



Quick Facts

Applicant

NES, Inc.

Property Owner

Peach Ranch, LLC.

Developer

Toll Southwest, LLC

Address / Location

Northeast of Research Pkwy and North Powers Blvd off Tuttle Blvd.

TSN(s)

5200000046

Zoning and Overlays

Current: RR-5 (Rural Residential)
(County Zoning)

Proposed: R-Flex-Low/SS-O/AP-O (Residential Flex Zone Low with Streamside and Airport Overlay)

Site Area

42.43-acres

Proposed Land Use

Single-Family Residential

Applicable Code

Unified Development Code (UDC)

Council District

District #2 upon annexation

Project Summary

An annexation, establishment of R-Flex Low/SS-O/AP-O (Residential Flex Zone Low with Streamside and Airport Overlay) Zone District, and a Land Use Plan for Single-Family Residential with up to six (6) dwelling units per acre consisting of 42.43 acres located east of Research Parkway and North Powers Boulevard.

File Number	Application Type	Decision Type
ANEX-24-0012	Annexation	Legislative
ZONE-24-0024	Zone Establishment	Legislative
LUPL-24-0017	Land Use Plan	Legislative

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Peach Ranch Addition No. 1 Annexation	TBD
Subdivision	N/A	N/A
Master Plan	Peach Ranch Land Use Plan	TBD
Prior Enforcement Action	N/A	N/A

Site History

The proposed annexation area consists of 42.43 acres within El Paso County and is undeveloped. It is primarily flat land with stream systems that extend north/south along the center of the enclave as well as along the western property line. This stream system connects into Cottonwood Creek south of the site. The perimeter of the site is enclosed by a fence. At the northwest and southeast corners of the property are the dead-ends of Tutt Boulevard which is identified to be connected on the Colorado Springs Transportation Plan.

The overall enclave is approximately 95 acres and contains four (4) different properties. The majority of the land surrounding this enclave (north, east and west) was annexed into the city in 1982 via Briargate Addition No. 5. Properties to the south / southeast were more recently annexed. There are established neighborhoods that are still developing to the east and south of the subject site.

The El Paso County Master Plan identifies the subject area as one of the priority areas for annexation into the City of Colorado Springs as shown in the Potential Annexation areas section of the plan. These potential areas for annexation are identified as enclaves or near enclaves that consist of large plots of undeveloped land or large lot single-family homes which do not fit the character of the surrounding urban development. It further anticipates this area of change will be developed similarly into urban residential neighborhoods.

Applicable Code

The subject applications were submitted after the implementation date (06/05/2023) of the ReTool project, and as such are being 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	PDZ	Single-Family Res.	N/A
West	R1-6	Single-Family Res.	N/A

South	RR-5/CAD-O (County Zoning)	Single-Family Res. / Grazing	N/A
East	PDZ	Single-Family Res.	N/A

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	Initial Submittal, Planning Commission, City Council
Postcard Mailing Radius	1,000 Feet
Number of Postcards Mailed	404
Number of Comments Received	7

Public Engagement

During the comment period of the initial entitlement review, seven (7) emails were received in opposition to this project. The primary issues included:

1. Impact of the residential density on existing infrastructure which could lead to traffic congestion and strain on public services. Completing the Tutt Boulevard connection will increase traffic through adjacent neighborhoods.
2. Negative impacts on green space, water systems, and natural habitats.
3. Reduction of quality of life due to more development and more neighbors.

A neighborhood meeting was not required with this project.

Timeline of Review

Petition Submittal	8/29/24
City Council Petition Acceptance	12/10/24
Associated Entitlement Submittal Date	12/17/24
City Council Checkpoint	1/27/25
Number of Review Cycles	3
Item(s) Ready for Agenda	05/16/25

Agency Review

Traffic Impact Study

Traffic Engineering reviewed the Traffic Impact Study (TIS) and determined that the TIS was complete and provided the adequate information and analyses per the requirements of the Traffic Criteria Manual and Traffic Engineering staff. The applicant will be responsible for the TIS-recommended traffic mitigation measures and roadway improvements. The developer will dedicate 100 feet of ROW with two five-foot easements for Tutt Blvd. The developer will be responsible for constructing Tutt Blvd to five lanes per city standards. Any on-site or off-site improvements should be incorporated into the Civil Drawings and conform to the standards of the City of Colorado Springs and the Manual on Uniform Traffic Control Devices (MUTCD).

School District 20

The District is requesting fees in lieu of land dedication per the existing City Code for all residential units within this development. The District is experiencing ongoing residential development. The District added approximately 12,000 new residential units between 2018 and 2024 which included 5,278 Single Family, 1,156 Single Family Attached, and 5,576 Apartment units as reported to the District by local developers. During that same timeframe, the District only experienced a total membership increase of 138 students. This information is updated annually in October. A drop in the birth rate plus the significant increase in the cost of housing has contributed to the slowed student growth in the District. The District can serve each student who is a resident of District 20.

Parks

The program administrator has no outstanding comments. This project is subject to School, PLDO, and CDI fees. In addition, the applicant is required to include an internal trail system.

SWENT

SWENT has no outstanding comments. Applicants will be required to make channel improvements.

Colorado Springs Utilities

CSU has no outstanding comments. CSU will provide a presentation at City Council.

Annexation

Summary of Application

The associated 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. 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. A property is eligible for annexation if the contiguity requirement is met; not less than one-sixth the perimeter of the proposed area for annexation is contiguous with the existing boundary of the annexing municipality, and that area proposed for annexation has more than 50% ownership within the City 3-Mile Buffer for annexation. Unsurprisingly, this site meets all of these requirements as it is part of a county enclave that abuts City boundaries on three (3) sides. Additionally, the area to be annexed is owned by one entity.

The proposed annexation is 42.43 acres and is located east of Research Parkway and North Powers Boulevard (see 'Annexation Plat and Legal Description' attachments).

Annexation Agreement

The draft annexation agreement will be provided to City Planning Commission with the final (applicant executed) agreement completed for City Council review. This agreement is used to establish any city requirements upon annexation which are determined by relevant City review agencies. The only notable item in this agreement is the requirement to dedicate right-of-way and build the related Tutt Boulevard Roadway improvements to City Standards by the developer.

City Annexation Plan (2006)

The current City Annexation Plan was last updated in 2006 and is currently being updated through the AnnexCOS project. The current annexation plan places an emphasis on strategically eliminating enclaves / near enclaves within the City's boundaries which is supported by PlanCOS. AnnexCOS is anticipated to recommend a strategic approach to logical annexations that supports and encourages significant areas of newly planned urban density development to be included within City limits to promote the long-term fiscal and resource sustainability of the City and region.

Fiscal Impact Analysis

A Fiscal Impact Analysis (FIA) is required for all annexations, which was provided by the City Budget Office. The results of the FIA had a positive cashflow after the required 10-year timeframe. The FIA is included in the background material.

Southeastern Colorado Water Conservancy District (SECWCD)

This property has completed its required inclusion application into the Southeastern Colorado Water Conservancy District through the Bureau of Reclamation. The Inclusion process will be completed with the Bureau of Reclamation, with a final Letter of Assent pending.

Application Review Criteria

UDC Section 7.5.701

Annexations are subject to the following review criteria:

1. *The area proposed to be annexed is a logical extension of the City's boundary;*

This property is part of an enclave surrounded by urban residential development. The site meets contiguity requirements and has access to all City services. The City encourages voluntary annexation to remove enclaves.

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;*

A fiscal impact analysis was completed by the City Budget Office which showed a positive cashflow at the 10 year mark.

3. *There is a projected available water surplus at the time of request;*

At the time of this request, Colorado Springs Utilities (CSU) has reviewed this annexation, and no issues were presented regarding projected water availability.

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;*

City Water and Sanitary Sewer are available to the site but will require extensions at the expense of the developer.

5. *The annexation can be effected at the time the utilities are extended or at some time in the future;*

All services will require extensions to meet the needs of the proposed development at the developers' cost.

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;*

The transfer of water rights is a requirement with annexing property into the City which specific requirements identified within the annexation agreement (see 'Draft Annexation Agreement' attachment).

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;*

The draft annexation agreement establishes timelines of rights-of-way and easements. Future plans will be required to indicate such locations and design to be accepted by CSU.

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.*

N/A

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.*

The Annexation agreement identifies the specifics on Utility requirements regarding timing and types of improvements.

After evaluation of the Peach Ranch Addition No. 1 Annexation the application meets the review criteria.

Zone Establishment

Summary of Application

It is required by City Code that any annexed property be accompanied by a zoning designation either by specific zone or a holding zone. The proposed zoning establishment is to establish R-Flex Low/SS-O/AP-O (Residential Flex Zone Low with Streamside and Airport Overlay) (see 'Exhibits A-B' attachments). The R-Flex Low district allows for a mix of residential

uses at a density cap of six dwelling units per acre. Due to the existing stream system extending through the site the streamside overlay is to be established (see 'Land Use Plan' attachment). This property has Airport Overlay, which will be a carryover through zoning establishment.

Application Review Criteria

UDC Section 7.5.704

An application for an amendment to the zoning map shall be subject to the following criteria of 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.*

R-flex Low is intended for an attached and detached single-family residential use, which is consistent with surrounding developments.

2. *The rezoning will not be detrimental to the public interest, health, safety, convenience or general welfare.*

The proposed zone will not be detrimental to 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).*

The developer has provided a supporting land use plan which identifies future single family residential development with a maximum density of 6 dwelling units per acre. This is comparable to surrounding use types and intensities.

4. *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.*

N/A

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.*

N/A

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).*

The Peach Ranch Land Use Plan supports the requested zone establishment.

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.*

N/A

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.4 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.*

N/A

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.*

N/A

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)).*

This Zone Establishment has been reviewed by the Airport Reviewer and Streamside Reviewer for compliance with City Code. There are no outstanding items.

After evaluation of the Peach Ranch Addition No. 1 Zone Establishment the application meets the review criteria.

Land Use Plan

Summary of Application

Per Section 7.5.302.A of the Code, A Land Use Plan is a plan required in some circumstances to show the proposed layouts of land uses, development intensities and densities, primary access points, green space, public open space systems and areas that should be preserved or protected, potential needs for public land dedications, and other aspects of proposed development at a conceptual level. The purpose of a Land Use Plan is to provide the City with the information needed to evaluate how a proposed development may impact surrounding development without requiring the applicant to provide the levels of detail required on a Development Plan. Future Development Plans will be required and would have to be in compliance with the Land Use Plan. (see 'Land Use Plan' attachment).

The land use plan identifies Detached Single-Family Residential at an intensity not to exceed 6 dwelling units per acre which is consistent with the R-Flex-Low Zone District associated with this application. The overall proposed density is expected to be approximately 3.66 dwelling units per acre. Of the total 42.43-acres, 33.2-acres are dedicated for residential use, 1.7 acres are dedicated to detention facilities, and 7.5 acres dedicated to open space / green space. Much of the proposed green space will be located along the west property line adjacent to the stream system. The plan illustrates 100 feet of right-of-way to be dedicated to the City for the Tutt Boulevard connection. Tutt Boulevard will split this property into two pieces as shown on the land use plan. There will be three full access movements to the future Tutt Boulevard connection into this projects site with internal connectivity and final layout to be defined by development plan. This development will occur in 3 phases with the first phase to include all the infrastructure improvements.

Application Review Criteria

UDC Section 7.5.514

Land Use Plan Criteria: If the Land Use Plan is submitted in connection with an application to establish a zone district or to change a zone district boundary then it shall be reviewed based on the following criteria:

1. *Consistency with the Colorado Springs Comprehensive Plan and other plans and policies adopted by City Council;*

The proposed applications are consistent with the Colorado Springs Comprehensive Plan, Transportation Plan, and the uses are consistent with the proposed R-flex Low / SS-O / AP-O zones districts.

2. *Consistency with development standards the zone district in which the property is located, or would be located after a requested zone district change;*

The Land Use Plan is consistent with the proposed zone districts and related development standards. As this application gives a high-level picture of future use/intensity, a development plan will be required to grant any use of the property.

3. *Compatibility with the land uses and development intensities surrounding the property;*

The proposed zone district and land use plan allow for up to 6 dwelling units per acre. The developer intends to develop detached single-family residential homes. Properties to the west, north, and east are of the same use and intensity.

4. *Impacts of the permitted or requested uses, appropriate to the type of development, the neighborhood, and the community;*

The developer will be required to dedicate 100-foot wide right-of-way and connect Tutt Boulevard to city standards. A portion of the property contains a stream system which will require the developer to preserve the area around the stream and complete streamside improvements. A trail system will be required, as other surrounding developments have had to do.

5. *Adequacy of proposed ingress/egress points and traffic circulation, both on and off the site;*

City Traffic has reviewed the proposed project, and all comments have been addressed.

6. *Capacity of the existing streets, utilities, parks, schools, and other public facilities to serve the proposed development;*

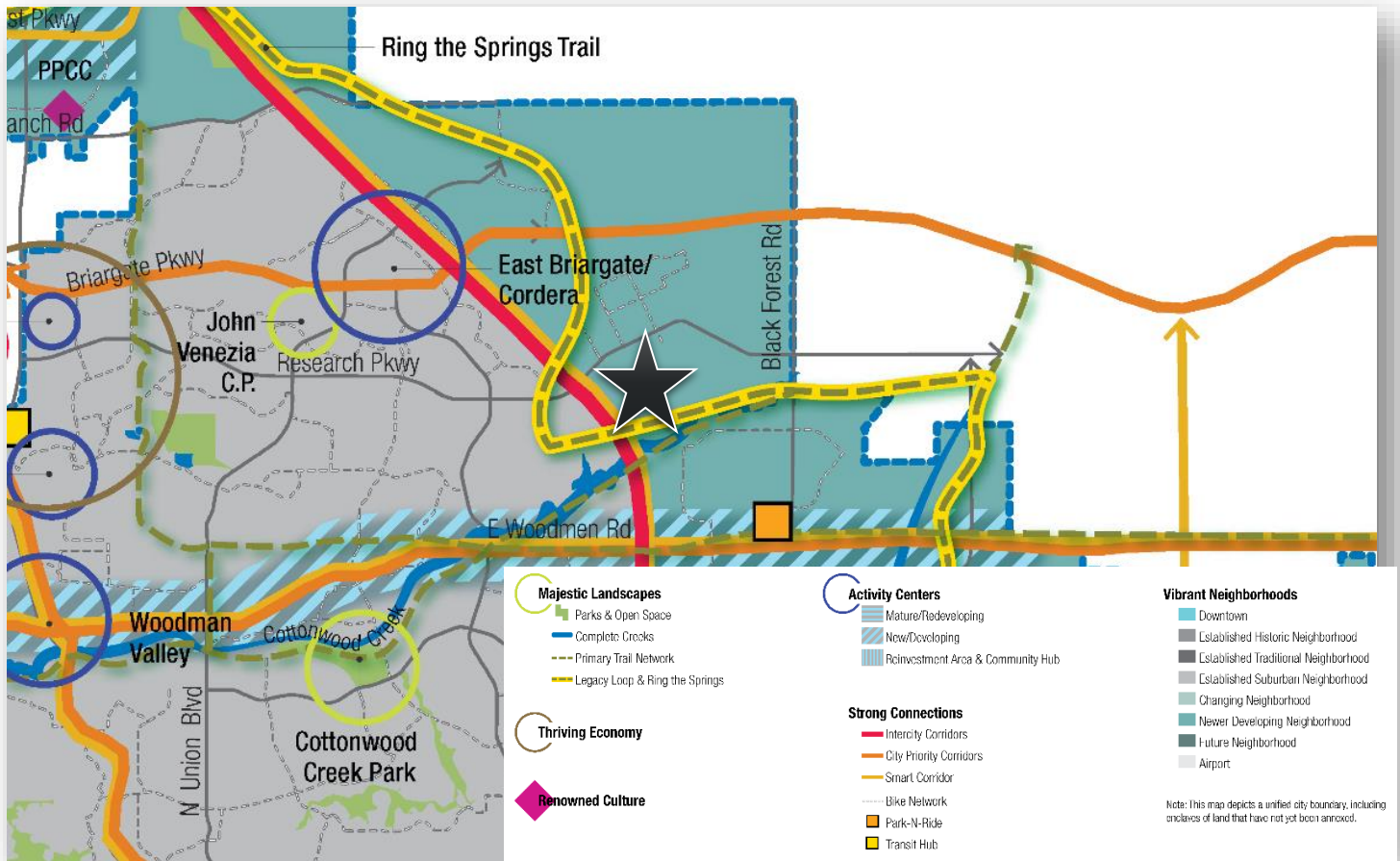
School District 20 has no issues with the proposed development.

7. *Promotion of transitions in height, intensity, or character between proposed non-residential or mixed-use development and nearby low-density residential zone districts.*

The development will be comparable to surrounding residential homes.

After evaluation of the Peach Ranch Land Use Plan the application meets the review criteria.

PlanCOS Vision



PlanCOS is oriented around six major themes, Vibrant Neighborhoods, Unique Places, Thriving Economy, Strong Connections, Renowned Culture, Majestic Landscapes. 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 working 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. Annexation is a logical extension of city boundaries as it further reduces an existing enclave and provides needed and compatible use with the surrounding development. The site is located within the newer developing neighborhood typology in the East Briargate / Cordera area. As previously noted, there are active low-medium density residential developments occurring around this enclave. The proposed development is compatible with existing and new development under construction.

Statement of Compliance

ANEX-24-0012 – Peach Ranch Addition No. 1

After evaluation of the Peach Ranch Addition No. 1 Annexation the application meets the review criteria as set forth in City Code Section 7.5.701

ZONE-24-0024 – Peach Ranch Addition No. 1 Zone Establishment

After evaluation of the Peach Ranch Addition No. 1 Zone Establishment the application meets the review criteria as set forth in City Code Section 7.5.704.

LUPL-24-0017 – Peach Ranch Land Use Plan

After evaluation of the Peach Ranch Land Use Plan the application meets the review criteria as set forth in City Code Section 7.5.514.