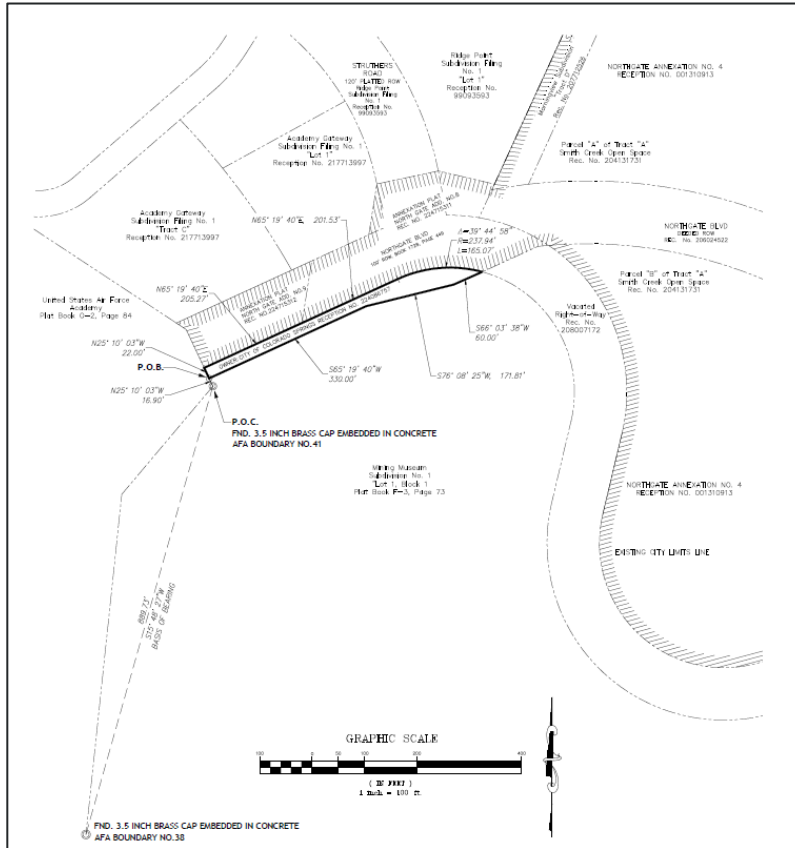


NORTH GATE BOULEVARD ADDITION NO. 10

Planning Commission August 13, 2025

Staff Report by Case Planner: Tamara Baxter



Quick Facts

Applicant

City of Colorado Springs Public Works

Property Owner

City of Colorado Springs

Developer

Not applicable

Address / Location

South of the intersection of Struthers Road and North Gate Boulevard

TSN(s)

N/A

Zoning and Overlays

Current: N/A

Proposed: N/A

Site Area

0.33 acres (14,325 square feet)

Applicable Code

UDC

Council District

District 2

Project Summary

The proposed annexation of a portion of existing North Gate Boulevard for the purpose to bring City owned property into the municipal limits. The parcel proposed for annexation is for right-of-way and therefore does not require any associated entitlement applications to support the annexation request.

File Number

ANEX-25-0001

Application Type

Annexation

Decision Type

Legislative

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Current Consideration	
Subdivision	N/A	
Master Plan	N/A	Date
Prior Enforcement Action	N/A	Date

Site History

The city received a special warranty deed from the Western Museum of Mining and Industry for this section of North Gate Boulevard. This right-of-way is contiguous to the city limits along the northerly portion of North Gate Boulevard (refer to Attachment 1 – Vicinity Map).

Applicable Code

The subject application(s) were submitted after the implementation date (06/05/2023) of the ReTool project. The subject application was reviewed under the Unified Development Code. All subsequent references within this report that are made to “the Code” and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	N/A	North Gate Boulevard ROW	
West	Unincorporated El Paso County	North Gate Boulevard ROW	
South	Unincorporated El Paso County; RR-5 (Residential Rural)	Western Museum of Mining and Industry	
East	N/A	North Gate Boulevard ROW	

Zoning Map

The proposed right-of-way annexation of North Gate Boulevard will not illustrate a zone district on the city zoning maps until future annexation of the adjacent parcels into the city. In accordance with UDC Section 7.6.109, the zoning district boundaries on the Official UDC Map are established along the centerline of the street. The areas to the north and south of the North Gate Boulevard still lie within unincorporated El Paso County.



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Notification (postcard/posters) for Planning Commission
Postcard Mailing Radius	Not applicable
Number of Comments Received	none

Timeline of Review

Initial Submittal Date	January 9, 2025
Number of Review Cycles	2
Item(s) Ready for Agenda	July 21, 2025

Agency Review

Traffic Impact Study

Traffic Engineering reviewed the plat and had no comments.

SWENT

Stormwater Enterprise reviewed the plan and had no comments.

Colorado Springs Utilities

CSU reviewed the plat and all comments were addressed.

Annexation

Summary of Application

The proposed annexation follows the voluntary annexation rights under C.R.S. (Colorado Revised Statute) and owners must petition the municipality to request annexation into the City (see Attachment 5 - Petition). The City's authority to annex land is established by Colorado Revised Statutes (CRS. 31-12-101) which sets requirements and procedures which municipalities must follow. The proposed annexation is located south of the intersection of Struthers Road and North Gate Boulevard, along the northern boundary of the Western Museum of Mining and Industry, consisting of 0.33 acres (see Attachment 3 - Annexation Plat and Attachment 4 - Legal Description). This segment of right-of-way proposed to be annexed is owned and maintained by the City of Colorado Springs.

Application Review Criteria

UDC Section 7.5.701: Annexation

In accordance with UDC Section 7.5.701.C, "to assist the City Council in its decision, each proposal for annexation shall be studied to determine..." if the proposed annexation addressed the conditions for Annexation. Petition for Annexation was approved by City Council on March 25, 2025 (refer to Attachment 5 – Annexation Petition).

- a. *The area proposed to be annexed is a logical extension of the City's boundary;*
- b. *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;*
- c. *There is a projected available water surplus at the time of request;*
- d. *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;*
- e. *The annexation can be effected at the time the utilities are extended or at some time in the future;*
- f. *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;*
- g. *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;*
- h. *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.*

2. *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.*

The criteria for consideration of annexation as noted above most explicitly note that the proposed is a logical extension of the City boundary. City right-of-way annexations are unique in that many of the listed criteria are not always applicable when considering an annexation request. In this case, the City owns and will begin to maintain this area of North Gate Boulevard which the City received a special warranty deed from the Wester Museum of Mining and Industry for this section. The proposed annexation meets the required contiguity requirements as set forth by Colorado Revised Statute (refer to Attachment 3 – Annexation Plat and Attachment 4 – Legal Description).

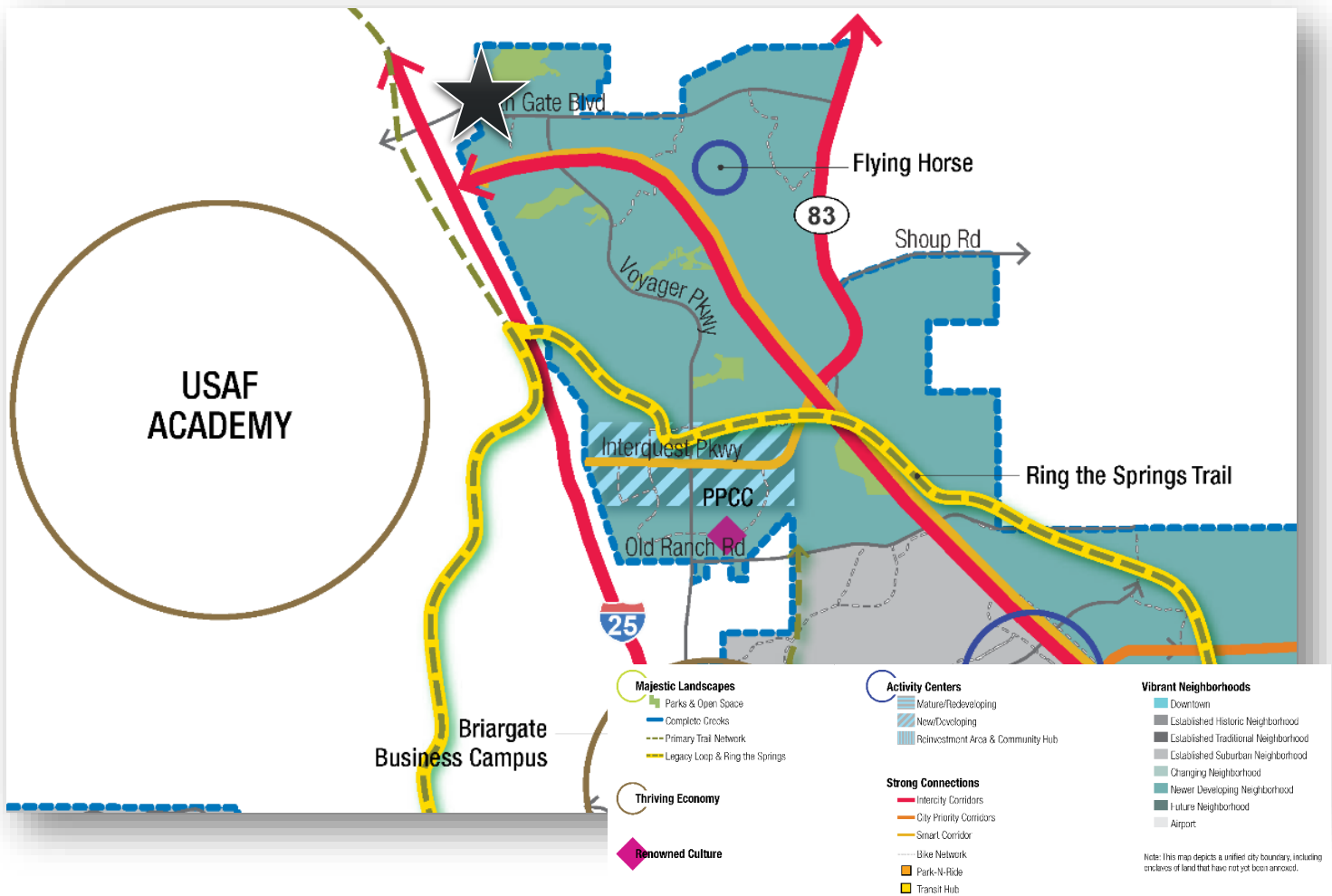
Staff finds that the above applicable conditions are met for North Gate Boulevard Addition No. 10 Annexation.

Compliance with Relevant Guiding Plans and Overlays

The City Annexation Plan was last updated in 2006 and is an advisory document. Staff recommends this annexation as consistent with the intent of the 2006 Plan as the proposed annexation works to close the gap to infrastructure and services being provided by the City and bring property owned by the City of Colorado Springs into our municipal city limits.

Compliance with PlanCOS

PlanCOS Vision



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 establishment; removing the remnant right-of-way cleans up City – County boundaries.

Statement of Compliance

ANEX-25-0001

After evaluation of the North Gate Boulevard Addition No. 10 Annexation the application meets the applicable Colorado Revised Statutes for annexation and the considerations for annexation.