

CITY PLANNING COMMISSION AGENDA
December 20, 2018

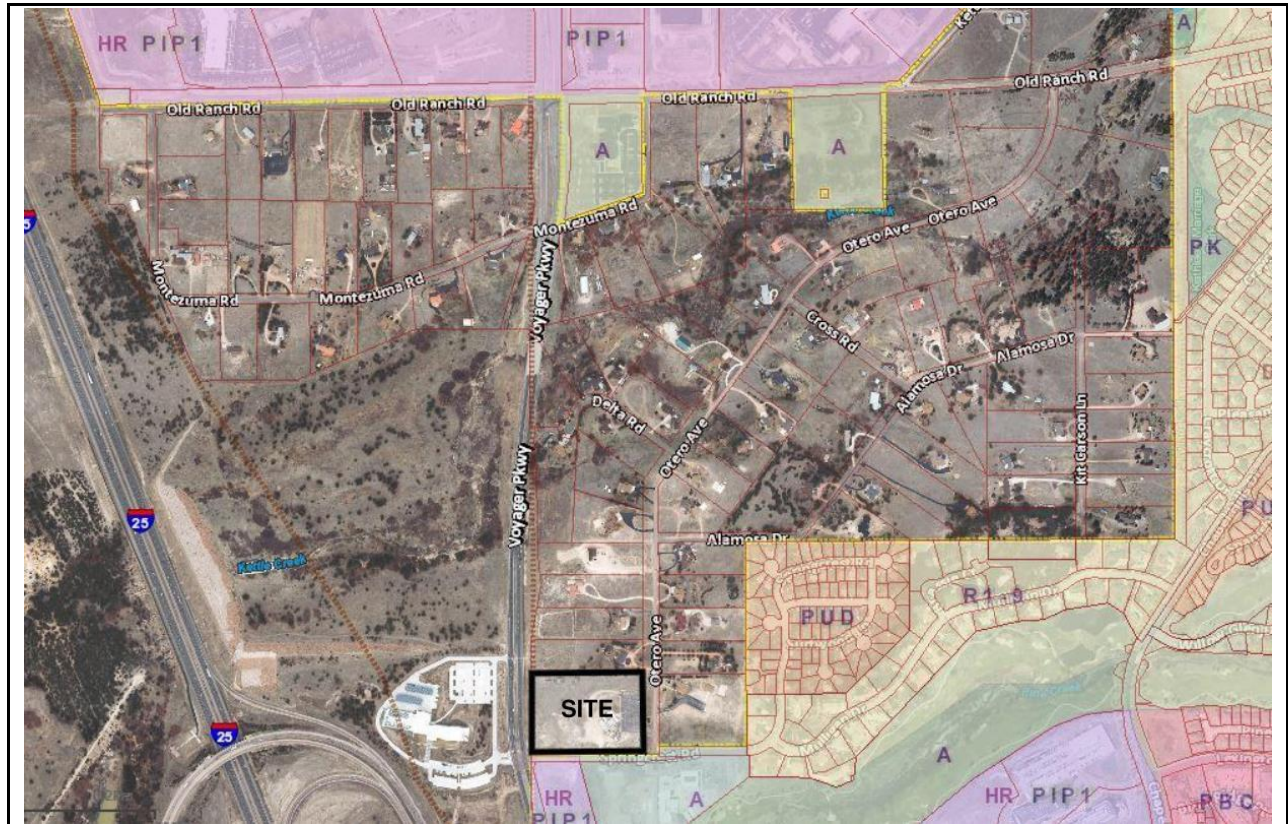
STAFF: KATIE CARLEO

FILE NO(S):
CPC A 17-00025 – LEGISLATIVE
CPC ZC 18-00035 – LEGISLATIVE
CPC DP 18-00036 – QUASI-JUDICIAL

PROJECT: BRIARGATE CHURCH ASSEMBLY OF GOD ANNEXATION

OWNER/APPLICANT: BRIARGATE CHURCH ASSEMBLY OF GOD (PASTOR, SCOTT BOTTOMS)

CONSULTANT REPRESENTATIVE: RMG ARCHITCTS, KEITH MOORE



PROJECT SUMMARY

1. Project Description: This project includes concurrent applications for annexation, establishment of the A (Agricultural) zone district and the Briargate Church Assembly of God development plan for 8.26 acres. The property is located northeast of the intersection of Voyager Parkway and Springcrest Road and currently in unincorporated El Paso County.
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 currently addressed as 9550 Otero Avenue
2. **Existing Zoning/Land Use:** The property is currently in unincorporated El Paso County zoned RR-5 (Rural Residential). The property has an existing church facility.
3. **Surrounding Zoning/Land Use:**
North: RR-2.5 (Rural Residential)/single-family residence
South: A (Agricultural)/school
East: RR-5 (Rural Residential)/church facility
West: RR-5 (Rural Residential)/USAFA general office
4. **Comprehensive Plan/Designated 2020 Land Use:** There is no existing 2020 Land Use Designation because the site is not within City limits.
5. **Annexation:** The property is not yet annexed.
6. **Master Plan/Designated Master Plan Land Use:** There is no master plan for this site.
7. **Subdivision:** Spring Crest Amended Filing
8. **Zoning Enforcement Action:** None
9. **Physical Characteristics:** A portion of the property is developed as a church facility with remaining portions having some native vegetation and natural grass.

STAKEHOLDER PROCESS AND INVOLVEMENT

The public notification process consisted of providing notice to the neighbors by posting for the project on site and sending postcards to property owners within 1000-feet of the project site. No comment or letters of opposition were received. A second mailing will be sent to a 1000-foot buffer prior to the 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 49, Police and E-911, El Paso County Development Services, and USAFA (No comments were received from USAFA).

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

Review Criteria / Design & Development

a. **Annexation**

This annexation consists of 8.26 acres as a request to annex the property into the municipal limits of the City of Colorado Springs for further development of a religious facility. **(FIGURE 2)** The Annexation Petition for the property was heard and accepted by City Council on January 9, 2018 and forwarded to staff for internal review.

The proposed annexation largely reflects the need for City utility services for any further development of the property. The property owner has stated in their project statement that any further addition to the church facility will overburden the existing well and septic system capacity for the property and with a growing congregation they are in need of a facility expansion. Per City Code Section 7.6.210 utility services may be provided to property outside the City limits; however, when the area to be served is legally eligible for annexation the property should be annexed into the City to receive utility services. The proposed annexation does meet the State Statute requirement for contiguity with the City boundary and is legally eligible for annexation.

The current City Annexation Plan (2006) identifies the property in an area eligible for annexation but not recommended; as that evaluation states the nature of the existing land use pattern at that time was low density residential areas. In general, the City's policy would not support annexation of low density residential. The existing land uses; to include the proposed site as religious use, the eastern adjacent site as religious use and southern adjacent site as a school facility; have created an overall function of a transitional civic/commercial land use pattern rather than the previously identified low density residential evaluated in the 2006 Plan. Staff would support that the evaluation

done in 2006 was previous to the established land uses along Springcrest Road and this land use pattern more aligns with areas the City supports for annexation.

Although this property is not located in a true enclave (remnants of land that are surrounding by the City), the property is located within a small area of unincorporated El Paso County with similar characteristics of an enclave. The city boundary surrounds this area along the north, east and south; and it is completely boarded to the west by United States Airforce federally owned property that will not be annexed into the City. **(FIGURE 3)** The methodology, as identified in the City Annexation Plan, of supporting the annexation of areas of enclaves is to eliminate areas that are smaller portions of unincorporated county that are surrounded by City infrastructure closing the gap to City services.

Staff believes this annexation meets the intention for supporting annexations that close the gap to services. Police and Fire response are already provided by the City in this area. Voyager Parkway and Springcrest Road are existing city streets. With this annexation, the annexor will be required to improve Springcrest Road, widening the roadway to meet City standards. Otero Avenue will be left as a county road until further annexation would support the logical extension of city roadways to include Otero Avenue.

A master plan is required with annexation; however, per City Code section 7.5.403(B)(1) this requirement may be waived if the area under review is a small parcel, less than 30 acres, and is part of an area with a well-established surrounding development pattern and intended for a single primary land use. Surrounding land use has a well-established pattern with significant residential to the east and mixed commercial along the Voyager Parkway corridor as well as the Old Ranch Road corridor north of the site. The proposed religious institutional use is a compatible and complimentary transitional use from residential to commercial. The owner has identified intentions for development with the expansion of the church facility. 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.

A Fiscal Impact Analysis (FIA) is required for all annexation requests and is completed by the City Budget Office. The FIA was completed on December 4, 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 4)**

The annexation agreement is attached as **FIGURE 5**. The standard Police and Fire service fees will be collected.

This property has completed its required inclusion into the Southeastern Colorado Water Conservancy District through the Bureau of Reclamation. Inclusion was approved on July 24, 2018 as seen in the Letter of Assent attached here as **FIGURE 6**.

b. Zoning

This zoning request is to establish 8.26 acres as A (Agricultural). **(FIGURE 7)** The owner has identified the intention for the expansion of the existing religious use on the property. The property is currently zoned RR-5 (Rural Residential) in El Paso County with the allowable use by right for a religious institution on the property. The Owner is proposing a zone change to A (Agricultural) which will allow the continuation of the religious use and has compatible dimensional controls that are harmonious with the surrounding properties.

City Code section 7.5.501(B)(1) requires the minimum of a concept plan accompany an application for the establishment of a zone district with the exemption per City Code section 7.5.501(C)(1) for the establishment of a zone district including A (Agricultural). In this instance the owner has chosen to go beyond the required concept plan and has submitted a full development plan for the further expansion of the religious facility.

c. Development Plan

The proposed development includes a 13,000 square foot church addition with associated infrastructure, parking and landscape. The site currently has an existing 9,600 square foot religious facility which is also shown on the development plan; total facility space to be 22,600 square feet. The proposed church facility will be two-stories along Otero Avenue and include a walk out level along the southwest of the building, towards Voyager Parkway. Building height for the expansion is proposed at 34'-8", the existing church building height is 24'-8". **(FIGURE 8)**

Current access to the church is gained from 2 main driveways off of Otero Avenue, the proposed expansion includes a new access from Springcrest Road. The property owner will also dedicate thirty feet for additional right-of-way for future expansion of Springcrest Road. The owner is responsible at this time for improvements including curb and gutter along Springcrest Road. At which time in the future Springcrest Road is expanded to the full cross section the owner will be responsible for placement of curb, gutter, and sidewalk along the roadway. The City Traffic Division did not require a traffic study at this time, but has noted that any future church expansion or development on this site beyond the currently proposed will be subject to a traffic analysis at that time. The further widening and improvements along Springcrest Road will help better facilitate the traffic needs for the church and the school along the south side of Springcrest Road.

With this expansion the property owner is responsible for installation of on-site water quality and detention. A new pond will be constructed located just west of the new parking lot on the west side of the buildings. A full drainage study was prepared and approved by the City Water Resource Engineering Division. As proposed if the property is annexed and development occurs the property will comply with all City development standards.

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 will be included on the map as a continuation of the "Regional Center" that is existing on adjacent city properties.

As this project moves through the public hearing process staff would also like to touch on the proposed annexation as it will follow the proposed newly adopted PlanCOS. Although the updated PlanCOS does not include an overarching land use map staff would support that the proposed land use functions in the capacity appropriate with the extension of the surrounding Regional Center classification. In addition PlanCOS does not cover in detail an updated to the City's approach to annexation, however the City's position is stated to maintain support of areas that eliminate gaps in service

The Comprehensive Plan and the Annexation Plat both highlight the importance of annexing areas that will align the City to eliminate gaps in service and infrastructure. The Comprehensive Plan strategies advocate a cooperative approach with the property owners and governmental entities to systematically eliminate these areas.

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

STAFF RECOMMENDATION

CPC A 17-00025

Recommend approval to City Council the annexation of the Briargate Church Assembly of God 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 ZC 18-00035

Recommend approval to City Council the establishment of the A (Agriculture) zone district based upon the findings that the zoning request complies with the three (3) criteria for granting of zone changes as forth in City Code Section 7.5.603(B)

CPC DP 18-00036

Recommend approval to City Council the Briargate Church Assembly of God Development Plan based upon the findings that the proposal meets the review criteria for development plans as set forth in City Code Section 7.5.502(E)