



PTAA Addition No. 1

CITY PLANNING COMMISSION

FORMAL MEETING – September 11, 2024



PTAA Addition No. 1

QUICK FACTS

VICINITY MAP

Location:
 Southeast of the Stetson Hills Boulevard and North Marksheffel Road intersection.

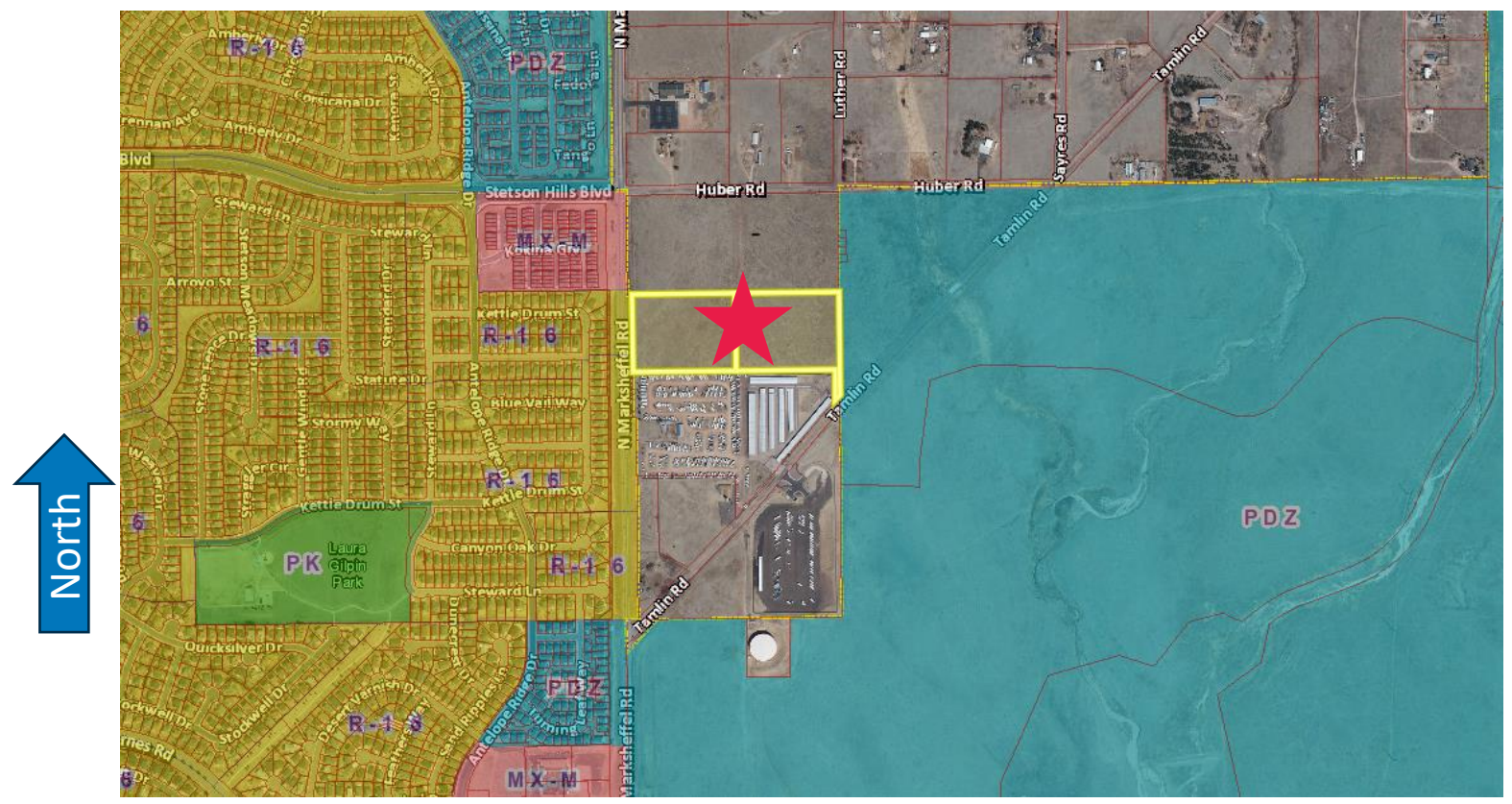
Zoning and Overlays
 Current: Unincorporated El Paso County
 Proposed: MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay)

Site Area
 14.12

Proposed Land Use
 Charter School

APPLICATIONS

Annexation, Zone Establishment, Land Use Plan



PTAA Addition No. 1



PROJECT SUMMARY

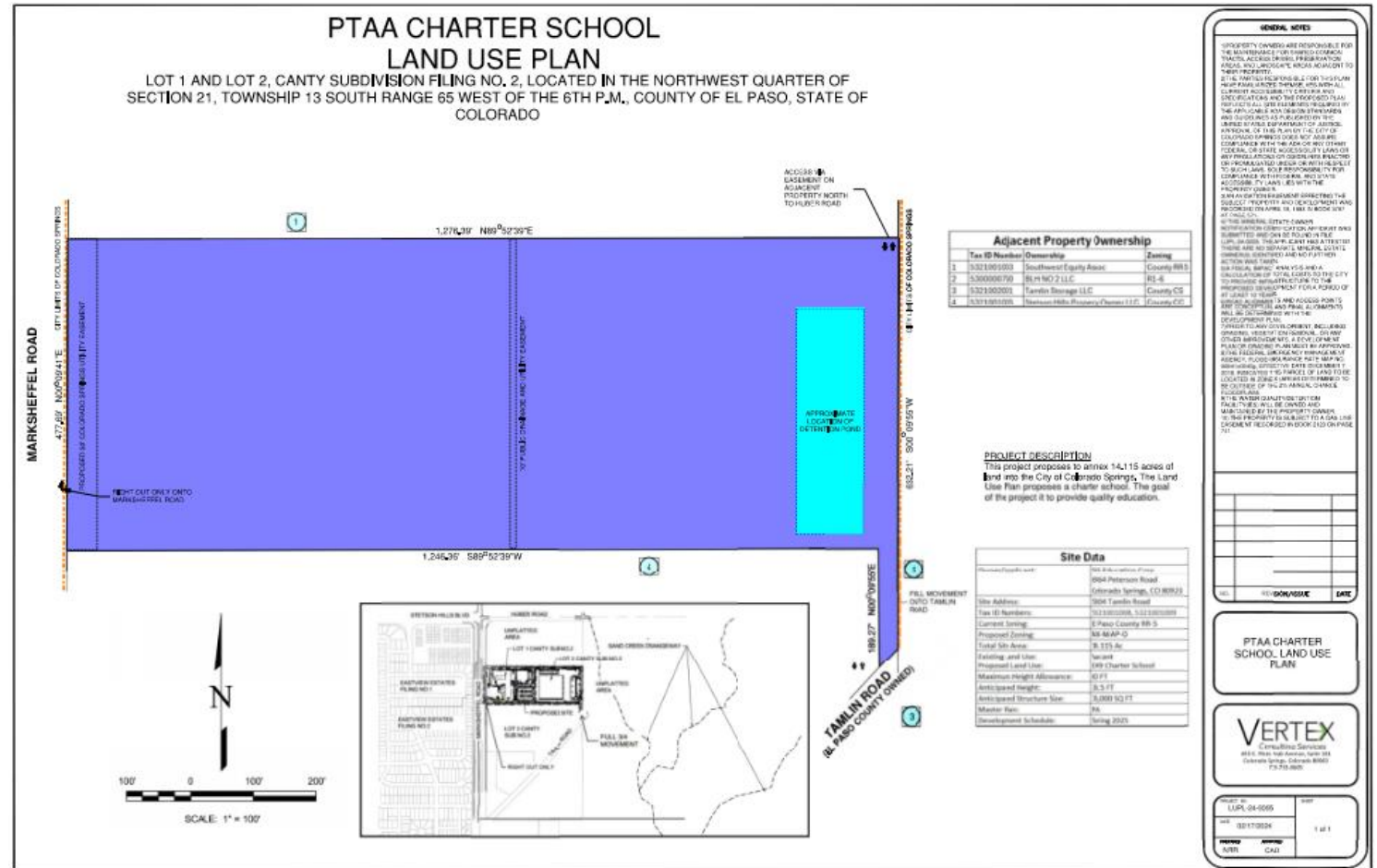
SITE PLAN

File #(s):

ANEX-23-0027, ZONE-24-0006, LUPL-24-0005

Project Proposal:

Annex and Establish a Zone Districts for 14.12 acres for the MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) zone district to allow for future development of a charter school.



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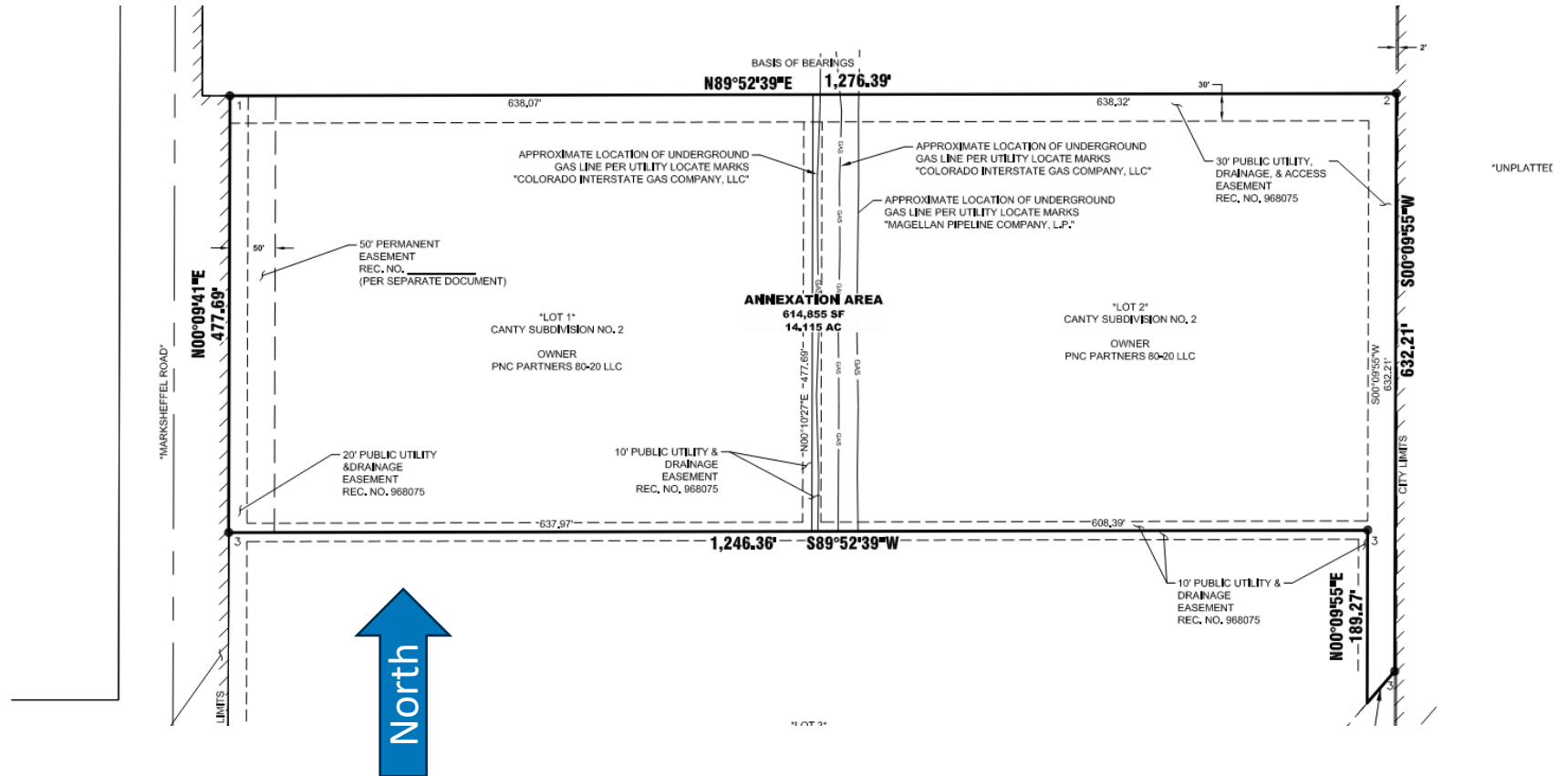
Annexation Plat

This project includes concurrent applications for annexation, establishment of zoning, and a Land Use Plan for the associated 14.12-acres southeast of the Stetson Hills Boulevard and North Marksheffel Road intersection.

The proposed annexation is located in an enclave south of Dublin Boulevard and between North Marksheffel Road and Banning Lewis Parkway as identified as letter 'S' on the Enclave Map.

The properties gain access from a right-out only to North Marksheffel Drive, direct access to Tamlin Road, and the applicant will be seeking a future public access easement to Huber Road.

The area to the south is largely self-storage and outdoor storage of Recreational Vehicles, the area adjacent to the north and east are vacant. Further north is larger residential lots. The area to the west include a mix of single-family and multi-family units.

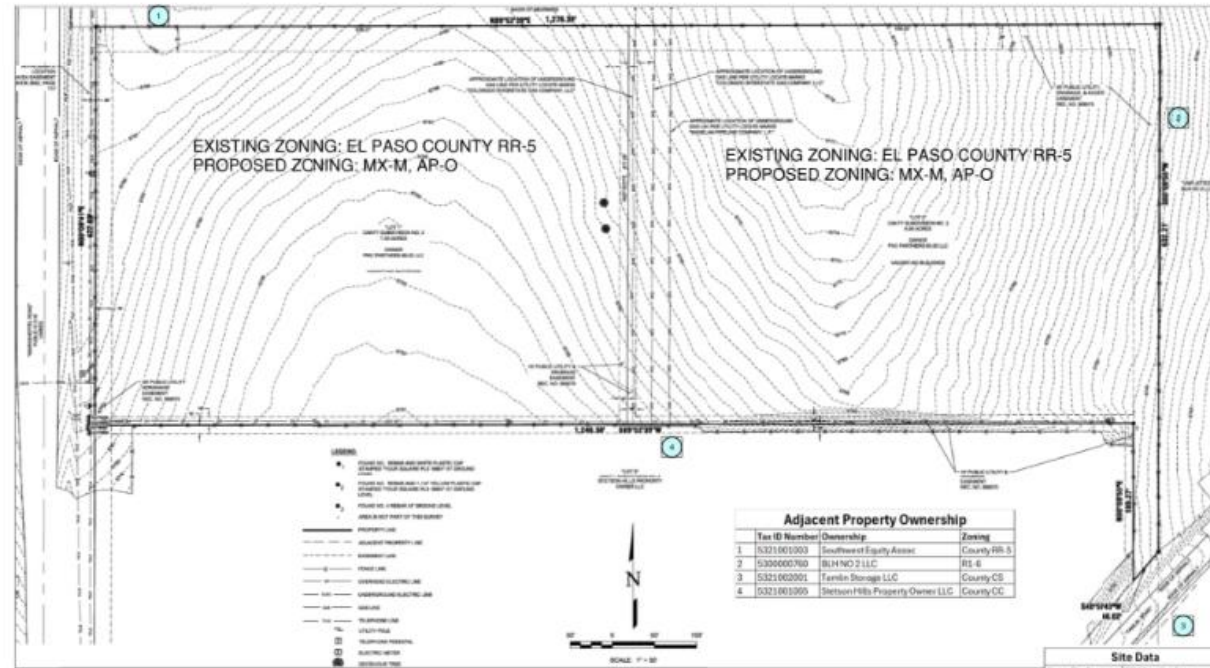


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Zone Establishment – MX-M/AP-O

The proposed zoning will establish 14.12 acres as a MX-M/ AP-O (Mixed-Use Medium Scale with Airport Overlay) zone district with the overall annexation to allow for a charter school to be established on the site.

ZONE CHANGE EXHIBIT "B"



Adjacent Property Ownership		
Tax ID Number	Ownership	Zoning
1	5321001003 Southwest of Equity Assoc	County RR-5
2	5330000760 BLH NO 2 LLC	RR-6
3	5321002001 Terrell Storage LLC	County CS
4	5321001095 Shelton Hills Property Owner LLC	County CC

Site Data	
Owner/Applicant:	100 Education Corp
Project Name/Address:	100 Education Corp Colorado Springs, CO 80903
Site Address:	5300 7400th Road
Tax ID Number:	5321001003, 5330000760
Current Zoning:	El Paso County RR-5
Proposed Zoning:	MU-1
Parcel Size Area:	14.122 Ac
Existing Land Use:	Vacant
Proposed Land Use:	DMS Charter School

GENERAL NOTES

NO.	DESCRIPTION	DATE

PTAA CHARTER SCHOOL ZONING MAP

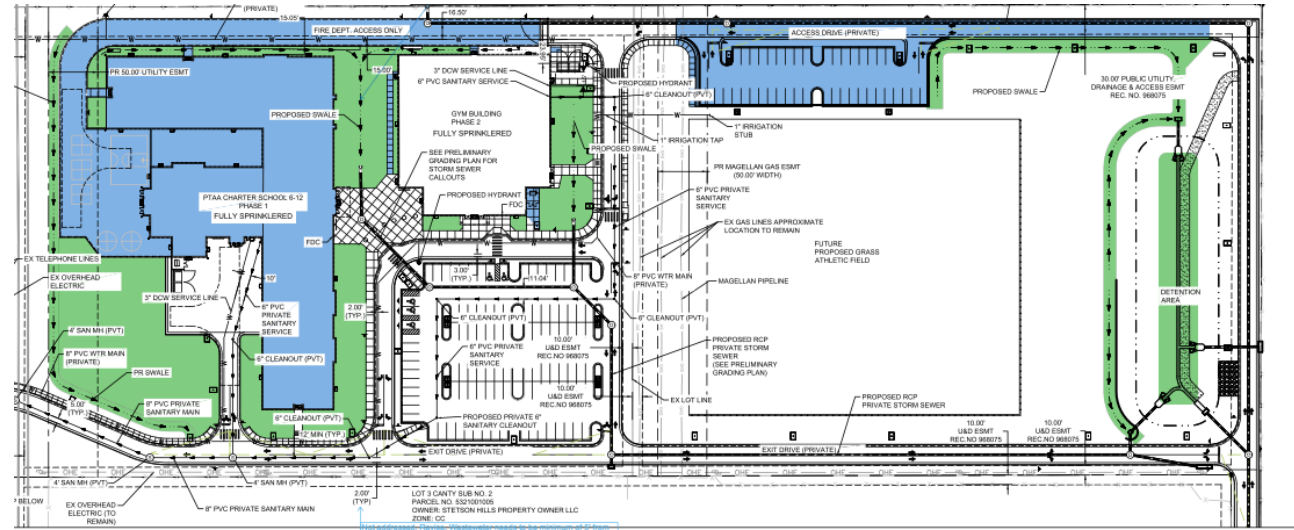
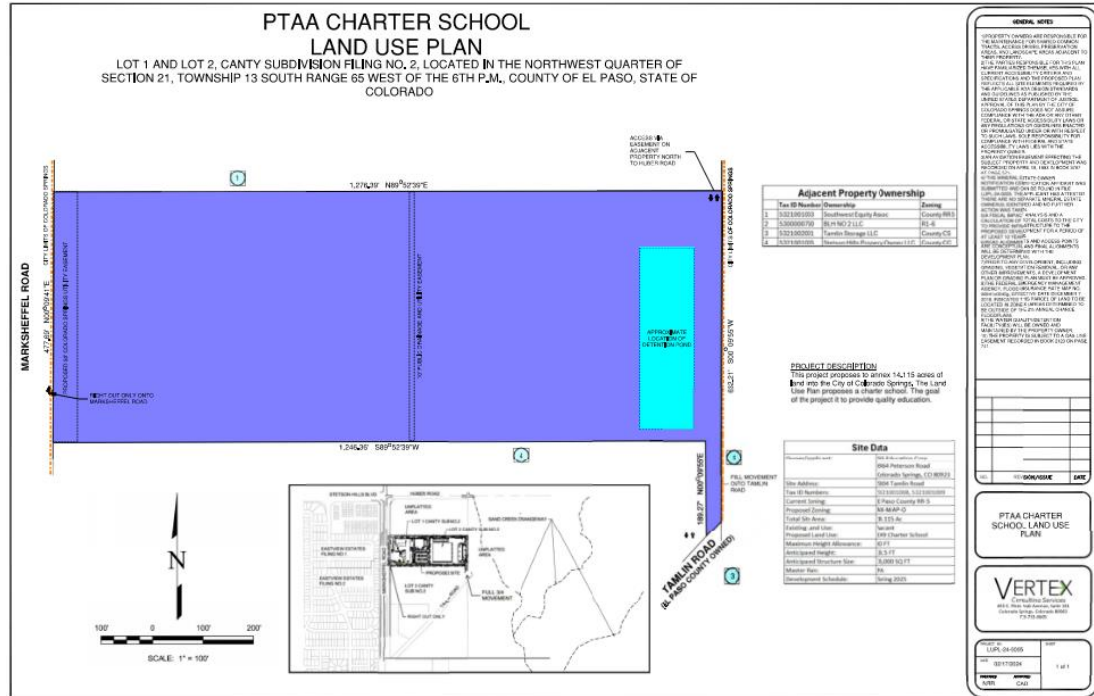
VERTEX
Consulting Services
402 E. River Road, Suite 300
Colorado Springs, Colorado 80903
719.534.4444

ZONE: 04-0000	PAGE: 2 of 2
DATE: 08/13/24	
BY: MBR	CAD

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Land Use Plan

The land use plan illustrates the proposed land use configuration, access and circulation, intended infrastructure and overall intent for future development. Intent for development is a future charter school.



TIMELINE OF REVIEW



Initial Petition Submittal	August 25, 2023
City Council Petition Acceptance	February 13, 2024
Initial Land Use Submittal	February 20, 2024
City Council Annexation Checkpoint Worksession	September 9, 2024
Item(s) Ready for Agenda	August 21, 2024

STAKEHOLDER INVOLVEMENT



PUBLIC NOTICE

Public Notice Occurrences (Posters / Postcards)	Internal Review / Prior to Planning Commission Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	253 Postcards
Number of Comments Received	No Comment Received

PUBLIC ENGAGEMENT

- No comments were received with this project, no neighborhood meeting was held.

AGENCY REVIEW



Traffic Engineering

A Traffic Impact Study was prepared by SM Rocha, LLC, dated May 2024 as a part of a concurrent application for a development plan. The development plan is being administratively reviewed. No approvals of the development plan can be made unless City Traffic Engineering has accepted the Traffic Impact Study.

SWENT

SWENT has reviewed and recommended approval of this annexation proposal. The concurrent development plan requires a final drainage report to be reviewed and approved by SWENT prior to land disturbance.

Colorado Springs Utilities

No outstanding comments, CSU recommends approval. CSU is reviewing the current development plan for compliance.

Fire

No objections from Fire for the applications as proposed. Any specific issues with individual buildings will be addressed during development plan review.

Parks

As no residential uses are proposed, no PLDO fees are required. The applicant(s) will be required to pay necessary CDI fees at time of building permit.

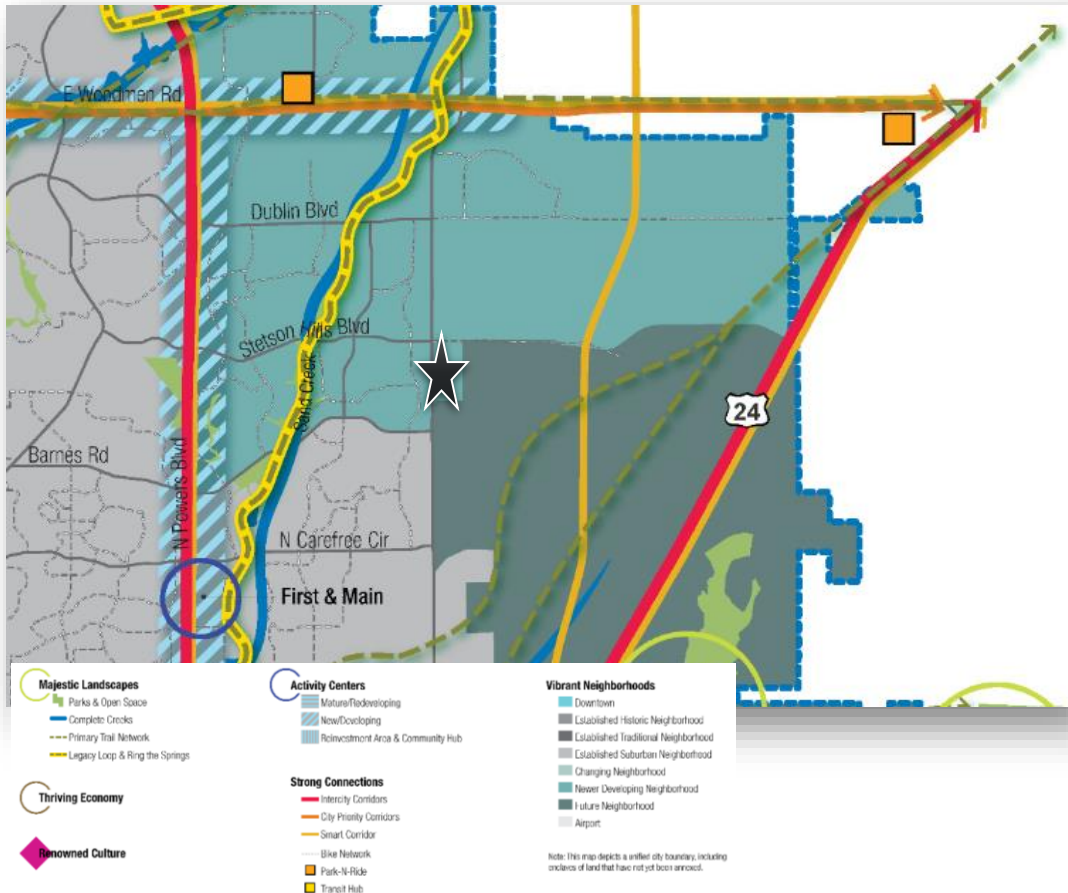
School District 49

School District 49 was sent a referral. They provided a statement that they have reviewed the applications and has no comments or concerns with the proposal.

PlanCOS COMPLIANCE

PlanCOS MAP IMAGE

PlanCOS Compliance



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.

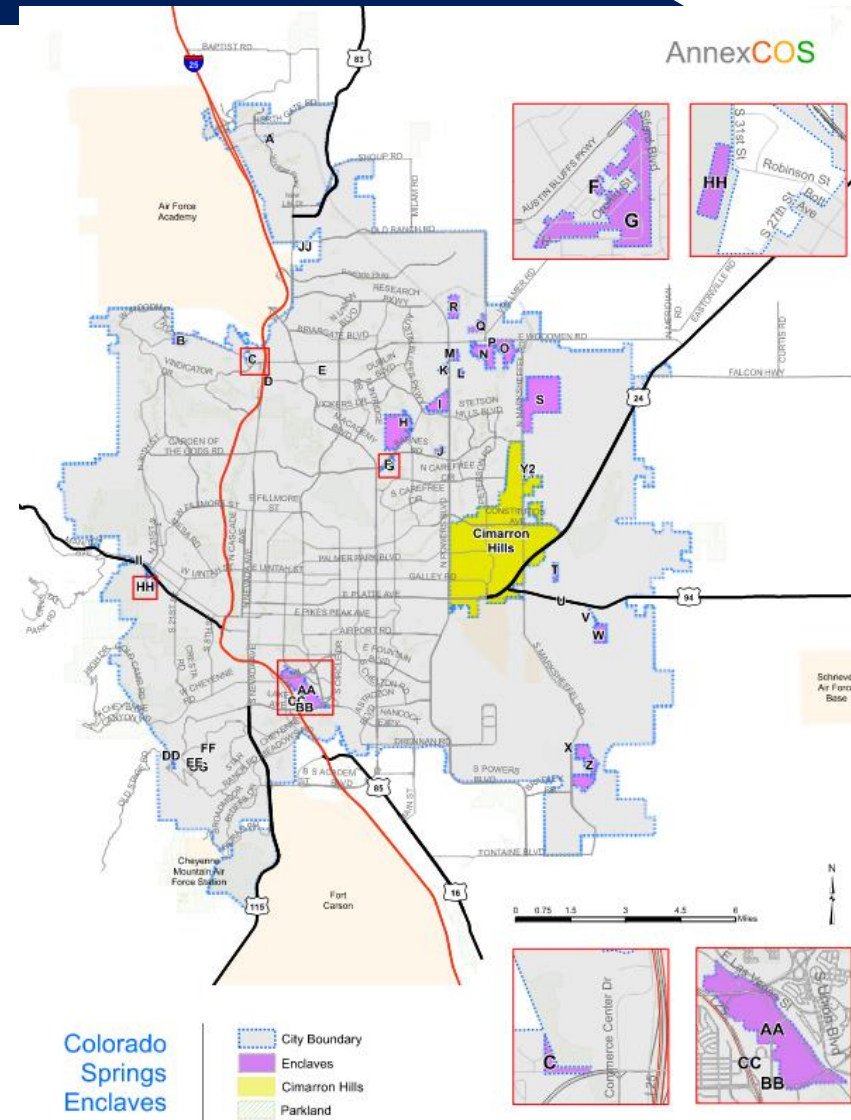
Chapter 8 of PlanCOS provides broad policy direction for annexation;

- 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 annexation is a logical extension to remove this enclave further.

Enclave Map

The proposed annexation is located with the 'S' Enclave



APPLICATION REVIEW CRITERIA



7.5.701 Annexation

Conditions for Annexation

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.*

Statement of Compliance

ANEX-23-0027

After evaluation of the PTAA Addition No. 1 Annexation the application meets the applicable Colorado Revised Statutes for annexation and the considerations for annexation.

APPLICATION REVIEW CRITERIA



7.5.704 Zone Change

Criteria for Approval

1. *The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district.*
2. *The rezoning will not be detrimental to the public interest, health, safety, convenience or general welfare.*
3. *The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).*
4. *Impacts of the permitted If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.*
5. *If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.*
6. *If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria in Subsection 7.5.514C.3 (Land Use Plan Criteria).*
7. *The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that the approved Concept Plans have been classified as implemented and do not have to be amended to be considered consistent with an amended zoning map.*
8. *If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607D.47.5.702 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.*
9. *If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or governmental regulations.*
10. *Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)).*

Statement of Compliance

ZONE-24-0006

After evaluation of the proposed Zone Establishment of MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) the application meets the review criteria.

APPLICATION REVIEW CRITERIA



7.5.514 Land Use Plan

Criteria for Approval

1. *Consistency with the Colorado Springs Comprehensive Plan and other plans and policies adopted by City Council;*
2. *Consistency with development standards the zone district in which the property is located, or would be located after a requested zone district change;*
3. *Compatibility with the land uses and development intensities surrounding the property;*
4. *Impacts of the permitted or requested uses, appropriate to the type of development, the neighborhood, and the community;*
5. *Adequacy of proposed ingress/egress points and traffic circulation, both on and off the site;*
6. *Capacity of the existing streets, utilities, parks, schools, and other public facilities to serve the proposed development;*
7. *Promotion of transitions in height, intensity, or character between proposed non-residential or mixed-use development and nearby low-density residential zone districts.*

Statement of Compliance

LUPL-24-0005

After evaluation of the PTAA Charter School Land Use Plan the application meets the review criteria.

PLANNING COMMISSION OPTIONAL MOTIONS



Optional Motions

ANEX-23-0027 – PTAA Addition No. 1

Motion to approve:

Recommend approval to City Council the annexation of 14.12 acres as the PTAA Addition No. 1 Annexation based upon the findings that the annexation complies with the Conditions for Annexation, as set forth in City Code Section 7.5.701.

Motion to Deny:

Recommend denial to City Council the annexation of 14.12 acres as the PTAA Addition No. 1 Annexation based upon the findings that the annexation does not comply with the Conditions for Annexation, as set forth in City Code Section 7.5.701.

PLANNING COMMISSION OPTIONAL MOTIONS



Optional Motions

ZONE-24-0006 – MX-M/AP-O Zone Establishment

Motion to approve:

Recommend approval to City Council the zone establishment of 14.12 acres as MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) based upon the findings that the request complies with the criteria for zoning establishment as set forth in City Code Section 7.5.704.

Motion to Deny:

Recommend denial to City Council the zone establishment of 14.12 acres as MX-M/AP-O (Mixed-Use Medium Scale with Airport Overlay) based upon the findings that the request does not comply with the criteria for zoning establishment as set forth in City Code Section 7.5.704.

PLANNING COMMISSION OPTIONAL MOTIONS



Optional Motions

LUPL-24-0005 – PTAA Charter School – Land Use Plan

Motion to approve:

Recommend approval to City Council the PTAA Charter School Land Use Plan based upon the findings that the proposal complies with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514.

Motion to Deny:

Recommend denial to City Council the PTAA Charter School Land Use Plan based upon the findings that the proposal does not comply with the review criteria for Land Use Plans as set forth in City Code Section 7.5.514.



Questions?

