

COMMISSIONERS: STAN VANDERWERF (CHAIR) CAMI BREMER (VICE-CHAIR) LONGINOS GONZALEZ, JR. HOLLY WILLIAMS CARRIE GEITNER

# PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of County Commissioners

Stan VanderWerf, Chair

FROM: Kylie Bagley, Planner II

Gilbert LaForce, PE Engineer III Craig Dossey, Executive Director

RE: Project File #: ANX-22-003

**Project Name: Singers Addition Annexation** 

Parcel No.: 55210-05-001

OWNER:	REPRESENTATIVE:
City of Fountain	City of Fountain
116 S. Main Street	116 S. Main Street
Fountain, CO 80817	Fountain, CO 80817

#### **Commissioner District: 4**

Planning Commission Hearing Date:	N/A
Board of County Commissioners Hearing Date	4/5/2022

#### **EXECUTIVE SUMMARY**

A request by the City of Fountain for acceptance of an Annexation Impact Report for the Singer's Subdivision Addition Annexation. The 22.04-acre parcel is zoned A-5 (Agricultural) and PUD (Planned Unit Development District), is overlayed with the CAD-O (Commercial Airport Overlay District), and is located east of Powers Boulevard, west of Marksheffel Road and south of Fontaine Boulevard and within Section 21, Township 15 South, Range 65 West of the 6<sup>th</sup> P.M.

#### A. REQUEST/WAIVERS/AUTHORIZATION

**Request:** A request by the City of Fountain for acceptance of an Annexation Impact

Report of approximately 22.04 acres.

Waiver(s): No waivers are associated with this request

Authorization to Sign: N/A

#### **B. PLANNING COMMISSION SUMMARY**

Planning Commission review and recommendation is not required for an annexation impact report under the El Paso County Land Development Code (2021).

#### C. APPROVAL CRITERIA

Pursuant to state statute, the County does not approve or deny an annexation impact report. The annexation impact report provided by the City of Colorado Springs puts the County on notice and describes potential impacts in very general terms. This request complies with Chapter 10 Annexation and Disconnection of the <u>Land Development</u> Code (LDC) and with state statute. The LDC standards for review are as follows:

#### 10.1.7. Standards for Review of Annexation Impact Reports

The Board of County Commissioners shall evaluate the annexation impact report for the following:

- Has the municipality made adequate provisions for the requisite level of utility services to the area?
- Has the municipality made adequate provisions for the requisite level of police and fire protection?
- Will the proposed annexation encourage growth patterns which are inconsistent with the Master Plan either in terms of the type of land use or the timing of such growth?
- Will the proposed annexation create unreasonable roadway maintenance/drainage problems?
- Will the proposed annexation have unreasonable detrimental impacts upon land adjoining the area proposed to be annexed in terms of land use compatibility, timing of growth or other development related concerns?
- Will the annexation create County enclaves within the municipality which have little or no possibility of future annexation by the municipality?
- Will the annexation remove land from an existing special district to the extent that the provision of service by the special district to the balance of the special district is no longer financially feasible?

The Board of County Commissioners may choose to forward written comments to the annexing municipality, time permitting, or designate an authorized representative to present the Board's comments at the annexation hearing.

#### D. LOCATION

North: City of Colorado Springs Agricultural

South: RS-6000 (Residential Suburban) and PUD (Planned Unit Development)

Single Family Residential

East: City of Fountain Agricultural

West: City of Fountain and PUD (Planned Unit Development)

Agricultural

#### E. BACKGROUND

The parcel included in this annexation is zoned A-5 (Agricultural). The property was initially zoned A-1 (Garden Home District) on May 10, 1942, when zoning was initiated for this portion of El Paso County. Due to changes in the nomenclature of the El Paso County Land Development Code, the A-1 (Garden Home District) zoning district was renamed as the A-5 (Agricultural) zoning district.

#### F. ANALYSIS

#### 1. Land Development Code Analysis

The annexation impact report was sent to the El Paso County Attorney's Office on March 11, 2022. The annexation impact report included all the statutory requirements, including but not limited to, the following:

- A map of the proposed area to be annexed;
- A draft agreement of the proposed annexation; and
- A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services.

#### 3. Master Plan Analysis

#### a. Your El Paso Master Plan

i. Placetype: Suburban Residential

#### Placetype Character for Suburban Residential:

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units.

This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon

# **Recommended Land Uses for Suburban Residential:** Primary

Single-Family Detached Residential with lots sizes smaller than
 2.5 acres per lot, up to 5 units per acre

#### Supporting

- · Single-family Attached
- Multifamily Residential
- Parks/Open Space
- Commercial Retail
- Commercial Service
- Institutional

#### **Analysis:**

The parcels are designated as Suburban Residential. Annexing this property into the City of Fountain would be a logical extension of the City's incorporated boundaries. The relevant goals and objectives are as follows:

Goal 5.1 - Coordinate with agencies to provide high-quality community facilities, services, and infrastructure to enhance quality of life.

Objective LU2-1: Continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with

the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds.

Objective LU2-3: Prioritize the annexation of existing unincorporated County enclaves as opportunities arise.

Objective HC2-3: Coordinate regularly with municipalities to maintain knowledge of plans for annexation.

The area being annexed is immediately adjacent to the City of Fountain. The applicant plans to utilize the subject property for residential uses and open space. These uses support the character of the Suburban Residential placetype. The proposed annexation is in compliance with the uses, goals, and objectives recommended in the <u>Master Plan.</u>

#### ii. Area of Change Designation: Minimal Change Developed

Minimal Change Developed: These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of an denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

The proposed annexation will redevelop the vacant site adjacent to other built-out sites. If the annexation were approved, the new development would prioritize the natural environment by

designating over 9 acres as open space, which supports the character of this area.

#### iii. Key Area Influences:

The proposed annexation is not in a Key Area; however, it is influenced by two nearby Key Areas: Colorado Springs Airport/Peterson Air Force Base and Potential Areas of Annexation

Colorado Springs Airport/Peterson Air Force Base: Colorado Springs Airport is the second largest in the State of Colorado with continually rising passenger totals and activity. Currently, large amounts of land adjacent to the airport are primed for commercial and industrial development, in part due to the establishment of a Commercial Aeronautical Zone (CAZ). The Board of County Commissioners approved the CAZ to attract local businesses and spur development on the available land. The County should continue to prioritize nonresidential growth in this area to help expand the Employment Center in unincorporated El Paso County. Employment Centers not only provide additional job opportunities for County residents but it expands the County's tax base, providing more opportunities to address other County issues such as upgrades to infrastructure, expansion of services and development of new roadways. Peterson Air Force Base also utilizes the Colorado Springs Airport for military flight operations and hosts various military activities critical to national security. The County should also coordinate future development adjacent and within the Colorado Springs Airport Accident Potential Zone (APZ) and within the Peterson Air Force Base buffer area with the Airport and the Base to ensure growth does not negatively impact the primary functions of Peterson Air Force Base or the Airport. Coordination with Colorado Springs Airport should also be considered, as necessary.

<u>Potential Areas for Annexation:</u> A significant portion of the County's expected population growth will locate in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this

growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and accommodate new development. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County. This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.

The proposed annexation will allow for new development within the City of Fountain to accommodate future growth. If the annexation were approved it will be consistent with the recommendations for the Potential Areas of Annexation.

#### 4. Other Master Plan Elements

The proposed annexation complies with all other master plan elements.

#### 5. Special District Issues

Staff is not aware of any special district issues associated with this request. The request is not in any special district.

#### G. PHYSICAL SITE CHARACTERISTICS

#### 1. Floodplain

As indicated on FEMA Flood Insurance Rate Maps (FIRM) panel number 08041C0956G which has an effective date of December 7, 2018, the annexation area is not located within a floodplain.

#### 2. Drainage and Erosion

The annexation area is located within the West Fork Jimmy Camp Creek drainage basin.

## 3. Transportation

There are no roadways being annexed, nor are there any rights-of-way within or adjacent to the parcels proposed for annexation.

#### H. SERVICES

#### 1. Water

Water service is anticipated to be provided by Widefield Water and Sanitation District.

#### 2. Sanitation

Wastewater service is anticipated to be provided by Widefield Water and Sanitation District.

#### 3. Emergency Services

Emergency services will be provided by the City of Fountain (police protection).

#### 4. Utilities

Natural gas will be provided by Black Hills Energy and electrical service will be provided by City of Fountain Electric.

#### I. ATTACHMENTS

Vicinity Map Annexation Impact Report

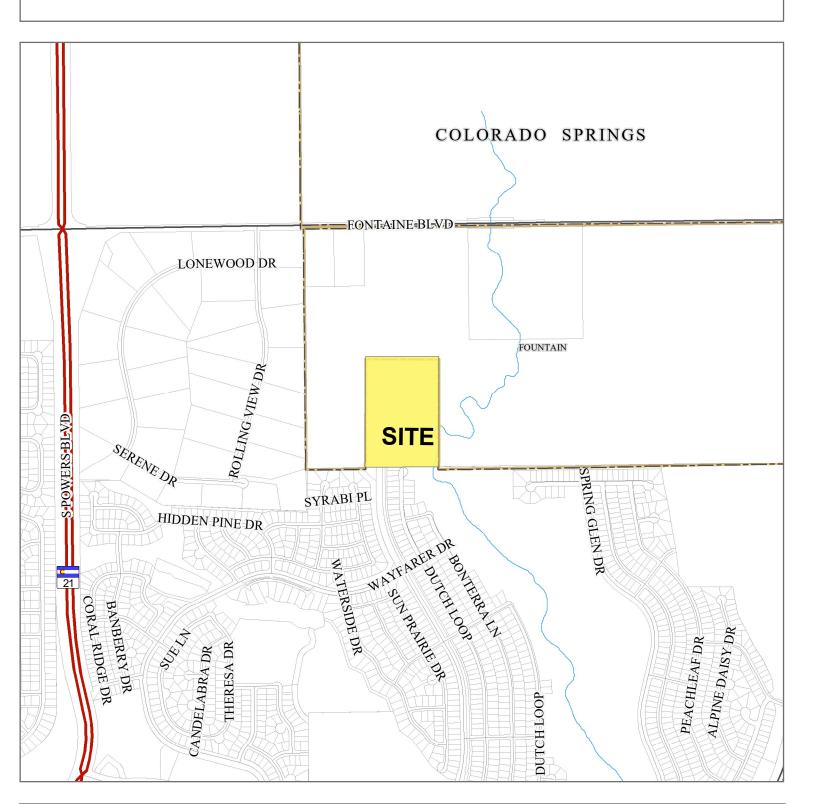
## El Paso County Parcel Information

ADDRESS	CITY	STATE
14160 GLENEAGLE DR	COLORADO SPRINGS	CO

ZIP ZIPLUS 80921 File Name: ANX-22-003

Zone Map No.: --

Date: | March 29, 2022







# Community Services Planning Department

March 11, 2022

El Paso County Board of County Commissioners 200 South Cascade Avenue, Suite 100 Colorado Springs, CO 80903

#### Dear Members of the Board:

Pursuant to Section 31-12-108.5(1), C.R.S., the City Council of the City of Fountain hereby submits the annexation impact report for the proposed annexation known as Singer's Subdivision Addition Annexation, generally located south of Fontaine Boulevard, north of Dutch Loop.

Attached is a copy of the annexation impact report. Please direct any questions regarding this request to City of Fountain, Attention Kristy Martinez, 116 South Main Street, Fountain, Colorado, 80817.

Respectfully,

Kristy Martinez, AICP Planning Supervisor

# **CORVALLIS-LACY PARCEL ANNEXATION**

## **ANNEXATION IMPACT REPORT**

Annexation of Property to the City of Fountain, Colorado

January 10, 2022

#### Owner/ Developer:

HPHR Properties, LLC 14160 Gleneagle Drive Colorado Springs, CO 80921

#### Planners/ Civil Engineer:

Matrix Design Group, Inc. 2435 Research Parkway, Suite 300 Colorado Springs, CO 80920

#### INTRODUCTION

The following has been prepared pursuant to section 31-12-108.5 of the Colorado Revised Statutes (C.R.S.) regarding the proposed annexation (the "Annexation") to the City of Fountain (the "Municipality") of certain real property known as Singer's Subdivision Annexation Plat, as shown on Exhibit A attached hereto (the "Property"). The Property comprises a total of 22.04 acres more or less, and is located in portions of sections 21, Township 15 south, Range 65, west of the 6th Principal Meridian, El Paso County, Colorado. The Property is located generally south of Fontaine Boulevard and west of Marksheffel Road.

#### **CURRENT ZONING**

The subject property is currently El Paso County jurisdiction zoned A-5 (Agriculture) with CAD-O (Commercial Airport District) overlay. In connection with the Annexation, a zoning request to zone the property PUD within the City of Fountain is being submitted.

#### EXISTING AND PROPOSED LAND USE PATTERN IN THE AREA TO BE ANNEXED

The current land use is Vacant being used as ranchland. There are no structures found on site.

The proposed land use will permit residential and open space uses. The proposed land uses remain consistent with The Comprehensive Plan for the City of Fountain as the Future Land Use Map currently shows the site to be developed with Single-family Residential.

#### **ANNEXATION IMPACT REPORT REQUIREMENTS**

- This section is divided into the six elements corresponding to sections 31-12- 108.5(1)(a) through (f), C.R.S., as follows:
  - (a) A map of the Municipality and adjacent territory to show the following:
    - (1) The present and proposed boundaries of the Municipality in the vicinity of the proposed Annexation; see the attached annexation map.
    - (i) The present streets, major trunk water mains, sewer interceptors and

Corvallis-Lacy Parcel January 2021

outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; see the attached drawings.

- The existing and proposed land use pattern in the areas to be annexed; see the attached drawing.
- (b) A copy of any draft or final pre-annexation agreement, if available. At this time, no pre-annexation agreement exists.
- (c) A statement setting forth the plans of the Municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the Municipality at the time of Annexation; see Section 4 below.
- (d) A statement setting forth the method under which the Municipality plans to finance the extension of the municipal services into the area to be annexed; see Section 5 below.
- (e) A statement identifying existing districts within the area to be annexed; see Section 6 below.
- (f) A statement on the effect of Annexation upon local public-school district systems including the estimated number of students generated and the capital construction required to educate such students. See Section 7 below.
- 2. C.R.S. § 31-12-108.5(1)(a) REQUIRED MAPS
  - (a) The Property is currently located within unincorporated El Paso County. The Annexation Map shows the municipality and adjacent territory.
  - (b) The present and proposed boundaries of the Municipality in the vicinity of the proposed Annexation. See the attached drawings.
  - (c) The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the extension of such street and utility lines in the vicinity of the proposed Annexation. See the attached drawings.
  - (d) The existing and proposed land use pattern in the areas proposed to be annexed. See the attached drawings.
- 3. C.R.S. § 31-12-108.5 (1)(b) -- PRE-ANNEXATION AGREEMENT
  - (a) No pre-annexation agreement is available at this time.

Corvallis-Lacy Parcel January 2021

4. C.R.S. § 31-12-108.5(1)(c) – EXTENSION/PROVISION OF MUNICIPAL SERVICES. With successful approval of the annexation request, at the time of future more detailed design and construction the extension and provision of municipal services to the proposed development will be accomplished as required by the Municipality. The extension of services includes streets, water and sewer lines, and dry utilities.

- (a) STREETS: There are currently no streets present within or surrounding the annexation area. The adjacent overall development plan for Corvallis to the north shows a collector extending from Fontaine to the north edge of this development area. This collector roadway will be extended within the annexation area and terminate prior to connecting to the southern boundary. As part of the future development of this parcel, roadway extensions will be provided as required. All internal roadways will be designed to City of Fountain standards and upon completion will be owned and maintained by the City of Fountain.
- (b) WATER AND WASTEWATER: The proposed annexation development area will receive water and wastewater services from the Widefield Water and Sanitation District (WWSD) for water service and sanitary sewer service. WWSD has adequate water supply and treatment capacity to serve the development as illustrated with previously completed development submittals for this area. Water and wastewater improvements will be designed and constructed in accordance with the Standards and Specifications of the (WWSD) and will be dedicated upon satisfactory completion and acceptance.
- (c) ELECTRIC AND GAS: City of Fountain Electric will provide electric services for the annexation development area. Black Hills Energy will provide natural gas services. Electric and gas facilities are planned to be extended from existing City of Fountain Electric and Black Hills Energy facilities as required to serve the development.
- (d) COMPLETION OF SERVICE EXTENSIONS: The owner/ developer will install infrastructure and facilities as required to serve the development.
- (e) EMERGENCY SERVICES: Fire and Police Protection will be provided by the City of Fountain.
- (f) OPEN SPACE & PARKS: The City of Fountain entitlement documents and

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agreement(s) approved in connection with the Annexation will set forth any required dedications of open space, parks and/or public lands.

- 5. C.R.S. § 31-12-108.5(1)(d) FINANCING SERVICE EXTENSIONS The financing of the extension of services and streets may occur through one or more of the following 1) Metropolitan Districts 2) Cost Recovery Agreements and/ or 3) As otherwise agreed to, between the Municipality and the owners of the Property as appropriate.
- 6. C.R.S. § 31-12-108.5(1)(E) EXISTING DISTRICTS IN THE AREA TO BE ANNEXED The El Paso County Treasurer's office records reflect that the Property is currently subject to the following taxing authorities:

<u>Tax District</u>	Levy
El Paso County	7.755
El Paso County Road & Bridge (unshared)	0.330
Widefield School District 3	56.164
Southeastern Colorado Water Conservancy	0.942
El Paco County Conservation	0.000

Following the Annexation, one or more of the taxing entities noted above may no longer serve the property. In addition, one or more additional districts may serve the Property after Annexation.

7. C.R.S. §31-12-108.5(1)(F) – IMPACT ON WIDEFIELD SCHOOL DISTRICT 3 As residential use is proposed for the annexation area, the development will generate students. Coordination with Widefield School District 3 has taken place as part of the Corvallis ODP adjacent to this parcel. A 12-acre school site has been identified within that overall development, east of this parcel. The school district will be responsible for the timing and construction of any new school buildings.



#### EDWARD-JAMES SURVEYING, INC.

October 12, 2021 Job No. 2166-00 Page 1 of 1

#### **EXHIBIT "A"**

**LEGAL DESCRIPTION: SINGER'S SUBDIVISION ANNEXATION** 

A TRACT OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY LINE OF TRACT 1, SINGER'S
SUBDIVISION, RECORDED IN PLAT BOOK H-3 AT PAGE 81 OF THE
RECORDS OF SAID EL PASO COUNTY, BEING MONUMENTED AT THE WESTERLY END BY A NO. 5 REBAR AND YELLOW PLASTIC SURVEYOR'S CAP STAMPED "LS 34585" AND AT THE EASTERLY END BY A NO. 5 REBAR AND YELLOW PLASTIC SURVEYOR'S CAP STAMPED "LS 34585", ASSUMED TO BEAR S89°46'22"E A DISTANCE OF 800.00 FEET-FOUND AT GROUND LEVEL.

TRACT 1, SINGER'S SUBDIVISION, AS RECORDED IN PLAT BOOK H-3 AT PAGE 81. RECORDS OF EL PASO COUNTY, STATE OF COLORADO.

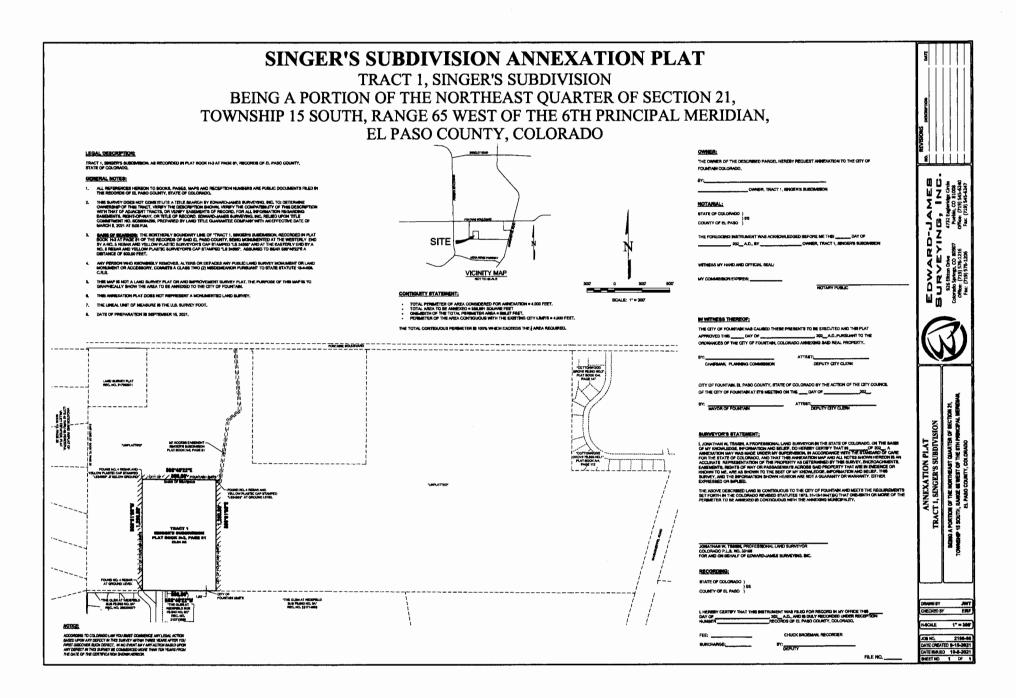
CONTAINING A CALCULATED AREA OF 22,04 ACRES MORE OR LESS.

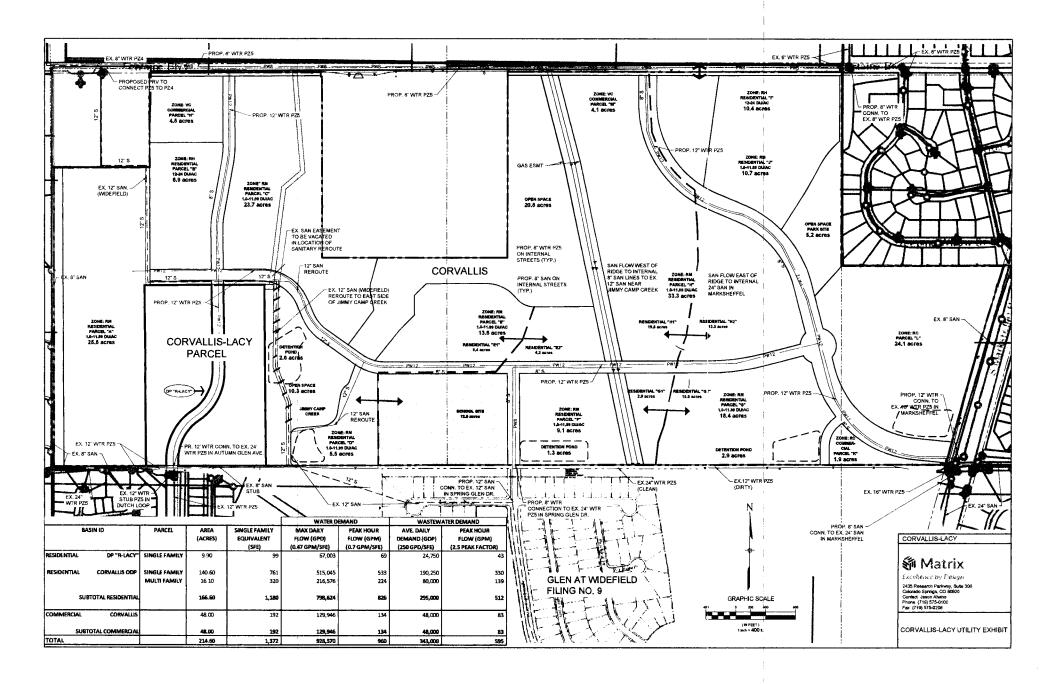
#### **LEGAL DESCRIPTION STATEMENT**

I, JONATHAN W. TESSIN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF IS CORRECT.



JONATHAN W. TESSIN, PROFESSIONAL LAND SURVEYOR COLORADO PLS NO. 33196 FOR AND ON BEHALF OF EDWARD-JAMES SURVEYING, INC.





#### **CORVALLIS - LACY PARCEL**

CITY OF FOUNTAIN

### **OVERALL DEVELOPMENT PLAN**

#### **DIMENSIONAL STANDARDS AND GUIDELINES:**

ZONE DISTRICT: RESIDENTIAL MEDIUM (RM) 1-10 DU/AC DIMENSIONAL STANDARDS FOR PARCEL A

PROTECTION OF THE PROPERTY OF

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MADARIA STRUCTIVIAL RESORT

#### DEVELOPMENT STANDARDS AND GUIDELINES

- TEMPORARY USES ARE SUBJECT TO THE REQUIREMENTS OF THE CITY OF FOUNTAM ZOMING CODE, AS AMENDED. ACCESSION USES ARE SUBJECT TO THE REQUIREMENTS OF THE CITY OF FOUNTAM YOMING CODE. AS AMENDED. FENCING QUOLEMENT TO BE FROM THE PUTURE COMPALIAN COMES AND OR DESIGN GUOREMENTS. A MARKOM OF FORM THOSE COMPALIAN COMES AND OR DESIGN GUOREMENTS.

#### GENERAL LOT DEVELOPMENT NOTES:

- CONTROLATION.
  OWNER WALDER TO SALERE DRIVEWAYS DO NOT CONFLICT WITH PEDESTRAIN RAMP TRANSITION.
  ALL SHIFT DRIVER TO SALERE DRIVEWAYS DO NOT CONFLICT WITH PEDESTRAIN A RAMP TRANSITION.
  ALL SHIFT DRIVER TRANSLESS MUST BE WITHON THE PURLE RIGHT OF HAVO OR A SCHIFT DRIVAGE RASEMENT. IN THE LINE
  OF SHIFT DRIVER SHIFT DRIVER TO THE OFFINIA, PAUT DRIVAGE ADMINISTRAL BEDEFACE TO PROVIDE THE
  RECOVERED UNDER SHIFT DRIVER TO THE OFFINIA, PAUT MONTROHANCE OF A SHIFT DRIVAGE RASEMENT SHALL BE THE
  RECOVERED UNDER PROPERTY OFFICE OR METRODOLOGY DRIVER OFFINIOR SHIPT DRIVERS OF THE OFFI

