

Amara Annexation and Master Plan

City Council Work Session
October 10, 2022



AGENDA



1. Approach to Annexations
2. Schedule and Next Steps
3. Introduction to Amara Annexation
4. Annexation contiguity and C.R.S. technical requirements
5. Amara Zoning
6. Terms of the Annexation Agreement
7. Colorado Springs Utilities (CSU) Conditions for Annexation

Fiscal Impact Analysis and Economic Impact Report to be presented at the next City Council work session

APPROACH TO LARGE ANNEXATION



- Recognize that large annexations will take years to develop (demand is not immediate)
 - Establish a master plan-level framework for land use, transportation and other services
 - Details reviewed and required as development occurs
 - Flexible and adaptable over time based on demand and levels of service
 - Rely on City Code and other documents for levels of public improvements (e.g. roadway design, signalization, stormwater) and defer finalization of conditions to future land use processes and triggers (based on demand and level of service)
 - Park Land Dedication Ordinance and School Land dedication Ordinance
 - Citywide Community Impact fees
- ... In other words, development must meet City standards as it occurs over time

APPROACH TO LARGE ANNEXATION



To place the annexation agreement into context, the following primary topics and concerns were evaluated:

- Conditions for Annexation (City Code 7.6.203), including:
 - *Utility services, logical extension of the City's boundary, fiscal/economic impacts*
- Land use master plan
- Transportation and mobility
- Demand on City services
 - *park system, police, fire – immediate and long-term needs*
- Extension of utilities
- Current and future demand/obligations of water and water rights
- Invasion of territory of existing dry utility providers
- Timing/financial responsibility/cost sharing of infrastructure improvements
- Initial public safety services, distance from current City infrastructure/operations/services

SCHEDULE and Next Steps



Petition for Annexation: November 23, 2021

Land Use Review Submittal: December 13, 2021



City Council Work Session: October 10, 2022

Neither City Code nor C.R.S. establish timing for processing of annexations (*there ARE specific requirements for public hearing notice*)

Annexor requested to complete the annexation review process by the end of 2022

SCHEDULE and Next Steps



Tentative Schedule:

October 11 – City Council Budget Committee review of the FIA/EIR

October 11 – City Council Regular meeting - resolution scheduling the annexation public hearing for November 22

October 24 – City Council Work Session on FIA/EIR

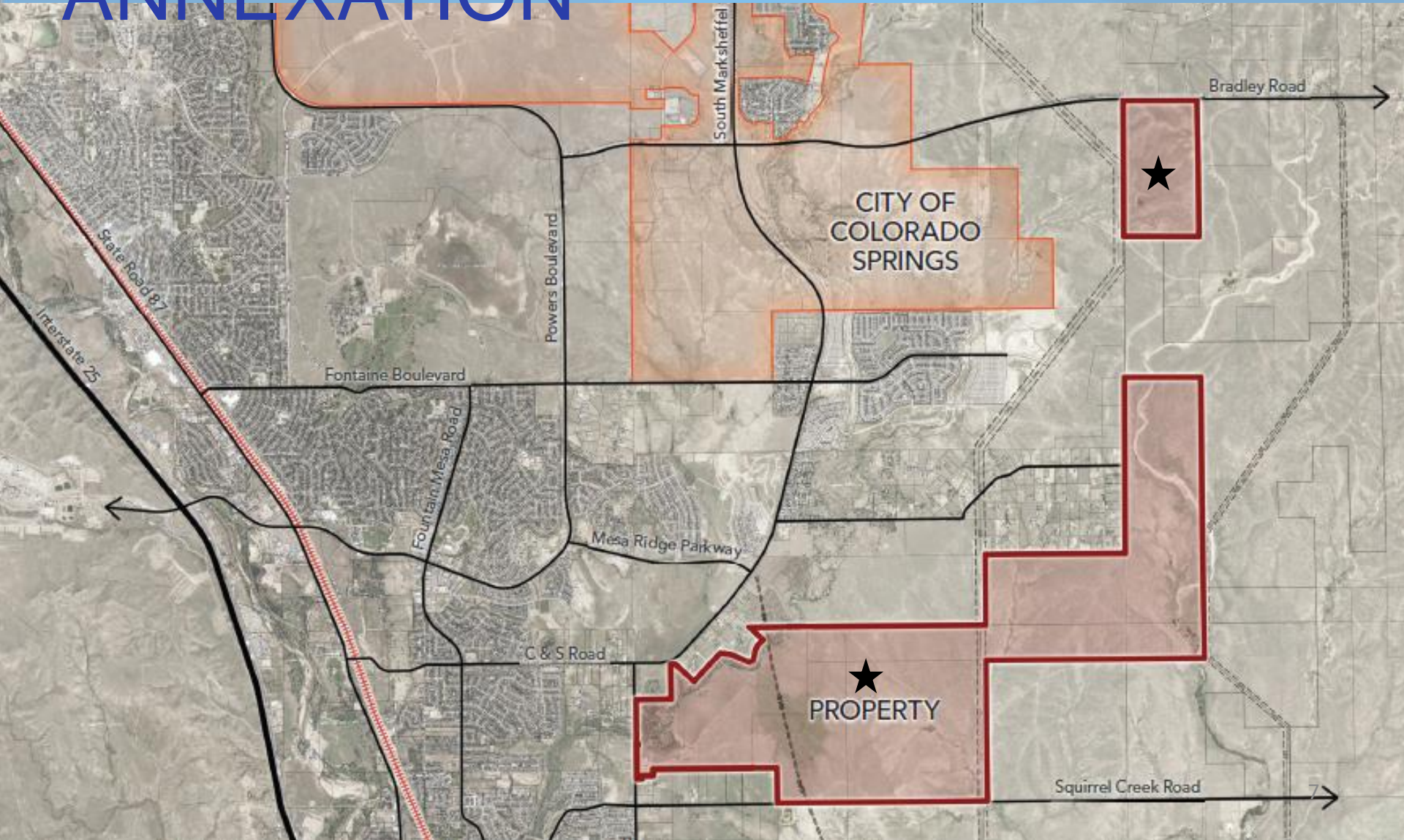
October 25 – City Council Town Hall meeting at 5 PM

November 9 – Planning Commission meeting

November 22 – City Council regular meeting public hearing

December 13 – City Council regular meeting final action

AMARA ANNEXATION



AMARA ANNEXATION



Applications

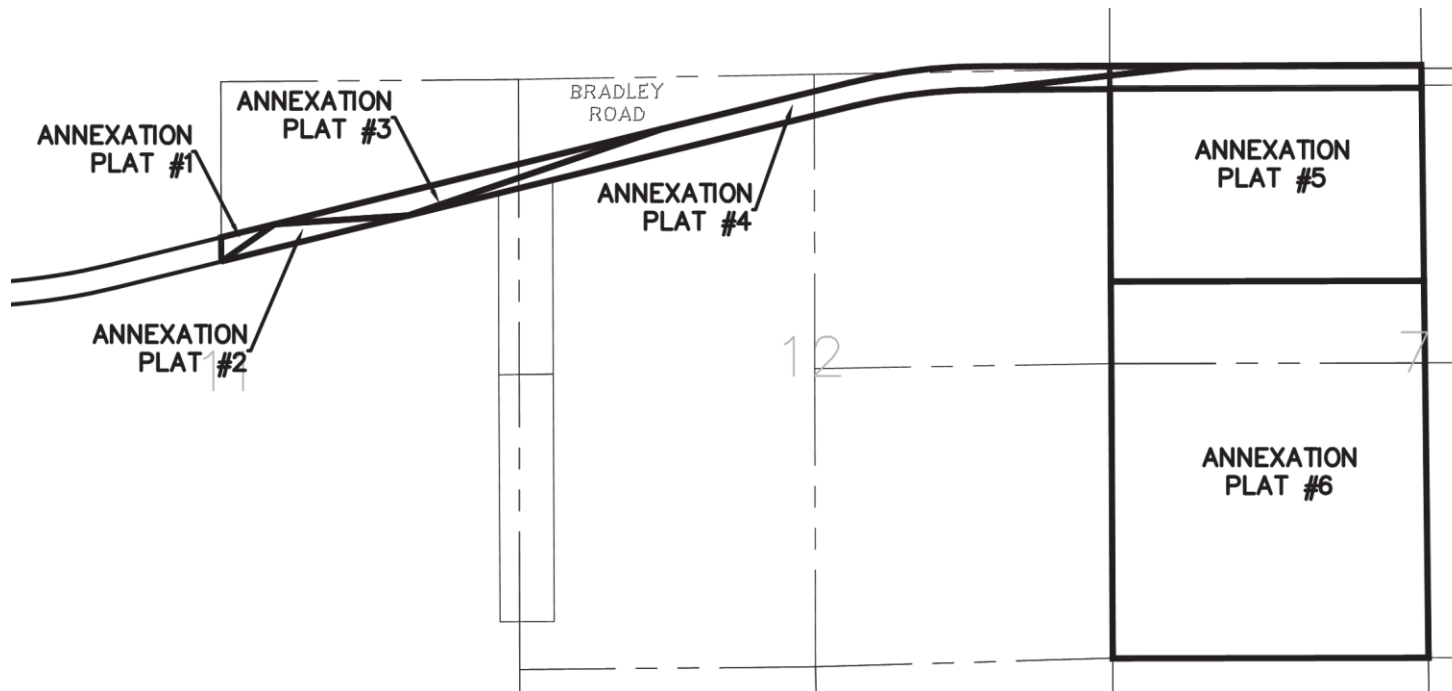
- Annexation
 - Serial annexation that includes Add. No. 1 -11 (12 separate annexation plats)
 - Total annexation ~3200 acres
- Master Plan (req. per City Code Section 7.5.403)
 - Establishes outline of the land use pattern
 - Mix of commercial, institutional, single-family, multi-family residential, and civic uses
 - Proposed 9500-unit maximum dwelling cap
- Zone Establishment
 - Proposed A(Agricultural) as 'holding zone'
 - Future zone changes required to establish specific densities and uses

TECHNICAL REQUIREMENTS



Flagpole Annexation (Colorado Revised Statute 31-12-105(e.3))

- Real property not contiguous with City boundary
- Use roadway as a 'flagpole' to gain contiguity (Add. No. 1 – 4)

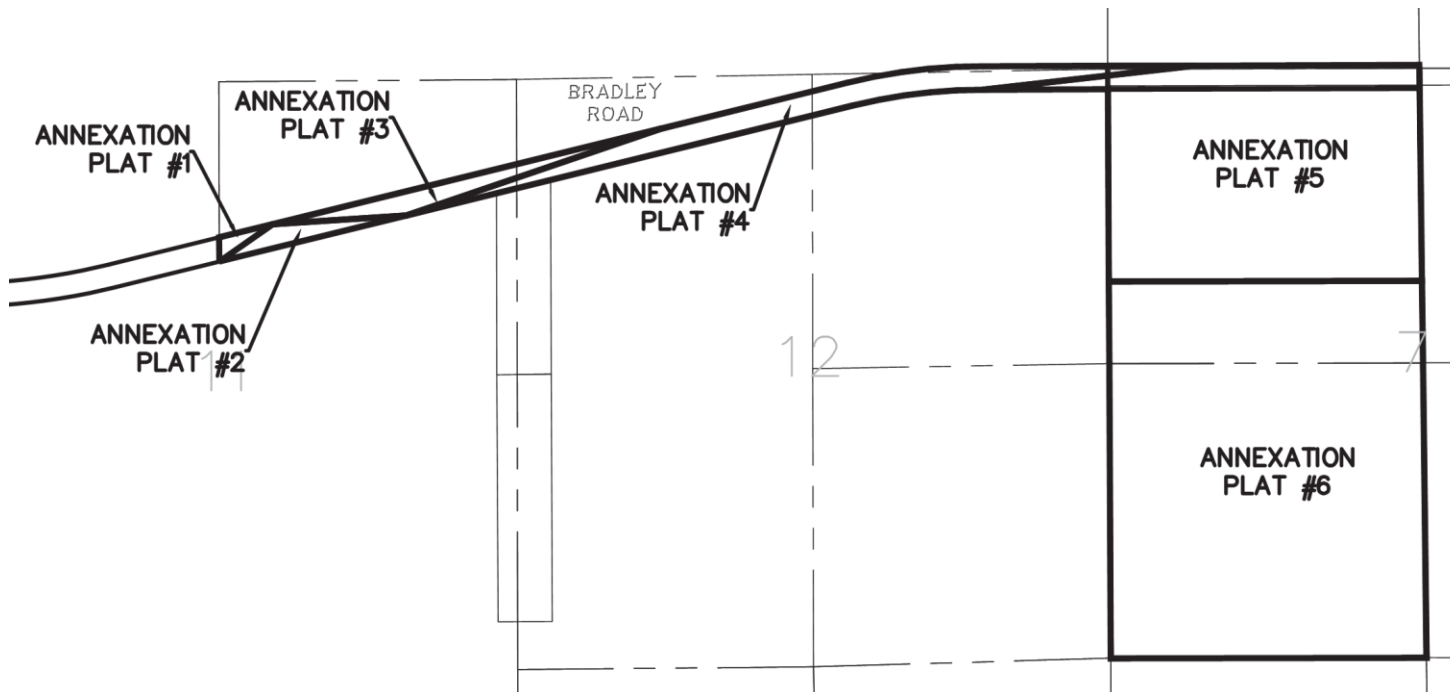


TECHNICAL REQUIREMENTS



Serial Annexation (Colorado Revised Statute 31-12-105)

- Allows to “portion-off” pieces of the whole annexation boundary if the portion does not meet the state statute required contiguity
- Additions 1 – 11 (total portions needed for whole boundary)
- All portions meet the required contiguity



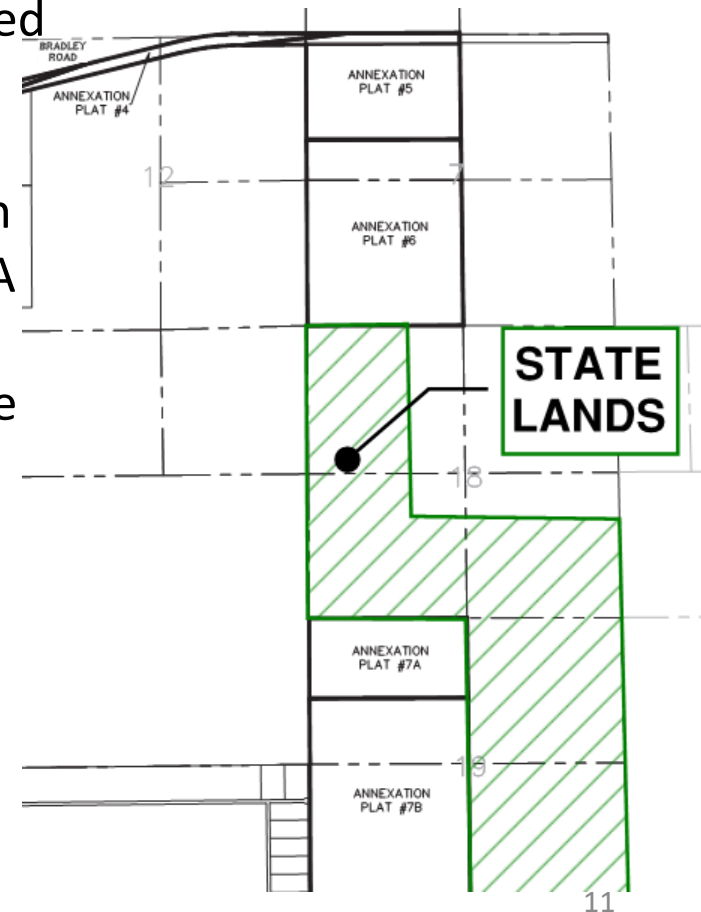
TECHNICAL REQUIREMENTS



Public Lands (C.R.S. 31-12-104(a))

“contiguity shall not be affected by the existence of... public lands, whether owned by the state, the United States or an agency thereof.”

- Proposed annexation incorporates this provision and ‘jumps’ state lands between Add. No. 6 – 7A
- Contiguity is not affected
- Remaining annexations continue to establish the required one-sixth contiguity in the serial annexation configuration



TERMS OF AGREEMENT FOR DEVELOPMENT CSPD, CSFD & PLDO



Colorado Springs Police Department

- Future development will comply with Public Safety Impact Fee
- No station location within Amara, location better served north of Amara

Colorado Springs Fire Department

- Future development will comply with Public Safety Impact Fee
- 2 permanent fire station locations, 1 temporary station location (phase 1)
 - Will remain in operation until the permanent station is developed in phase 3

School Land Dedication Ordinance

School Districts: Fountain Fort Carson District 8, Widefield District 3 and Ellicott District 22

- School sites identified on the master plan to be dedicated

Parkland Dedication Ordinance (PLDO)

- Must comply with PLDO, as amended, at time of development
- Approximately 130 acres for parks
- 9 Neighborhood Parks totaling 58 acres, built/owned/maintained by Owner
- 2 Community Park sites totaling 70 acres, responsibility of the City
- Parks Board approval of master plan (parks) – unanimous approval June 9, 2022₁₂

TERMS OF AGREEMENT FOR DEVELOPMENT Transportation



Two documents provide direction

- Traffic Impact Study (reviewed and accepted by City Traffic)
 - Trip generation
 - Traffic analysis
 - Short and long term improvements
 - Phased implementation of improvements
- Annexation Agreement
 - Responsibilities of the developer
 - The financial contributions to off site roadways
 - Timing (phasing) for:
 - New roadways
 - Improvements to existing roadways and intersections
- Phased improvements to existing infrastructure and internal infrastructure to support the development

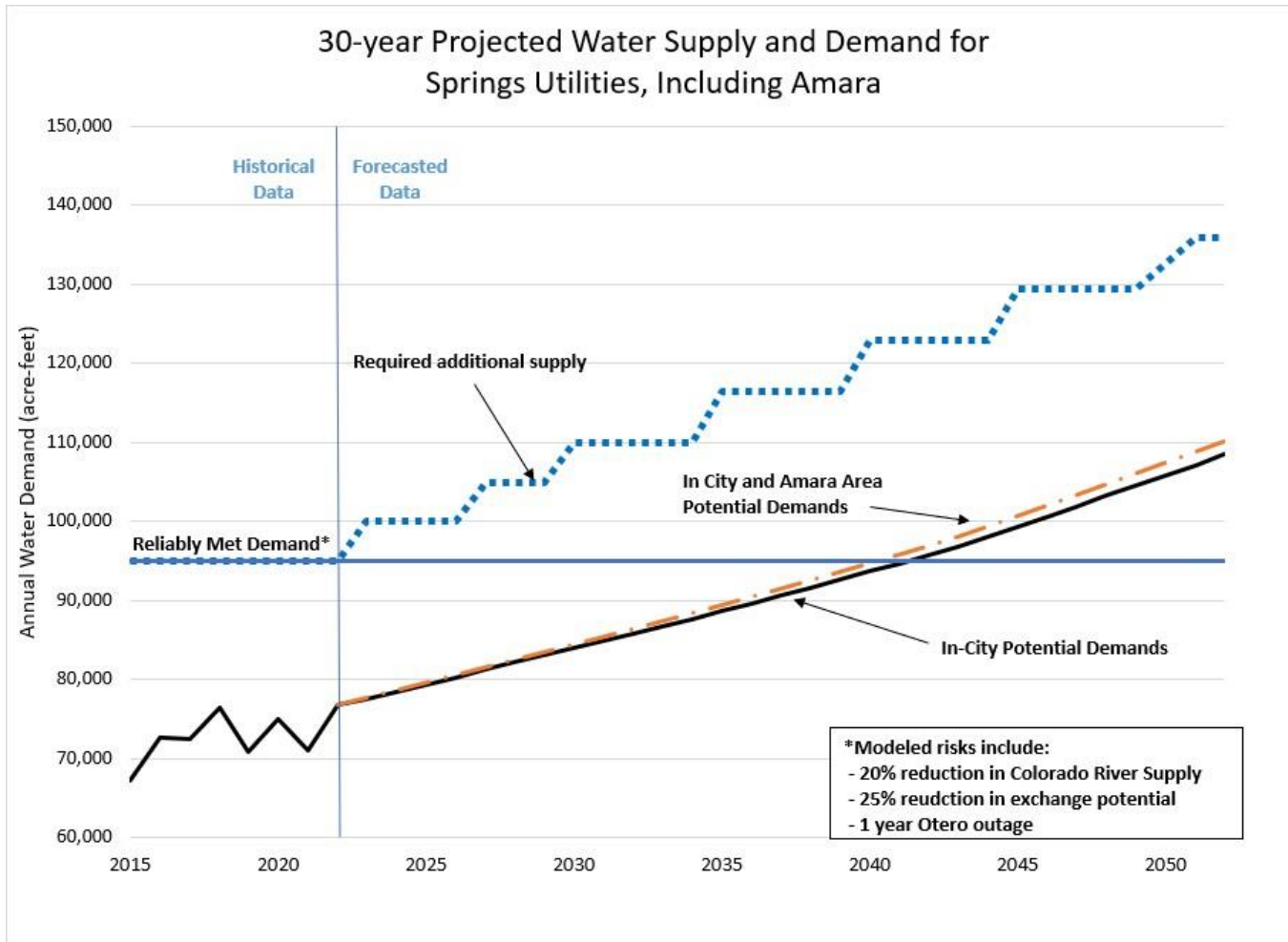
7.6.203: Conditions for Annexation



C. Projected available water surplus at time of request

- Based on first-come, first-serve policy, Amara's demand can be met today
 - Amara's projected demand at buildout is 3,500 acre-feet/year
- Additional water supplies must be developed in accordance with Integrated Water Resource Plan to meet future demand
 - Springs Utilities can meet 95,000 acre-feet/year of demand based upon adopted risk metrics
 - Current average demand is 73,000 acre-feet/year
 - Springs Utilities must develop additional water resources to meet full buildout demands of the City
 - Springs Utilities continues to monitor emerging risks that impact water supply

7.6.203: Conditions for Annexation

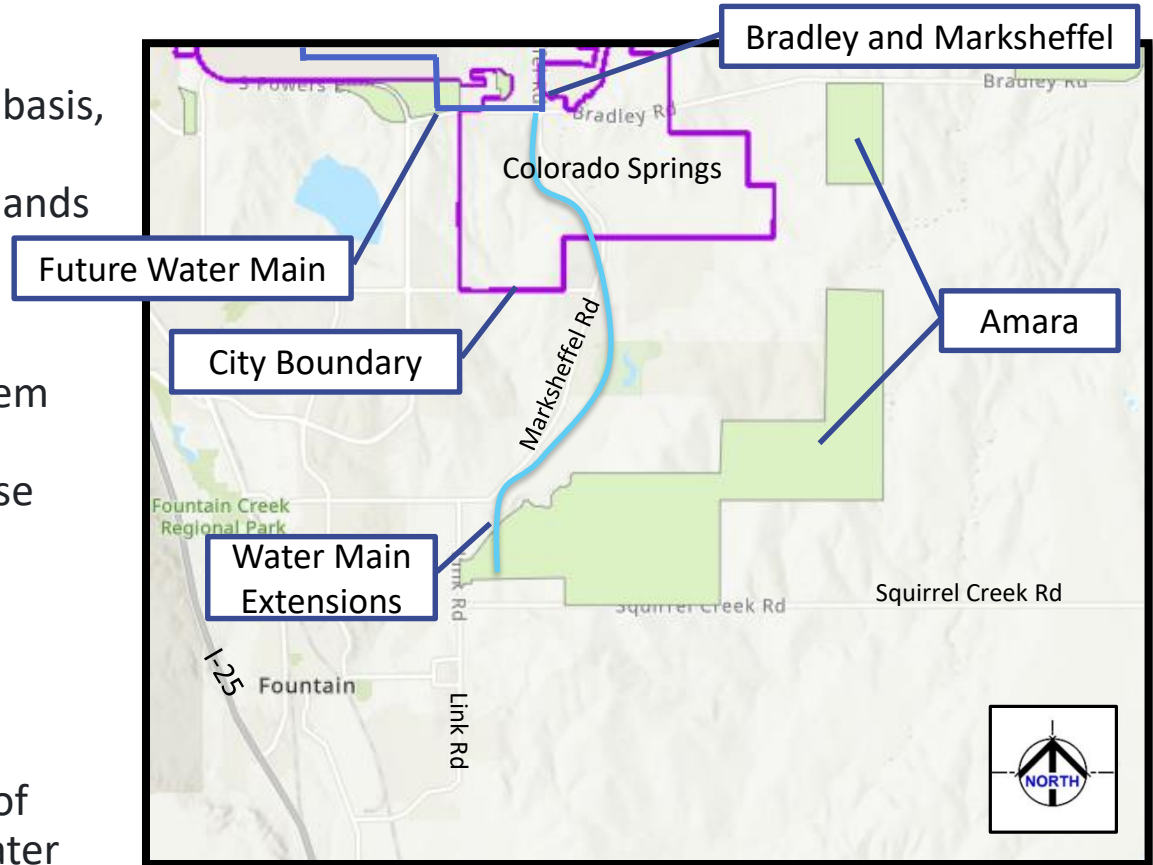


7.6.203: Conditions for Annexation



D. Water Facilities

- Based on first-come, first-serve basis, Bailey Water Treatment Facility projected to meet Amara's demands for the foreseeable future
- Developer to extend water system from terminus of existing water distribution system at its expense
- Redundant supply installed at developer's expense
- Potential partnership with City of Fountain to support regional water service



7.6.203: Conditions for Annexation



Water Facility Cost Responsibilities

Springs Utilities

- Water Treatment Facilities
- Storage Tanks

Owner/Developer

- Transmission Mains
- Pump Stations
- Onsite Distribution Mains
- Service Lines

Cost Recovery Mechanisms

- Development Charges
- Water Resource Fee
- Cost Recovery Agreements

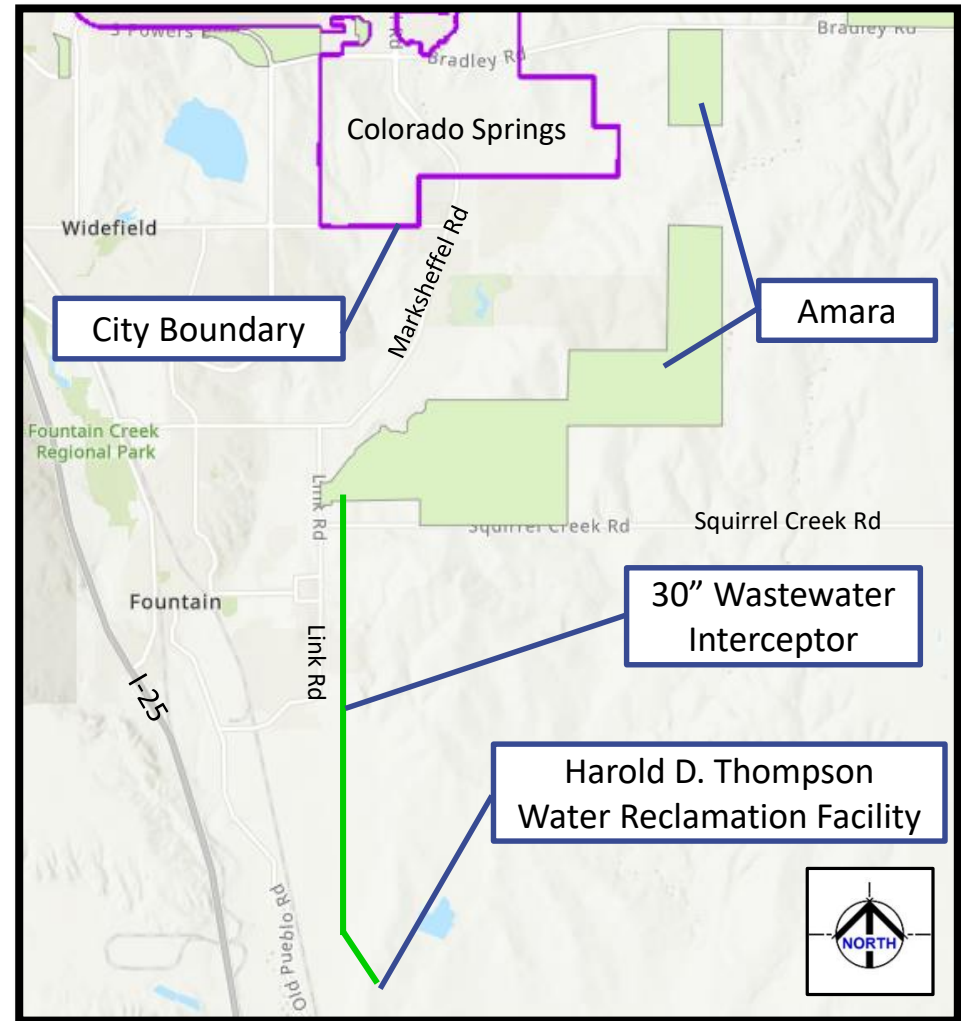


7.6.203: Conditions for Annexation



D. Wastewater Facilities

- Sufficient wastewater treatment capacity exists to meet Amara's demands for the foreseeable future between proposed wholesale wastewater service agreement with a third-party utility and Springs Utilities' system
- Wastewater collection through existing 30-inch wastewater interceptor south of Amara
- Wastewater treated at Harold D. Thompson Water Reclamation Facility



7.6.203: Conditions for Annexation



Wastewater Facility Cost Responsibilities

Springs Utilities

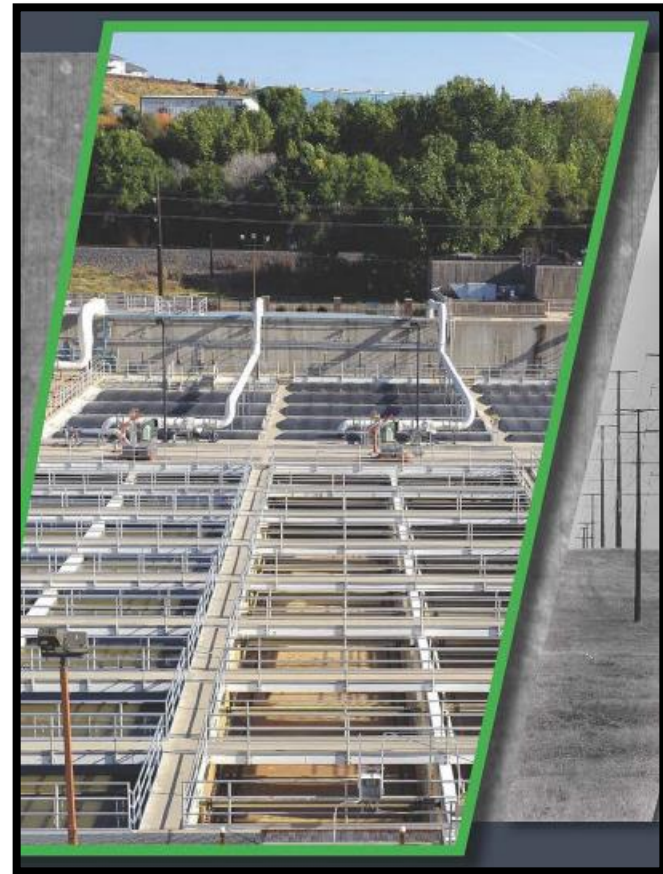
- Wastewater Treatment Facilities

Owner/Developer

- Wastewater Interceptors
- Wastewater Trunk Lines
- Local Collection Mains
- Lift Stations

Cost Recovery Mechanisms

- Development Charges
- Cost Recovery Agreements



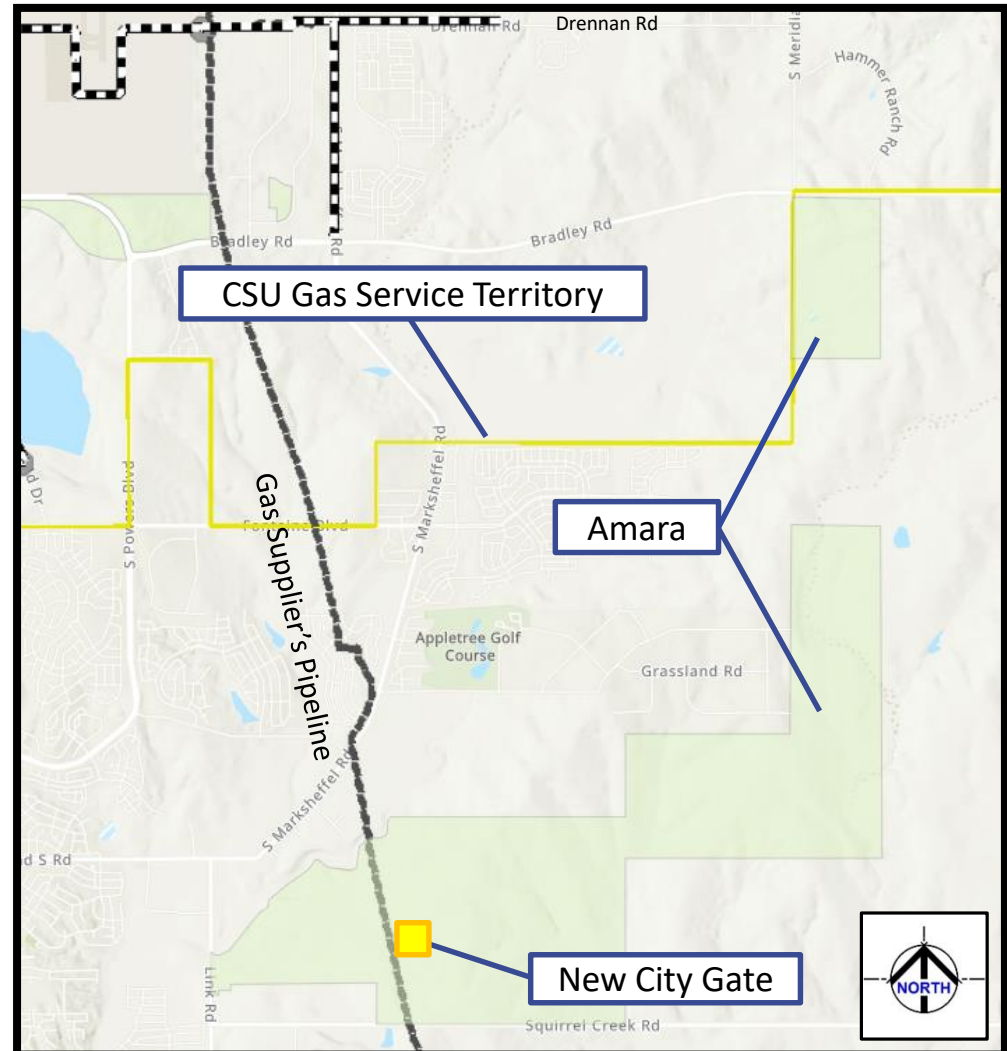
7.6.203: Conditions for Annexation



E. Utilities Extensions

Natural Gas

- With the following improvements, Springs Utilities can meet Amara's demand
 - New onsite natural gas City Gate (interconnect between gas supplier's pipeline and Springs Utilities' distribution system)
 - 150-pound main extensions, regulator stations and onsite distribution mains
 - Planned expansion of Springs Utilities' existing propane air plant
- Springs Utilities continues to monitor risks associated with Clean Heat Plan



7.6.203: Conditions for Annexation

Natural Gas Facility Cost Responsibilities

Springs Utilities

- City Gate
- Propane Air Plant Expansion

Owner/Developer

- 150-pound mains
- Regulator stations
- Distribution mains
- Service lines

Cost Recovery Mechanisms

- Contribution in Aid of Construction



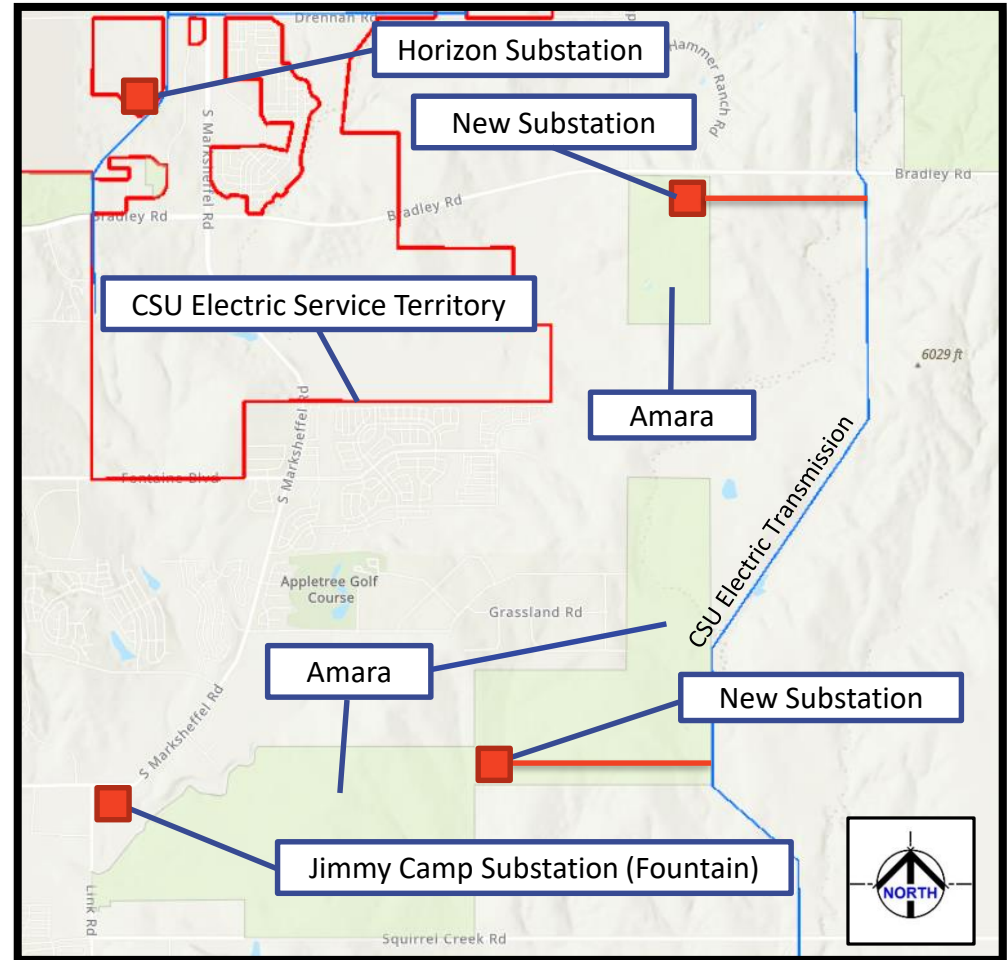
7.6.203: Conditions for Annexation



E. Utilities Extensions

Electric

- With the following improvements, Springs Utilities can meet Amara's demand
 - Potential interim wholesale service agreement with Fountain
 - Radial 600-amp feed from Horizon Substation (optional)
 - New transmission lines and substations
 - Existing Springs Utilities' transmission lines adjacent to Amara
- Springs Utilities continues to monitor risks associated with Clean Energy Plan



7.6.203: Conditions for Annexation



Electric Facility Cost Responsibilities

Springs Utilities

- Generation Facilities
- Transmission Lines
- Substations

Owner/Developer

- 600-amp feeder (optional)
- Distribution Lines
- Service Lines

Cost Recovery Mechanisms

- Contribution in Aid of Construction



7.6.203: Conditions for Annexation



F. Groundwater

Current Conditions

- No decreed groundwater rights appurtenant to property
- Two (2) existing permitted groundwater wells from an unspecified source(s) for an unspecified use(s)

Proposed Conditions

- Springs Utilities supports rehabilitation and re-permitting of existing wells for temporary construction water or future non-potable irrigation use
- Continued use of wells subject to City Council approval

7.6.203: Conditions for Annexation



G. Rights of Way and Easements

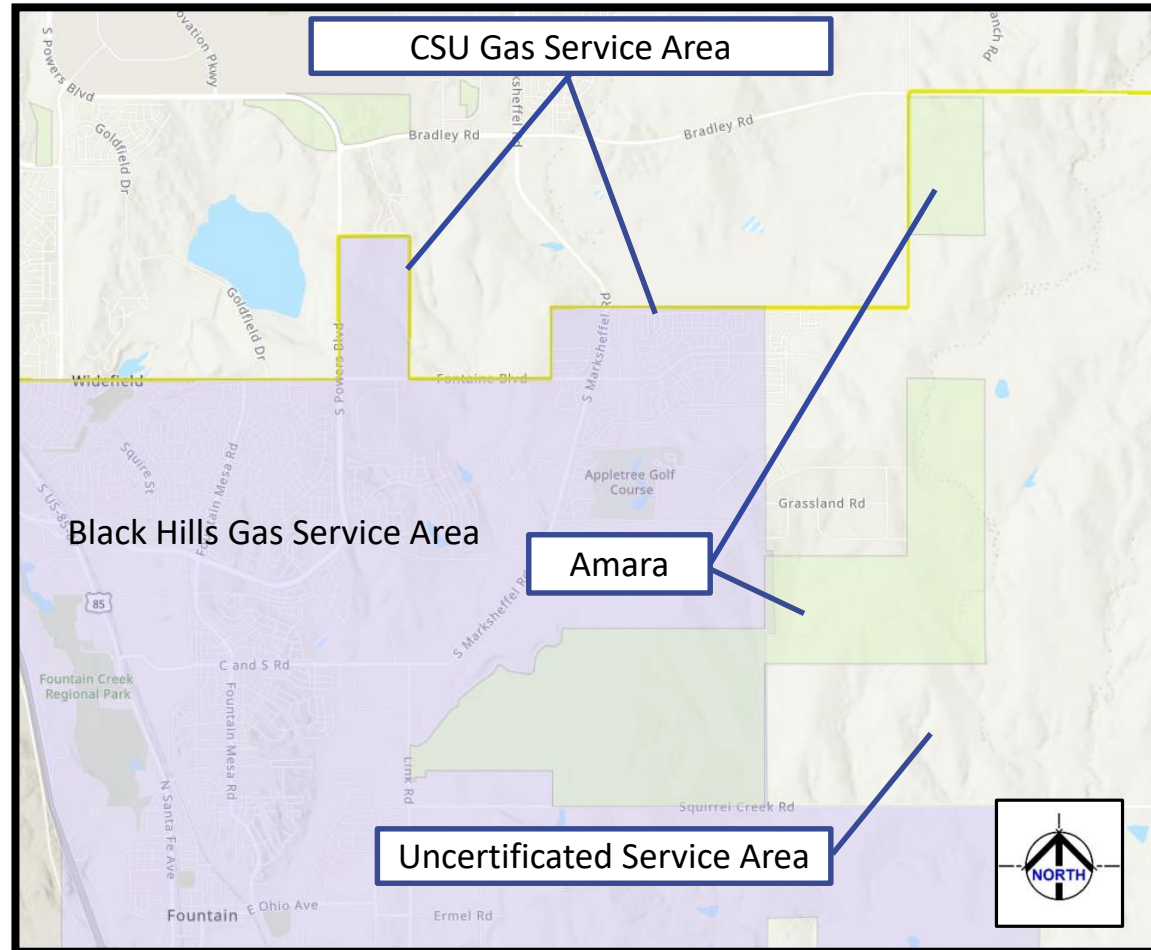
- Owner shall obtain and/or dedicate all property and easements required for utility-system facilities to serve the property and ensure integrated utility systems
- Requirements captured in annexation agreement

7.6.203: Conditions for Annexation



H. Service Area Overlap

- Property overlaps multiple utility providers' service areas
- Springs Utilities currently in discussions with these providers
- Black Hills Gas Area

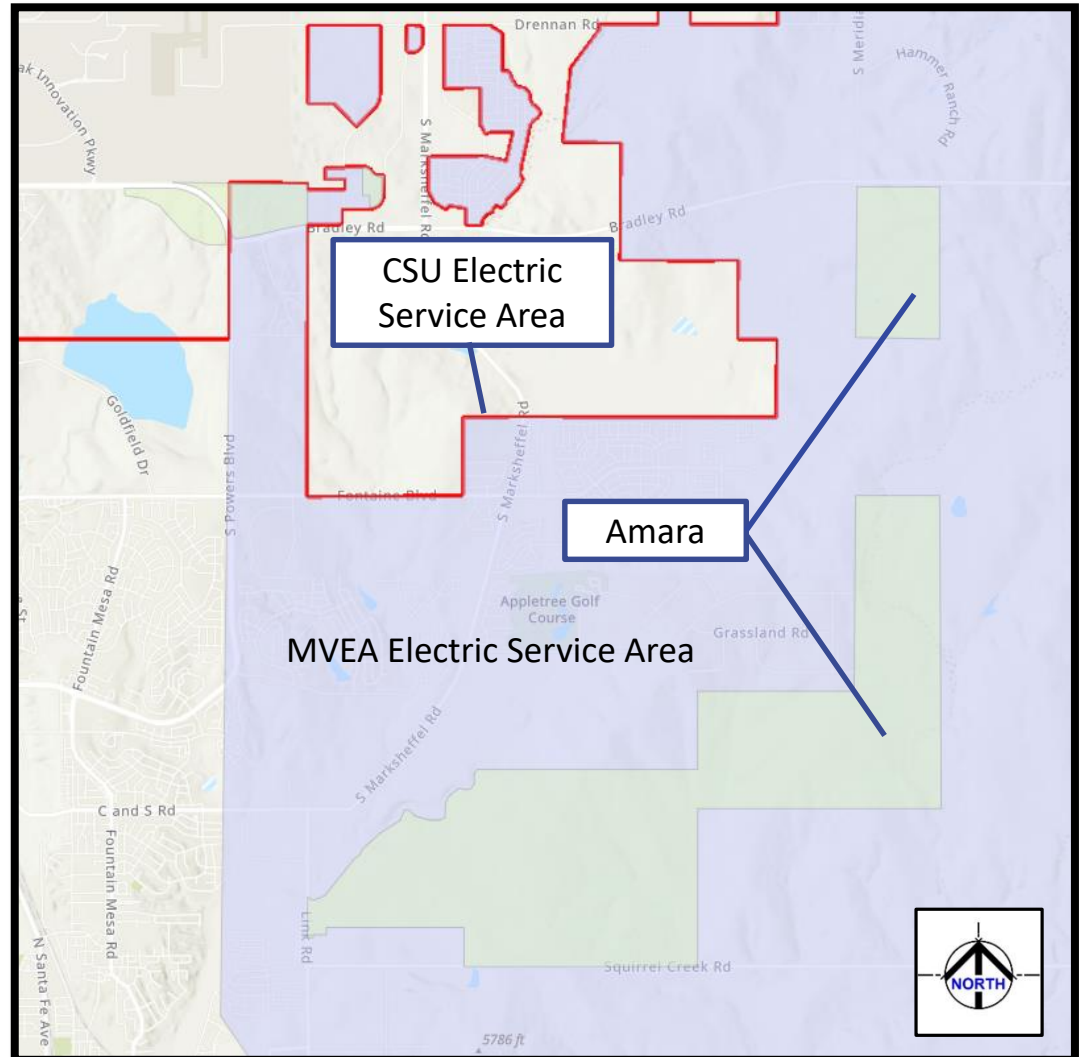


7.6.203: Conditions for Annexation



H. Service Area Overlap

- Mountain View Electric Association (MVEA)



7.6.203: Conditions for Annexation



H. Service Area Overlap

- Colorado Revised Statutes (CRS) specifies just compensation for electric service area invasion
 - Depreciated value of electric facilities
 - System re-integration costs
 - 25% of existing revenue lost (10-year period)
 - 5% of future revenue loss (10-year period)
- No CRS provisions for natural gas
 - Subject to annexation, Springs Utilities will negotiate with Black Hills to compensate Black Hills for invasion costs
- Owner/annexor responsible for all costs if invasion occurs

AMARA ANNEXATION



Discussion and Questions