



Legislation Details (With Text)

File #: 15-00737 **Version:** 1 **Name:**

Type: Resolution **Status:** Mayor's Office

File created: 11/20/2015 **In control:** City Council

On agenda: 12/8/2015 **Final action:** 12/8/2015

Title: A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mountain Valley Preserve hereinafter more specifically described in exhibit "A".
(Legislative Matter)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution -Findings of Fact and Conclusions of Law, 2. Exhibit A-Annexation Legal, 3. Enclave Map, 4. Mountain Valley Preserve_Presentation, 5. MVP_Clerks Affidavit, 6. MVP_Planner Affidavit, 7. MVP_Surveyor Affidavit, 8. CPC Record of Decision MVP 9-17-15, 9. CPC Agenda Report_MVP Anenx, 10. Criteria-7.6.203-Annexation Conditions, 11. Signed Resolution_149-15

Date	Ver.	Action By	Action	Result
12/8/2015	1	City Council	adopted	Pass

A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mountain Valley Preserve hereinafter more specifically described in exhibit "A".
(Legislative Matter)

From:

Peter Wysocki, Planning and Development Director, Planning and Development Department

Summary:

CPC A 14-00144 - LEGISLATIVE
 CPC PUZ 15-00024 - LEGISLATIVE
 CPC PUP 15-00025 - QUASI-JUDICIAL

This project includes the following applications: 1.) the Mountain Valley Preserve Annexation; 2.) Establishment of the PUD/AO (Planned Unity Development with Airport Overlay) zone district; and 3.) Mountain Valley Preserve Concept Plan.

If approved, the applications would allow the 44.71 acre property to be included within the City, zoned PUD/AO (Planned Unit Development: Single-Family Residential, 3.77 dwelling units per acre, 30 foot maximum building height with Airport Overlay) and developed as 141 single-family residential lots with landscape tracts, detention areas and public roads.

The property is located east of Marksheffel Road and south of Dublin Boulevard and consists of 44.71 acres.

Previous Council Action:

The City Council accepted the petition and referred the annexation to staff on February 24, 2015. The City Council approved a resolution setting the public hearing date for December 8, 2015, at their regular meeting of October 27, 2015.

Background:

The request is to annex the property into the municipal limits of the City of Colorado Springs and develop 141 single-family residential lots. The annexation consists of 44.71 acres; 7.36 acres of Marksheffel Road right-of-way and three properties totaling 37.35 acres. The site is part of a larger enclave referred to as Toy Ranches, an area completely surrounded by the City limits and contiguous to the municipal limits of the City of Colorado Springs. This specific section of Toy Ranches meets all the legal requirements and is therefore eligible for annexation.

The concept plan illustrates the layout for a new residential subdivision with 141 lots, public streets, easements, landscape/open space areas, and detention areas. There is a large gas easement that runs along the eastern boundary of the site that will be incorporated into the landscape to the eastern five- and ten-acre lots. Fencing is also shown along the eastern boundary of the development. Mountain Dale Drive is a proposed north-south public road that will provide access to the property from Dublin Boulevard to the north and future development to the south. There are also two access locations along Marksheffel Road.

Financial Implications:

The City Finance Department prepared a fiscal impact analysis report for this annexation which found a positive cumulative cash flow for the City. The report is attached as an exhibit to the City Planning Commission staff report.

Board/Commission Recommendation:

At their hearing on September 17, 2015, The City Planning Commission unanimously approved the annexation request and approved the establishment of the PUD/AO zone and the concept plan with 7 -1 votes.

Stakeholder Process:

The public process included posting the site and sending postcard notice to 189 property owners within 500 feet. The notice was sent when the applications were submitted, prior to the neighborhood meeting, and prior to the City Planning Commission hearing. A neighborhood meeting was held on April 16, 2015. There were approximately 5 neighbors in attendance. The concerns discussed were access and existing traffic on Marksheffel Road. The neighbors in attendance were largely owners of the large county properties to the east.

Staff also sent the plans to the standard internal and external review agencies for comments. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Finance, Police and E-911, and the Colorado Springs Airport.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;

3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration.

Proposed Motion:

CPC A 14-00144 - ANNEXATION

Approve the attached resolution concerning the Mountain Valley Preserve Annexation finding the annexation meets the requirements of and fully complies with Part 1 of Article 12 of Title 31 C.R.S., the Municipal Annexation Act of 1965, as amended, and Section 30 of Article II of the Colorado Constitution and that the property is eligible for annexation.

Not applicable.