

## KETTLE CREEK ADDITION NO. 1 ANNEXATION/POST PETITION/LAND USE PLAN/ZONE CHANGE

### PROJECT STATEMENT

**AUGUST, 2025, SEPTEMBER 2025, OCTOBER 2025**

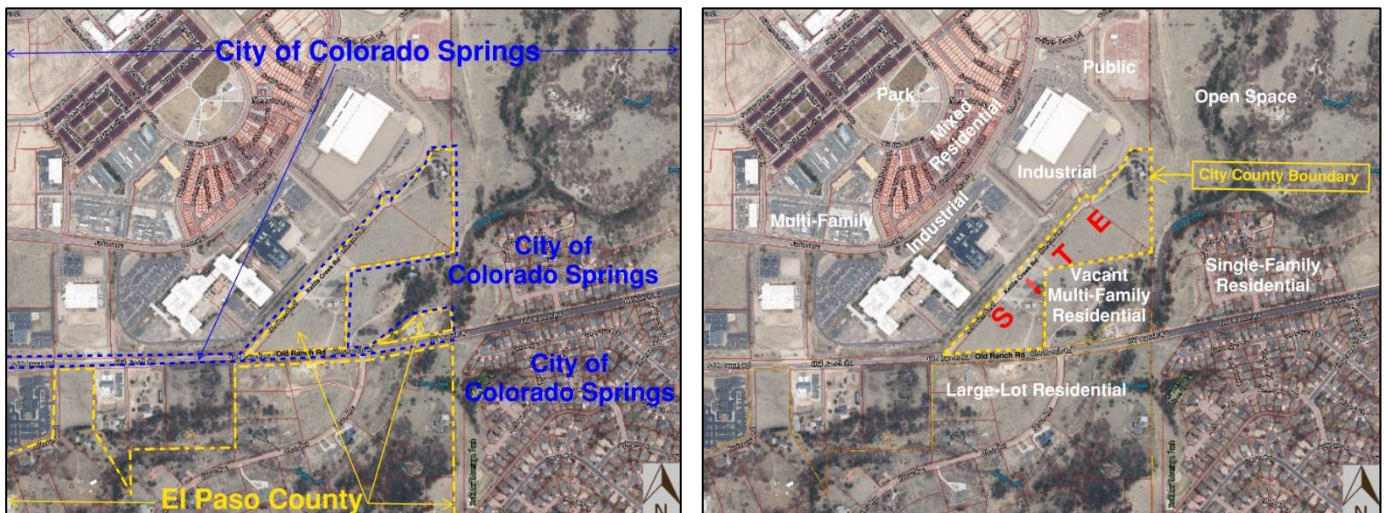
### REQUEST

N.E.S. Inc., on behalf of Waldo S. and Rebecca A Pendleton, Mark D. and Lynn M. George, and Challenger Homes, requests approval of the following applications:

1. Annexation of Kettle Creek Addition No. 1
2. A Zone Change from County Zoning (RR-5 and RR-2.5) to City Zoning R-5, R-Flex Medium, SS (Streamside Overlay), and AFO (Air Force Overlay)
3. A Land Use Plan for Kettle Creek Addition No. 1 Annexation

### LOCATION, CONTIGUITY, AND LAND USE CONTEXT

The 19.884-Acre site is located in El Paso County, north of Old Ranch Road, west of N Powers Boulevard and east of Voyager Parkway. The property is comprised of three parcels (2060 Old Ranch Rd, 10455 Kettle Creek Rd, and 10515 Kettle Creek Road) and the right of way for adjacent Kettle Creek Road. The property is compliant with the 1/6 contiguity required for annexation, as the contiguous perimeter is 100%.

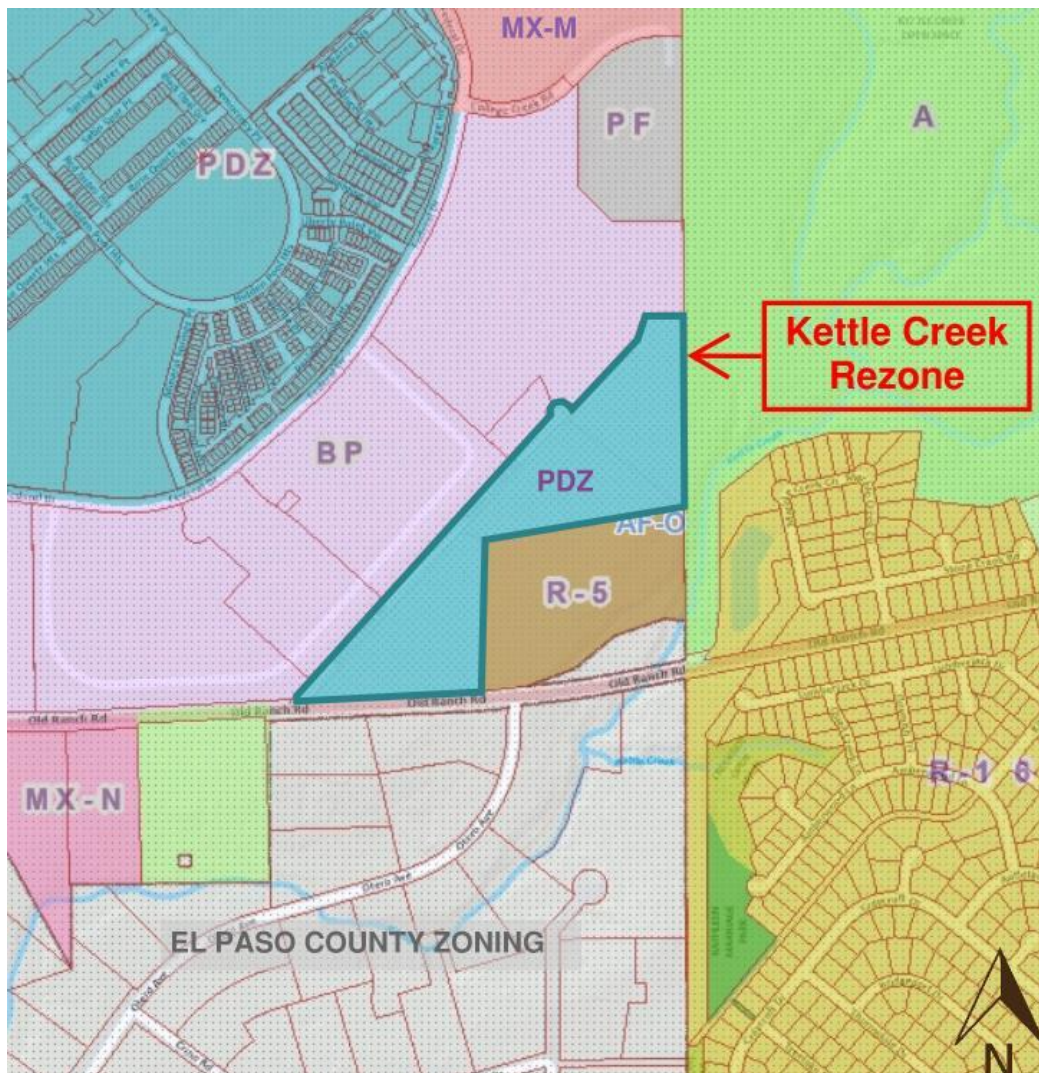


The site lies in an area of mixed-use, which includes urban single-family and multi-family residential, public, open space, institutional, industrial and rural large-lot single-family residential development. Large-lot single-family residential development lies within the County to the south of Old Ranch Road; to the east are vacant multi-family residential land, open space and urban single-family residential uses; to the west are industrial and institutional uses; and to the north are Industrial, public, and open space use.

**ZONING CONTEXT**

The property is currently zoned RR-5, Residential Rural (5-Acres) and RR-2.5 (2.5 Acres) in El Paso County. Proposed zoning upon annexation is PDZ-Residential, SS-O (Streamside Overlay) and AF-O, (Airforce Overlay). The site is surrounded by a mix of primarily City zone districts, with County zoning to the south as follows:

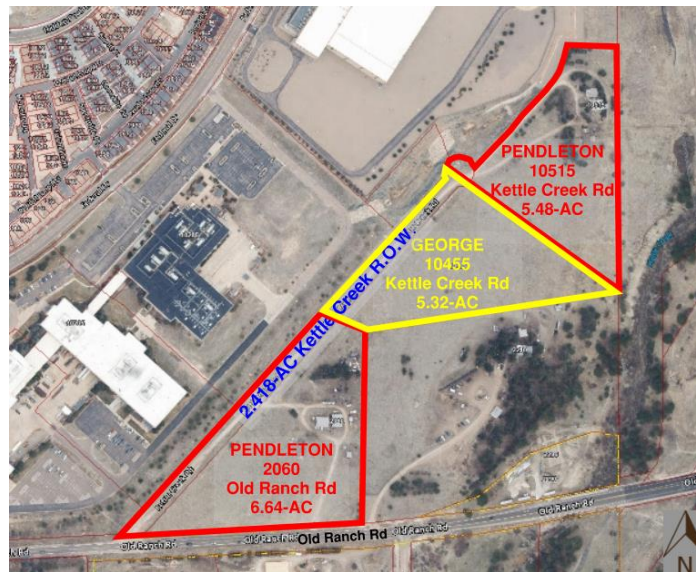
DIRECTION	JURISDICTION	ZONE DISTRICT	ZONE DISTRICT NAME
NORTH	CITY	BP	BUSINESS PARK
WEST	CITY	BP	BUSINESS PARK
SOUTH	CITY	R-5	MULTI-FAMILY RESIDENTIAL
	COUNTY	RR-2.5	RESIDENTIAL RURAL (2.5 ACRES)
EAST	CITY	R-5	MULTI-FAMILY RESIDENTIAL
	CITY	R-1 6	SINGLE-FAMILY MEDIUM
	CITY	A	AGRICULTURE



**PROJECT DESCRIPTION**

Annexation Petition

The property owners are requesting annexation of 19.884 acres of land, comprised of three platted parcels, and including the right of way for Kettle Creek Road, which is 2.418-Ac. The property at 10455 Kettle Creek Rd is owned by George and the other two lots, 10515 Kettle Creek Rd and 2060 Old Ranch Rd, are owned by Pendleton, all of which have signed and submitted an Annexation Petition.



Upon Annexation, Kettle Creek Road will be vacated and the primary access to the property from Old Ranch Road will be realigned with the Development Plan and Final Plat. Municipal utilities are available to serve the property.

Zoning and Land Use Plan Applications

The project proposes a rezoning of the property to PDZ-Residential with a Land Use Plan to allow for single-family attached (two-family) and single-family detached residential development. The Land Use Plan proposes development within the density parameters of the R-Flex Medium zone district, which allows density between 5-16 DU/AC. The density range is proposed to be 5-8 DU/AC. The Unified Development Code (UDC) requires PDZ developments within the R-Flex Medium density range to comply with Compact Lot standards.

Zoning standards for the PDZ are based on R-Flex Medium zone district standards, however, due to the existing property configuration and site constraints such as Preble’s Meadow Jumping Mouse (Preble’s)habitat, and Stream Side Overlay zoning, alternative building setbacks for the two-family residential lots are

SETBACK LOCATION	REQUIRED
<b>Front</b>	
Single-Family Detached	
Primary Structure	20'
Street Loaded Garage	20'
Two-Family Attached	
Primary Structure	7.5'
Street Loaded Garage	7.5'
<b>Side</b>	
Interior	5' minimum; 0' if attached
Corner Lot Side Street	5' minimum adjacent to a tract only
<b>Rear</b>	10'

proposed. The PDZ establishes the following setbacks:

The PDZ further establishes a minimum lot area of 2,000 square feet and a minimum lot width of 20'. The lots range from 32' wide up to 61' wide. The single-family detached lots are typically 35' wide and the single-family attached lots are typically 32' wide. Maximum height allowed is set at 45'. Compact Lot standards relate to green space, specific lot orientation requirements, and guest parking provisions. These standards will be reviewed at the Development Plan stage.

A portion of the property is encumbered by Preble's habitat and/or is in the 150' setback from the Outer Streamside Buffer. As such, these areas will remain open space. The applicant has submitted a request for concurrence to the U.S. Fish and Wildlife Service regarding development impacts to the Preble's habitat.

Access to the property will be via one full-movement access on Old Ranch Road, and one secondary two-way access in the southeast corner of the development, which connects through the adjacent residential development to the southeast. The primary access at Old Ranch Road will be relocated from the current Kettle Creek Rd intersection, easterly approximately 500'.

A Traffic Impact Analysis has been completed for the Annexation and Land Use Plan area and is included with this submittal. A Geologic Hazard Report has also been completed and is included with this submittal.

## **PROJECT JUSTIFICATION**

### **CONFORMITY WITH COLORADO REVISED STATUTES**

According to the City of Colorado Springs Unified Development Code, Annexation to the City shall be in accord with article II of the Colorado Constitution and the Municipal Annexation Act of 1965 as it exists now or may later be amended.

**Title 31-12-104 of the Colorado Revised Statute indicates that no unincorporated area may be annexed to a municipality unless one of the conditions of section 30 (1) of article II of the state constitution are met:**

***(a) The question of annexation has been submitted to the vote of the landowners and the registered electors in the area proposed to be annexed, and the majority of such persons voting on the question have voted for the annexation; or***

***(b) The annexing municipality has received a petition for the annexation of such area signed by persons comprising more than fifty percent of the landowners in the area and owning more than fifty percent of the area, excluding public streets, and alleys and any land owned by the annexing municipality; or***

***(c) The area is entirely surrounded by or is solely owned by the annexing municipality.***

Conditions (a) and (c) above are not applicable to the annexation property. Condition (b) is met as the submitted Annexation Petition is signed by 100% of the landowners of the area to be annexed.

**Title 31-12-104 of the Colorado Revised Statute also states that the governing body must find and determine:**

***(a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.***

The property is completely surrounded by property within the City of Colorado Springs, comprising 100% of the boundary of the property.

***(b) That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality.***

The annexation is a logical extension of the municipal boundaries as the site is completely surrounded by the City's boundary. This part of the city has been growing over the last few years with various types of residential and non-residential development. The annexation and pursuant development of the serve as a transition between the lower density residential development to the south in El Paso County, and the industrial, institutional and public property to the north and west. This development will be consistent with other residential development existing or approved in the area, and will support the employment center to the north and west.

**In accordance with Title 31-12-104, the fact that the area proposed to be annexed has the contiguity with the annexing municipality shall be a basis for a finding of compliance with these requirements unless the governing body finds that at least two of the following conditions are shown to exist:**

***(I) Less than fifty percent of the adult residents of the area proposed to be annexed make use of part or all of the following types of facilities of the annexing municipality: Recreational, civic, social, religious, industrial, or commercial; and less than twenty-five percent of said area's adult residents are employed in the annexing municipality. If there are no adult residents at the time of the hearing, this standard shall not apply.***

N/A

***(II) One-half or more of the land in the area proposed to be annexed (including streets) is agricultural, and the landowners of such agricultural land, under oath, express an intention to devote the land to such agricultural use for a period of not less than five years.***

N/A

***(III) It is not physically practicable to extend to the area proposed to be annexed those urban services which the annexing municipality provides in common to all of its citizens on the same terms and conditions as such services are made available to such citizens. This standard shall not apply to the extent that any portion of an area proposed to be annexed is provided or will within the reasonably near future.***

It is physically practicable to extend municipal services to the property, as they are being provided to other adjacent development within the municipality.

The property to be annexed thus satisfies all the requirements of the Colorado State Statute pertaining to Annexations.

**CONFORMITY WITH CITY OF COLORADO SPRINGS ZONING CODE**

CONDITIONS FOR ANNEXATION (SECTION 7.5.701 C. 1.)

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

The property is 100% surrounded by the City of Colorado Springs municipal boundary. This part of the city has been rapidly growing over the last few years with significant commercial, industrial, and multi-family residential development north of the site close to InterQuest and Voyager.

Annexations approved by the City of Colorado Springs in the area along Old Ranch Road: Hope Chapel Addition No 1 (Ordinance No 23-43), Peaks Recovery Centers, LLC (Ordinance No 21-11), Academy Christian Church (Ordinance No 04-204), Hadnagy Addition (Ordinance No 98-147), Ford Parcel #1 (Ordinance No 82-151), and Kitty Hawk Addition #1 (Ordinance No 82-234.



**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;**

Annexation and development of the property will provide additional housing options for the community. Relevant PlanCOS goals and objectives include locating supporting housing near jobs and other complimentary uses; encouraging mixed use development and transition of density; and preservation and enhancement of existing physical elements.

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

The properties are currently served by existing on-site wells. The project proposes to connect to CSU water which is available in surrounding development to serve the property. CSU has indicated that they have sufficient supply and facilities to serve this property, and is available on a first-come, first-served basis. The project must meet CSU's looping requirements. The existing wells will need to be abandoned upon connection to CSU water, and all water rights will be relinquished to CSU.

- 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;**

Individual septic systems and private wells currently serve the developed lots. It is intended to connect to CSU water and wastewater which are available in adjacent development to serve the property. CSU has indicated that water and sanitary capacity is currently adequate to meet the proposed development needs and is available on a first come, first served basis.

The existing wells and individual septic systems will need to be abandoned upon connection to CSU infrastructure.

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

Yes. The land to be annexed is owned by two parties, both of which have petitioned for annexation; therefore, the annexation can be affected at the time utility connections are available.

- 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;**

This will be addressed in the Annexation Agreement.

- 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;**

Utility easements and right of way will be provided with future development plans for the site. Upon determination of sanitary sewer and water service extension, utility easement(s) will need to be identified and an agreement executed.

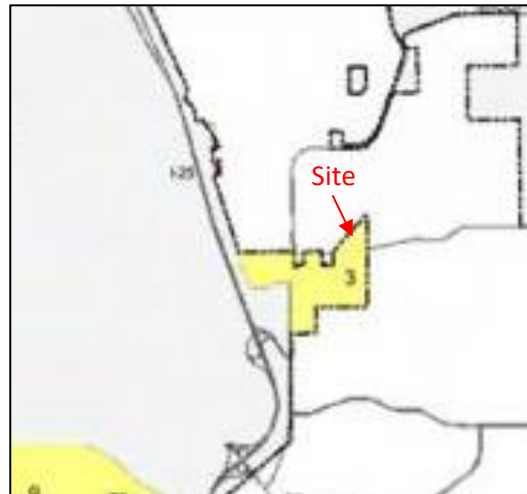
- H. If the proposed annexation to the City overlaps an existing service area of another utility, the applicant shall petition the PUC (Public Utilities Commission) or other governing authority to revise the service area such that the new service area will be contiguous to the new corporate boundary of the City.**

This property lies within Tri-Lakes Monument Fire Protection District. The applicant will work with the District to remove this property from its service area. This will be completed prior to annexation. The property is currently served by Mountain View Electric Association. Requirements for removal of the property from the service area of this District will be addressed in the Annexation Agreement.

**ZONE CHANGE CRITERIA (7.5.704 D.)**

**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(s).**

The 2006 Annexation Plan establishes the framework for decisions concerning annexation of land into the City of Colorado Springs. The intent of the Annexation Plan is to guide future applicants who seek to annex property into the City. On the 'Potential Annexation Map' in the Annexation Plan, the Site is within Area 3 of the Annexation Plan. Area 3 is identified as an area 'eligible for annexation but not recommended.' Area 3 is approximately 406 AC and functions as an enclave, however, since this area borders the United States Air Force Academy (USAFA) to the west, it does not meet statutory requirements for enclave definition. The Annexation Plan notes that "Most of the land is developed and thus the land use pattern is established. It is anticipated that this land use pattern will continue and redevelopment is unlikely." However, annexations have been approved by the City within the immediate area along Old Ranch Road and within Area 3, which have established a new development pattern.



Much of the surrounding land has now been annexed and the property is 100% surrounded by the Colorado Springs Corporate Boundary. As such, the property meets the definition of Enclave, and is consistent with the City's Annexation Plan.

In Chapter 8 (Adaptable Implementation) of PlanCOS, under "Key Projects and Implementation Strategies" one of the most important implementation initiatives is #6 Annexation Plan Update. PlanCOS recommends systematic update of the City's annexation strategies and polices to follow the outline of the Annexation Plan. The areas within the City adjacent to the Site are designated as a "Newer Developing Neighborhood" on the PlanCOS Vision Map and is designated as a "high area of change" on the PlanCOS Areas of Change map, which highlights areas expected to have the most potential for land use changes.

According to PlanCOS, with respect to Annexation requests "over the next 20 years, PlanCOS envisions limited but strategic additional outward expansion of city limits, and a focus on developing and redeveloping property currently within city boundaries while becoming more proactive in working to incorporate existing enclaves and near enclaves into the city."

The proposed zoning of PDZ-Residential is consistent with the purpose of the zone district which is: The purpose of the Planned Development Zone District (PDZ) is to encourage high quality developments that could not otherwise be achieved through the application of the City's standard zone districts. The purpose of the Planned Development Zone District (PDZ) "is to encourage high quality developments that could not otherwise be achieved through the application of the City's standard zone districts". The PDZ District is intended to:

**A. Provide a means of developing large, undeveloped tracts of land or other unique sites with a unified approach;**

While the property is not large, it is underdeveloped and unique in that it is an odd shape and it has Preble's habitat that encumbers a large portion of the land.

**B. Facilitate creative, high-quality developments that offer an integrated mix of nonresidential uses and housing options, in conjunction with other community amenities or other benefits to the City or its citizens;**

The proposed zoning and use of the property provides a mix of housing options, extensive open space areas much of which has amenities to benefit those who live there, as well as protected open space that will not have amenities and will minimize impacts to Preble's critical habitat as well as the stream side area of Kettle Creek that is adjacent to the site.

**C. Encourage flexibility in design to create a better living environment, to preserve the unique features of the site, and to provide public services in a more economic manner; and**

The PDZ establishes alternative setbacks for the two-family lots in order to provide a variety of home types, a more efficient layout, preserve the unique features of the site which consist of Stream Side Overlay zoning and Preble's habitat, and provide public utilities in a more efficient/economic manner.

**D. Provide a clear and reasonable plan for the phased development and completion of proposed development, consistent with the Colorado Springs Comprehensive Plan.**

The PDZ provides a clear plan for a phased development which will be completed consistent with PlanCOS.

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

The Applicant is requesting to rezone the property to PDZ-Residential with the intent to develop single-family detached and two-family attached lots.

In accordance with the UDC, the Planned Development Zone (PDZ) District is intended to:

*"encourage high quality developments that could not otherwise be achieved through the application of the City's standard zone districts".*

Single-family detached and two-family attached dwellings are permitted uses in a residential PDZ District. Annexation and development as requested provides additional housing options in the area, which is a mix of residential densities with an adjacent employment center.

The request to change the zoning of the properties will not be detrimental to the public interest, health, safety, convenience, or general welfare. The development will provide additional housing options for the neighborhood and the community as a whole. The subject property lies within an area that has been changing and growing.

**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 subject property is served by Old Ranch Rd and is within ½ mile of the intersection with Voyager Parkway (Principal Arterial) and 1.2 miles of N Powers Blvd (Freeway). Principal Arterials are intended to carry adequate volumes of traffic to accommodate existing and proposed land uses in

the area. Freeways are intended to provide rapid movement of very high volumes of regional traffic. The land is occupied by Preble’s Meadow Jumping Mouse habitat as well as Steamside Overlay of Kettle Creek. These sensitive areas will be left as open space for the most part. There are no areas of steep slopes. Surrounding zoning within the City includes BP, A, R-5, R1-6. There is also a large PDZ in the area, all of which provides low to medium density housing. There is also other land within the City in the surrounding area that is zoned for employment providing business uses.

- 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.**

The Land Use Plan proposes density on the low end of the R-Flex Medium range. Land use densities in the surrounding area within the City range from 3.6 DU/AC to 18.1 DU/AC depending on the land use. The single-family detached residential areas range from 3.6 DU/AC to 10 DU/AC and the multi-family areas range from 10.6 DU/AC to 18.1 DU/AC. The proposed annexation development will be of similar size, scale, height, and density; and will have similar multi-modal impacts as existing development in the area. With the PDZ development standards which are based on R-Flex Medium zoning standards, Compact Lot standards, buffering and landscape setback requirements, the new development will be compatible in the area.

- 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.**

The property is currently occupied by two single-family detached homes. While there will be displacement of tenants or occupants, the owners have all petitioned for annexation of the land and support development of the property for urban residential use. The benefits of more housing in a high demand market will fulfill current housing goals of PlanCOS, which include “housing for all” and the provision of a variety of housing types, densities, and price points.

- 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).**

A Land Use Plan is submitted with this request, and such plan complies with the criteria in the UDC.

- 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 approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.**

There is no Concept Plan for the area being annexed or zoned. A Land Use Plan is submitted with this application.

- 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.**

This criterion does not apply.

- 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.**

This criterion does not apply.

- 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)). (Ord. 23-03).**

The rezone complies with the standards of the PDZ District of the UDC. Single-family detached and two-family attached dwellings are permitted uses in a residential PDZ District.

**LAND USE PLAN REVIEW CRITERIA (SECTION 7.5.514 C.3.)**

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

The Land Use Plan proposes medium density residential development which is consistent with the goals of PlanCOS as noted in the annexation criteria above.

- B. 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 proposes medium density residential development at a density and maximum height that is based on the standards of the R-Flex Medium zone district, and are appropriate for medium density residential PDZ. Residential uses are permitted uses in a PDZ district.

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

The Land Use Plan proposes medium density residential development at a density that is based on the standards of the R-Flex Medium zone district and are appropriate for medium density residential PDZ. Land use densities in the surrounding area within the City range from 3.6 DU/AC to 18.1 DU/AC depending on the land use. The single-family detached residential areas range from 3.6 DU/AC to 10 DU/AC and the multi-family areas range from 10.6 DU/AC to 18.1 DU/AC. The proposed annexation development will be of similar size, scale, height, and density; and will have similar multi-modal impacts as existing development in the area. The smaller residential buildings and open amenity areas will serve as a transition from the adjacent business park uses and the large-lot single-family development in the county. With the PDZ development standards which are based on R-Flex Medium zoning standards, Compact Lot standards, buffering and landscape setback requirements, the new development will be compatible in the area.

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

The subject property is served by Old Ranch Rd and is within ½ mile of the intersection with Voyager Parkway (Principal Arterial) and 1.2 miles of N Powers Blvd (Freeway). Principal Arterials are

intended to carry adequate volumes of traffic to accommodate existing and proposed land uses in the area. Freeways are intended to provide rapid movement of very high volumes of regional traffic. The land is occupied by Preble's Meadow Jumping Mouse habitat as well as Steamside Overlay of Kettle Creek. These sensitive areas will be left as open space for the most part. There are no areas of steep slopes. Surrounding zoning within the City includes BP, A, R-5, and R1-6. There is also a large PDZ in the area, all of which provide for single-family housing at low to medium densities; and other land within the City in the surrounding area is zoned for employment providing business uses.

The Land Use Plan proposes medium density residential development at a density that is based on the standards of the R-Flex Medium zone district and are appropriate for medium density residential PDZ. The single-family detached residential areas range from 3.6 DU/AC to 10 DU/AC and the multi-family areas range from 10.6 DU/AC to 18.1 DU/AC. The proposed annexation development will be of similar size, scale, height, and density and will have similar multi-modal impacts as existing development in the area. With the PDZ development standards which are based on R-Flex Medium zoning standards, Compact Lot standards, buffering and landscape setback requirements, the new development will be compatible in the area. Land use densities in the surrounding area within the City ranges from 3.6 DU/AC to 18.1 DU/AC. The proposed annexation development will be of similar size, scale, height, and density and will have similar multi-modal impacts as existing development in the area. With the PDZ development standards which are based on R-Flex Medium zoning standards, Compact Lot standards, buffering and landscape setback requirements, the new development will be compatible in the area.

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

The subject property is served by Old Ranch Rd and is within ½ mile of the intersection with Voyager Parkway (Principal Arterial) and 1.2 miles of N Powers Blvd (Freeway). Principal Arterials are intended to carry adequate volumes of traffic to accommodate existing and proposed land uses in the area. Freeways are intended to provide rapid movement of very high volumes of regional traffic. Access to the property will be via one full-movement access on Old Ranch Road, and one secondary two-way access in the southeast corner of the development, which connects through the adjacent residential development to the southeast. The primary access at Old Ranch Road will be relocated from the current Kettle Creek Rd intersection, easterly approximately 500'. Internal access drives will be designed to accommodate emergency vehicles and will include sidewalks. There is no access to other development areas.

A Traffic Impact Analysis has been completed for the Annexation and Land Use Plan area and is included with this submittal.

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

The subject property is served by Old Ranch Rd and is within ½ mile of the intersection with Voyager Parkway (Principal Arterial) and 1.2 miles of N Powers Blvd (Freeway). Principal Arterials are intended to carry adequate volumes of traffic to accommodate existing and proposed land uses in the area. Freeways are intended to provide rapid movement of very high volumes of regional traffic.

A Traffic Impact Analysis has been completed for the Annexation and Land Use Plan area and is submitted with this application.

CSU has indicated that utilities are in the area and adequate to serve the property upon annexation, except the gas main will need to be increased in size. All associated improvements will be the responsibility of the developer.

The developer anticipates cash in lieu of land dedication for schools and parks. Both entities will have an opportunity to comment on the application. Parks facilities in the area include the Kettle Creek Open Space to the east. The Park System Master Plan shows a Candidate Open Space Area and Urban Trail in the Creek corridor to the east of the property and creek. There was no indication of the need for any such facilities on or in the area of the proposed annexation, and the development provides open space to serve the development.

School facilities to support the new development are located at various locations in the areas to the north, east and south of the development.

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

The developer intends to construct two- and three-story residential buildings on the site. These homes will have smaller footprints as appropriate for compact lot development. This development will provide transition from the large-lot single-family detached development in the county to the south and the business park uses to the north and east. Landscape setbacks and buffering between differing land use intensities will be provided as required by the UDC.

**STREAMSIDE OVERLAY REVIEW CRITERIA (7.2.603 C)**

**1. Has the natural landform been maintained within the overlay area and does grading conform to the specific grading limitations of this Section as well as all other City grading and filling regulations?**

The property is within 150' of the Streamside Outer Buffer, but neither the Inner nor Outer Buffers are within the property. The development plan retains all of the area of the property within 150' of the Outer Buffer as open space, within which there will be no development activities and the stream ecosystem will be protected. The site is designed to have minimum impact on the creek and adjacent Streamside buffers, which are off-site, but the development will take advantage of the views of the natural area, which helps to include the stream in the development for residents.

**2. DOES THE DEVELOPMENT INCORPORATE THE STREAM ECOSYSTEM INTO THE PROJECT DESIGN AND COMPLEMENT THE NATURAL STREAMSIDE SETTING? HAS THE PROJECT BEEN DESIGNED TO LINK AND INTEGRATE ADJACENT PROPERTIES WITH THE STREAM CORRIDOR USING ACCESSWAYS, CREEK FRONT PLAZAS, EMPLOYEE RECREATIONAL AREAS OR OTHER SITE PLANNING AND LANDSCAPING TECHNIQUES WHICH INCLUDE THE STREAM CORRIDOR AS AN AMENITY?**

The site is designed to have minimum impact on the area within 150' of the Outer Buffer, the creek, and adjacent Streamside Buffers; but will take advantage of the views of the natural area, which helps incorporate and bring attention to the stream. Because the area within 150' of the Outer Buffer, is Preble's habitat, there will be no development activity in that area. Other active open space amenities are proposed adjacent to, but outside of the habitat area.

**3. HAS THE PROJECT BEEN DESIGNED TO MINIMIZE IMPACT UPON WILDLIFE HABITAT AND THE RIPARIAN ECOSYSTEM WHICH EXISTS ON OR ADJACENT TO THE SITE? DOES THE PROJECT DESIGN PROTECT ESTABLISHED HABITAT OR ANY KNOWN POPULATIONS OF ANY THREATENED OR ENDANGERED SPECIES OR SPECIES OF SPECIAL CONCERN?**

The development plan retains all of the area of the property within 150' of the Outer Buffer as open space, within which there will be no development activities and the Preble's habitat will be protected

**4. HAVE EXISTING OR POTENTIAL COMMUNITY TRAIL NETWORKS AND OTHER RECREATIONAL OPPORTUNITIES BEEN IDENTIFIED AND INCORPORATED INTO THE PROJECT DESIGN?**

There are no planned trails within the 150' of the Outer Buffer due to the presence of Preble's habitat. The Parks and Open Space Department does not wish to acquire the property and did not request the provision of formal trail construction due to the Preble's meadow jumping mouse habitat on the property.

**5. HAS THE PROJECT BEEN DESIGNED TO PROTECT THE SUBJECT PROPERTY FROM POTENTIAL FLOOD DAMAGE AND TO ACCOMMODATE FLOOD STORAGE AND CONVEYANCE NEEDS?**

The property has been designed in conformance with the City's Engineering Criteria Manual for stormwater management. On-site ponding is proposed to accommodate historic drainage through the property as well as new runoff from the development and is designed to accommodate the 100-year storm event. The pond will outlet to the stream, which will be conveyed by pipe from the pond to the stream.

**6. HAVE ALL SIGNIFICANT NATURAL FEATURES WITHIN THE PROJECT STREAMSIDE AREA BEEN IDENTIFIED, AND HAS THE PROJECT BEEN DESIGNED TO MINIMIZE THE IMPACT ON THESE FEATURES?**

There are no significant natural features in this streamside area, except for habitat for the Preble's meadow jumping mouse, which is within 150' of the Outer Buffer, and is addressed in criteria #3 above.

**7. DOES THE PROJECT IDENTIFY AND IMPLEMENT THE RECOMMENDATIONS OF ANY APPROVED SUBAREA PLANS (SUCH AS THE CITY GREENWAY MASTER PLAN, CITY OPEN SPACE PLAN OR A SPECIFIC DRAINAGE BASIN PLANNING STUDY) AND OF ANY APPROVED PUBLIC WORKS PROJECTS AND HABITAT CONSERVATION PLANS?**

The project is within the Kettle Creek drainage basin. The Drainage Report for the project addresses the recommendations of the Kettle Creek drainage basin plan and is included with this submittal.

**8. DOES THE PROJECT DESIGN:**

**A. IMPLEMENT A RIPARIAN BUFFER BETWEEN THE DEVELOPED PORTIONS OF THE SITE AND THE ADJACENT WATERWAY TO ASSIST IN PREVENTING POINT AND NONPOINT SOURCE POLLUTANTS AND SEDIMENT FROM ENTERING THE WATERWAY?**

There are no Steamside buffers on the property, just the area 150' from the Outer Buffer. The proposed development does not impact the area within 150' of the Outer Buffer, or the buffers which are off-site. The on-site detention pond, includes water quality measures which are intended to prevent sediment entering the waterway.

**B. EXCLUDE IMPERVIOUS SURFACES FROM THE INNER BUFFER ZONE AND MEET IMPERVIOUSNESS RESTRICTIONS ACROSS THE ENTIRE OVERLAY AREA ON THE SITE?**

Yes. There is no Inner Buffer on the site.

**C. INCORPORATE ALL STORMWATER PCMS REQUIRED BY STORMWATER ENTERPRISE THROUGHOUT THE DEVELOPED SITE AND ADJACENT TO THE BUFFER TO ENCOURAGE ON SITE FILTRATION OF STORMWATER AND PROTECT WATER QUALITY?**

Yes.

**D. INCORPORATE VISUAL BUFFERS OF THE STREAM BETWEEN IDENTIFIED EXISTING AND/OR PROPOSED PROJECTS ON OPPOSING SIDES OF THE STREAM?**

No, as there are no Streamside Buffers on this property, and there is Preble's habitat that is being left undisturbed.

**9. ARE INNER AND OUTER BUFFER ZONE LANDSCAPING STANDARDS MET AND DOES THE APPLICATION MEET ALL OTHER REQUIREMENTS OF PART 7.4.9 (LANDSCAPING AND GREEN SPACE)?**

There are no inner or outer buffers on the property and the area within 150' of the Outer Buffer is dedicated as Preble's habitat, which will not be disturbed by development activity.

**10. HAVE DISTURBED AREAS BEEN REVEGETATED TO MINIMIZE EROSION AND STABILIZE LANDSCAPE AREAS AND DOES THE PROJECT LANDSCAPING DESIGN SPECIFY PLANTS SELECTED FROM THE RIPARIAN PLANT COMMUNITIES AS SET FORTH IN APPENDIX A OF THE LANDSCAPE POLICY MANUAL?**

There are no riparian areas within the property. All disturbed areas have been revegetated to minimize erosion. The proposal meets all other requirements of the city's landscape code, except as identified in the alternative landscape compliance request.

**11. HAVE STREAM BANK AND SLOPE AREAS BEEN IDENTIFIED, INCLUDING THOSE OVER FIFTEEN (15) PERCENT SLOPE, HAS THE DISTURBANCE TO THESE AREAS AND ANY PROTECTIVE OR STABILIZING VEGETATIVE COVER BEEN**

**MINIMIZED, AND DOES THE PLAN PROVIDE FOR THE REVEGETATION AND STABILIZATION OF ANY DISTURBED AREAS REQUIRED BY THIS UDC?**

There are no stream banks or slopes near the channel on the property. A Streamside Plan has not been required since there is not Inner or Outer Buffer on the property.

**12. HAVE OPPORTUNITIES TO RECLAIM THE DRAINAGEWAY BEEN IDENTIFIED AND IMPLEMENTED WHERE PRACTICAL?**

The stream channel is off site and fees in lieu of improvements are required.