



Legislation Details (With Text)

File #: ANEX-23-0001 **Version:** 2 **Name:** Extol Park Vista Addition No. 2 Annexation

Type: Planning Case **Status:** Mayor's Office

File created: 4/19/2024 **In control:** City Council

On agenda: 7/23/2024 **Final action:** 7/23/2024

Title: Ordinance No. 24-49 annexing to the City of Colorado Springs that area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard.

(Legislative)

Presenter:
Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

Sponsors: Planning Department

Indexes:

Code sections:

Attachments: 1. Ordinance - Annexation Extol Park Vista Addition No 2, 2. Exhibit A - Extol Park Vista Addition No 2, 3. Staff Report_Extol Park Vista Addition No 2_RGS, 4. Attachment 1 - Extol Petition, 5. Attachment 2 - Project Statement - Extol Park Vista Addition No 2, 6. Attachment 3 - Annexation Plat - Extol Park Vista Addition No 2, 7. Attachment 4 - Legal Dscription - Extol Park Vista Addition No 2, 8. Attachment 5 - Annexation Agreement, 9. Attachment 6 - FIA Memo, 10. Attachment 7 - Exhibit A R5 Zone Chagne - Extol Park Vista Addition No 2, 11. Attachment 8 - Exhibit B Map Depcition - Extol Park Vista Addition No 2, 12. Attachment 9 - Preliminary Plat - Extol Park Vista Sub No 2, 13. Attachment 10 - Final Plat - Extol Park Vista Sub No 2, 14. Attachment 11 - Mineral Rights Certification, 15. 7.6.203-Annexation Conditions, 16. Signed Ordinance No. 24-49.pdf

Date	Ver.	Action By	Action	Result
7/23/2024	2	City Council		
7/9/2024	2	City Council	approved on first reading	Pass
5/8/2024	1	Planning Commission	accepted	Pass

An Ordinance annexing to the City of Colorado Springs that area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard.

(Legislative)

Presenter:
Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

Summary:
Owner: Extol Homes, LLC, Brad Griebenow
Representative: Land Development Consultants, Inc, Dave Hostetler
Location: 4401 Siferd Boulevard

The proposed annexation is located within the Park Vista enclave and is comprised of 0.66 acres.

The application seeks to bring this property into the City municipal limits. There is an associated zone establishment of R-5/AP-O (Multi-Family High with Airport Overlay) and a Preliminary/Final Plat showing the future use as single-family attached housing. The difference in acreage from the annexation total of 0.66 acres to the Preliminary/Final Plat total of 0.67 acres is due to addressing a platting error of a northern small tract that has already been annexed into the municipal boundaries of Colorado Springs.

The proposed annexation and associated applications were reviewed under City Code Chapter 7.

Background:

Please see the attached City Planning Commission Staff Report for a complete analysis of the proposed applications.

Review Criteria:

The below criteria from City Code (Chapter 7) outline the applicable codes associated with this overall project and each associated application.

The Conditions for Annexation as set forth in City Code Section 7.6.203 (Chapter 7) are noted below:

1. *The area proposed to be annexed is a logical extension of the City's boundary;*
2. *The development of the area proposed to be annexed will be beneficial to the City. Financial considerations, although important, are not the only criteria and shall not be the sole measure of benefit to the City;*
3. *There is a projected available water surplus at the time of request;*
4. *The existing and projected water facilities and/or wastewater facilities of the City are expected to be sufficient for the present and projected needs for the foreseeable future to serve all present users whether within or outside the corporate limits of the City;*
5. *The annexation can be effected at the time the utilities are extended or at some time in the future;*
6. *The City shall require as a condition of annexation the transfer of title to all groundwater underlying the land proposed to be annexed. Should such groundwater be separated from the land or otherwise be unavailable for transfer to the City, the City, at its discretion, may either refuse annexation or require payment commensurate with the value of such groundwater as a condition of annexation. The value of such groundwater shall be determined by the Utilities based on market conditions as presently exist;*
7. *All rights of way or easements required by the Utilities necessary to serve the proposed annexation, to serve beyond the annexation, and for system integrity, shall be granted to the Utilities. Utilities, at the time of utility system development, shall determine such rights of way and easements;*
8. *If the proposed annexation to the City overlaps an existing service area of another utility, the applicant shall petition the PUC (Public Utilities Commission) or other governing authority to revise the service area such that the new service area will be contiguous to the new corporate boundary of the City.*
9. *After the foregoing have been studied in such depth as the City Council shall require, the City Council in its discretion may annex or not annex the proposed area. In the event the City Council chooses to annex, it may require a contemporary annexation agreement specifying the installation and the time of installation of certain public and utility improvements, both on site and off site, that are required or not required under this Zoning Code. City Council may specify such other requirements, as it deems necessary. In the event the City Council chooses*

not to annex, utilities shall not be extended unless Council is assured that an agreement for annexation can be enforced, and that the remaining provisions of this section for annexation subsequent to extension of utilities have been met.

In addition to the Conditions for Annexation ratified in the UDC, the City Council recently accepted the following “guidelines” to further aid in analyzing annexations:

1. *Offers housing diversity*
2. *Sufficiency of existing or planned roadway infrastructure*
3. *Sufficiency of existing or planned public safety staffing*
4. *Proximity/opportunity to serve employment centers*
5. *Diversity of development (commercial/industrial/residential)*
6. *Economic impact on city*
7. *Reasonable utilities cost recovery / ROI projections*
8. *Connectivity / Proximity to transportation options*
9. *Desirable parkland/open space*
10. *Ability to fund / offset costs for needed public facilities*

Staff finds the proposed application meets Colorado Revised Statute and is eligible for annexation.

Previous Council Action:

On September 14, 2021, the City Council accepted the original petition for annexation. On May 28, 2024, the City Council approved a resolution finding the Extol Park Vista Addition No. 2 Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of July 9, 2024, to consider the annexation, and directing the City Clerk to provide notice of the hearing in accordance with C.R.S. section 31-12-108.

Financial Implications:

The annexation falls below the threshold for a Fiscal Impact Analysis. The memo received from the City Budget Office is attached.

City Council Appointed Board/Commission/Committee Recommendation:

Colorado Springs Utilities Board provided a unanimous recommendation at their May 17, 2023 meeting. This item was heard before the City Planning Commission on May 8, 2024 as part of the New Business, Public Hearing agenda. The Planning Commission voted unanimous to approve the applications.

Proposed Motion:

Adopt an ordinance annexing into the City of Colorado Springs the area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard, based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in Chapter 7 Section 7.6.203.

Deny an ordinance annexing into the City of Colorado Springs the area known as Extol Park Vista Addition No. 2 consisting of 0.66 acres located at 4401 Siferd Boulevard, based upon the findings that the annexation does not comply with the Conditions for Annexations Criteria as set forth in Chapter 7 Section 7.6.203.

An ordinance annexing to the City of Colorado Springs that area known as Extol Park Vista Addition No. 2 Annexation consisting of 0.66 acres located at 4401 Siferd Boulevard.