



# City of Colorado Springs

Regional Development  
Center (Hearing Room)  
2880 International Circle

## Meeting Minutes - Draft Planning Commission

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Wednesday, May 14, 2025

9:00 AM

2880 International Cir., 2nd Floor, Hearing Room

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### **1. Call to Order and Roll Call**

**Present:** 7 - Vice Chair Foos, Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**Absent:** 2 - Commissioner Rickett and Chair Slattery

### **2. Changes to Agenda/Postponements**

### **3. Communications**

**Andrea Slattery - Planning Commission Chair**

**Kevin Walker - Planning Director**

Kevin Walker, City Planning Director, said that there was a possibility of joint training with City Council on May 20, 2025, however, there are not enough resources, and a formal announcement will be made shortly.

Mr. Walker announced City Council appointed two liaisons to the Planning Commission on May 13, 2025. The liaisons Council Member Dave Donaldson and Council Member Tom Bailey.

### **4. Approval of the Minutes**

**4.A.** [CPC 2566](#) Minutes for the April 9, 2025, Planning Commission Meeting

Presenter:

Andrea Slattery, City Planning Commission Chair

**Attachments:** [CPC Minutes 4.9.25 Draft](#)

### **5. Consent Calendar**

**Motion by Commissioner Hensler, seconded by Commissioner Robbins to approve the Consent Calendar with items 5.A. and 5.B. pulled from the Consent Calendar. The motion passed by a vote of 7-0-2.**

**Aye:** 7 - Vice Chair Foos, Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**Absent:** 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case

### **Tava Mountain Battery Energy Storage Facility**

- 5.A. [PDZZ-25-000](#)  
[1](#) An Ordinance amending the zoning map of the City of Colorado Springs relating to 6.18 acres located at 1133 South Royer Street from GI (General Industrial) to PDZ (Planned Development Zone District; Non-Residential; 180,000 maximum square footage; 80 feet maximum building height) (First Reading to set public hearing date for June 24th, 2025) (Quasi-Judicial)

Related Files:

Located in Council District 3

Presenter:

Allison Stocker, Senior Planner, Planning Department

Kevin Walker, Planning Director, Planning Department

**Attachments:** [Tava Mtn PDZZ & PDZL Ordinance](#)

[Tava Mtn PDZZ & PDZL Staff Report ADS 20250418](#)

[Attachment 1 Land Use Plan](#)

[Attachment 2 Project Statement](#)

[Attachment 3 PublicComments](#)

[Exhibit A Zone Map Amendment Legal Description](#)

[Exhibit B Zone Map Amendment Boundaries](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

[Tava Mtn PDZZ&PDZL Staff Presentation](#)

[Attachment 3A Public Comment](#)

[Attachment 3B Public Comment](#)

[Attachment 3C Comment Recieved at CPC](#)

[Tava Mtn PDZZ&PDZL Staff Presentation](#)

[Tava Mtn PDZZ & PDZL Staff Report ADS 20250602 Revised](#)

Joseph Bransky, member of the public, requested the Tava Mountain Battery Energy Storage Facility to be called off the consent agenda.

Tamara Baxter, Planning Supervisor, presented the application for Tava Mountain Battery Energy Storage consisting of 4.49 acres located at 1133 South Royer Street. The zone change is from General Industrial to Planned Development Zone; non-residential; 180,000 maximum square footage; 80 feet maximum building height. The land is currently used as heavy equipment storage and part of the development is a proposed detention area. Ms. Baxter

said zoning is required to provide community benefits such as landscape and sustainable development practices that will be determined at the time of the development plan. Standard notice was done, and comments were received with concerns about safety issues with the battery storage, additional vehicle and work traffic. City Agency Review was done, Traffic Engineering indicated that the applicant will be responsible for any improvements on El Paso Street. All other comments were addressed. The project is compliant with PlanCOS, and the application meets the review criteria.

#### **Applicant's Presentation**

Chris Beasley, Project Developer for esVolta, said that Tava Mountain Energy Storage provides a 100 megawatts of energy capacity for four hours, that will charge during the day and discharge in peak hours. He said the main reasons they chose this site are Federal tax incentives, the utilization of existing transmission infrastructure, and the parcels being zoned industrial. Mr. Beasley provided a slideshow with maps of the area with existing uses. Mr. Beasley said some of the community benefits coming from this project are 4.6 million dollars in taxes over the 20-year project life cycle, the reinforcement of local energy reliability, and supporting equitable outcomes through cost efficient development. He said that the battery facilities are operated remotely, so there will be minimal traffic for routine maintenance; they only use water for landscape irrigation, and there will be no emissions or discernible noise. Mr. Beasley said that the batteries meet or exceed the National Fire Protection Agency (NFPA) requirements and comply with the standard for installation of stationary energy storage systems. There is 24/7 monitoring, and there will be an emergency response plan and annual responder training.

#### **Public Comment**

Patrick Meade, property owner, spoke in support of the project. Mr. Meade said he has been working with Mr. Beasley for three years and he feels that they are professional. He said this project is a perfect neighbor for daily operations. He spoke to a resident in the area and said he appreciated the low impact the business will have in the area.

Joseph Bransky spoke in opposition to the project, as he lives in the area, and it attracts a lot of people. He described the neighboring properties and facilities, and their occupants. He said that he has done some research that indicates that battery storage facilities are prone to various faults that can lead to fires and explosions, as it happened in Germany and Poland. Other examples are a massive e-bike fire in a storage facility in New York, and plant fires in California

and Montana, due to the thermal runaway, defect in battery chemistry, overheating, poor air conditioning, incorrect design and parameters, and short circuit caused by defects. Mr. Bransky said that even with safety promises, fire or explosions still happened in California, and the areas took a long time to recover.

### **Applicant Rebuttal**

Chris Beasley, Project Developer for esVolta, expressed that the battery systems have come a long way in the last few years, and there is even more opportunity for improvement of the code and equipment until 2028 or 2029 when the project will be built. He explained how the testing for each battery cell is done, and because of the quality, it is very difficult for a battery to go on fire. He said the project will be compliant with the NFPA and safety requirements, will have fire detection technology, equipment spacing, monitoring systems, deflagration panels, fire department staging area, fire suppression water and explosion prevention.

### **Commissioner Questions**

Commissioner Hensler asked what the applicant meant by developing the project with CSU in mind, if there will be a contract with them that they will be utilizing the storage. Mr. Beasley said CSU is currently reworking their IFP to meet the needs of Colorado Springs and expect to publish it in the next couple of months, and the RPF by end of the year. He said that they intend to contract with CSU, however, CSU typically wants to see a project with full permits in hand, and the interconnection transmission studies completed. Mr. Beasley said they plan to have a viable project for CSU in the next six months.

Commissioner Hensler asked if they are trying to rezone and develop the property before the contract because CSU requires the site to be ready, instead of going through this process once the contract has been awarded. Mr. Beasley said that CSU wants to make sure that all the due diligence was done before they sign a contract.

Commissioner Hensler asked about setbacks from the property line, if there is fencing, and what are the risks and mitigations in case of an explosion. Mr. Beasley said the setbacks are 10 feet from the property line, and there will be a six-foot chain-link fence with one-foot barbed wire fence. He said if there are any concerns they could place a block fence eight foot high. Mr. Beasley said he will get more information regarding the impacted area in case of an explosion,

but he does not expect it to happen thanks to the mitigation measures that are in place, especially with the venting.

Commissioner Cecil asked how long the tax incentives would likely provide the benefit of a discounted rate to make the stored energy attractive to CSU. Mr. Beasley said the tax incentives apply once they start spending money on the project, so they hope to start buying equipment and start working before the benefit expires. Commissioner Cecil clarified her question about the time frame in which the benefits they get from the credit depreciate, as Mr. Beasley had mentioned they will have 15- 20% below the normal resell cost. Mr. Beasley said they can easily predict their income and expenses for the next 20 years because their economic model is relatively set and flat, and the utility does not change unless an annual increase is agreed on.

Commissioner Cecil asked where the remote monitoring is located. Mr. Beasley said that it usually takes place in Houston, and it is connected to "The Rock" with fiber and it has near immediate feedback. Commissioner Cecil said these facilities can be targeted for cyberattacks and asked how the mitigation for disruption and what are their backups. Mr. Beasley replied that all similar facilities are regulated by NCERT and follow their requirements to mitigate that risk and is very secure. Mr. Beasley will follow up regarding the backups.

Commissioner Cecil asked about phosphate emissions. Mr. Beasley said they are not emissions, but the older batteries chemistry was lithium-ion cobalt, which is a higher energy density and better performance, but more liable to go into thermal runaway and catch on fire. Mr. Beasley said the new standard is lithium-ion phosphate for battery cells for standalone storage, which are less efficient and take up more space but has a higher resistance to go into thermal runaway and mitigate the risk of fires.

Commissioner Cecil asked if there were any concerns about the rail uses directly adjacent to the site. Mr. Beasley said the site is located on a hill and separated by the automotive scrap yard with natural barriers around.

Commissioner Cecil asked how the batteries are disposed. Mr. Beasley said it depends on the manufacturer and rules are constantly changing. He said their provider is Sungrow, a Chinese company. He said commissioned batteries will go back to Sungrow and they can reuse what they can in the future and dispose of the rest. Commissioner Cecil asked where Sungrow is located. Mr. Beasley

said they are a Chinese company. He said Colorado passed a law requiring battery sellers to figure out a way to recycle. Mr. Beasley said that they would not be recycling their batteries for 25 years.

Commissioner Cecil said according to the Battery Energy Storage System Failure Incident Database, incidents ranging from 2016-2024 showing a decrease than an increase in 2024.. Mr. Beasley said he could not give a direct commentary as he has not personally seen these numbers, but some incidents have occurred with legacy systems with different battery chemistries.

Commissioner Cecil asked why Colorado Springs Utilities chose to develop on a new site, instead of the almost 40 acres site they just cleared. Mr. Beasley said he cannot speak for Colorado Springs Utilities, but in the past, they have offered that acreage for battery storage in previous RFPs that never went forward. He said oftentimes these utilities are looking for additional resources to add to their network, but it is a lot of work and risk, and they prefer to split 50-50 with third parties.

Commissioner Casey asked if the use was not permitted in the current GI zone. Ms. Baxter said this type of use is a major public facility which is only allowed in PF, and since the project will not start until 2029, they will continue to use it as heavy storage. She said by doing the PDZ they will follow GI dimensional standards and uses, so that battery storage or that major public facility, would be allowed in the PDZ zone district.

Commissioner Robbins asked if the income from this is paid by City utilities or are they expecting to get paid back through utilities overtime. Mr. Beasley said they would sign a contract with Colorado Spring Utilities for a set monthly amount for the expenditures and operational part so CSU can provide the power. Commissioner Robbins asked if they are looking at other locations. Mr. Beasley said he personally is not and Colorado Spring Utilities contracted with NextEra, which is currently under construction, and there is another project near the airport.

Commissioner Robbins asked if they were planning to build anything other than battery storage. Mr. Beasley said that it will be the battery storage which looks like large shipping containers.

Commissioner Hensler said having the technical information has been helpful and said the use is compatible.

Mr. Walker asked Commissioner Cecil to make comments to the no vote for Council. Commissioner Cecil said some of the responses to the questions she asked were disheartening and has an overarching concern with the placement. Commissioner Cecil said after seeing what happened at Moss Landing and not knowing the health effects on the 1500 residents from the evacuation, or whether they can safely grow and store food. Commissioner Cecil said she does not feel that it is worth it for the location to intensify the use in a potentially catastrophic way, while there is still capacity in terms of space for locating this away from residents.

**Motioned by Commissioner Hensler and seconded by Commissioner Caey to recommend approval to City Council the zone change of 4.49 acres from GI (General Industrial) to PDZ (Planned Development Zone; non-residential; 180,000 maximum square footage; 80 feet maximum building height) based upon the findings that the request complies with the criteria for a Zoning Map Amendment as set forth in City Code Section 7.5.704.**

**The motioned passed on a vote of 6-1-2.**

**Aye:** 6 - Vice Chair Foos, Commissioner Hensler, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**No:** 1 - Commissioner Cecil

**Absent:** 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case

- 5.B.** [PDZL-25-000](#) Establishment of the Tava Mountain Energy Storage Facility Planned Development Land Use Plan consisting of 4.49 acres located at 1133 South Royer Street. (Quasi-judicial)

Presenter:

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

Located in Council District No. 3  
Body

**Attachments:** [7.5.514 LAND USE PLAN](#)

**Motion by Commissioner Hensler, seconded by Commissioner Casey, to recommend approval to City Council the Tava Mountain Battery Energy Storage Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514.**

**The motion passed by a vote of 6-1-2.**

**Aye:** 6 - Vice Chair Foos, Commissioner Hensler, Commissioner Robbins,  
Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**No:** 1 - Commissioner Cecil

**Absent:** 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case

### **Hobby Farms - Conditional Use**

- 5.C.** [CUDP-25-0007](#) A Conditional Use to allow Retail Marijuana Cultivation in the BP (Business Park) zone district consisting of 1.58 acres located at 817 Wooten Road (Quasi-Judicial)

Presenter:

Allison Stocker, Senior Planner, Planning Department

Kevin Walker, Planning Director, Planning Department

Located in Council District No. 5

**Attachments:** [CUDP-25-0007 Staff Report Final](#)  
[Attachment 1A Signed Ordinance No. 25-10](#)  
[Attachment 1B Signed Ordinance 10-107](#)  
[Attachment 2 Project Statement](#)  
[Attachment 3 Land Use Statement](#)  
[CUDP-25-0007 Presentation ADS](#)  
[7.5.601 CONDITIONAL USE](#)

### **Retail Marijuana Cultivation - Conditional Use**

- 5.D.** [CUDP-25-0008](#) A Conditional Use to allow a retail marijuana cultivation facility use in the Mixed-Use Large Scale (MX-L) zone district consisting of 0.26 acres located at 2211 East Boulder Street (Quasi-Judicial)

Presenter:

Allison Stocker, Senior Planner, Planning Department

Located in Council District 4



**Attachments:** [CUDP-25-0008 Staff Report Final](#)  
[Attachment 1A Signed Ordinance No. 25-10](#)  
[Attachment 1B Signed Ordinance 10-107](#)  
[Attachment 2 - Approved Development Plan](#)  
[Attachment 3 Public Comments](#)  
[Attachment 4 Land Use Statement](#)  
[Attachment 5 Project Statement](#)  
[CUDP-25-0008 Presentation ADS](#)  
[7.5.601 CONDITIONAL USE](#)

### **Revolution Church Child Care Center**

- 5.E. [UVAR-25-0002](#) A Use Variance to allow the establishment of a Child Day Care Center, Large use in the R-E (Single-Family Estate) zone district consisting of 4.83 acres located at 2380 Montebello Drive West. (Quasi-Judicial)

Related Files: N/A  
Located in Council District 1

Presenter:  
Molly O'Brien, Planner II, Planning Department  
Kevin Walker, Director, Planning Department

**Attachments:** [Staff Report](#)  
[Attachment 1 - Project Statement](#)  
[Attachment 2 - Site Plan](#)  
[Attachment 3 - Public Comment](#)  
[7.5.527 USE VARIANCE](#)  
[Staff Presentation - Revolution Church Childcare Use Variance](#)  
[Applicant Presentation Revolution Church Childcare Use Variance](#)

### **6110 Pemberton Way - Deck Replacement**

- 5.F. [NVAR-25-0001](#) A nonuse variance to allow a 15-foot rear yard building setback where a 25-foot rear yard building setback is required per the Pinon Valley PDZ (Planned Development Zone) development plan located at 6110 Pemberton Way.

Presenter:  
Drew Foxx, Planner II, Planning Department

Located in Council District 1

**Attachments:** [Staff Report](#)

[Attachment #1 Project Statement](#)

[Attachment #2 Site Plan](#)

[7.5.526 NON-USE VARIANCE](#)

## **6. Items Called Off Consent Calendar**

## **7. Unfinished Business**

## **8. New Business**

### **Lot 1 Satellite Square Filing No. 2A - Conditional Use**

- 8.A. [CUDP-25-0003](#) A Conditional Use to allow a self-storage facility in the MX-M/SS-O/AP-O (Mixed-Use Medium Scale with Streamside and Airport Overlays) consisting of approximately 3.34 acres located northwest of South Academy Boulevard and Airport Road. (Quasi-Judicial)

Presenter:

Allison Stocker, Senior Planner, Planning Department

Council District 4

**Attachments:** [CUDP-25-0003 Staff Report 20250428 V2](#)

[Attachment 1 - Public Comment & Comment Response](#)

[Attachment 2 - Land Use Statement](#)

[Attachment 3 - Project Statement](#)

[Attachment 4 - In Progress Development Plan Modification](#)

[7.5.601 CONDITIONAL USE](#)

[7.2.603 SS-O STREAMSIDE OVERLAY](#)

**Motion by Commissioner Sipilovic, seconded by Commissioner Robbins, to postpone item as read to the June 11th Planning Commission Meeting. The motion passed by a vote of 7-0-2.**

**Aye:** 7 - Vice Chair Foos, Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**Absent:** 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case

### **Public Art Ordinance**

- 8.B. [25-187](#) An Ordinance amending Chapter 7 (Unified Development Code

(UDC)) of the Code of the City of Colorado Springs 2001, as amended, pertaining to public art.  
(Legislative)

Located in All Council District

Presenter:

Daniel Sexton, DRE Planning Manager, Planning Department  
Michael Montgomery, Deputy City Council Administrator  
Kevin Walker, Planning Director, Planning Department

**Attachments:** [Staff Report Public Art Ordinance](#)

[Attachment 1 - UDC-PAC-Amendment-2025-05-05](#)

[Attachment 2 - Public Art Commission Meeting Minutes](#)

[Attachment 3 - Ordinance #25-138](#)

[Staff Presentation Public Art Ordinance](#)

Daniel Sexton, Planning Manager, presented the Public Art Ordinance. Mr. Sexton said last year there was a request from City Council to move the Public Art Commission away from a City Council appointed body and nest it underneath the office of the Mayor, therefore an Ordinance was adopted to dissolve PublIt Art Commission.

Mr. Sexton mentioned some changes to the code were striking sections that reference the Public Art Commission and the Master Plan, as the last one had criteria standards; still allowing some flexibility for developers for their entitlement package. A set of new criteria has been proposed to be considered by the advisory capacity of Planning Commission and for final action by the City Council. These changes include material review, safe installation and visibility by the public.

Mr. Sexton said that staff will have the text ready for City Council review if the Commission recommends approval and the change will take immediate implementation after approval by the Council. The Ordinance is compliant with the approval criteria.

### **Commissioner Questions**

Commissioner Casey said that this is not City commissioned art, but developers that add art. Mr. Sexton said yes. Commissioner Casey asked if applicants have to get materials engineering study or how would staff access the 10-year period. Mr. Sexton said this was an addition that was included as a

request from the City Attorney's office. Mr. Sexton said that they are looking for an installation that will not degrade as fast and that is acceptable as an offset. Caitlin Moldenhauer, City Attorney said they would except a reasonable explanation that the materials being used would last 10 years. Commissioner Casey asked if a developer has art on their property, do they need permission for it to be public art. Mr. Sexton said it does not need to be approved and provided an example of the Humpty Dumpty art

.

Commissioner Hensler said this is being taken out of Council and putting it back into a departmental structure. Mr. Sexton that has already occurred.

Commissioner Cecil asked Mr. Sexton to explain the different public art on private property versus public art on public property and how the ordinance would affect it. Mr. Sexton said this would not have a role on the downtown art installations or other on public property that the City owns and manages. The proposed change has the works of art that were purchased and maintained by the developer and would be considered as an offset to a deviation to a standard that is otherwise required by the code. Commissioner Cecil asked if the installations on public property were reviewed by the committee prior to the dissolution of the public art commission. Michael Montgomery, Deputy City Council Administrator said the public art commission was only reviewing was donations to the City's collection. Commissioner Cecil said the ordinance has to go because there is no longer a commission, however when it comes to issues speech in times of tense times, having an open, transparent public process to ensure the integrity of the space and the rights of expression that would conform with PlanCOS making it a unique, vibrant community is critical. Commissioner Cecil said when it comes to how we communicate culture and values with one another, it would be wise to consider a public input process, rather than make it administrative. Mr. Montgomery said there is a public process in the ordinance as it goes to the Planning Commission and City Council. Commissioner Cecil said about art in the public right of way. Mr. Montgomery said the Mayor's office is looking at forming a Mayoral committee to meet that requirement.

Commissioner Casey said the highlighted changes shows the removal of public art and changed it to artwork, but kept public art in paragraph A and C, and it would be clearer if those were changed to artwork. Trevor Gloss, City Attorney office said they made the change as public art is a defined term in the UDC.

### **Public Comment**

None

**Motion by Commissioner Casey, seconded by Commissioner Sipilovic, to recommend approval to City Council the adoption of an Ordinance amending Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, as related to public art.**

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

**Aye:** 7 - Vice Chair Foos, Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

**Absent:** 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case

## **9. Presentations**

## **10. Adjourn**