



COLORADO SPRINGS TEMPLE APPEAL

Planning Commission December 10, 2025

Staff Report by Case Planner: Tamara Baxter



Quick Facts

Applicant (Appellant)

Jennifer Kuhn

Property Owner

Corporation of the Presiding
Bishop of the Church of Jesus
Christ of Latter-Day Saints

Address / Location

2396 Vento Way

TSNs

6209303001, 6209303002,
6209303003

Zoning and Overlays

Current: MX-N/AF-O (Mixed-Use
Neighborhood Scale with United
States Air Force Academy
Overlay)

Site Area

18.61 acres

Proposed Land Use

Religious Institution

Applicable Code

UDC

Council District

2

Project Summary

An Appeal of an administratively approved development plat for the Colorado Springs Temple project located in the southwest corner of Flying Horse Ranch Road and Barossa consisting of 18.61 acres and zoned MX-N/AF-O (Mixed-Use Neighborhood Scale with United States Air Force Academy Overlay).

File Number	Application Type	Decision Type
APPL-25-0008	Appeal of Administrative Decision	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Flying Horse Ranch Addition (Ordinance 03-181)	October 14, 2003
Subdivision	Flying Horse No. 24, Filing No. 1	February 13, 2012
Master Plan	Flying Horse Master Plan	Date

Site History

The subject property consists of 18.61 acres bounded by Flying Horse Club Drive to the north, Barossa Valley Road and Veneto Way to the east and south, and future Powers Boulevard to the west. The property is vacant. Below is a summary of entitlements history for this area and subject property.

- City Council approved the Flying Horse Master Plan on October 28, 2003. The subject property lay within “Office” and “Residential (10 du/ac)” land use types within the master plan.
- In 2012, a portion of the subject site (6.1 acres) was rezoned from PUD (Planned Unit Development) to OC (Office Complex) in accordance with Ordinance 12-2. The remainder of the subject property had previously been zoned to OC (Office Complex) from A (Agricultural) in 2008 (Ordinance 08-111). The OC (Office Complex) zone district under previous Chapter 7, allowed religious institutions as a permitted use.
 - Along with the rezoning, the Flying Horse Master Plan was amended to designate the 18.61 acres to ‘Public/Institutional (Religious Institution)’.
 - A Concept Plan was also approved for the subject property which conceptually illustrated the proposed Religious Institution Campus consisting of a worship area, meeting space and detached accessory structures.

Applicable Code

The subject application was submitted after the implementation date (06/05/2023) of the ReTool project. 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	PDZ/AF-O (Planned Development Zone District with United States Air Force Academy Overlay)	Two-Family Dwelling (Duplex)	NA
West	A/AF-O (Agricultural with United States Air Force Academy Overlay)	Powers Boulevard Corridor Alignment	NA

Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Internal Review / Neighborhood Meeting (x2) / City Planning Commission
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	351
Number of Comments Received	Approximately 82 emailed comments

Public Engagement

There were two neighborhood meetings conducted for this project at two locations. The initial meeting was held at The Church of Jesus Christ of Latter-day Saints meeting house on Lexington Drive on May 15, 2025. The second meeting was held at Discovery Canyon Campus on August 21, 2025. Meeting notes from both neighborhood meetings have been provided (refer to Attachment 1 – Neighborhood Meetings Notes).

Staff received public comments throughout the process of the development plan application. Approximately 82 emailed comments were received. Twenty-seven (27) of the comments were in opposition and fifty-five (55) comments received were in favor of the project (refer to Attachment 2 – Public Comments). The comments received in opposition identified concerns related to traffic, lighting, height of the steeple, landscaping, and compatibility. The applicant provided a response to public comments (refer to Attachment 3 – Applicant Responses to Public Comments).

Timeline of Review

Initial Submittal Date	The initial submittal of the development plan for this project was made on May 7, 2025 (City File #DEPN-25-0056)
Administrative Decision	The Development Plan was approved on November 6, 2025
Number of Review Cycles	Four
Item(s) Ready for Agenda	A complete Appeal application was received on November 10, 2025, and the Appeal was scheduled for Planning Commission per UDC Section 7.5.415

Agency Review

Traffic Engineering

Both City Traffic Engineering and Colorado Department of Transportation (CDOT) review the development plan application. A Traffic Impact Study was required and submitted. All comments were addressed by both City Traffic Engineering and CDOT.

Colorado Springs Fire Department (CSFD)

CSFD reviewed the development plan application and all comments were addressed.

PLDO/SCHOOL/CDI FEES

Neither Parkland Dedication fees or School Impacts fees are required for this project. Citywide Development Impact (CDI) fees for police and fire will be required at the time of building permit.

Stormwater Enterprise (SWENT)

SWENT reviewed a final drainage report (FDR) with this application and all comments were addressed during the review of the development plan for this project.

Colorado Springs Utilities (CSU)

CSU reviewed this application. All CSU comments were addressed during the review of this project.

Landscape Reviewer

The City Planning Landscape reviewer determined the proposed landscaping meets the requirements of the UDC and all landscape comments were addressed during the review of this project.

Development Plan

Summary of Application

The development plan for this project was reviewed under the UDC. After evaluation of the development plan by City Planning staff and review agencies, Staff determined that the application met the review criteria and administratively approved the development plan (Attachment 4 – Approved Development Plan and Attachment 5 – Development Plan Project Statement) on November 6, 2025 (DEPN-25-0056).

Application Review Criteria

UDC Section 7.5.515: Development Plan

In accordance with Chapter 7, Section 7.5.515.D, *“the decision-making body shall review the Development Plan application or amendment and approve, approve with conditions, or deny the application based on the following criteria:”*

- a. *The decision-making criteria in Section 7.5.409 (General Criteria for Approval) apply unless modified by this Subsection 4;*

The General Criteria for Approval have been met for the proposed project. These general criteria include compliance with the UDC, compliance with other applicable regulations, compliance with engineering standards and utilities and compliance with prior approval. Further analysis is provided below.

- b. *The application complies with all applicable Use-specific standards in Part 7.3.3 related to the proposed use(s);*

The property is zoned MX-N (Mixed-Use Neighborhood Scale). In accordance with the allowed use table, the 'Religious Institution' use is a permitted use type in the MX-N zone district. Use specific standards identified in UDC Section 7.3.302.B.2, indicates that *“all principal and accessory building shall be set back at least fifty (50) feet from the property boundary.”* The development plan illustrates that the project complies with this use-specific standard related to setback.

- c. *The details of the site design, building location, orientation, and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings, and uses, including not-yet-developed uses identified in approved Development Plans;*

The site is irregular shape. The details of the site design, building location, orientation, and exterior building materials are compatible with the surrounding neighborhood. Landscaped areas have been added around the perimeter of the site and the building groupings to provide additional buffering from adjacent properties. The site is surrounded by right-of-way on all sides of the property: Flying Horse Club Drive along the north, Barossa Valley Road and Veneto Way along the east and south, and future Powers Boulevard along the west.

- d. *Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable;*

The project includes measures to mitigate off-site impacts. An on-site detention facility is located on-site. The Final Drainage Report (FDR) has been approved by Stormwater Enterprise. The Traffic Impact Study provided with the project and reviewed by City Traffic Engineering and Colorado Department of Transportation (CDOT) identified that

the northbound left turn lane and southbound right turn lane at the State Highway 83 and Flying Horse Club Drive requires improvements which shall be addressed prior to traffic generated by this proposed project.

- e. *The Development Plan substantially complies with any City-adopted plans that are applicable to the site, such as Land Use Plans, approved master plans for a specific development, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals;*

The proposed 'religious institution' use type is identified on the Flying Horse Master Plan and is a permitted use in the MX-N (Mixed-Use Neighborhood Scale) zone district. The development plan substantially complies with City-adopted plans applicable to the site which include but are not limited to the City Landscape Manual, Stormwater Manual, Fire Code, Engineering Criteria Manual and Traffic Criteria Manual. All review agencies that administer these documents were part of the review of this project's development plan and supplemental reports.

- f. *The project meets dimensional standards applicable to the zone district, or any applicable requirement in an FBZ or PDZ district;*

The approved project meets the dimensional standard applicable to the MX-N (Mixed-Use Neighborhood Scale) zone district.

- g. *The project grading, drainage, flood protection, stormwater quality, and stormwater mitigation comply with the City's Engineering Criteria, the drainage report prepared for the project on file with the Stormwater Enterprise Manager, and other federal, state, and City regulations;*

As noted previously, the project complies with the City's Engineering Criteria manual. A final drainage report (FDR) was required for this project which was reviewed by City Stormwater Enterprise (SWENT). The FDR was approved in accordance with the City's Drainage Criteria Manual.

- h. *The project complies with all the development standards of Article 7.4 (Development Standards and Incentives), including access and connectivity requirements in Part 7.4.4 (Access and Connectivity), the landscaping and green space requirements in Part 7.4.9 (Landscaping and Green Space), and the parking and loading requirements in Part 7.4.10 (Parking and Loading);*

The proposed project complies with all the development standards of Article 7.4. There are three access points to the site of Veneto Way. There will be no direct access of this project on to Powers Boulevard along the west side of the property once built. Sidewalks will be constructed along Flying Horse Club Drive, Veneto Way and Barossa Valley Drive. Proposed landscaping for the project complies with landscaping and green space standards. All parking will be on site for this project. The project meets the off-street parking requirements as specified in the UDC. The site proposes a total of 464 parking spaces: 447 standard stalls, 13 accessible stalls, 4 van accessible stalls. A Traffic Impact Study (TIS) was submitted for this project which was reviewed by both City Traffic Engineering and Colorado Department of Transportation (CDOT). Access and connectivity to adjacent roadways in Flying Horse and State Highway 83 have been addressed in the TIS.

- i. *The project complies with all applicable requirements of any Overlay District in which the property is located, as listed in Part 7.2.6 (Overlay Districts);*

The property falls under the United States Air Force Academy Overlay (AF-O). The USAFA was a review agency for this project. The project complies with all applicable requirements of the overlay.

- j. *The project preserves, protects, integrates, or mitigates impacts to any identified sensitive or hazardous natural features associated with the site;*

There are no geologic hazards identified on-site; thus, a geologic hazard waiver was provided and has been approved by the City Engineering Department. The development of this site with the proposed use and structures will provide buffering of the eastern neighborhood from the Powers Boulevard.

- k. *The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties; and*

The approved project proposes connections to existing adequate public utilities located near or adjacent to the subject site. Colorado Springs Utilities (CSU) reviewed the development plan.

- I. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians, and emergency vehicles in accordance with the Engineering Criteria, public safety needs for ingress and egress, and a City accepted traffic impact study, if required, prepared for the project*

A Traffic Impact Study (TIS) prepared by Felsburg Holt and Ullevig was submitted with the development plan for the project and reviewed by City Traffic Engineering and Colorado Department of Transportation (CDOT). The TIS identified deficient turn lanes on State Highway 83 which needs to be addressed prior to the traffic generated by the project. The applicant is required to extend the northbound left turn and southbound right turn auxiliary lanes at State Highway 83 and Flying Horse Club Drive to meet the State Highway Access Code.

After evaluation of the Colorado Springs Temple Development Plan, staff determined that the project met the review criteria and approved the development plan on November 6, 2025.

Appeal

Summary of Appeal

On November 10, 2025, the Appellant filed an appeal of the administrative decision. This appeal request was received within the 10-day appeal window in accordance with UDC Section 7.5.415.A.4 (refer to Attachment 6 – Appeal Application). In accordance with UDC Section 7.5.415.A.1, the appellant qualifies as an “Affected Party”. Per City Code, an Affected Party is:

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

Although the Appellant resides more than 1,000 feet from the subject property, they submitted written comments before the development plan was approved.



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.

The Appellant has identified the administrative decision by City staff was erroneous, contrary to law, and contrary to the language expressed in the City Code, specifically to UDC Section 7.4.203(B)(2): Height Exemptions. The appellant has noted that “*steeple/spire exceeding height limits in a residential zones to be “designed or screened to minimize visibility.” The Applicant’s proposal does the opposite – its spire is deliberately designed to be visually dominant, continuously illuminated and unshielded.*” The Appellant also noted that staff approved the development plan despite objections and without imposing any visibility mitigation conditions.

Staff Response: The maximum building height in the MX-N (Mixed-Use Neighborhood Scale) zone district is 45 feet. In accordance with UDC Section 7.6.204.A.1: Height, building height outside of the Hillside Overlay (HP-O) is measured based on “*the vertical distance measured from the average finished grade adjoining the building to the highest point of a gable, hipped, or gambrel roof. If a flat roof, height would be measured to the highest point of the building, excluding the*

parapet. The average elevation of the finished grade adjoining the building shall be the average of the exposed exterior elevations of all major corners of the building. The height of a stepped or terraced building is the average of the highest and lower height of any segment of the building.”

As illustrated on Sheets 20-23 of the approved Development Plan, the building elevations for the Temple, the proposed building height of the building is 39 feet from finished grade. The steeple/spire height on the plan set illustrates approximately an additional 101 feet from the height of the proposed structure. In accordance with the height exceptions outlined in the UDC (see excerpt below), the height exception is based off the calculation of the maximum building heights, which in the MX-N (Mixed-Use Neighborhood Scale) is 45 feet. Thus, based on how building height is measured, the height of the steeple/spire above the maximum building height is calculated to be approximately 95 feet, not 140.5 feet.

- The elevation plan shows that total height of the building and steeple/spire as 140 feet from finished grade.
- The maximum building height in the MX-N zone is 45 feet
- The height of the steeple/spire, above the maximum building height, is 95 feet.

Per the UDC Section 7.4.203.B: Height Exceptions:

1. *No building or structure or part of a building or structure shall exceed the maximum building height within any zone district as shown in Tables 7.4.2-A through D, unless authorized in Table 7.4.2-F below or elsewhere in this UDC.*
2. *Building features that extend beyond the maximum building height pursuant to Table 7.4.2-F shall be designed or screened to minimize visibility from the R-E, R-1 9, R-1 6, R-2, and R-Flex Low zone districts, and from any portion of a PDZ district developed or designated for attached or detached single-family or two-family dwelling structures. Screening may not extend taller than the permitted exception to the maximum building height.*

Table 7.4.2-F – Authorized Exemptions to Height Requirements	
Structure, Feature, or Use	Maximum Height and Conditions

Religious institution spires and towers and satellite dishes	May exceed the maximum height of the applicable zone district, provided the largest horizontal cross-section of the spire or tower does not exceed 5 percent of the footprint of the primary structure from which it rises.

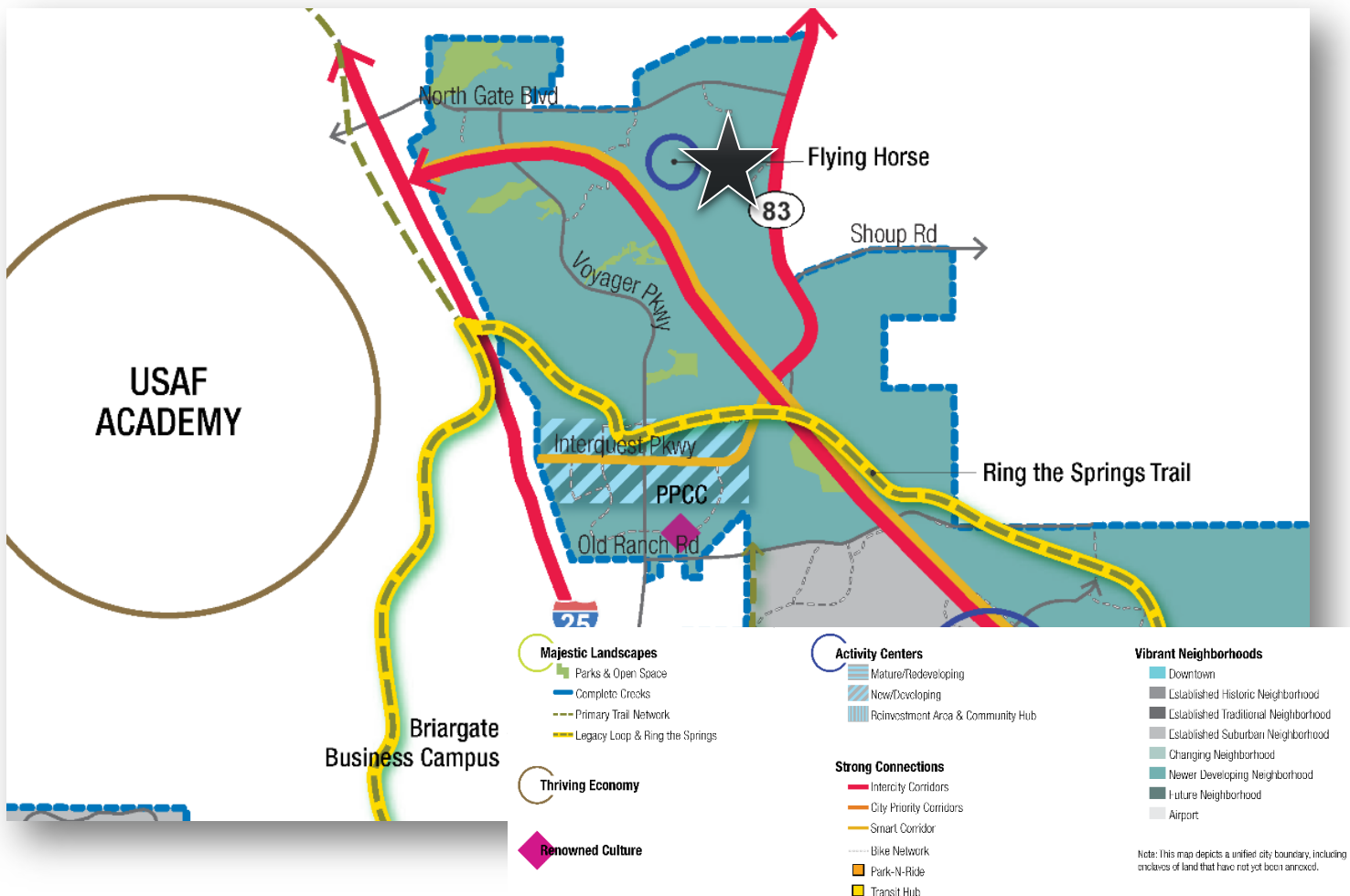
In accordance with the exemption to height requirements, the height of the steeple/spire cannot exceed 5 percent of the footprint of the primary structure. The proposed temple has a building footprint of approximately 33,374.57 square feet. Per UDC, the steeple/spire could extend up to 1,668 feet, based on the 5% footprint rule, though this is not a practical design scenario. The application proposed a steeple/spire of 95 feet. This is significantly less than what is allowed by the UDC.

With respect to screening of the steeple/spire per UDC Section 7.4.203.B.2, this section of the UDC reads that a building feature, such as the steeple/spire **“that extend beyond the maximum building height pursuant to Table 7.4.2-F shall be designed or screened to minimize visibility...”** As noted above, per Table 7.4.2-F, the exemption for the steeple/spire would allow for a 1,668-foot-tall feature but the proposed steeple/spire feature is 95 feet from the maximum building height. The steeple/spire has been designed with a stepped back profile to reduce its visual prominence as it rises. In addition, the on-site landscaping will eventually mature and provide additional screening of this feature and site lighting. A photometric plan was required with the development plan. Site and building lights have been designed to confine all light to the site and prevent light trespass from the property line (Sheets 29 – 35 of the Development Plan). The building lighting, specifically the light fixtures lighting the steeple/spire, have been shielded so that the light source is fully shielded to prevent visibility of the light beam from adjacent properties. The proposed lighting for this project is intended

“to minimize light pollution, glaze and light trespass while maintaining nighttime safety, security and enjoyment of the property.”

Compliance with PlanCOS

PlanCOS Vision



The proposed project was evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019. According to PlanCOS, the project site lies within the "Newer Developing Neighborhood". The Flying Horse development is considered a neighborhood center typology in which the *"goal of this place typology is to provide a focal point for community life and services at a neighborhood scale."* These smaller-scale centers *"provide benefits and amenities for residents and other uses from a local area."*

Statement of Compliance

APPL-25-0008 – Colorado Springs Temple Development Plan Appeal

1. Affirm the decision of the City Planning Department and deny the appeal; or
2. Reverse the decision of the City Planning Department and approve the appeal; or
3. Modify the decision of the City Planning Department and deny the appeal; or
4. Reject the appeal due to insufficiency.

Motion to Deny

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.

Motion to Approve

Uphold the Appeal and deny the administrative approval of the Development Plan application, based on the provisions of the City Code (UDC), and that the appellant has substantiated that the appeal satisfies the review criteria outlined in City Code (UDC) Section 7.5.415.A.2.

Modify the Decision

Deny the Appeal and modify the administrative decision, based upon the finding that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code (UDC) Section 7.5.415.A.2., with revisions to the development plan *[as determined by City Planning Commission]*.

Motion to Reject

Reject the Appeal and affirm the administrative approval of the Development Plan application, based on the insufficiency of the request to meet the requirements of City Code (UDC) Section 7.5.415.A.2.a and c.