



## Background

### Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Summit View Addition No 1	TBD
Subdivision	Templeton Gap Heights; Par: 6313000010 (Not Platted)	08/25/1964
Master Plan	N/A	N/A
Prior Enforcement Action	N/A	N/A

### Applicable Code

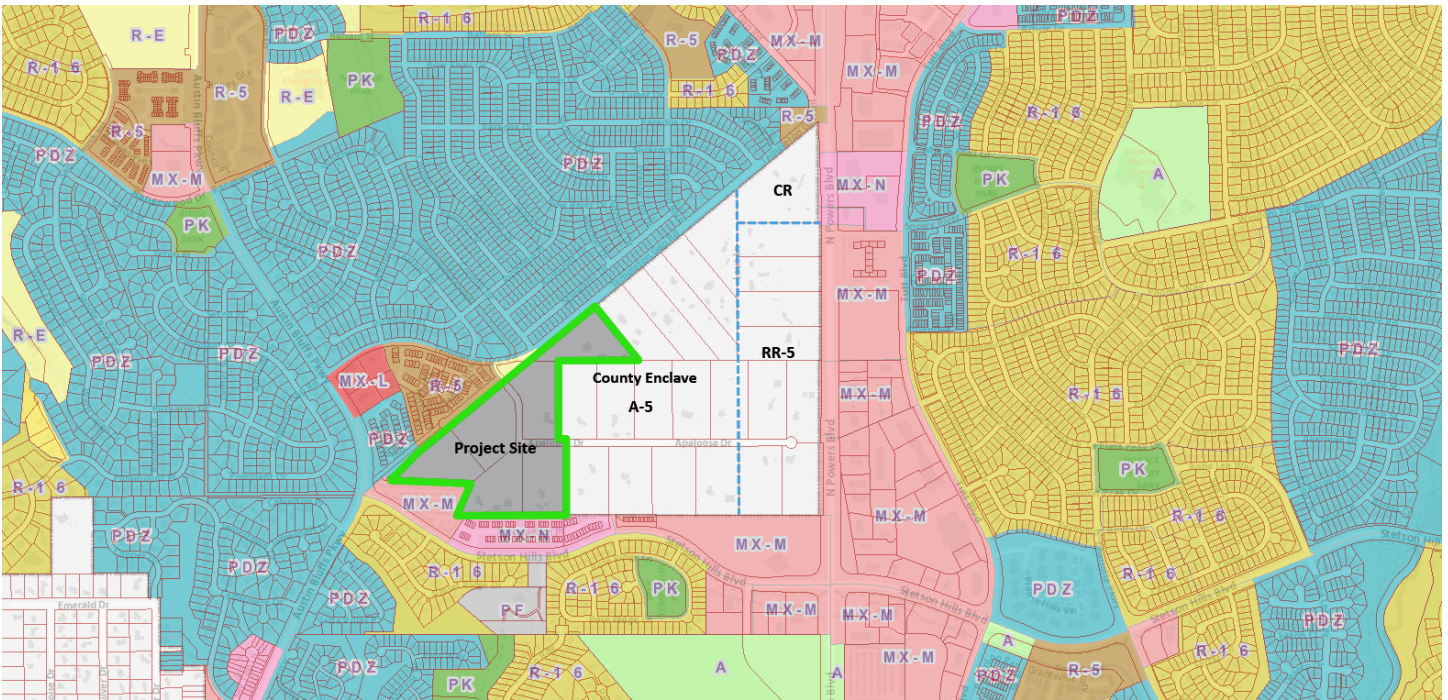
The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project. The subject application(s) were reviewed under the Unified Development Code. All subsequent references within this report that are made to “the Code” and related sections are references to the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

## Surrounding Zoning and Land Use

### Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	PDZ / AP-O / CAD	Single-Family Detached / Multi-Family	N/A
West	PDZ/ R-5 / AP-O / CAD	Single-Family Detached / Multi-Family	N/A
South	MX-M / MX-N / AP-O / CAD	Self-Storage / Multi-Family	N/A
East	A-5 / RR-5	Single-Family Detached	N/A

## Zoning Map



## Stakeholder Involvement

### Public Notice

Public Notice Occurrences (Poster / Postcards)	3
Postcard Mailing Radius	1000 Feet
Number of Postcards Mailed	694
Number of Comments Received	46

### Public Engagement

1. An Open House was held for the Summit View Annexation and Development on April 24, 2024, within the Church onsite. The meeting was well attended with an estimated 70 community members in attendance.
2. Postcards and posters were utilized in the initial application review and CPC public notification process with 694 postcards mailed out to property owners within 1000-feet of the site. There were approximately 50 responses received. Primary concerns included:
  - a. Add traffic to Templeton Gap Road from this project. The surrounding major intersections are overloaded.
  - b. Lack of infrastructure within the area including water and sewer demand.
  - c. Public safety – emergency response / evacuation, pedestrian safety.
  - d. Drainage concerns related to the topography of the area.
  - e. Density based on the number of units and lot sizes.



- f. Loss of mountain range views and open space.
- g. Incompatibility with the adjacent 5-acre lots and not enough access.
- h. Decreased property values due to intensity of development.
- i. Increased noise.

## Timeline of Review

Initial Submittal Date	February 6, 2024
Number of Review Cycles	3
Item(s) Ready for Agenda	September 12, 2024

## Agency Review

### Traffic Engineering

Traffic Impact Study was prepared, reviewed and approved by City Traffic Engineering.

### School District

No comments received for this project, however D-11 has provided general guidance that any growth is positive for the school district.

### Parks

PLDO, CDI, and School Fees are applicable to this project to be due at time of building permit. Homestead Trail extension required as to be future defined by Land Use Plan and Development Plans.

### SWENT

SWENT has reviewed and recommended approval of this annexation proposal. The development plan under review has a final drainage report to be reviewed and approved by SWENT prior to land disturbance.

### Colorado Springs Utilities

CSU has reviewed and recommended approval of this annexation proposal.

## Annexation

### Summary of Application ANEX-23-0021

The proposed annexation follows the voluntary annexation rights under Colorado Revised Statute via owners' annexation petition to the municipality. C.R.S grants the municipality authority to annex land (C.R.S. 31-12-101). State statute sets requirements and procedures which municipalities must follow. The application request 32-acres of property to be annexed into the City of Colorado Springs.

The annexation site is located within an El Paso County Enclave consisting of 6 properties. The overall enclave is triangular and bounded by N Powers Blvd (West), Stetson Hill Blvd (South), and Templeton Gap Road (Northwest). Most of the properties within the enclave (including the annexation site) are zoned A-5 (Agriculture 5-Acres) with properties backing to Powers Blvd zoned RR-5 (Rural Residential 5-acres) and CR (Commercial Regional). Existing access for the annexation area is Appaloosa Drive which also serves as the only access for other properties within the enclave. Existing uses within the enclave is primarily low-density single-family detached with some personal business uses. Surrounding the enclave is a mixture of high-density residential and mixed commercial uses.

The applicant has identified that the annexation site will be utilized for 253 single-family residential development with detach and attached type construction. Staff believes the proposed development will be compatible when evaluated with existing developments within the enclave and within the City. A supporting Zone Change and Land Use Plan application have been provided to support this claim.

## Application Review Criteria

### UDC Section 7.5.701

An application for an annexation shall be subject the following conditions for annexation:

1. The area proposed to be annexed is a logical extension of the City's boundary;

The proposed annexation is located within an existing enclave. The City Comprehensive Plan advocates a cooperative approach with property owners and governmental entities be utilized to systematically eliminate enclaves.

2. The development of the area proposed to be annexed will be beneficial to the City; Financial considerations, although important, are not the only criteria and shall not be the sole measure of benefit to the City;

The Summit View Addition No. 1 Annexation will allow for a mixture of detached residential properties which further diversifies the housing stock and the City's desire for additional housing. The development of the site affords the opportunity complete a gap in Homestead Trail connecting from Stetson Hill Blvd to Templeton Gap Rd. The annexation progresses the City's goal of eliminating enclaves. A fiscal impact analysis was completed by the City's Budget Department. The analysis a positive outcome over a 10-year timeframe.

3. There is a projected available water surplus at the time of request;

There is a projected available water surplus at the time of this request.

4. The existing and projected water facilities and / or wastewater facilities of the City are expected to be sufficient for the present and projected needs for the foreseeable future to serve all present users whether within or outside the corporate limits of the City;

The existing and projected water and wastewater facilities are expected to be sufficient at time of this proposal.

5. The annexation can be affected at the time the utilities are extended or at some time in the future;

The applicant will be required to extend and / or upgrade utilities services per future development plans at the applicants' expense and designed to City Standards.

6. The City shall require as a condition of annexation the transfer of title to all groundwater underlying the land proposed to be annexed. Should such groundwater be separated from the land or otherwise be unavailable for transfer to the City, the City, at its discretion, may either refuse annexation or require payment commensurate with the value of such groundwater as a condition of annexation. The value of such groundwater shall be determined by the Utilities based on market conditions as presently exist;

An annexation agreement is required for this annexation that will require the owner to transfer of water rights (See 'Annexation Agreement-Draft' attached).

7. All rights-of-way or easements required by the Utilities necessary to serve the proposed annexation, to serve beyond the annexation, and for system integrity, shall be granted to the Utilities. Utilities, at the time of utility system development, shall determine such rights-of-way and easements;

The annexation agreement defines the requirements of CSU to be executed by the property owner. Future platting and development plans will be required to define / depict locations and dedications to Utilities.

8. If the proposed annexation to the City overlaps an existing service area of another utility, the applicant shall petition the PUC (Public Utilities Commission) or other governing authority to revise the service area such that the new service area will be contiguous to the new corporate boundary of the City;

N/A

9. After the foregoing have been studied in such depth as the City Council shall require, the City Council in its discretion may annex or not annex the proposed area. In the event the City Council chooses to annex, it may require a contemporary annexation agreement specifying the installation and the time of installation of certain public and utility improvements, both on site and off site, that area required or not required under this Zoning Code. City Council may specify such other requirements, as it deems necessary. In the event the City Council chooses not to annex, utilities shall not be extended unless Council is assured that an agreement for annexation can be enforced, and that the remaining provisions of this section for annexation subsequent to extension of utilities have been met.

The annexation agreement specifies required timing of certain public and utility improvements.

Staff finds that the above conditions for annexation are met for the Summit View Addition No. 1 Annexation.

## Zone Establishment

### Summary of Application ZONE-23-0035

The proposed zone change will establish the R-Flex Med/AP-O (R-Flex Medium with Airport Overlay) zone district to allow for 253-units of single family detached and attached residences. Per City code annexation of property must be accompanied by an establishment of a zone district.

### Application Review Criteria

#### UDC Section 7.5.704

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 application is consistent with the goals and policies of the Colorado Springs Comprehensive Plan (PlanCOS). The proposed use of the site is consistent with the requested R-Flex Medium Zone District and supporting Summit View Land Use Plan. The R-Flex Medium zone district accommodates a mix of detached and attached low- to medium- density housing up to a maximum residential density of 5 – 16 dwelling units per acre. A mix of dwelling and /or lot types, building forms and architecture, and design is strongly encouraged to break up monotony and provide a variety of housing options.

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

The proposed application will not be detrimental to the public interest, health, safety, convenience, or general welfare. The planned uses are subject to the review criteria and standards for development and land uses in the associated zone district.

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

The applicant/owner has identified their future intentions to build 253 single-family residential units (detached and attached). The annexation site is directly adjacent to low-, medium-, and high- density residential uses. The proposed zone district is directly compatible with the surrounding neighborhoods and in conformance with the proposed development.

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.

A concurrent development plan application is also under review subject to the approval (and conditions) of the annexation. The currently reviewed land use plan and development plan illustrate compatibility with surrounding developments. However, if the Planning Commission finds that such conditions are warranted then they can be added as conditions to these approvals.

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.

There are no affected parties except for the church which already has plans to relate closer to the members they serve.

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 in Subsection 7.5.514C.3 (Land Use Plan Criteria).

Please review the Land Use Plan Section of this report.

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.

N/A

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.4 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

N/A

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.

N/A

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)).

The current and future applications associated with Summit View Addition No. 1. will be subject to the requirements and policies of the R-Flex-Med/AP-O (R-Flex Medium with Airport Overlay) zone district.

Staff finds that the criteria of UDC Section 7.5.704, which are applicable to a zoning establishment have been met with this application.

## Land Use Plan

### Summary of Application LUPL-23-0011

Per Section 7.5.302.A of the Code, a Land Use Plan is a plan required in some circumstances to show the proposed layouts of land uses, development intensities and densities, primary access points, green space, public open space systems and areas that should be preserved or protected, potential needs for public land dedications, and other aspects of proposed development at a conceptual level. The purpose of a Land Use Plan is to provide the City the information needed to evaluate how a proposed development may impact surrounding development without requiring the applicant to provide the levels of detail required on a Development Plan.

The owner proposed to development 20 standard detached single family residential lots, 56 single-family residential detached lots in the quad lot layout, and 177 single-family attached. The overall density is 7.7 dwelling units per acre. This development will include approximately 6-acres in open space. They are required to extend the Homestead Trail which is shown on the Land Use Plan. The existing Appaloosa Drive will have to be vacated and designed to create 3 separate connections to Templeton Gap Road (see 'Summit View Addition No. 1 Land Use Plan' attachment).

## Application Review Criteria

### UDC Section 7.5.514

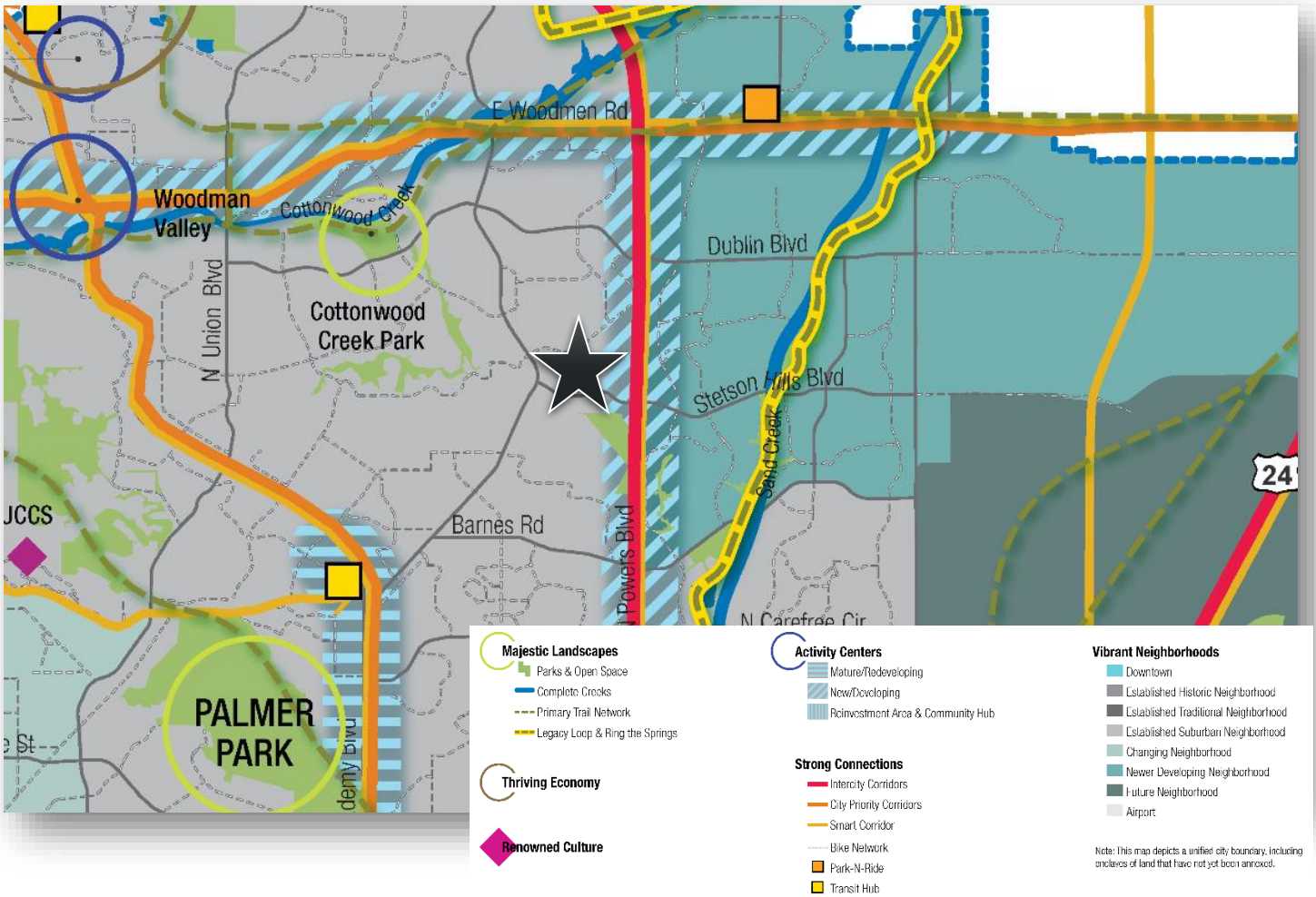
If the Land Use Plan is submitted in connection with an application to establish a zone district or to change zone district boundaries shall be reviewed based on the following criteria:

- a. Consistency with the Colorado Springs Comprehensive Plan and other plans and policies adopted by City Council;  
The Land Use Plan application is consistent with PlanCOS, 2006 Annexation Policy Book, and in conformance with the proposed R-Flex Medium with Airport Overlay zone district.
- b. Consistency with development standards the zone district in which the property is located, or would be located after a requested zone district change;  
Further evaluation of concurrent development plan per requirements of the desired zone district will be required. The current configuration proposed does not limit or require additional entitlements.
- c. Compatibility with the land uses and development intensities surrounding the property;  
The development is within Templeton Heights Subdivision, an enclave of El Paso County. The proposed development is adjacent to the Saddleback Townhomes to the northwest, the Sundown single-family residential development to the north, the Stetson Ridge Townhomes and Extra Space Storage to the south, and rural residential development to the east. The R-Flex Medium zone district will allow for a transition of traditional single-family residential to the north and the townhome development adjacent to the south and west.
- d. Impacts of the permitted or requested uses, appropriate to the type of development, the neighborhood, and the community;  
The proposed use is consistent with other residential developments in size and intensity. This is likely the pattern of development to occur within the enclave in the future if properties continue to annex into the City.
- e. Adequacy of proposed ingress/egress points and traffic circulation, both on and off the site;  
A traffic impact study was prepared, reviewed by City Agencies and accepted by the City Traffic Engineering Department. However, some improvements will be required with this project. Per the traffic study, the acceleration and deceleration lengths are recommended to be increased for the Templeton Gap Road and Austin Bluffs Parkway intersection, the Stetson Boulevard and Powers Boulevard intersection, and the Austin Bluffs Parkway and Templeton Gap Road intersection. The Fire Department has also reviewed and accepted the most recent project designs.
- f. Capacity of the existing streets, utilities, parks, schools, and other public facilities to serve the proposed development;  
City agencies have reviewed and accepted this application. No capacity issues are anticipated with the proposal. The development will be served by City utilities and street system which have capacity to serve this use. Parks, open space, and other recreational spaces are provided with this development to serve future residences.
- g. Promotion of transitions in height, intensity, or character between proposed non-residential or mixed-use development and nearby low-density residential zone districts.  
A transition of densities and housing types have been provided to allow for a transition between transition residential type design to a more density urban design such as the town houses.

Staff finds that the above criteria are met for the Summit View Addition No. 1 Land Use Plan.



PlanCOS Vision



The overall intent of annexation is to benefit the City and occur in a manner that ensures a logical extension of the City’s boundary. Chapter 8 of PlanCOS provides broad policy direction for annexation; annexations will occur in accordance with State law; support of economic development objectives of the City and will be a fiscal benefit; development will be consistent with long range plans; and avoid creating enclaves while proactively work at incorporating existing enclaves into the City. Staff has evaluated the proposed annexation and determined its eligibility in accordance with State law to be acceptable. The annexation is a logical extension of city boundaries as it further reduces an existing enclave and provide a necessary use of education.

## Statement of Compliance

### **ANEX-23-0021**

After evaluation of the Summit View Addition No. 1 Annexation the application meets the Colorado Revised Statutes and is eligible for consideration.

### **ZONE-23-0035**

After evaluation of the Summit View Addition No. 1 Zone Establishment of R-Flex Med /AP-O (R-Flex Medium with Airport Overlay) the application meets the review criteria.

### **LUPL-23-0011**

After evaluation of the Summit View Addition No. 1 Land Use Plan the application meets the review criteria.