

**CITY PLANNING COMMISSION AGENDA**  
**March 17, 2022**

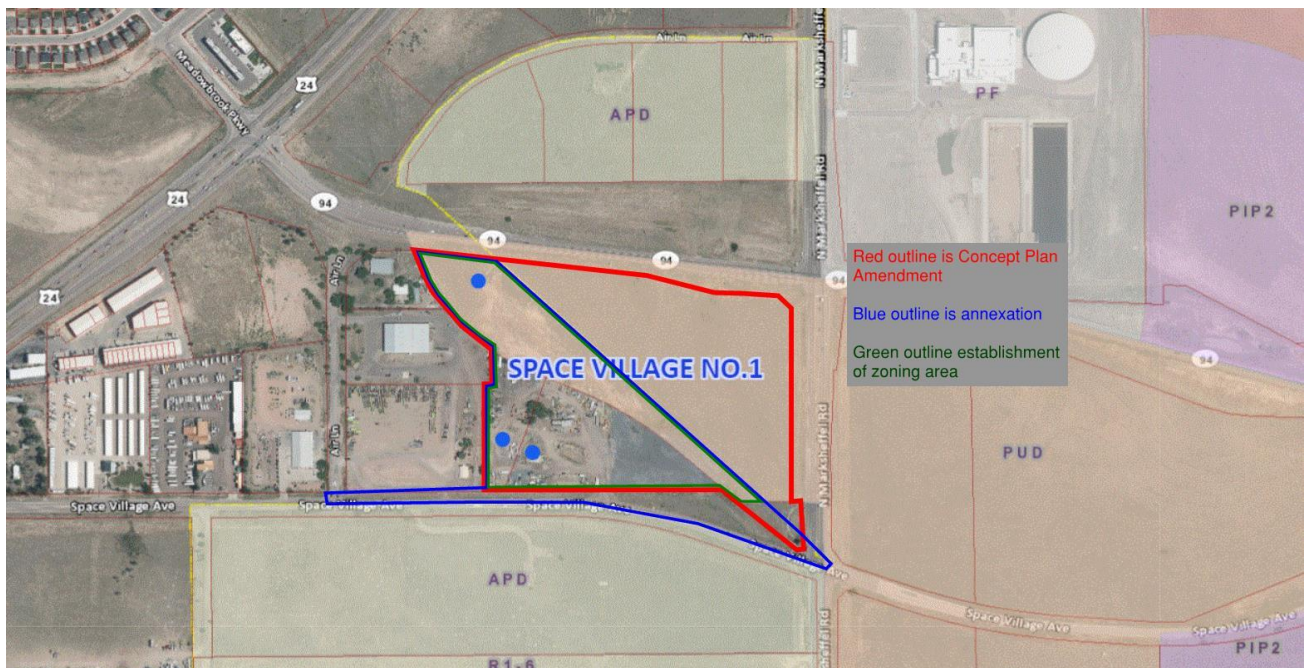
**STAFF: GABE SEVIGNY**

**FILE NO(S):**  
**CPC A 21-00153 - LEGISLATIVE**  
**CPC ZC 21-00165 – LEGISLATIVE**  
**CPC CP 20-00137-A1MJ21 – QUASI-JUDICIAL**

**PROJECT: SPACE VILLAGE ADDITION NO. 1 – ANNEXATION**

**OWNER: SPACE VILLAGE INDUSTRIAL, LLC**

**APPLICANT: MATRIX DESIGN GROUP (CONSULTANT)**



**PROJECT SUMMARY:**

1. Project Description: The project includes concurrent applications for annexation of 21.82 acres, establishment of zoning of 14.665 acres, and a concept plan for 49.9 acres located southwest of the Highway 24 and Highway 94 intersection. The concept plan illustrates the proposed land use, access points, and overall intent. The proposed zoning will establish a PIP-2/AP22/AO (Planned Industrial Park / Accident Potential Subzone 2 with Airport Overlay) zone district with the overall annexation to allow for industrial uses to be established on the property.

2. Applicant's Project Statement: (see attached **Space Village Addition No. 1 Project Statement**)
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the applications.

#### **BACKGROUND:**

1. Site Address: The property is not addressed and is located on the southwest corner of the State Highway 94 at Marksheffel Road intersection.
2. Existing Zoning/Land Use: The property is currently in unincorporated El Paso County, with portions of the property to be unzoned and other portions zoned I3 CAD-O (Heavy Industrial with Commercial Airport Overlay District).
3. Surrounding Zoning/Land Use:  
North: APD/APZ-2/AO (Airport Planned Development / Accident Potential Zone 2 with Airport Overlay) / Vacant.  
East: PBC/AO (Planned Business Center with Airport Overlay) / Vacant.  
South: APD/APZ-1/APZ-2/AO (Airport Planned Development / Accident Potential Zone 1 / Accident Potential Zone 2 with Airport Overlay) / Vacant.  
West: I-3/CAD-O (El Paso County zoning Heavy Industrial and Commercial Airport District Overlay) / Commercially developed;
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 property has not been platted.
7. Zoning Enforcement Action: None
8. Physical Characteristics: The project site is generally gently sloping from north to southeast. Vegetation on-site primarily consists of native grass, with a few trees in areas where drainage collects and provides ample hydration for tree survival. Areas of the annexation have been used as outdoor vehicle storage.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 11 property owners on two occasions: during the internal review stage, and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. During the internal review notification City Planning staff did not receive any comments in response to the notification.

Staff's analysis of the proposed applications is outlined in the following sections of this report. In terms of internal and external agency reviews, staff sent the applications to the standard agencies and service providers, including the following:

##### INTERNAL (CITY) REVIEWERS

Colorado Springs Airport

Parks and Recreation Department – Parks, Trails, Open Space

Engineering –Traffic Engineering; Street Improvements; Transportation/Bicycle Planning; Stormwater City Surveyor

Police –Crime Prevention

Division of the Fire Marshall

Colorado Springs Utilities

Information Technology - Street Naming

Finance Department – Fiscal Impact Analysis

## EXTERNAL AGENCY REVIEWERS

United States Postal Service

Peterson Air Force Base

Colorado Department of Transportation

El Paso County

Ellicott School District

Pikes Peak Regional Building Department – Floodplain; Enumerations/Addressing;

Colorado Springs Chamber of Commerce

Cable Providers

CONO

The reviewing agencies have no objections to the proposed applications in general.

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

### 1. Review Criteria / Design & Development Issues:

#### a) Background

The proposed annexation is located in the Cimmaron Hills Enclave (**see attached Enclave\_2020 Map**) north of Colorado Springs Airport, north of Space Village Avenue and east of Marksheffel Road. This is a large enclave, consisting of 4,495 acres. The area consists of several different uses, from industrial, commercial, and residential. The immediate area of the proposed annexation is industrial to the west and un-developed property to the north, south and east.

The proposed annexation has a property line bisecting the proposed annexation and zone change. This area is not identified in a Master Plan, however, the remaining portion of the concept plan amendment area is located within the Banning Lewis Ranch Master Plan and is identified as Office/Light Industrial.

#### b) Annexation

Landowners 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 on October 12, 2021. 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. With a perimeter of 4,234.7 feet to be annexed, the required contiguity is 702.88 feet. Currently the proposed annexation has a contiguity of 1513.86 feet on the northeast side and being able to utilize rights-of-way along Space Village at a distance of 1365 feet, staff has determined the proposed annexation meets the requirements of contiguity.

The proposed annexation is located with the Cimmaron Hills Enclave and as the City has expanded enclaves, remnants of land that are surrounded by the City have remained within the jurisdiction of Unincorporated El Paso County. As the City Policy supports the elimination of enclaves and thus closing the gap to services being provided, the city further supports a voluntary annexation bases by property owners wishing to utilize City Services and Utilities for future development.. Surrounding areas as part of this enclave have been recently annexed and now include the connection to major infrastructure and services. As supported by the City Comprehensive Plan, PlanCOS, as well as the City Annexation Plan, the City is working through the annexation process to annex active enclaves and close the city boundary gap.

The Space Village Addition No. 1 Annexation (**see attached Space Village Addition No. 1 Annexation Plat**) will annex 21.82 acres of property into the municipal limits of the City of Colorado Springs. The property is intended for industrial uses to be developed within the City

and utilizing city infrastructure. Initial comments from El Paso County included the request to annex Space Village Avenue further west towards Peterson Road; however, this roadway continues to serve other properties within the County and further instruction from City Traffic Engineering, was to only include Space Village Avenue to Space Village Avenue and Air Lane Intersection. It is the City's standard policy that roadway adjacent to voluntary annexations should also be annexed but roadway beyond this remains for potential discussion of whether there is a rational connection for the City to assume the additional ownership and maintenance.

A master plan is typically 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 industrial development. Staff believes the proposed development shows appropriate compatibility when evaluated with the established surrounding land use pattern; no master plan is required with this application. The supporting concept also captures a similar level of detail and clearly identifies the intended land use configuration.

i. Southeastern Colorado Water Conservancy District (SECWCD)

This property has completed its required inclusion application into the Southeastern Colorado Water Conservancy District through the Bureau of Reclamation. The Inclusion process was completed with the Bureau of Reclamation with a final Letter of Assent being issued on December 23, 2021.

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 memo was completed on November 17, 2021. The fiscal review criteria of the City Code states city costs related to infrastructure and service levels shall be determined for a ten-year time horizon for the appropriate municipal funds; new budget policy sets forth criteria to be met for proposed annexations and how a FIA will be completed.

Per the attached FIA memo (**see attached Space Village Addition No. 1 FIA Memo**) this proposal annexes a 21.8-acre property in the City and establishes zoning for 14.6-acres of Industrial use. As a fiscal impact analysis is normally completed on the planned zoned acreage, which in this case is 14.6 acres, the proposed annexation and rezone does not meet the criteria, and a full fiscal impact analysis is not required.

The draft annexation agreement is attached as **SPACE VILLAGE ADDITION NO. 1 ANNEXATION AGREEMENT**. Dedication and improvements with this annexation are fully outlined in the agreement.

c) Establishment of Zoning

The proposed zoning request will establish the PIP-2/APZ2/AO (Planned Industrial Park / Accident Potential Subzone 2 with Airport Overlay) zone district to accommodate the future intended industrial development. It is required by City Code that any annexed property be accompanied by a zoning designation. As a general land pattern that has been established in the area, we see developed industrial zoning along Space Village Avenue in the immediate vicinity to the west, un-developed Airport Planned Development to the north and south, and un-developed commercial to the east which gives opportunity to industrial uses in the area in question.

The subject property is proposed to establish the PIP-2 zone district as an extension of the PIP-2 district with the area already annexed to the east and to allow as a use by right the development of the industrial use. City Code Section(s) 7.4.104, Site Development Standards, and 7.5.502 Development Plan, allows for the establishment of such uses conforming to design criteria. The associated Concept Plan Amendment as part of this application details the dimensional requirements and will guide the future development and administrative building permit applications.

The proposed zone change is supported by the submittal of a concept plan (**see attached Reagan Ranch Concept Plan Amendment Exhibit**) that identifies the locations of the proposed land use, major access points, and major roadways. The existence of the Accident Potential Zone (APZ) in this area supports a use other than residential in this corridor, and the PIP-2 zone district provides a variety of uses that balance the transition from industrial uses to the west, transitioning to commercial to the east and residential further east. Accident Potential Zones are based on the Department of Defense criteria and Federal Aviation Agency recommendations related to the start or end of the particular runway. These areas have been identified as having a high potential for accidents and are represented as sub-zones of the Airport Overlay (AO) Zone.

Land use compatibility guidelines for APZ sub-zones recommend lower-density non-residential uses for these areas; places of assembly (e.g., theaters, churches, schools, etc.) are not considered appropriate. Uses permitted in the PIP-2 zone under the City Code do not include any residential or multi-family uses but instead allow service-oriented businesses such as automotive repair garage, as well as business parks and commercial centers. Communication services, mini-storage, and offices are also permitted uses under the PIP-2 zone. According to the comments provided by the Colorado Springs airport, the permitted land uses under the City's PIP-2 zone district are permissible in this location. Future development plan proposals will continually be reviewed by the Airport Advisory Commission for compliance with APZ land use recommendations. For the reasons stated above, staff finds that the proposed zone change meets the review criteria as set forth in City Code Section 7.3.603 and the findings established under Section 7.5.603B.

d) Concept Plan Amendment

The concept plan illustrates the proposed land uses within Reagan Ranch Concept Plan for those areas located within the Accident Potential Zone boundary and Airport Overlay. Also illustrated on the concept plan are general locations of access points, and major public roadways. The intended land uses for the amendment area are office, industrial, and other land uses allowed under the PIP-2 zone. As noted above, these are consistent with land use compatibility guidelines for APZ areas. The establishment of the Reagan Ranch Concept Plan (CPC CP 20-00137) displays land uses for PBC (Planned Business Center) that would provide a transition between the proposed residential uses within Reagan Ranch to the east and the proposed industrial uses within this application (**see attached Reagan Ranch Concept Plan Amendment Exhibit**). For the reasons stated above, staff finds that the proposed concept plan meets the review criteria for concept plans as set forth in City Code Section 7.5.501.E.

2. Outside Agency Review

a) Traffic

City Traffic Engineering did not require a Traffic Impact Study to be updated for this annexation and Concept plan, however, they have requested that an updated Traffic Impact Study be due at time of development plan. The use fits well into the already established traffic circulation patten and the projected operation of the adjacent roadway be at an acceptable level of service with the addition of this use. The attached annexation agreement has a contribution of \$75,000 for a future signal at the intersection of Space Village and Marksheffel that would be due prior to the approval of any construction plans.

b) Drainage

The Space Village Addition No. 1 area is located within the Peterson Field and Jimmy Camp Creek Drainage Basin. Stormwater Enterprise was sent a referral and have no outstanding comments. They have provided language on the attached Annexation Agreement that the Owner shall provide full spectrum detention for all developed areas; to be owned and maintained by the Owner. Also, the Owner shall be responsible for conformance with the Peterson Field and Jimmy Camp Creek Drainage Basin Planning Study. A Final Drainage Report will be required to be reviewed and approved prior to approval of a development plan or final plat.

c) Schools

The proposed annexation is located within the Colorado Springs School District 11. The district was sent a referral and no comments have been received.

d) Parks and Trails

There were no outstanding comments from parks. The masterplan alignment for the East Fork of Sand Creek Trail exists on the south side of Space Village Avenue. It will eventually be constructed on what is now City of Colorado Springs property. With inspected improvements to the intersection of Marksheffel and Space Village Road, parks has requested the pedestrian ramps be built to a width of 10 feet minimum to accommodate increased trail traffic and maintenance vehicles.

e) Colorado Springs Airport:

The Airport Advisory Commission reviewed the applications at their meeting on November 17, 2021. The Commission had no objections to the applications and provided standard conditions **(see Airport Advisory Commission attachment.)**

f) Peterson Air Force Base

Comments received from Peterson Air Force Base (PAFB) indicated that the base has no substantial concerns with the proposed entitlement request. A statement from base leadership was received in response to the plan distribution with an excerpt from those comments appears below:

*“PAFB is not opposed to the development subject to adherence to traffic study with the purpose of redesigning the PAFB east gate intersection and revisiting the proposed traffic pattern at the intersection of Space Village Ave and Marksheffel Rd. These locations directly affect traffic entering and exiting the installation. Please keep PAFB Base Development updated on the progress of development, transportation changes, and plans for pedestrian and bicycle connectivity between the development and the installation. PAFB POC for this matter is Mrs. Ayoka Paek, PAFB Community Planner, ayoka.paek@spaceforce.mil”.*

3. Geological Hazard

As part of annexation a Geological Hazard review may be required (City Code 7.4.502) but is triggered by the establishment of a master plan. This property fit the criteria for waiving of the master plan as detailed above. When taking into account site conditions; relatively flat and not within a streamside or hillside overlay, this site was not required to conduct a geological hazard study.

4. Conformance with the City Comprehensive Plan

The current Comprehensive Plan, PlanCOS, identifies 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 themes support the proposed development with positive connections between industrial uses that will foster economic and community growth. The proposed development allows for logical industrial growth within an identified High Area of Change in PlanCOS. The typology is also identified as a New/Developing Corridor under the urban place

typologies. This typology encompasses major arterial streets with land use patterns involving automobile-dominated development..

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 new growth opportunity will be a benefit to the City as discussed with economic findings and logical establishment for industrial growth. Lastly, the proposed annexation does continue to eliminate portions of this existing enclave.

It is the finding of the Planning and Community Development Department that the Space Village Addition No. 1 Annexation along with associated zoning, and concept plan amendment substantially conform to the PlanCOS goals and objectives.

5. 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 land within an existing enclave within the City and thus closes the gap to infrastructure and services being provided by the City. The proposed annexation is a voluntary annexation located within the Cimmaron Hills Enclave, and as stated above the city is in support of reducing enclaves through voluntary annexation.

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

**STAFF RECOMMENDATION:**  
**CPC A 21-00153 - ANNEXATION**

Recommend approval to City Council the annexation of 21.82 acres as the Space Village 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 ZC 21-00165 – ESTABLISHMENT OF ZONING**

Recommend approval to City Council the establishment of 14.665 acres as PIP2/APZ2/AO (Planned Industrial Park/Accident Potential Zone 2/Airport Overlay) zoned district, based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B).

**CPC CP 20-00137-A1MJ21 – CONCEPT PLAN**

Recommend approval to City Council Reagan Ranch Concept Plan, based upon the findings that the Concept Plan Amendment meets the review criteria for a Concept Plan Amendment as set forth in City Code Section 7.5.503.C and the Concept Plan criteria as set forth in City Code Section 7.5.501.E.