with existing neighborhoods. He said the surrounding area is a rural, low-density community with homes on large lots, and said the proposed zoning would disrupt that character. He said, given the church's desire to sell the lots for maximum value, the land could be used for high-density apartments, possibly 50 feet tall, which would bring significant traffic and congestion. He said the intersection at Springcrest and Otero is already a mess twice daily due to school traffic. He said Otero Avenues is a narrow, two-lane country road with no sidewalks or shoulders, where children walk and ride bikes. He said traffic should not be allowed to exit on Otero Avenue. He said he strongly suggested Mulligan Drive and Chapel Hills be connected.

Naomi Niess said she echoes everything her neighbors have said, as she has lived in the neighborhood for 25 years, and her husband's parents built their home in the 1960s. She said it is a wonderful place to live but expressed serious concerns about safety due to increasing traffic and limited road access. She said that the area only has two main routes, Springcrest and Otero, and said that in the event of a major emergency, such as wildfire, evacuation would be extremely difficult. Ms. Niess said the

community is already feeling surrounded by new developments, including planned apartment buildings near the church and along Old Ranch Road and Otero to the north.

Patty Krueger said she has lived in the neighborhood for 33 years. She stated that the church has been a good neighbor until now, but she opposes the rezoning request for several reasons. She said she has concerns about increased traffic, the loss of mountain views, and the incompatibility of taller buildings allowed under the proposed zoning. Ms. Krueger said the neighborhood does not include any MX-M zoning so it would not be compatible. She said even if the church sells the land to responsible buyers, there is no guarantee that future owners would maintain the same development plans, giving access to more aggressive commercial development and could trigger a domino effect, where neighbors begin selling their homes to avoid living next to commercial properties.

Applicant's Rebuttal

Mr. Moore said the zoning allows a maximum height of 50 feet, but they are restricted to 35-foot buildings because of the Air Force Academy Overlay.

Commissioners' Comments

Commissioner Rickett asked if the property across the street to the east of the church was county or city. Mr. Cooper said it is within the county.

Commissioner Rickett thanked the public for their comments and sympathized with the next-door neighbor. Commissioner Rickett asked if staff suggested MX-N. Mr. Cooper said they did.

Commissioner Rickett said he considers the proposal fails to meet some criteria, such as the purpose not being appropriate for the district, and the zoning will be detrimental to public interest, therefore he will not be in support.

Commissioner Cecil asked if the minimum area for MX-M is 2.5 acres, why are none of the three proposed lots larger than 2.5 acres. Mr. Cooper said with the size of the three lots together they can propose to be rezoned to

MX-M.

Commissioner Cecil asked if their development plan approved in 2019 is considered an implemented plan. Mr. Cooper said once a plan is approved they have six years to move forward with their proposal, and they are getting close to that time. Trevor Gloss, City Attorney's Office, said concept plans are more general such as the Comprehensive Plan, while development plans consider terms and need a closer review. Mr. Cooper said concept plans and master plans are merged into the land use plan. He said if there is any existing concept plan it would have to be considered, but an implemented concept plan is something already built.

Commissioner Cecil said she does not consider the proposed use restrictions appropriate, especially because dealing with covenants can become burdensome. Commissioner Cecil said detox centers may be considered accommodations for persons with addictions, which is classified as a disability. Commissioner Cecil said she finds this does not meet the criteria, and she considers it to be a spot zone that is not directly adjacent to an MX-M property. Commissioner Cecil said there is insufficient information in the land use plan to determine if it would conform with the adjacent purposes and heights, making it not compliant with criteria four, and it does not meet criteria six or 10 either.

Commissioner Sipilovic thanked the community for their comments and said he concurs with Commissioners Rickett and Cecil that this project does not meet several review criteria so he will not be in support.

Chair Casey said he does not think this zoning is appropriate and agrees with staff that the applicant should consider a mixed-use neighborhood scale or residential zone district to be more compatible. Chair Casey said he thinks it does not meet criteria one and two and will not be in support.

Mr. Cooper said the 33 feet height requirement was not officially requested by USAFA since this is outside their zone, and it would have to be a condition of approval. He said any changes to the land use plan, like traffic flow or changes to the district and uses are considered major modifications and require approval from the body that approved the plan, which would be City Council in this case.

Commissioner Hensler thanked the community for their input and their

involvement. Commissioner Hensler said she will be in support of this application because it is an area of transition between county and city, and the applicants have tried to mitigate the uses.

Motion by Commissioner Rickett, seconded by Commissioner Sipilovic, to recommend denial to City Council the Zoning Map Amendment of 7.73 acres from A/AF-O (Agriculture with United State Air Force Academy Overlay) to MX-M/AF-O (Mixed-Use Medium Scale with United State Air Force Academy Overlay) based upon the findings that the request does not comply with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.704. The motion passed by a vote of 5-1-1-2.

Aye: 5 - Commissioner Cecil, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

No: 1 - Commissioner Hensler

Absent: 2 - Chair Slattery and Commissioner Gigiano

Recused: 1 - Commissioner Robbins

- 8.C. [LUPL-24-001](#) Establishment of the Briargate Church – Assembly of God Land Use Plan for Residential, Commercial and Public/Institutional uses and consisting of 7.73 acres located northeast of Voyager Parkway and Springcrest Road. (Quasi-Judicial)

[2](#)

Council District #2

Presenter:

Austin Cooper, Senior Planner, City Planning Department
 Kevin Walker, Planning Director, City Planning Department

Attachments: [7.5.514 LAND USE PLAN](#)

Motion by Commissioner Rickett, seconded by Commissioner Sipilovic, to recommend denial to City Council the Briargate Church - Assembly of God Land Use Plan based upon the findings that the proposal does not complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514. to the City Council. The motion passed by a vote of 5-1-1-2.

Aye: 7 - Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey, Commissioner Clements and Commissioner Rickett

Absent: 2 - Chair Slattery and Commissioner Gigiano

Old Ranch Road Self Storage

- 8.D. [APPL-25-0006](#) An Appeal of the administrative approval for the Old Ranch Storage Filing No 1 Development Plan consisting of 4.70 acres located at the northeast corner of Old Ranch Road and Rhinestone Drive.

Council District #2

Presenter:

Tamara Baxter, Planning Supervisor, City Planning Department
Kevin Walker, Planning Director, City Planning Department

Attachments: [Staff Report Old Ranch Road Storage](#)
[Attachment 1 - Briargate Master Plan 1980](#)
[Attachment 2 - Briargate Master Plan 1998](#)
[Attachment 3 - Bison Ridge Concept Plan](#)
[Attachment 4 - Bison Ridge Concept Plan Amendment](#)
[Attachment 5 - Public Comments](#)
[Attachment 6 - Public Comment Response](#)
[Attachment 7 - Additional Public Comments](#)
[Attachment 7A - Additional Public Comments 9.4.25](#)
[Attachment 8 - Traffic Technical Memorandum - Access Sight Distance](#)
[Attachment 9 - Turning & Hose Lay Exhibits](#)
[Attachment 10 - Approved Development Plan](#)
[Attachment 11 - Project Statement](#)
[Attachment 12 - Appeal of Administrative Decision](#)
[Attachment 13 - Old Ranch Storage Development Plan additional operation details](#)
[7.5.415 APPEALS](#)

Tamara Baxter, Planning Supervisor presented the appeal of the administrative approval for the Old Ranch Storage Filing No 1 Development Plan consisting of 4.70 acres located at the northeast corner of Old Ranch Road and Rhinestone Drive. This is an appeal of the development plan of a mini warehouse located in an MX-M zone, previously PBC under Chapter 7, which this application was reviewed under. This application was approved on July 9, 2025, for a mini-warehouse facility with an on-site office, nine one-story buildings, with access off Rhinestone Drive. Ms. Baxter said according to the Briargate Master Plan approved in 1980 this property was identified as Commercial - Village Center. In 1998 this was broken out to include Neighborhood Commercial, Community Commercial, which is the subject property, and Regional Commercial. The Briargate Master Plan is considered an

implemented plan and amendments to it were not necessary, neither for the concept plan from commercial to commercial use. The Bison Ridge at Kettle Creek Concept Plan was approved by City Council on June 4, 2004, including 16.7 acres for two commercial properties, the subject property and the one to the west, which were rezoned to PBC that allowed mini warehouses as permitted use.

Ms. Baxter said Chapter 7 got replaced by the UDC, that was adopted in February 2023 and became effective in June 2023. Some zones that transitioned were PBC to MX-M, PUD to PDZ, and R-5 adopted different criteria. PBC zone district allowed commercial uses of moderate intensity and MX-M allows commercial, retail, office, multi-family residential and civic uses. Ms. Baxter presented a comparison between Chapter 7 and the UDC regarding the use, architectural standards, parking, height, lighting standards, landscaping and site-specific standards.

Ms. Baxter said this project was submitted in August of 2022, and the development plan was approved on July 9, 2025. A complete appeal application was submitted on July 21, 2025. Standard notice was made, 20 comments were received regarding traffic, compatibility of use, lighting, access, crime and safety, inadequate infrastructure, and decrease in value of home. Agency Review was conducted, and all comments were addressed before the development plan was approved. Regarding PlanCOS this project is in between two established areas integrating residential with commercial type uses.

Appellant's presentation

Julie Price, representing the community around the approved Self Storage, said she will talk about the background, the appeal basis, the application process and the appeal recommendation and considerations. She said from the previous items discussed the theme is community and neighborhoods. Ms. Price cited PlanCOS Vision, highlighting that every person and place is a part of a neighborhood, and each one deserves a great neighborhood. She said Policy VN-1.B calls to inform and engage with stakeholders during the development review process, capital improvement planning and decisions on City and County facilities and services, which did not happen for this application. She said by the time of the application in August 2022, the UDC was already in place and it was

up to the applicant to choose to be reviewed under Chapter 7 or the UDC. Ms. Price said there was a sign posted on September 16, 2022, indicating the comment period will end on September 28, 2022, but there were concerns about its position in a corner facing opposite flow of traffic, and similar concerns were raised about the noticing for the appeal. She said the premise of this application was so disconcerting to the community that 168 thoughtfully prepared comments were provided by the community, but did not receive a response until July 9, 2025, same day of the approval, and not made publicly available until July 18, 2025.

Ms. Price said there was no response to the 168 community comments, nor did a community meeting take place. She said information about recent studies regarding Preble's Jumping Mouse was not provided, but her research shows that for matting purposes they will travel to high ground as far as 2500 feet. She said according to the staff packet, this facility is planned for 1900 feet from Kettle Creek Open Space, within the 2500 feet mice would travel. Ms. Price said the application was reviewed under one code but due to delays, the appeal had to be filed under a different one, and they did not understand what the differences were. She said when she pointed out the communication issues, she received a response that mistakes are made, this has already been approved, and she filed her appeal as well.

Ms. Price referred to Section 7.5.603.B.1, Detriment to Public Interest, Health, Safety, Convenience and General Welfare, and said this industrial-scale facility brings commercial use to a high-density residential area, that is not designed for the volume, size and weight of trucks and trailers. She said their calculations using the same sources as NES presented in the post-approval meeting show something different. She said the volume and types of vehicles raise safety concerns for community and neighborhood children. Ms. Price said the fencing and the lighting are incompatible with the character standard and expectations of the community, and they do not provide adequate buffering, privacy and transition from the neighborhood to an industrial complex. She said the health welfare, peace, safety and security pose risk and detriment to the community due to the light, pollution, noise, late night traffic and crime. She said in the news it was shared that dead pets were found in a facility, and there have been reports of people living in these units.

Ms. Price referred to Section 7.5.603.B.2, Inconsistency with the

Comprehensive Plan, and said it exists for the protection of neighborhood character to ensure compatible infill, mitigates negative impacts on non-residential development, making a positive contribution to what makes a community and a neighborhood, and helping to establish a community-based need for developments. She said this project does none of these. She said within a five-mile radius of the facility there are 10 storage facilities that are not at full capacity.

Ms. Price referred to Section 7.5.603.B.3, Inconsistency with Master Plans, and said, according to Staff and NES this Master Plan is from 40 years ago and has been modified several times, and there are no recent amendments to support how this project supports the community. She said the surrounding areas consist of a community with a golf course and two schools, but no commercial use until getting to Voyager Parkway. Ms. Price said, according to Section 7.5.603.B.4, Location Criteria for Mixed-Use, the zone is supposed to provide transitional benefits from residential to commercial zoning, which is not what the storage facility offers.

Ms. Price said there were emails exchanged with City Staff in November 2022 stating that comments cannot be released to the applicant until the application payment is received. She said on February 2023 an email stated if an application is dormant for 180 days it will expire, and this application was almost expiring. She said the application fee was paid on February 28, 2023, after the 180 expiration days. Ms. Price said there was an additional email from Staff on March 2023 stating that one of the requirements will be that the applicant conduct a community meeting, however, it did not occur until August 2025, after the application was approved, and only because the appeal was filed. She said attempts to communicate with Staff were made in July 2023 but were unsuccessful, and later they learnt that the application had changed Planners. Ms. Price said after that only a few members of the community received an email on July 9, 2025, notifying them of the administrative approval and beginning of the appeal timeframe under the UDC, even when the application was reviewed under a different code.

Ms. Price said there were emails and comments from Staff stating the applicant was not being very responsive and submittals were taking a long time, causing delay to the entire process, however, in July 9, 2025, it was a

fast approval. She said a different Planner took over this project and also made comments about the extreme delay in moving this application forward. Ms. Price said there were a couple of instances where a resubmittal took longer than 180 days, but the application never became expired. She said information online notes the normal application timeline for City Planning takes months, not years.

Ms. Price said the community would like to recommend approval of the appeal and denial of the application for the storage facility, based on all statements provided during her presentation, and the five basis elements on the appeal form. She said if the Commission were to deny the appeal, they would request considerations to the community. Ms. Price said the hours of operation have significantly changed during the application process, and the traffic will not be like regular delivery vans. She said these hours do not account for seasonal daylight and darkness, because nothing good happens after dark. She said if the appeal is denied, they would like to request that a condition be put to respect the hours mentioned at the after approval community meeting, and do not allow them to be changed without a new application process that allows the community input and involvement. Ms. Price said the traffic flow is a safety and quality of life concern, because there is no way currently into the facility going eastbound other than going through the neighborhood, due to the median on Old Ranch Road. She said the approved plans show a forced left turn out of the facility to bypass the neighborhood, but there is no mention on how this will be enforced. She said a no U-turn sign was recently posted at Old Ranch Road and Chapel Ridge Drive and there is nowhere close to make a U-turn, making it difficult for eastbound traffic to turn back. Ms. Price said the median is wide enough to allow for a left turn into Rhinestone Drive heading eastbound. She said if this appeal is denied, they request the City to require the applicant to implement the latest suggestion. Ms. Price said another consideration would be landscaping, lighting and aesthetics. She said pertaining to landscaping, parts of the community will have direct view into the storage facility, making it look like an industrial park. She said lighting would be likely be reconsidered due to the change of hours in operation, and the inclusion of security cameras, that do not need additional lighting of what is already approved. She said community standards for exterior barriers on major roadways are greater than six feet and are made of precast concrete wall, the metal fencing and building walls are not secure and do not conform to community standards, as opposed to the standard barrier, that would also provide safety. She said that signage

should also conform to the rest of the community to provide a transition from the neighborhood to the commercial building. Ms. Price said if the appeal is denied, they request the Commission to require mature landscape that is not impacted by seasonal change, no changes to the approved lighting, and the exterior barrier and signage to conform to the community standards.

Applicant's Presentation

Andrea Barlow, with NES, representing the applicant, said NES was brought into the project on July 21, 2025, when the appeal was submitted and was not involved in the application process. She said the facility is located on the corner of Old Ranch Road and Rhinestone Drive, adjacent to Powers Boulevards, and it is under five acres. She said they reviewed the neighborhood concerns submitted for the initial application, as well as the ones submitted for the appeal, and they referred to inconsistency with the Mastel Plan and neighborhood compatibility, industrial-scale facility, aesthetics, massing, lighting, fencing, noise pollution, gate placement, security concerns, crime, Mouse Habitat and drainage issues.

Ms. Barlow said the site has been commercial since the conception of Briargate Master Plan, and it was zoned commercial in 2003 as Planned Business Center (PBC) that allowed a 45 feet maximum height. She mentioned the rezonings that occurred to the adjacent properties in 2003, 2014 and 2017. She said that accompanying the rezone of this site there was a concept plan that identified 41,000 feet of commercial use. Ms. Barlow said in June 2023, the UDC revised the zone to MX-M (Mixed-Use Medium). She said this application was submitted well before the UDC was approved. She said it was mentioned that the applicant can choose to work with Chapter 7 or the UDC, but this option was not applicable, since it only pertained to submittals between the adoption of the UDC in early 2023, and its implementation in June 2023. Ms. Barlow said other properties have developed around this site, and the time of the rezoning, the property was still undeveloped.

Ms. Barlow said under Chapter 7, the definition for Mini Warehouse is the same as Self-Storage in the UDC, pointing out that access to the facilities is infrequent and there are no utilities provided, other than lighting. She

said the maximum height under Chapter 7 is 45 feet, and for UDC is 50 feet. Ms. Barlow said a lot of the appellant's presentation was about the process, and, although it is unfortunate from a neighborhood involvement perspective, it is not part of the criteria for a development plan. She said the site will include 519 units for a total of approximately 80,000 square feet of storage, and 1,400 square feet of office. She said circulation is required for the storage units, but parking is only required for the office, and stalls have been provided. Ms. Barlow said the building setbacks are 25 feet, which are met on all sides. She said the permitted height is 45 feet, however, they are proposing a height of 17 feet and three inches for the office and for the storage units. She said if they get approved, they will start construction in spring 2026 and will open the facility in summer 2027.

Ms. Barlow said landscaping setbacks and buffers are located all around the perimeter, they meet all the requirements and exceed them for shrubs, which are evergreen, meeting the 50% requirement of seasonality. She emphasized it was never mentioned at the community meeting that hours of operation would be from 9 am to 5 pm. She said it was offered that they will have a discussion with the operator to decide on that matter, and the hours of operation will be Monday to Saturday 6 am to 10 pm and Sunday from 8 am to 6 pm, which are standard operating hours on similar facilities in the area. She said access will be gated and will have an entry code. Ms. Barlow said there will be on-site management and security during normal business hours, and operational security cameras will be in place 24/7. She said rental units will be subject to a contract that prohibits their use for housing.

Ms. Barlow said no outdoor storage would be permitted. She said the material and color of the office are consistent with the surrounding neighborhood, nothing industrial-looking, as it will be a low-key development. She said they will be adding a sidewalk along Rhinestone Drive, because it is currently nonexistent. Ms. Barlow presented renderings showing how the development would look from different views. She said the adjacent townhomes are elevated approximately 10 feet above the grade of the road and will have a bird's view of any development on that site. She said they have a six-foot fence that does not provide much screening, so the proposed landscaping will improve that.

Ms. Barlow said one of the biggest concerns in the community meeting was traffic, especially about the access from Rhinestone into Old Ranch

Road, that is right-in and right-out only, because there is a median across Old Ranch Road. She said if someone wants to go east, they will have to go through the neighborhood. Ms. Barlow said a mini warehouse is the least traffic generator commercial use, that a traffic report is not even required. She said they compared traffic between uses as single-family attached housing, a strip retail plaza, a general office building, and medical and dental offices, and it showed the total traffic generated by this development is significantly less than the preferred alternatives, especially during peak hours. She said the management company considers that, compared to similar projects they manage in the area, they would probably get 16 trips in and out a day. She said the mini warehouse has a steady trip generation, while the other uses vary throughout the day.

Ms. Barlow said there were concerns about sight visibility and an analysis was done and Traffic Engineering agreed with it. She said there was a request to move the gate back and they did. She said the site is designed to accommodate the turning requirements for emergency vehicles, small box trucks and moving vans, but not semitrucks. Ms. Barlow said 54 wall-mounted lights are proposed, that will be downward facing, which will not cause any impact farther than 10 feet away. She said for security purposes only the minimum necessary lighting will be kept on 24/7.

Ms. Barlow said they are proposing a precast concrete screen fence along Rhinestone Drive and a security rail fence on the east and south sides of the property, and no additional fence on the north, since there is an existing one. Ms. Barlow said regarding the environmental concerns for the Mouse habitat, it is focused near the creek because of the water source. She said once the water source is disrupted by development, which this has been, there is no habitat beyond that. She said Kettle Creek development got all the permits needed with the US Fish and Wildlife, and there was an authorized take of habitat.

Ms. Barlow said what is relevant is the review criteria, where the site design, building location, orientation and exterior building materials are compatible with the neighborhood and complies with the City adopted plans. She said when there is a master plan and a zoning in place, PlanCOS requirements become less relevant, however, when it comes to creating vibrant neighborhoods, this commercial site has always been part of the neighborhood. She said it meets the dimensional standards in the Zoning Code, complies with the Drainage Criteria Manual, as it allocates a

detention pond on the northwest of the property that will address all the existing and future drainage issues. She said it also provides adequate parking and everything else meets standards. Ms. Barlow said it complies with the Landscape Code, addresses sensitive natural features, complies with the traffic criteria, has adequate utilities services and addresses significant off-site impacts.

Ms. Barlow said the appellant referred to public health, safety and welfare, which is a zoning criteria, not a development plan criteria. She said once a zone is established, there is an assumption that allowed uses are compatible with the neighborhood from that perspective. Ms. Barlow said at the meeting they held there were 61 attendees, and one approached saying that a different use could be worse. She said some of the attendees got their concerns addressed and clarity that this has always been commercial, and no changes are being proposed to the master plan nor to the zoning.

Commissioners' Questions

Commissioner Hensler asked if they analyzed traffic generation for a multi-family development, which is permitted use. Ms. Barlow said they wanted to be realistic in their analysis, so they used townhomes as example.

Commissioner Robbins asked if going from Powers on Old Ranch Road there are two lanes going west. Ms. Barlow said there are two lanes in both directions.

Commissioner Robins asked if going on Old Ranch Road there is an apron to turn right into Rhinestone. Ms. Barlow said there is a deacceleration lane to go in and an acceleration lane when you come out.

Public Comments

Chris Radcliff, resident of the area, said he is there because they were only informed of the approval after years of dormancy. He said it was mentioned that the site was always commercial, and where he now lives was also commercial at one point. He said this development has not been very transparent, so the appeal is the only resource they have. Mr. Radcliff said

minimal traffic was mentioned, however, it will still be more than what it currently is. He said he worries about his son that has to walk by the area everyday to go to school.

Karen Knowles, resident of the area, said her grandchildren play on the street in the area constantly, and to access the site, people will have to come through her street or the one perpendicular to hers. She said she is concerned about the moving trucks that will be coming in and blocking the street for the buses at school pick-up time. Ms. Knowles said kids ride their bikes or scooters to schools and after school programs, and will have to fight the trucks. She said when she moved there 20 years ago, they were promised a park behind Bison Ridge, and she would love to see a park because there is nowhere for the kids to play. She said she is concerned about the operation times, and people and trucks coming and going all the time.

Linden Kinkead, resident of the area, said she bought a property in the neighborhood on August 1st, when the city had moved forward with this and she had no option to get out of buying it, and she will have to be next to the storage facility. She said there is a major concern about moving trucks parking on the outside while they unload, because they cannot go in. She said if two trucks are parked, that turns the street into one way only. She said if landscaping is not mature enough and not taken care of, it will die and leave the metal fencing by itself, and all should be evergreen. She said if all surrounding properties rezoned into residential, why is this still commercial.

Jim Lubban, Vice President of the HOA at Bison Ridge and Kettle Creek, said most residents are very opposed to this. He said he considers a mistake that all surrounding properties were approved to be residential, leaving this site as MX-M. He said two sides of the site are facing residential properties. Mr. Lubban said townhomes might bring more traffic, but residents will be cognizant of the children when they circulate. He said the crime rate is 1200 plus burglaries in Colorado Springs, from which 10% occur in self-storage areas, and the proposed fencing would not be much of security. He said that traffic going through the neighborhood at 10 pm at night is not acceptable.

Robert Stein, a resident of Kettle Ridge Drive, said his street will be where all trucks and extra traffic go into this facility. He said he drives a semi-truck

and knows that small businesses store their stock in storage facilities, meaning commercial vehicles will frequently travel through the neighborhood. He said the neighborhood already floods during rainstorms and fears the facility's driveway will worsen the situation. He said they should consider access from Old Ranch Road, instead of through the neighborhood, because truck activity at 10 pm will be very disruptive. He said it would be better to have townhomes instead of the commercial facility.

Kimberly Stein, Bison Ridge resident, said she has lived there for nearly 10 years, and her primary concern is traffic, particularly on Kettle Ridge Drive that will have all incoming traffic to access this facility if you are coming from the west. She said traffic studies considered Old Ranch Road, not their street. She said children walk to and from school in the area, and that large trucks, including semis and moving vans, would pose a danger. She said truck traffic from 6:00 AM to 10:00 PM daily, and until 5:00 PM on Sundays is not acceptable. She said this can have a negative impact on property values and it would not benefit the residents of her neighborhood.

Dave Murphy, Townes at Kettle Creek resident, said he was the person corresponding with City Staff in 2022, and a community meeting was offered to be a requirement due to the neighborhood opposition, however it never happened. He said he only received notification of approval and is frustrated about the process, which was not fair. He said the applicant's responses to comments were not available on Accela until the day of the approval. He said he read all 168 comments that were written in a respectful and thoughtful manner with concerns about a development that does not add value to the neighborhood. He said he is concerned about the light and the noise pollution, declining property values, traffic, potential crime, and constantly changing hours of operation, the trucks beeping when backing up and the doors rolling. He said he is also concerned about the lack of landscaping planning.

Jenn Murphy, resident of the neighborhood, said she is frustrated about how this application was handled. She said she considers it unsafe and unfair that the development will use the existing fence facing the townhomes instead of adding a new one. She said not including the members of the community in the process was disrespectful, and they are confused and frustrated. She said they talked to the neighbors and maybe only five people were in support of the proposal. She said they kept open

communication with City staff until 2023, and since communication stopped, they thought this project was not moving forward, until they received the approval notification. She said none of the 168 complaints were made public until the day of approval.

Chris Annan, Slumber Ridge Way resident, asked if there was a traffic study done. He said the biggest concerns are the values of the homes with a commercial property sitting in the middle of a residential area. He said to go in and out of the storage complex there is no other option than going through Kettle Ridge. He asked if studies can be done about an entrance or traffic change on Old Ranch Road, to avoid a neighborhood with families, dogs, kids walking to and from school.

Allyssa Downs, resident of the area, said she has been a Colorado Springs resident since 1987 and has seen a lot of change, especially about the open space that she misses a lot. She said she is very concerned about the traffic and safety, because there are a lot of people walking at any time of the day every day. She said she would love for the site to stay as open space. She said she agrees with Chris Annan about making the traffic change in Old Ranch Road, so the traffic does not go into the neighborhood that already has massive potholes. She said the setbacks for the facility should be larger to allow more evergreens on Rhinestone to cover the visual impact from the residential area, and more buffer to help with the noise.

Will Lassani, resident of the area, said he echoes all previous comments from the neighborhood and wants to add that the comment about all attendees to the community meeting have found their answers is not accurate, because clearly people are saying they do not want this. He said this is a commercial building and are not people that will be part of the community and will not take care of it the same way. He said he is concerned about the lack of emotionality because everything has to be done in terms of code.

Appellant's Rebuttal

Ms. Price said she speaks on behalf of the 168 people that submitted comments and the 61 people that attended the community meeting because most of them have to work. She said this is not a small voice. She

said most people at the community meeting might have left with a better understanding of what is coming but not satisfied, so she requests the appeal to be approved, and the application denied. She said there are two schools in the area and kids walk by every day. Ms. Price said the evolution of the neighborhood was noted, with all properties changing from commercial to residential, except this one. She said this storage facility does not offer a transition at all. She said it was pointed out that this has always been commercial, but it is not the case because she was able to buy a residential property.

Ms. Price said it was mentioned during her presentation that applications submitted before June 5, 2023, could choose to be reviewed under the UDC or Chapter 7. She said the delay for this application process has been years. She said according to the definition of mini warehouse access should be infrequent, but how will that be enforced. She said other facilities operate according to daylight time, unlike this one. She said other facilities have mentioned that people store their boats, small vehicles, barbeque grills or realtor signs, so how can they be sure that access will be infrequent. She said she believes PlanCOS is there to support community involvement, which was totally disregarded during this application. She said even though landscaping exceeds the requirements, it is the placement that is the issue.

Ms. Price said hours of operation were indeed mentioned at the community meeting, creating expectations on the schedule. She said Colorado Springs has more sense of community than other cities and that is why people move here. Ms. Price said it is not only the volume of traffic that is concerning, but the type; 16 to 26 feet might be also coming in. She said the minimal lighting is only offered for eight hours.

Applicant's Rebuttal

Ms. Barlow said community members are right about the traffic pattern because if someone wants to go east, they must go through the neighborhood. She said this facility will bring minimal traffic compared to any other use, and the type of vehicles that will come are already in the neighborhood. She said in residential neighborhoods, usually 3% to 5% are trucks, which are not part of the community either, therefore traffic will not be much different. Ms. Barlow said community members are right about

this site being surrounded by residential areas because that is how the master plan was designed, and while it is not a residential transition, it is a low-key commercial transition. She said mature trees will not be planted but vegetation will meet the minimum height requirement for the different types. She said there will be a solid fence along Rhinestone with additional screening with the trees. She said they did discuss with Traffic Engineering the possibility of accessing from Old Ranch Road instead of Rhinestone, but it is too close to the intersection with Powers, making it not an option.

Ms. Barlow said the landowner of this site is the same owner as the other developments know as the Venezia of Briargate, and they purposely chose this use as the most compatible commercial use with the neighborhood. She said there was a comment about lack of emotionality on her presentation, and that is exactly what she is supposed to do, refer to the criteria, not emotions. She said property values are not part of the criteria, and each property has the right to their value. Ms. Barlow said regarding using the fence of the existing development, if they were to put another fence against it, it will just create maintenance issues, but they do have connecting fences to the rest of the perimeter for security. She said there were comments about this site being used for a park or as open space, however, it was never intended to be for any of those uses. Ms. Barlow said this is private property and as such the owner has rights and expectations to have it as commercial use. She said they are potentially improving the situation for school children by adding a sidewalk.

Commissioners' Questions

Chair Casey asked Todd Frisbie, City Traffic Engineering, representative of Public Works Department, if there is a possibility of extending the road across the median on Old Ranch Road. Mr. Frisbie said that is a possibility.

Chair Casey asked if there is a methodology to look at to implement that. Mr. Frisbie said the number of vehicles that will trigger a left turn lane on that intersection is 25 vehicles at peak hour.

Commissioner Rickett said the intersection with Powers is not very far away. Mr. Frisbie said it is about 650 feet away, however, he does not like unprotected left turns, especially when there is a protected one 500 feet to

the west. He said they did not see the need of the turn since this is a low traffic generation use.

Commissioner Hensler asked if there are similar types of use that do not require a traffic study. Mr. Frisbie said i

Motion by Commissioner Hensler, seconded by Commissioner Sipilovic, to deny the Appeal and affirm the administrative approval of the Development Plan application, based on the provisions of the City Code (UDC), and that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code (UDC) Section 7.5.415.A.2.

The motion passed by a vote of 5-2-0-2.

Aye: 5 - Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic and Commissioner Casey

No: 2 - Commissioner Clements and Commissioner Rickett

Absent: 2 - Chair Slattery and Commissioner Gigiano

9. Presentations

10. Adjourn