

4880 AIRPORT ROAD APPEAL

City Council March 24, 2026

Staff Report by Case Planner: Chris Sullivan, Senior Planner



Quick Facts	Project Summary
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Applicant
NES, Inc.

Property Owner
AMC Properties, LLC

Developer / Appellant
AMC Properties, LLC

Address / Location
4880 Airport Road

TSN(s)
6413300012

Zoning and Overlays
Current: R1-6/AP-O
Proposed: R-5/AP-O

Site Area
2.17-acres

Proposed Land Use
Future - Multi-Family Residential

Applicable Code
UDC

Council District
District 4

An Appeal of the City Planning Commission decision that denied the Zone Map Amendment application consisting of 2.17 acres located at 4880 Airport Road from R1-6/AP-O (Single Family – Medium with Airport Overlay) to R-5/AP-O (Multi-Family – High with Airport Overlay).

File Number	Application Type	Decision Type
APPL-25-0003	Appeal	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Municipal Airport Addition	07/01/1964
Subdivision	Not Platted	N/A
Master Plan	No Master Plan	N/A
Prior Enforcement Action	Not Applicable	N/A

Applicable Code

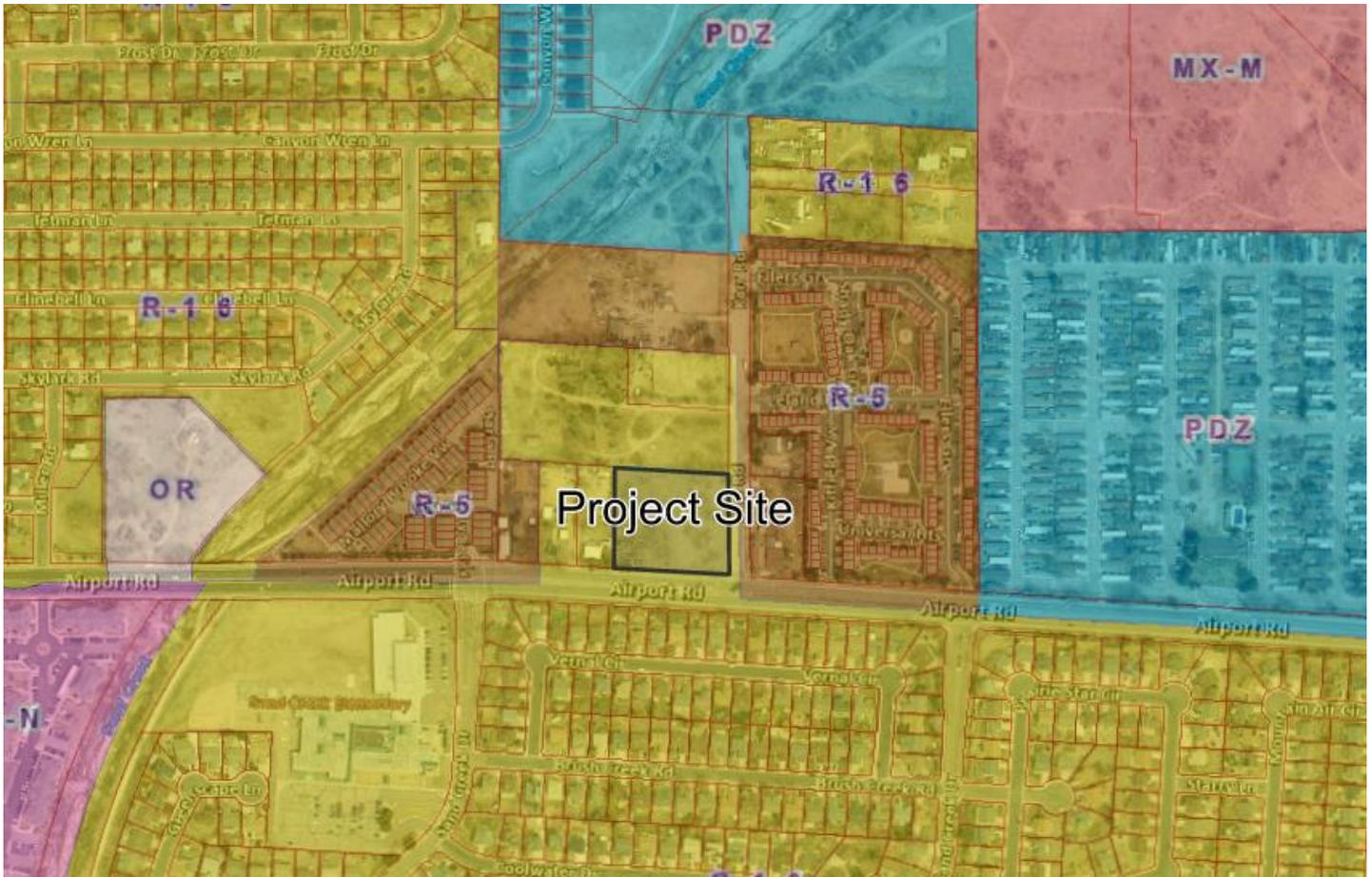
The subject application was submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the subject application is to be reviewed under the Unified Development Code. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	R1-6/R-5/AP-O	Single-Family Res.	Enterprise Zone
West	R1-6/R-5/AP-O	Single Family Res/Commercial/Multi-Family	Enterprise Zone
South	R1-6/AP-O	Single Family Res.	N/A
East	R-5/AP-O	Religious Institution/Single Family/Multi-Family	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	5 (Initial Review, CPC Public Hearing, CC Hearing, Reconsideration at CPC, Appeal)
Postcard Mailing Radius	1000-Feet
Number of Postcards Mailed	377
Number of Comments Received	6

Public Engagement

During the initial application review public notices were issued to property owners within 1,000 feet of the site. Six comments were received at that time. Three stakeholders expressed opposition to the project due to the potential intensity of the use, the traffic impact to Karr Rd, and quality of life. The remaining comments requested general information.

Timeline of Review

Initial Submittal Date	09/17/2024
Number of Review Cycles	6
Item(s) Ready for Agenda	10/17/2025
City Planning Commission	11/12/2025
City Council 1 st Reading	12/09/2025
City Council 2 nd Reading	01/13/2026 (Application Withdrawn from CC agenda)
City Planning Commission	02/11/2026 (Reconsideration)
Appeal Submittal	02/19/2026
City Council Appeal Hearing	03/24/2026

Agency Review

Traffic Impact Study

No comments received.

School District

No comments received.

Parks

The Park Land Dedication Ordinance will be applicable for any residential development proposed, to be evaluated with the future development plan. The School Site Dedication Ordinance is also applicable to any residential development, though the presiding School District should make separate comments. Citywide Development Impact (Police & Fire) Fees will be applicable to any future residential or commercial development, to be evaluated with the future development plan.

SWENT

No comments received.

Colorado Springs Utilities

CSU has no comments on the proposed zone change application. Comments will be provided at time of the required Preliminary Utility and Public Facility Plan submittal associated with the development plan entitlement.

Airport

Airport staff recommends no objections with the following conditions: (1) Avigation Easement: An avigation easement is required or provided proof of previous recording (book/page or reception number). An avigation note must be added to the plat. (2) FAA Form 7460-1: If use of equipment (permanent or temporary) exceeds 150 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities.

Public Works

Request Condition of Record/Approval requiring the applicant to dedicate Airport Road right-of-way to the City by Plat or Deed to the City.

Summary of Application

The project site is 2.17 acres located northwest of Airport Road and Karr Road intersection. This site is vacant with no established land use. Current zoning is R1-6 (Single-Family – Medium), which is intended for single-family land use on at least a 6,000 square-foot lot. The request is to be rezoned to R-5 (Multi-Family High), which allows residential land uses up to 25 dwelling units per acre. This site is surrounded by Single-Family Residential and Religious Institution in the R1-6 (North, East and South) or R-5 (West) zone districts. However, there is multi-family use near this site to the east and west. The developer intends to establish multi-family residential use in the future. Planning Staff accepted a Land Use Statement in Lieu of a Land Use Plan. Please refer to Attachment 1 – Project Statement and Attachment 2 – Land Use Statement for more details.

The original consideration of this item occurred on November 11, 2025, with a decision to recommend denial (Aye: 3- Chair Casey, Commissioner Clements and Commissioner Engel. Against: Vice Chair Hensler and Commissioner Case. Absent: 6 – Commissioner Cecil, Commissioner Slattery, Commissioner Robbins, Commissioner Sipilovic, Commissioner Gigiano, and Commissioner Willoughby) of the request based upon the findings that there will be negative impact on the surrounding properties, unknown traffic on Karr Rd, and the uses potential intensity is not compatible with the surrounding properties. Chair Casey noted that the application doesn't meet criteria number 4.

This item was set to move forward to City Council 2nd Reading / Public Hearing on January 13th; however, based on information provided from the City Attorney's office, and new considerations by the applicant, City Council elected to pull the application from the agenda. This action was not a final decision on the project, so the application is still active. City Planning has processed the application for reconsideration by City Planning Commission, which was reviewed at the February 11, 2026 meeting. The new information provided included an updated project statement and a concept of what future development on the site could look like (Attachment 1 – Project Statement). Based on concept provided, the applicant intends to construct a 50-unit 3 story multi-family residential building. Onsite detention is shown as required due to disturbance of more than 1 acre. Off-street parking is provided and outdoor amenity space is also provided. One access point is provided onto Karr Rd. Landscape buffers and area are shown surrounding the primary structure.

City Planning Commission reviewed the reconsideration for this Zone Map Amendment on February 11, 2026, at the regularly scheduled formal meeting. Presentations, public hearing and deliberation occurred with a final decision of 6-3-0 to deny the application. The decision was based on the inability to meet the review criteria as set forth in City Code Section 7.5.704 (Zone Map Amendment). Commissioners noted the following items during deliberations:

1. Concerns about limited access and pedestrian/vehicular safety with a single access point leading to the intersection of Karr Rd and Airport Rd.
2. Allowable intensity of 25 dwelling units per acre potential within the R-5 (Multi-Family – High) Zone District as being too intense for this area.
3. Incompatibility based upon the provided description and design with surrounding residential uses and building types.
4. Negative impact on quality of life for existing residents within this area.

Application Review Criteria

UDC Code Section 7.5.704.D

Approval Criteria: An application for an amendment to the zoning map shall be subject to the following criteria for approval:

1. The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).
The proposed rezone is consistent with the goals and policies of the Colorado Springs Comprehensive Plan and is not located within an established Master Plan boundary. Please see the PlanCOS section of the report.
2. The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.

The proposed rezone will not be detrimental to the public interest, health, safety, convenience, or general welfare. Given the site's location to a major roadway, proximity to high intense uses/zone districts, the site is well positioned for more density. This site can support the proposed multi-family residential use while promoting public interest, health/safety and welfare.

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

Per the applicant's projects statement, City Code section 7.2.207.A states, "The R-5 zone district accommodates attached and detached single-family, two-family, and multi-family dwelling structures at the highest density permitted in the City's standard residential districts (non-R-Flex)." The surrounding area is already developed with single-family, multi-family, and mobile home park uses. The proposed rezone to R-5 is consistent with the development pattern in the area. The R-5 zone district will limit development potential for the site to a maximum of 50 units. The R-1 6 zone district could potentially allow up to 15 dwelling units per acre based only on lot size, but it would likely be less due to constraints related to providing access to each individual lot. The site will comply with all UDC standards including landscape buffering requirements. Due to existing single-family residential uses to the north and west, a landscape buffer and opaque screening fence will be required for future multi-family residential land uses along these property lines.

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

The application proposes a straight rezoning to R-5, which allows all types of residential use. Future development entitlements will need to demonstrate compatibility with design and compliance with dimensional standards as defined within the R-5 zone district.

5. If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.

The site is 2.02 acres (relatively small) and does not have an established land use. This proposal will not dislocate occupants or tenants.

6. If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514C.3 (Land Use Plan Criteria).

The Land Use Plan was waived, and a Land Use Statement was accepted as requested by the applicant.

7. The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.

There are no Concept Plans applicable to this Zoning Map Amendment application. However, a Land Use Statement is included.

8. If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section [7.2.607D.47.5.702](#) (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

The application does not create an ADS-O district.

9. If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or governmental regulations.

This application does not establish a PDZ district.

10. Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)). (Ord. 23-03)

The applicant is not requesting or anticipating any variance from the standards of the R-5/AP-O zone districts.

After evaluation of the Zoning Map Amendment for 4880 Airport Road, the application meets the review criteria. However, public works is requesting a condition be added to the approval that requires land dedication to airport road public right-of-way to match the right-of-way width of the surrounding area. This will be accomplished either by plat or be deed to the city. The applicant has been notified of the proposed condition and has no issues.

Appeal

Summary of Appeal

February 19, 2026, the Appellant filed an appeal of the City Planning Commission decision. This appeal request was received within the 10-day appeal window in accordance with UDC Section 7.5.415.A.4 (see Attachment 5 – Appeal Application).

Per City Code Section (UDC) 7.5.415.A (Appeals), an affected party aggrieved by a decision on an application may appeal this decision. The review criteria for a decision on an appeal is set forth in City Code Section (UDC) 7.5.415.A.2, as follows (following directly pulled from UDC):

2. *Notice of Appeal*

a. *The notice of appeal shall state:*

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

b. *A recommendation to City Council to approve an application shall not be the basis for an appeal.*

c. *As a preliminary matter, the body hearing the appeal may choose to vote on the sufficiency of the appeal to determine if the appeal has met the requirements of this Subsection. Upon a finding of insufficiency by a majority of the body hearing the appeal, the appeal shall be rejected, and no hearing held.*

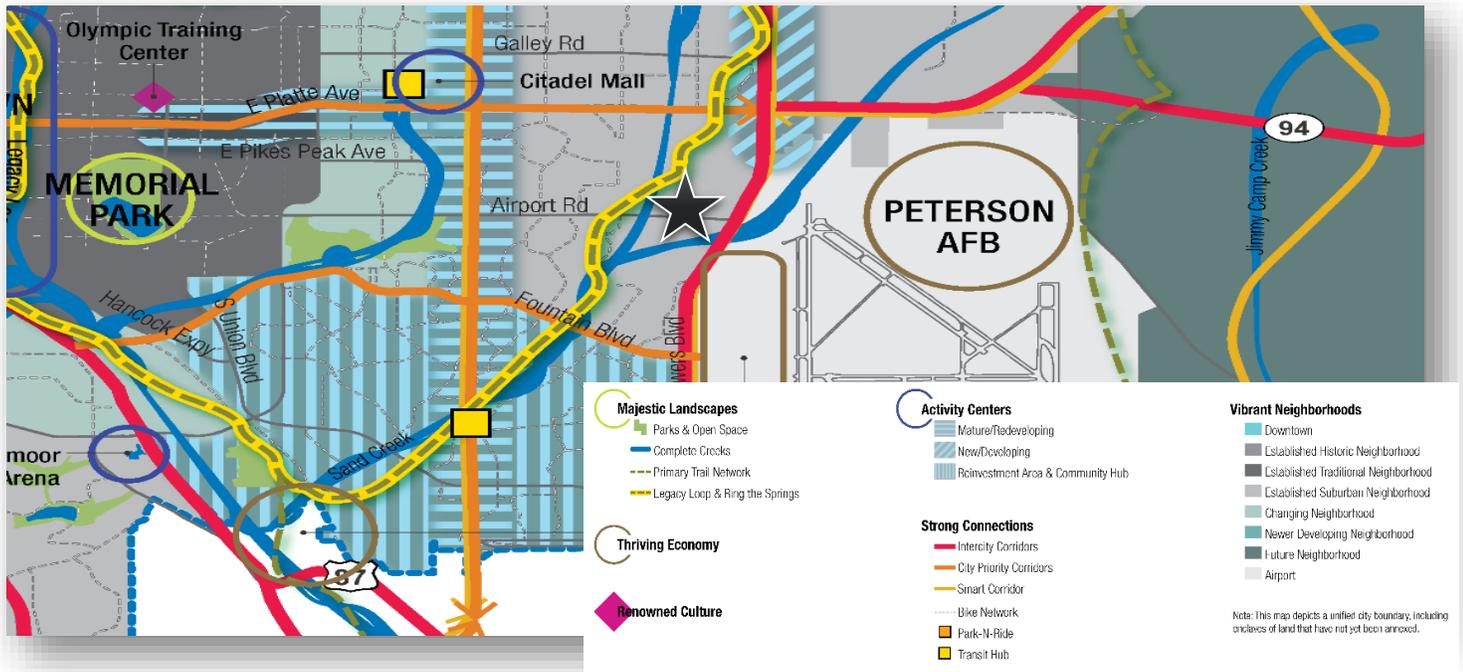
In the appeal statement, the appellant argues that the Commission made an erroneous decision that was contrary to the expressed language of the UDC, specifically the applications of criteria 1-4 of the Zone Map Amendment review criteria. (Please review Attachment 5 – Appeal Application for more details).

Compliance with Relevant Guiding Plans and Overlays

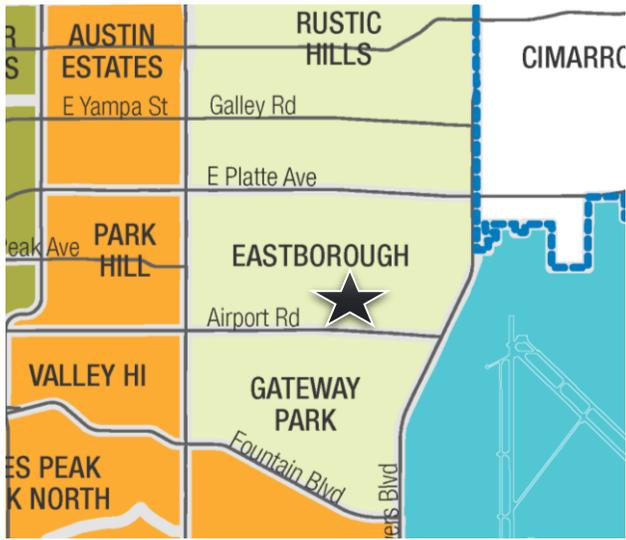
This site is not subject to any guiding plans (except PlanCOS) and is subject to the Airport Overlay. Future applications (i.e. Development Plan and Final Plat) will be reviewed by the Airport for compliance.

Compliance with PlanCOS

PlanCOS Vision



Per the PlanCOS Vision Map, 4880 Airport Road (project site) is located within the Established Suburban Neighborhood typology in the Vibrant Neighborhoods Framework. Areas within this typology contain predominantly built-out neighborhoods that have been established for several decades. Generally, not a lot of new development occurs except as infill projects or by redevelopment. Infill and redevelopment projects should prioritize compatibility with the surrounding area and safe connectivity.



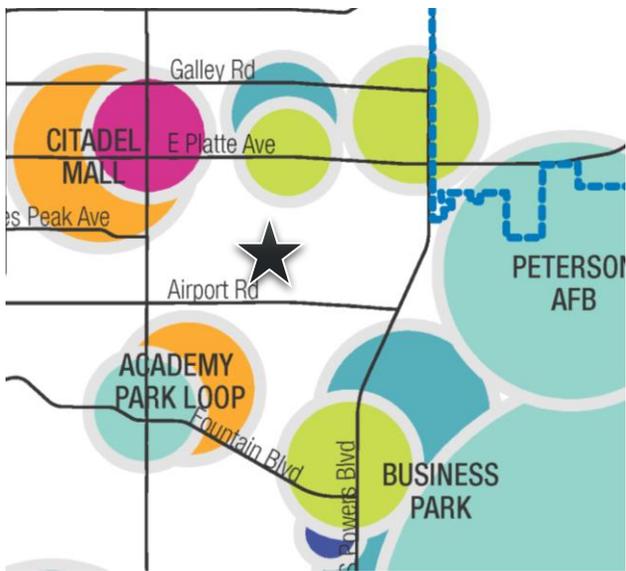
Predominant Typology

- Downtown
- Newer Developing Neighborhood
- Changing Neighborhood
- Established Traditional Neighborhood
- Established Suburban Neighborhood
- Airport
- Established Historic Neighborhood
- Future Neighborhood

Vibrant Neighborhoods

Goal VN-2: Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs

Strategy VN-2. A-3: Support land use decisions and projects that provide a variety of housing types and sizes, serving a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels.



Predominant Typology

- Cornerstone Institutions
- Spinoffs and Startups
- The Experience Economy
- Life and Style
- Industry Icons
- Critical Support
- City Boundary
- Interstate 25
- Major Roads

Thriving Economy

Strategy TE-1.C-3: Ensure an adequate supply of attainable housing for the workforce across all industries, and that it is conveniently located near hubs of employment and/or public transportation

Strategy TE-1.C-5: Provide for convenient access to quality goods and services that support major employment areas, through a combination of proactive and responsive planning, zoning, and development approval actions

Optional Motions

APPL-26-0002 – 4880 Airport Road Appeal

Optional Motions:

1. Affirm the decision of the Planning Commission and deny the appeal;
2. Reverse the decision of the Planning Commission and approve the appeal;
3. Modify the decision of the Planning Commission and approve the appeal; or
4. Remand the matter back to the Planning Commission for further consideration.

Should the City Council wish to reverse the Planning Commission decision for the Zone Map Amendment application, the following motion is suggested:

Approve the Appeal and reverse the City Planning Commission decision on the Zone Map Amendment application for 4880 Airport Road based upon the finding that the appellant met the appeal criteria found in City code Section 7.5.415, and that application does comply with the review criteria for granting the Zone Map Amendment set for in City Code Section 7.5.704 with the condition of approval:

- a. The owner/developer must dedicate approximately 20-ft of property to Airport Road Right-of-Way by Plat or Deed to the City based on Traffic Engineering requirements.

Should the City Council wish to affirm the City Planning Commission decision on the Zone Map Amendment application, the following motion is suggested.

Deny the Appeal and affirm the City Planning Commission decision on the Zone Map Amendment for 4880 Airport Road, based upon the finding that the review criteria for deciding the application are not met, as decided by the Planning Commission, and that the appellant failed to show the need for reversal or modification of the decision per the criteria in City Code Section 7.5.415.

Should the City Council wish to modify the appeal application, the following motion is suggested.

Approve the Appeal and modify the Planning Commission decision on the Zone Map Amendment for 4880 Airport Road, based upon the finding that the review criteria for deciding on a Zone Map Amendment set forth in City Code (Chapter 7) Section 7.5.704 have been met, with revisions to the Zone Map Amendment *[as determined by City Council]*.

Should the City Council wish to remand the Zone Map Amendment application, the following motion is suggested.

Remand the matter to the City Planning Commission for further consideration of the Zone Map Amendment for 4880 Airport Road based on the applicable review criteria for deciding on a Zone Map Amendment as set forth in City Code Section 7.5.704 with the considerations and discussion given by this City Council.