



Legislation Details (With Text)

File #: CPC A 18-00124R **Version:** 1 **Name:** USAFA Addition No. 1
Type: Resolution **Status:** Passed
File created: 2/6/2019 **In control:** City Council
On agenda: 3/12/2019 **Final action:** 3/12/2019

Title: A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as USAFA Addition No. 1 Annexation

Related Files: CPC A 18-00124, CPC A 18-00125, CPC MP 18-00138, CPC PUZ 18-00137, CPC PUP 18-00177

Presenter:
Catherine Carleo, Principal Planner, Planning and Development
Peter Wysocki, Planning and Community Development Director

Sponsors:

Indexes: USAFA

Code sections:

Attachments: 1. RES_Findingsoffact_USAFA additionNo1, 2. EXHIBIT A_Legal Description_USAFA Addition No. 1 Annexation, 3. EXHIBIT B - USAFA Annex Agreement No.pdf, 4. EXHIBIT 12A_Planner Affidavit_USAFA Annexation, 5. EXHIBIT 12B_Clerk Affidavit_USAFA Annexation, 6. EXHIBIT 12C_Surveyor Affidavit_USAFA Annexation, 7. Signed Resolution 35-19.pdf

Date	Ver.	Action By	Action	Result
3/12/2019	1	City Council	denied	Fail
3/12/2019	1	City Council	approved	Pass
2/26/2019	1	City Council	postpone to a date certain	Pass

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Summary:

Owner: United States Air Force
Developer: Blue and Silver Development Partners
Consultant: Matrix Design Group
Location: Southwest of North Gate Boulevard and Interstate 25

The City is in process of concurrent applications for annexation, master plan, zoning, and concept

plan for the associated 183.14 acres located southwest of North Gate Boulevard and Interstate 25. The associated master plan and concept plan illustrate the proposed land use configuration, access and circulation, intended infrastructure and overall intent; this includes 57.84 acres of developable land and 125.30 acres of open space. Proposed zoning will establish a PUD (Planned Unit Development) zone district. This specific PUD will allow a mix of Commercial, Office, Retail, Hospitality, and Open Space with height and dimensional controls governed by the True North Commons Master Plan.

Previous Council Action:

On October 23, 2018, City Council accepted the original petition for annexation which authorized further processing of the annexation through the City Land Use Review process. A resolution setting the City Council hearing date of February 26, 2019 was heard and passed on the January 22, 2019 City Council agenda. The associated annexation agreement was also discussed at the February 11, 2019 City Council Work Session, although not the typical City process for annexation. Staff wanted to ensure there was time for council to review the agreement prior to bringing all the land use entitlements before City Council at the public hearing.

Background:

True North Commons is located along the west side of Interstate 25 along North Gate Boulevard. The site is owned by the United States Air Force Academy (USAFA) but is proposed to be developed by Blue & Silver Development Partners under a long-term lease agreement (EUL; Enhanced Use Lease) with USAFA. The site is proposed to be developed with a mix of uses intended to support the development of a new Visitors Center for the USAFA, complimented by supporting market driven private sector uses which will be developed to create a destination activity center.

The proposed annexation, and supporting entitlements, coincides with the City initiative for the new Visitors Center which received funding through the Regional Tourism Grant granted for the City for Champions projects for the City of Colorado Springs. The proposed annexation would align to bring the property into the City limits which is needed to further the Visitors Center project at this location with surrounding supported development.

The annexation application contains two serial annexations. The USAFA Addition No. 1 will annex 85.23 acres and the USAFA Addition No. 2 will annex the remaining 97.90 acres. The total annexation consists of 183.14 acres. The property is intended for a mix commercial, retail, office, institutional, hospitality and open space within the City. The proposed zoning request will establish a PUD (Planned Unit Development) zone district with these identified land uses. Further the True North Commons Master Plan will govern dimensional controls for the development on this property. A detailed analysis of these proposed entitlements is outlined in the attached Planning Commission staff report.

At the time of City Planning Commission meeting, the annexation was in review by the Southeastern Colorado Water Conservancy District (SECWCD) and with the Bureau of Reclamation. Staff has received a copy of the final Letter of Assent from the Bureau of Reclamation with approval on February 1, 2019.

The applications submitted for this project were accepted and began tracking through the public hearing process as the City was in final stages of adopting the new City Comprehensive Plan, PlanCOS. The associated staff report describes in detail an analysis of the associated applications in conformance with the previous 2001 City Comprehensive Plan and PlanCOS.

The draft annexation agreement is attached. 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. As of the date of this memo there is an updated agreement from that which was provided at work session, the updated draft is included. The City at this time has not received a signed annexation agreement from the Owner.

Additional analysis can be found as part of the attached City Planning Commission staff report.

Financial Implications:

A Fiscal Impact Analysis (FIA) is required for all annexation requests and is completed by the City Budget Office. The FIA was completed on November 8, 2018. 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. This is a standard FIA modeling by the City Budget Office and does not reflect any potential supplemental funding mechanisms the Developer may gain towards the overall development of the project.

The FIA methodology reviewed City units projected increase in marginal cost of providing services to the development for 2019-2028. The FIA states most departments indicated there were no identifiable costs of providing services to this development. Some agencies as reported in the FIA identified marginal increases in operation costs annually. 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 12 of the Staff Report)

Board/Commission Recommendation:

These items were heard before the City Planning Commission on January 17, 2019. The Planning Commission voted 8 to 0 (Commissioner Satchell-Smith absent) to recommend approval of the annexation and associated land use applications to the City Council. Details from that hearing can be reviewed as part of the City Planning Commission minutes.

Stakeholder Process:

The public process included posting the site and sending postcards to all property owners within a 1000-foot buffer at application submittal. Similar mailings were sent prior to each scheduled public hearing. A full detail of citizen and agency participation is outlined in the supporting staff 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, and El Paso County Development Services. The applications were transmitted per standard review to the USAFA Community Planning and Civil Engineer Squadron for review. As USAFA is the property owner for the proposed applications the City did not receive any formal comment from this division but did receive communication of acknowledgement of the transmittal and communication the Civil Engineer Squadron would not be submitting comment.

Alternatives:

- 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:

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Adopt a resolution of finding that the USAFA Addition No. 1 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.