

CITY PLANNING COMMISSION AGENDA
June 20, 2019

STAFF: KATIE CARLEO

FILE NO(S):

- A. CPC A 13-00004 – LEGISLATIVE
- D. CPC PUZ 13-00138 – LEGISLATIVE
- E. CPC PUP 13-00139 – QUASI-JUDICIAL

PROJECT: CHURCH FOR ALL NATIONS ANNEXATION
OWNER: CFN THC INC.
CONSULTANT: CLASSIC CONSULTING ENGINEERS & SURVEYORS



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for annexation, establishment of zoning, and concept plan for the associated 52.78 acres located northeast of Powers Boulevard and Dublin Boulevard. The concept plan illustrates the proposed land use configuration, access and circulation, intended infrastructure and overall intent. The proposed zoning will establish a PUD (Planned Unit Development) zone district for a mix of commercial and residential development; with the overall annexation of 52.78 acres.
2. Applicant's Project Statement: **(Refer to FIGURE 1)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications.

BACKGROUND

1. Site Address: This site is mostly vacant; the existing church facility is addressed as 6540 Templeton Gap Road.
2. Existing Zoning/Land Use: The property is currently in unincorporated El Paso County zoned RR-5 (Rural Residential). The property is mostly vacant with an existing church.
3. Surrounding Zoning/Land Use: North: PBC (Planned Business Center)/ currently vacant.
South: PBC (Planned Business Center)/ mix of commercial.
East: Some portions remain within El Paso County as RR-5 (Rural Residential); partially C-6 (General Business)/ convenient store and commercial uses.
West: PBC (Planned Business Center)/ convenient store and commercial uses.
4. Annexation: The property is not yet annexed
5. Master Plan/Designated Master Plan Land Use: There is no master plan established for this property and not required with this annexation.
6. Subdivision: The associated properties are currently not subdivided.
7. Zoning Enforcement Action: None
8. Physical Characteristics: The majority of the proposed annexation area is vacant land just east of the Powers Boulevard corridor. The southerly portion of the site has an existing church facility.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public process included posting the site and sending postcards to all property owners within a 1000-foot buffer. Similar mailings will be sent prior to each scheduled public hearing.

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 20, Police and E-911. Comments were sent to El Paso County Development Services Division but no comments were received. Further details are discussed below as it relates to specific areas of the application.

ANALYSIS OF REVIEW CRITERIA; COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE

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

The Church for All Nations Addition No. 1 Annexation (**FIGURE 2**) will annex 52.78 acres of property into the municipal limits of the City of Colorado Springs. The property is intended for a mix commercial and residential uses to be developed within the City and utilizing city infrastructure. This annexation will also annex a portion of Templeton Gap Road north of Dublin Boulevard which is a critically important roadway in the area.

Land owners seeking voluntary annexation must petition the municipality to request annexation into the City. The Annexation Petition for this property was heard and

accepted by City Council in April 2013. 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 the contiguity requirement is met; not less than one-sixth the perimeter of the proposed area for annexation is contiguous with the existing boundary of the annexing municipality.

As the City has expanded enclaves, remnants of land that are surrounding by the City, have remained within the jurisdiction of Unincorporated El Paso County. Several enclaves remain from the City's very active period of annexation in the 1980's. City Policy supports the elimination of enclaves and thus closing the gap to services being provided. Surrounding areas as part of this enclave have been recently annexed, or are currently in review for annexation. As supported by the City Comprehensive Plan well as the City Annexation Plan the City is working through the annexation process to completely annex this enclave and close the city boundary gap. Further details are illustrated as **FIGURE 3** – a map depicting recent annexations.

A master plan is required with annexation; however, per City Code section 7.5.403(B)(1) this requirement may be waived if the land area under review is a small parcel and is part of an enclave with a well-established surrounding development pattern and intended for a single primary land use. The owner has identified future intentions for mixed commercial and residential development. Staff believes the proposed development shows appropriate compatibility when evaluated with the established surrounding land use pattern. Similarly, surrounding annexations in the area have recently been annexed without the master plan requirement as we begin to fill in this small enclave with a well-established land use pattern. The supporting concept plan also captures a similar level of detail as would a master plan and clearly identifies the intended land use configuration.

This property has completed its required inclusion application into the Southeastern Colorado Water Conservancy District through the Bureau of Reclamation. The Inclusion process is being completed with the Bureau of Reclamation. A final Letter of Assent will be required prior to this annexation application moving forward to City Council.

The draft annexation agreement is attached as **FIGURE 4**. Dedication and improvements with this annexation are fully outlined in the agreement. The standard Police and Fire service fees will be collected for the developable acres.

b. Establishment of Planned Unit Development Zoning

The proposed zoning request will establish a Planned Unit Development (PUD) zoning district for the entirety of the annexing acres. It is required by City Code that any annexed property be accompanied by a zoning designation. The subject property is proposed to establish a PUD zoning that will allow for a Mixed Commercial, Residential, and Religious Institution zone district with maximum residential density of 20 DU/AC (dwelling units per acre) with 45-foot maximum building height and 75-foot for architectural features. The property is also within the City Airport Overlay and will be established with this overlay zoning. When establishing a PUD zoning district the governing PUD zoning shall establish the type, density, and allowable building height. This PUD zone district will be governed by the associated Church for All Nations PUD Concept Plan which details the dimensional requirements.

The establishment of this zone district will allow for the development of an expansion to the church facility as well as fosters opportunity for supporting commercial and residential development within the City and fits appropriately into the land use patterns established in the surrounding area. (**FIGURE 5**)

c. Concept Plan

As required by City Code Section 7.3.603(A) the establishment of a PUD (Planned Unit Development) zoning district shall be accompanied by a concept plan (**FIGURE 6**). A concept plan illustrates the intention of future development pattern, access, and dimensional controls for the associated land uses. 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 within the proposed development area will require the submission of a development plan, which will be reviewed administratively per City Code Section 7.3.606. The following sections give more detail of the scope of proposed development.

i. Traffic Analysis and Access

At the request of the City Traffic Division, a Traffic Impact Study was completed. The projected operation of the adjacent roadway will be at a satisfactory level of service assuming traffic control measures and roadway designs are developed as analyzed. After review, the Traffic Division supports all findings from the traffic study. The concept plan illustrates the proposed intersections including the existing full movement intersection nearest the church along with two additional full movement access points north along current Templeton Gap Road.

As part of the PPRTA (Pike Peak Rural Transportation Authority) roadway improvements, Tutt Boulevard is designed to extend north just east of this property. At the time this roadway improvement is complete the southernmost entrance will be eliminated. The timing for the Tutt extension is not determined at this time with PPRTA.

The City Traffic Engineering Division supports the projected road configuration; however, depending on the timing of development the stop sign condition at the southern entrance may need further alterations. The owner is aware and a note has been added to the concept plan that a specific traffic analysis will be required with each development plan to ensure an adequate level of service.

ii. Colorado Department of Transportation (CDOT)

A portion of the proposed annexation will capture an area of land of existing Powers Boulevard. This is a remnant of Powers Boulevard that was not previously annexed with the northern portion being annexed in 1998 with the Norwood Addition No. 6 and the southern annexed in 2016 with the recent Kum & Go 685 Addition. This annexation will bring the entirety of the roadway into the City in this immediate area. Staff has submitted the associated documents for review with the Colorado Department of Transportation but as of the time of this report have not received any comments. The annexation of this roadway will not have any impact to the City and is part of a technical correction to annex the remaining portion of Powers Boulevard into the municipal boundary.

iii. Water Resource/ Floodplain

A Master Development Drainage Plan has been reviewed by City Engineering Water Resource Division. Future development will follow standard process and comply with all drainage criteria and will require a Final Drainage Report prior to any approval of a development plan.

d. Park Land Dedication

The associated development is proposed for future inclusion of residential uses and thus triggers the City Park Land Dedication Ordinance (PLDO) for any dedication or fee of parkland. The proposed annexation area does not include a park site and rather the PLDO fee will be collected for any residential units established as part of this annexation area. The Parks and Recreation Department has reviewed this application and supports the collection of fees in lieu of land dedication.

e. School District 20

Academy School District 20 has reviewed the associated applications. They are not requesting any land dedication with the size of this annexation and will be collecting the standard fee for any residential unit established within the annexed area.

f. Districts

This site is in the Woodmen Road Metropolitan District Service area as defined in the adopted Intergovernmental Agreement and Service Plan for the District. The Agreement requires that all new land development and construction activity be subject to the terms of the Service Plan including the payment of platting and building fees as well as annexation into the District where they are subject to the mill levy assessment for all real property.

2. Conformance with the City Comprehensive Plan

The current Comprehensive Plan, PlanCOS, identifies several policies related to the annexation of property into the City of Colorado Springs, as well as the establishment of zoning and planning for the land use pattern to be created. Several policies support the establishment of development with positive connections between a mix of development and the establishment of development that will foster economic and community growth. **(FIGURE 7)**

The objective for annexation, as identified in the current Comprehensive Plan, is to benefit the City and occur in a manner that ensures a logical extension of the City's boundary. The proposed development allows for logical extension of City utilities with logical opportunity for commercial and residential growth while serving to close the gap to services as part of an enclave. The proposed development can be seen as a potential activity center that will serve the large Colorado Springs community.

The Comprehensive Plan identifies four policies for annexation; 1) Annexations will occur in accordance with State law; 2) Annexation will be a benefit to the City; 3) Development will be consistent with long range plans; and 4) Avoid creating enclaves and eliminate existing enclaves. Staff has evaluated the proposed annexation and determined its eligibility in accordance with State law to be acceptable. The new growth opportunity will be a benefit to the City as discussed with economic findings and logical establishment for commercial growth. Lastly, the proposed annexation does not create an enclave with the City as this is not supported by the Comprehensive Plan or the City Annexation Plan.

PlanCOS is a high level and visionary document. Although PlanCOS purposefully does not include site-specific map-based recommendations regarding land use or annexations, there are multiple areas of alignment between the Plan and this proposed annexation and project. An area of focus for the Comprehensive Plan is the encouragement of mixed uses in activity centers. The combination of proposed land uses meet the overall intent for a type of activity center as envisioned.

Another theme identified from the Plan focuses on Thriving Economy. Again, many of the common desired elements for this theme are well aligned with the proposed project. Within this theme there are five established 'big ideas' that all have substantial applicability. The annexation and project would advance the ideas directly. Arguably, this project will also result in a net fiscal benefit to the City, and it presents a potential for sustainability of infill of enclaves.

PlanCOS purposefully does not address annexation policy or site-specific options in detail, and instead recommends a systematic update of the City's current (2006) City Annexation Plan. PlanCOS anticipates changes that would focus on the kinds of strategic, logical, targeted and fiscally effective annexations such as this one.

It is the finding of the Planning and Development Department that the Church for All Nations annexation along with associated zoning, and concept plan substantially conform to the PlanCOS goals and objectives.

3. City Annexation Plan

The City Annexation Plan was last updated in 2006 and is an advisory document. Staff recommends this annexation as consistent with the intent of the 2006 Plan as it eliminates an existing enclave within the City and thus closes the gap to infrastructure and services being provided by the City.

4. Conformance with the Area's Master Plan: There is no master plan for the proposed site.

STAFF RECOMMENDATION

CPC A 13-00004 – ANNEXATION

Recommend approval to City Council the Church for All Nations Addition No.1 Annexation based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203.

CPC PUZ 13-00138 – ESTABLISHMENT OF ZONING

Recommend approval to City Council the establishment of the PUD (Planned Unit Development; Mixed Commercial and Residential, maximum residential density 20 DU/AC, 45-foot maximum building height with 75-foot for architectural features with Airport Overlay) 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) as well as the criteria for establishment of a PUD zone district as set for in City Code Section 7.3.603.

CPC PUP 13-00139 – PUD CONCEPT PLAN

Recommend approval to City Council the Church for All Nations PUD 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) and criteria for PUD concept plans set forth in City Code Section 7.3.605.