

CITY PLANNING COMMISSION AGENDA

STAFF: CATHERINE CARLEO

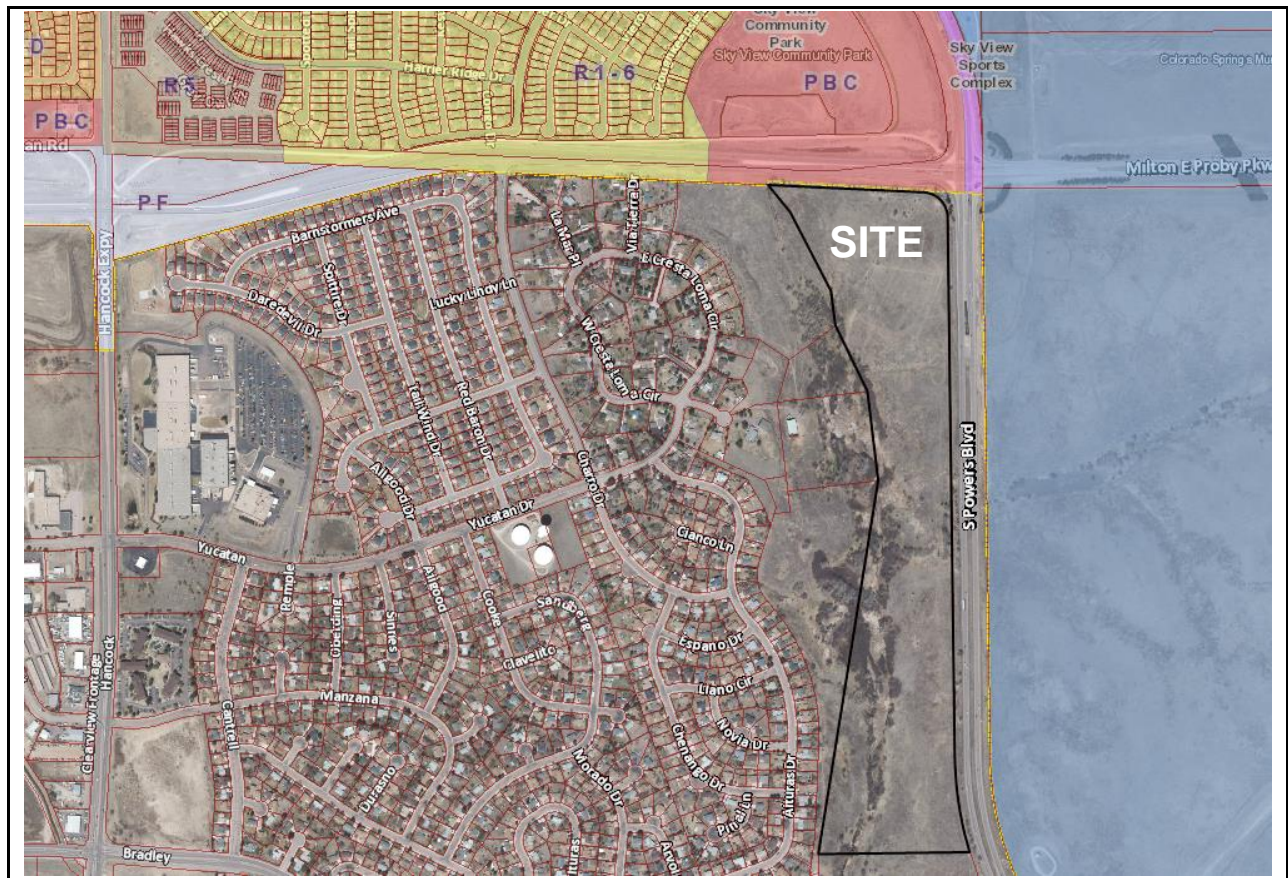
FILE NO(S):

CPC A 17-00074 – LEGISLATIVE
CPC PUZ 17-00146 – LEGISLATIVE
CPC PUP 17-00147 – QUASI-JUDICIAL

PROJECT: AIRPORT SPECTRUM ADDITION NO. 1 ANNEXATION

APPLICANT: CLASSIC CONSULTING

OWNER: BERT A. GETZ AS TRUSTEE OF THE BERT ATWATER GETZ TRUST DTD



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for the Airport Spectrum Addition No. 1 Annexation of 78.95 acres along with zoning and concept plan for new development located southwest of the intersection of Powers Boulevard and Milton E Proby Parkway. The proposed zoning will establish a PUD/SS/AO (Planned Unit Development;

community commercial to allow permitted uses in the Planned Business Center and Office Commercial zone districts with Streamside and Airport Overlay, with maximum building height of 45-feet) zone district. The associated concept plan illustrates the proposed land use configuration, access, intended roadway infrastructure, proposed open space and overall intent.

2. Applicant's Project Statement: (Refer to FIGURE 1)
3. Planning and Development Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: This site is currently not addressed.
2. Existing Zoning/Land Use: The property is currently in unincorporated El Paso County. The property is vacant and zoned CC/CR (Commercial Community/Commercial Regional) in El Paso County.
3. Surrounding Zoning/Land Use: North (City): PBC/AO (Planned Business Center/Airport Overlay); Sky View Community Park part of Soaring Eagle Master Plan.
South (El Paso County): A-5 (Agricultural); vacant/undeveloped
East (City): APD/APZ1/APZ2/RPZ/AO (Airport Planned Development/Airport Protection Zone 1 and 2/Runway Protection Zone/Airport Overlay); City of Colorado Springs Airport.
West (El Paso County): A5/RS-6000 (Agricultural/Residential Suburban); vacant/undeveloped
4. Comprehensive Plan/Designated 2020 Land Use: There is no existing 2020 Land Use Designation because the site is not yet within City limits.
5. Annexation: The property is not yet annexed
6. Master Plan/Designated Master Plan Land Use: There is no existing or planned master plan for this property.
7. Subdivision: This property is not subdivided.
8. Zoning Enforcement Action: None
9. Physical Characteristics: This property is undeveloped with significant trees and shrubs running along a natural wetland area on the western side of the proposed annexation.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public process included posting the site and sending postcards to 239 property owners within a 1000-foot buffer at application submittal. A second mailing will be sent to a 1000-foot buffer prior to the Planning Commission hearing. Staff received one letter of written concern related to water quality, noise, lighting and trees. The resident was contacted with response for his concerns and no further comments were received.

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 3, Police and E-911, CDOT, Security Water & Sanitation, and El Paso County Development Services. This site is within the Airport Overlay and was seen by the Airport Advisory Committee and approved on December 20, 2017. The site is outside of the buffer for review by USAFA.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE

1. Review Criteria / Design & Development
 - a. Annexation

The Annexation Petition for this property was heard and accepted by City Council on August 22, 2017. **(FIGURE 2)** This annexation consists of 78.95 acres as a request to annex the property into the municipal limits of the City of Colorado Springs for community commercial development. **(FIGURE 3)** This includes the annexation of the Powers Boulevard right-of-way along the eastern property boundary, as well as 20 acres of

proposed open space along the western property boundary. The site is contiguous to the municipal limits of the City of Colorado Springs and meets Colorado Revised State Statute required minimums for contiguity. Land owners seeking voluntary annexation must petition the municipality to request annexation into the City. The City's authority to annex land is established by Colorado Revised Statutes (C.R.S. 31-12-101) which sets requirements and procedures which municipalities must follow. A property is eligible for annexation if contiguity, not less than one-sixth the perimeter, of the proposed area for annexation, is contiguous with the existing boundary of the annexing municipality. A parcel's relationship to the existing City boundary is the key factor in the determination of its eligibility for annexation. **Figure 4** as part of this report helps better depict the City boundary relationship to the proposed parcel for annexation.

As supported by the City Comprehensive Plan as well as the City Annexation Plan the City strives through the annexation process to close gaps to service areas while also encouraging economic growth opportunities. Staff supports that although the subject property is identified in the City Annexation Plan as a parcel 'eligible for annexation but not recommended' this annexation is a logical extension of services already provided by the City and is an opportunity for economic growth. At the time this evaluation was completed (City Annexation Plan 2006) this area was identified in this category as an area that is statutorily eligible for voluntary annexation, but raised concerns for providing services and establishing compatible land use patterns. Since this evaluation in 2006 the City has annexed Milton E Proby Parkway and has service infrastructure within the roadway eligible for adjacent properties within the City to tap into for services.

There are areas adjacent to the City, particularly along the eastern edge, that may meet the contiguity requirement but are costly to serve due to the distance from existing public facilities and service. There are peninsulas, such as the proposed, remaining within El Paso County that can be served with a full range of urban level services within the City in a more efficient manner. Urban services are being provided by the City in the surrounding residential and airport developments. The area is currently being serviced by City public safety agencies, and the surrounding infrastructure and roadways are already being maintained by the City as they fall within the service area of surrounding parcels. Furthermore, staff would support that the establishment of community commercial land use in this area will foster commercial development as an accessory land use to the adjacent City airport and maintain compatible with the surrounding residential development.

Property within El Paso County in the area of this annexation are being serviced by Security Water and Sanitation Districts. Staff has been in conversation with the general manager of the Districts and have received comment related to ensuring that development of the annexation area will follow City Best Management Practices for wastewater and stormwater as a result of this development. The Districts have no further comments. All standard City Code related to development will be met.

The draft annexation agreement is attached as **FIGURE 5**. Dedication and improvements with this annexation are fully outlined in the agreement and follow the City standard annexation agreement. The owner is required to participate financially in needed traffic control devices on surrounding roadway. The standard Police and Fire service fees will be collected.

i. Master Plan

There is no master plan associated with this annexation and necessary detail is depicted through the concept plan. A master plan is required with annexation; however, per City Code may be waived if the land area under review is a parcel, less than 30 acres, and is part of a well-established surrounding development pattern. The proposed annexation includes 78.95 acres; however, only 29 acres

is proposed for developable land. A concept plan is required with the zoning establishment and will capture all vital information that would be represented on a master plan. Staff believes the proposed development shows appropriate compatibility when evaluated with the established surrounding land use pattern, as well as the Comprehensive Plan 2020 Land Use Map, supporting the establishment of the intended land use associated with this annexation.

ii. Fiscal Impact Analysis

A Fiscal Impact Analysis (FIA) is required for all annexation requests and is completed by the City Budget Office. The FIA was completed on July 3, 2018. The FIA states that there are no identifiable marginal costs of providing services to this development, as the area is currently being serviced by public safety agencies, and the surrounding infrastructure and roadways are already being maintained by the City as they fall within the service area of surrounding parcels. The result of the FIA is a positive cumulative cash flow for the City during the 10-year timeframe. The Summary of Expenditures and Revenues is attached, along with the Expenditure and Revenue Notes to provide the methodology for calculating the expenditures and revenues. **(FIGURE 6)**

iii. Southeastern Colorado Water Conservancy District (SECWCD)

This property has completed its required inclusion into the Southeastern Colorado Water Conservancy District through the Bureau of Reclamation. The Letter of Assent approved April 29, 1958 is attached as **FIGURE 7**. Investigation at that time concluded no further investigations were required and issuance of approval was given by the Bureau of Reclamation and the approval of this property as part of the SECWCD.

iv. El Paso County

The subject site was previously reviewed for preliminary plan request before the Board of County Commissioners with a resolution passed on October 15, 2015 with preliminary approval for the Airport Spectrum development. Since that time the Owner has requested annexation to establish his development within the City of Colorado Springs rather than El Paso County. Staff received final comment from El Paso County Planning and Community Development that they had no concerning comments for the annexation.

v. Schools

Widefield School District 3 reviewed the proposed applications; no concerning comments were received, any future residential uses are subject to school fees.

b. Establishment of Zone District PUD/SS/AO

Proposed zoning will establish a PUD/SS/AO (Planned Unit Development; community commercial to allow permitted uses in the Planned Business Center and Office Commercial zone districts with Streamside and Airport Overlay, with maximum building height of 45-feet) zone district for the future establishment of community commercial development. **(FIGURE 8)** The proposed zone is compatible and complementary to surrounding land uses.

i. Streamside Overlay

This proposed overlay will ensure protection of the open space along the western property boundary. Although this site is not identified in the Streamside Design Guidelines staff supports this will ensure consistent application of the overlay within the City and preserve the creekside area.

ii. Airport Overlay

The subject property is outside of the APZ 1 (Airport Protection Zone). Any development within the property will be subject to review by the Airport Advisory Committee and any subsequent FAA regulations.

c. Concept Plan

The concept plan illustrates further the intention of future development pattern, access, and dimensional controls for the associated land uses. **(FIGURE 9)** The proposed PUD zone district will allow for permitted uses within the PBC (Planned Business Center) and OC (Office Commercial) to establish a community commercial development. This land use will foster opportunity for development of commercial as an amenity to the Colorado Springs Airport and surrounding neighborhoods.

City Code Section 7.5.501 outlines the requirements and review criteria for a concept plan. The concept plan document is not required to show specific landscaping, screening and buffering, lighting or other site design aspects. That type of detail is specific to a development plan. Any future request for building permits will require the submission of a development plan, which will be reviewed administratively per City Code Section 7.5.502.

i. Traffic Analysis and Access

At the request of the City Traffic Division a level-of-service (LOS) analysis was completed for the site. This evaluated trip distribution patterns for the overall development and along adjacent roadways. Timing and phasing of construction responsibilities are outlined specifically on the Concept Plan. The owner/developer agrees to construct at their expense the necessary public improvement adjacent to or within the property at the time of the first development plan. The required public improvements include constructing Globe Street, the proposed full movement intersection at Milton E. Proby Parkway and Globe Street, the right-in/right-out, and installing sidewalk/trail along Milton E. Proby Parkway to Powers Boulevard.

As part of this annexation there is a portion set aside for future Powers interchange. Traffic Engineering has worked with the Owner for the needed allocation of land and this is reflected on the concept plan. CDOT was included throughout the review process, as of the date of this report staff has not received any comments or return correspondence from CDOT.

ii. Streamside Overlay and Open Space

The establishment of the Streamside Overlay will in addition guide development occurring along the channel. Notes are identified on the concept plan for future platted lots where streamside buffers are present and shall be required to follow the streamside criteria.

The intention in establishing the Streamside Overlay for this development is to protect the natural vegetated and wetland area along the western boundary of the property. As part of this, the owner is dedicating 20 acres as open space which is the portion mainly encompassed by the Streamside Overlay. In addition the owner will establish a trail along the western side of Globe Street along this open space as well as meet the additional landscaping requirements for streamside.

iii. Detention and Water Quality

Final drainage reports and plans will be prepared and submitted by the Owner to the City, and approved by the City Engineer, prior to recording any subdivision plats. All drainage criteria, standards, policies and ordinances in effect at the time of development, will be applicable to the review of the final drainage report

and approval will be given prior to development. All drainage facilities within the site shall be the responsibility of the owner.

2. Conformance with the City Comprehensive Plan

Comprehensive Plan 2020 Land Use Map: Since the property is not located within the City, it is not indicated with a land use on the 2020 Land Use Map; however, the property would be included as a Community Activity Center classification. Community commercial is a supported use within this classification.

Policy CIS 202: Annexation will be a Benefit to the City of Colorado Springs Evaluate proposed annexations to determine if the request is a benefit to the City.

Policy LU 201: Promote a Focused, Consolidated Land Use Pattern

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

Strategy LU 203a: Locate the Places that People Use for Their Daily Needs and Activities Close to Each Other

Group and link the places used for living, working, shopping, schooling, and recreating and make them accessible by transit, bicycle, and foot, as well as by car.

Policy LUM 213: Potential Annexation Areas

Utilize the Potential Annexation Area designation for areas that are likely to be incorporated by the City.

Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

Policy LU 301: Promote a Mixed Land Use Pattern

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

Objective CCA 6: Fit New Development into the Character of the Surrounding Area

Often the overall character of a new development is not realized until the project is completed. This can lead to unintended impacts and incompatible development. Applicants for new developments clearly identify how their projects will fit into the character of the surrounding area and the community as a whole with respect to height, scale, bulk, overall site design, and vehicular access, and relation to the public right-of-way.

Policy CCA 601: New Development Will Be Compatible with the Surrounding Area New developments are compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

It is the finding of the Planning and Development Department that the Airport Spectrum Addition No. 1 annexation, zoning and concept plan substantially conform to the City Comprehensive Plan and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan: There is no master plan for this area.

STAFF RECOMMENDATION

CPC A 17-00074

Recommend approval to City Council the annexation of the Airport Spectrum Addition No. 1 Annexation based upon the findings that the annexation complies with all of the conditions for annexation criteria as set forth in the City Code Section 7.6.203

CPC PUZ 17-00146

Recommend approval to City Council the establishment of the PUD/SS/AO (Planned Unit Development; community commercial to allow permitted uses in the Planned Business Center and Office Commercial zone districts with Streamside and Airport Overlay, with maximum building height of 45-feet) zone district, based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and complies with City Code Section 7.3.603 for establishment of a PUD zone district.

CPC PUP 17-00147

Recommend approval to City Council the Airport Spectrum Concept Plan, based upon the findings that the proposal meets the review criteria for concept plans as set forth in City Code Section 7.5.501(E) as well as criteria for PUD concept plans as set forth in City Code Section 7.3.605.