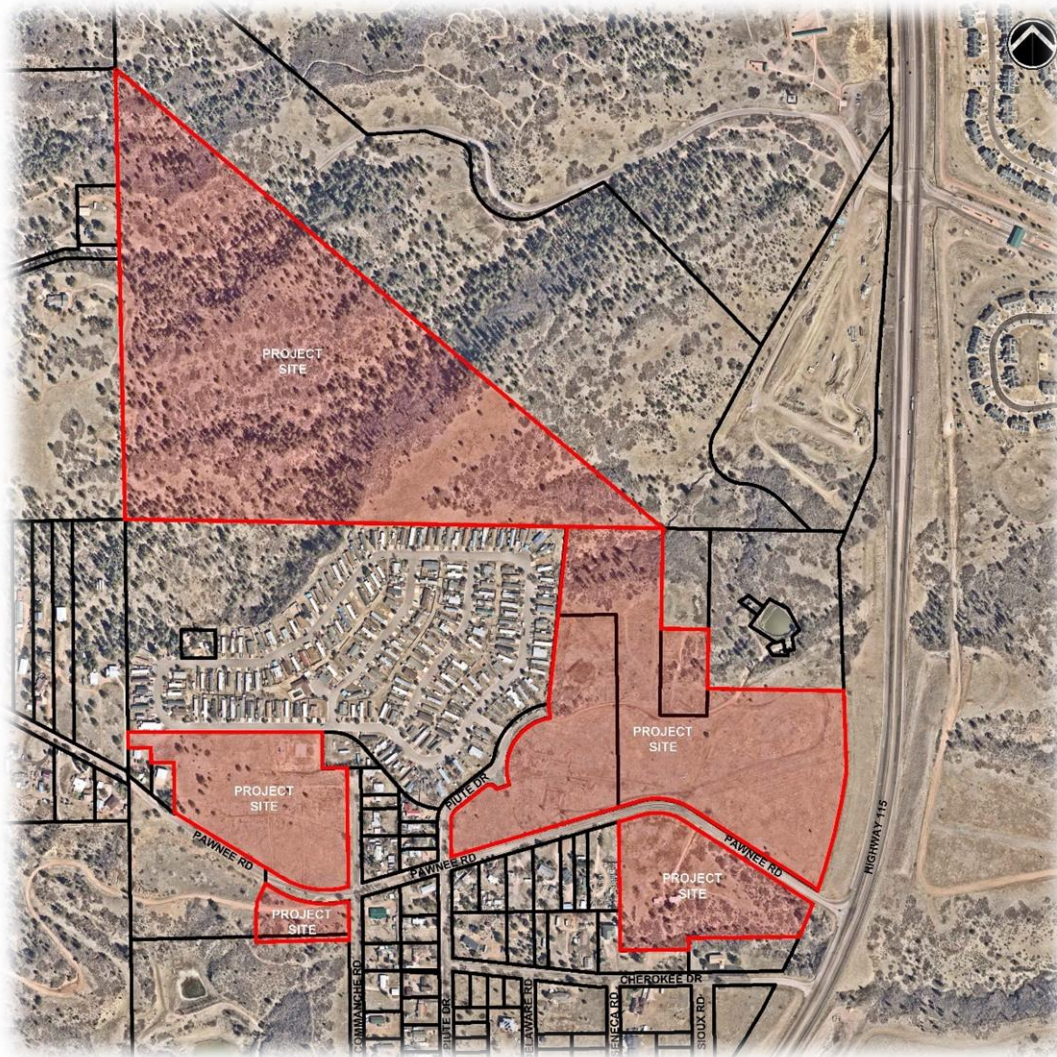


**PROJECT STATEMENT**  
**ROCK CREEK MESA**  
**Annexation, Rezoning, & Land Use Plan**

*Revised February 13, 2024*



**PREPARED FOR:**

Colorado Springs Equities LLC  
90 S Cascade Ave, Suite 1500  
Colorado Springs, CO 80903

**PREPARED BY:**

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

**Owner/ Applicant:** Colorado Springs Equities LLC  
90 S Cascade Ave, Suite 1500  
Colorado Springs, CO 80903

**Planner/ Civil Engineer:** Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920

**Tax Schedule No:** 6530300017; 6530300023; 6530400003; 6530300022 (a portion of); 6530400009; 6500000169

**Site Location, Size, Zoning:**

Matrix Design Group on behalf of Colorado Springs Equities LLC is submitting a serial annexation petition for seven parcels and Land Use Plan/Rezoning exhibit for a portion of the subdivision known as Rock Creek Mesa. The site contains numerous parcels as part of the Rock Creek Mesa community in El Paso County. The parcel areas are located immediately southwest of State Highway 115 and accessed via Pawnee Road and Cherokee Drive. The proposed parcels are surrounded by a mix of residential uses ranging from Mobile Home Park to large lot detached single unit dwellings. To the west is detached single family, zoned F-5 and within El Paso County. South of the entire annexation area is a mix of RS-5000 and F-5 zoning designations within El Paso County. Centered within the annexation area is the Cheyenne Mountain Estates Mobile home park, zoned Mobile Home Park (MHP). The City of Colorado Springs Municipal boundary line lies along the northeast segment of parcel 6500000169 which is immediately adjacent to Cheyenne Mountain State Park.

**Request & Justification:**

The purpose of this application is to request for annexation, initial city zoning and land use plan for 109AC. Annexation is proposed to occur as a serial annexation in seven separate annexation plats. Each annexation plat will meet the 1/6 State Statute contiguity requirement and 25% contiguity requirement of the Colorado Springs Water ordinance. Zoning of the areas are proposed as Park (PK) and R-Flex Medium, initial zoning will occur immediately after the annexation. A community of interest exists between the proposed areas to be annexed and the City of Colorado Springs.

With this request, 53.84AC is proposed to be rezoned from F-5 to PK zoning. This area is currently adjacent to Cheyenne Mountain State Park owned by the city but currently outside city limits. This area is bound by Cheyenne Mountain State Park to the Northeast. The remaining 50.84AC is proposed to be rezoned from RS-5000 and F-5 to R-Flex Medium. These areas are centered around Pawnee Road and are intended to accommodate a mix of attached and detached single family housing types with an overall max density of 16 DU/AC. This area is proposed to be capped at 400 residential units per acre, 45' Max Building Height and a minimum lot size of 1,500 SF per DU. Uses surrounded by these areas are a mix of residential uses and vacant land.

PK zoning of 53.84AC will allow for similar usages to the state park and serve to transition the park uses to the proposed R-Flex Medium zoning designations. The R-Flex Medium zoning designation in this area will transition the surrounding variety of residential densities and land uses to Pawnee Road and Highway 115.

## **Annexation of Land Review Criteria:**

### *7.5.701.C. Conditions for Annexation*

*1. To assist the City Council in its decision, each proposal for annexation shall be studied to determine whether:*

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

The area proposed to be annexed is located immediately southwest of the City of Colorado Springs and bound by Fort Carson to the east. Annexation of these parcels will create a logical extension of city services and facilities for residents within the area as these services are being provided to Sundance at Rock Creek immediately north of this site. The serial annexation of seven parcels will meet the 1/6<sup>th</sup> contiguity State Statute requirements and 25% contiguity requirement of the City of Colorado Spring water ordinance. Annexation of these parcels will bring reliable water and wastewater services to the area which is currently lacking these utilities.

Zoning of the area is proposed to occur immediately, with 53.84AC proposed as Parks Public (PK) and 50.84AC proposed as R-Flex Medium. All areas will be within the Wildland Urban Interface (WUI). All development will be in compliance with the Colorado Springs Fire Department Ignition Resistant Construction Design Manual.

Approximately 2AC of un-cumbered land within the R-Flex medium annexation area will be dedicated to meet the City's Parkland Dedication Obligation (PLDO). The park area will be installed and maintained by the metro district. This area is connected to a trail along an existing easement and designed off road trail and overlook located immediately south of Cheyenne Mountain State Park. Both trail segments and overlook will be designed, installed and maintained by the metro district.

- 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;*

The development of this area will serve growing housing needs and a need for diversity of housing products within the City of Colorado Springs, especially Fort Carson to the east. The region's largest Army base is lacking in housing to fit the needs of its force, and while this project will bring only a fraction of what is needed, Rock Creek Mesa will provide a variety of housing types. Facilities and common areas within the development will be owned and maintained by the metro district which will remove the burden of operating cost for the proposed park areas from the City's Parks Department. The proposed additional housing will also bring in additional tax revenue through property taxes, sales tax collected through online sales, revenue generated from use of water and wastewater services, as well as provide employment opportunities during the multi-year construction of the project. In addition, the installation of a reliable, CSU provided water system will provide reliable water supply in the event of structure and wildfire.

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

Water and sewer will be provided by Colorado Springs utilities. There are no proposed wells or individual septic systems within this development. Fire suppression will be provided by Colorado Springs Fire Department utilizing water mains and installation of fire hydrants throughout the project. This water service, in addition to wastewater service, is part of a larger plan to bring municipal services through Cheyenne Mountain State Park. An agreement to bring services through the state park was several years in the making and nearing completion. The agreement will bring reliable water and waste services to serve an area in need of these services; additionally, this will provide reliable water in the event of fire. A final utility plan showing locations of all fire hydrants will be provided with future Development Plan submittals.

- 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;*

Colorado Springs utilities will provide water and wastewater facilities to this area. Utilities will be provided to the site from an extension along Highway 115 as a continuation of utilities from the Sundance at Rock Creek project to the north. All utilities servicing the site will be public and within a public utility easement to be dedicated on the final plat as required.

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

Utilities will be extended at the time of development. A utility plan will be provided in a future Development Plan. Public utility easements will be dedicated on the final plat.

- f. *The City shall require as a condition of annexation the transfer of title to all ground water underlying the land proposed to be annexed. Should such ground water 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 ground water as a condition of annexation. The value of such ground water shall be determined by the Utilities based on market conditions as presently exist;*

Acknowledged. There are no known groundwater sources on this site. There is one existing plugged well located in the SW corner of Pawnee Road and Highway 115 that is no longer in use and has been abandoned.

- 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;*

Acknowledged. All required easements for public utilities will be dedicated on the final plat.

- 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.*

There is currently a small water district that serves a small portion of this area known as Rock Creek Mesa Water District. The Rock Creek Mesa Water District is a public water supplier. Presently, it does appear these public water mains are crossing any private easements. While this district will remain in place and is unaffected by the proposed Rock Creek Mesa development; Rock Creek Mesa Water District does not have capacity to serve additional development resulting in a need for water service in this area not only for new construction but a reliable source or fire suppression. Colorado Springs utilities will provide water and sewer to the annexation boundary area(s) and to the existing mobile home park. This will allow for the mobile home park to come into EPA compliance removing their existing treatment facility found just north of this proposed project.

- 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 Rock Creek Mesa project will, through the extension of Colorado Springs Utilities, bring reliable water and wastewater services to this area as part of the development. This is in addition to improvements made to any required streets, parks, and public rights of way. All open spaces will be maintained by the metro district. The extension of Colorado Springs sanitary sewer will connect to the existing mobile home park allowing them to disconnect from their existing treatment facility which is scheduled to be abandoned.

All development within this area will be in compliance with Colorado Springs Fire Department's Ignition Resistant Construction Design Manual. Reliable water within this area will help mitigate potential risk within the Wildland Urban Interface. Fire suppression for this area will be provided by Colorado Springs Fire Department with

mutual aid request provided by Fort Carson and/ or Southwest Fire Protection District.

### **Zoning Map Amendment (Rezoning) Review Criteria:**

#### *UDC 7.5. 705.D (Approval Criteria)*

*An application for an amendment to the zoning map shall be subject the following criteria for approval:*

- 1. The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).*

This site is located adjacent to Cheyenne Mountain State Park which serves as a regional park and open space; described in PlanCOS as a Majestic Landscape. Key trends of these spaces are described in PlanCOS as having numerous direct and indirect benefits such as increasing property values, influencing the state's tourism economy, and support for local biodiversity. Access to parks and recreational opportunities are often one of the primary reasons an individual chooses to live or locate their business in Colorado Springs.

As a majestic landscape, Cheyenne Mountain State Park is supported by Typology 3: Natural Resources and Regional Recreation. These areas reinforce environmental stewardship through provision of user infrastructure and facilities, preserve important ecological, historic, cultural and archaeological features in their natural state, limit development encroachment that threatens the integrity of the natural landscape and designate specific areas for public access and recreation.

The goal of this typology is to balance tourism, recreation use, and environmental protection of important natural resource areas that embody the majestic scenery of Colorado Springs. The focus of Cheyenne State Park is nature orientated, passive outdoor recreation, with an emphasis on appropriate balance between resource protection and public use. These areas create a buffer around urban areas. Natural areas, such as these, are essential to PlanCOS vision of protecting its scenic and natural landscapes.

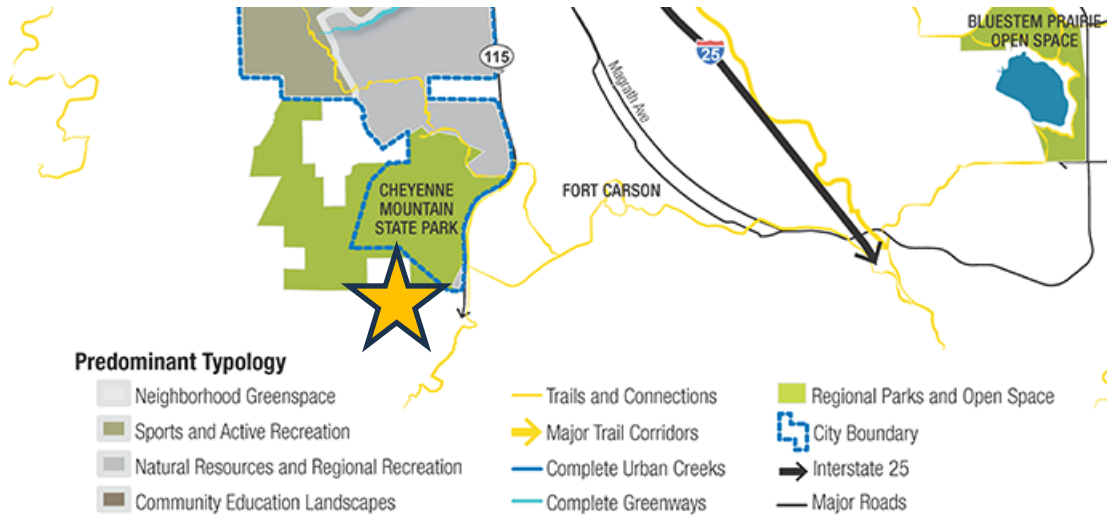
The proposed rezoning will support the following policies and strategies of PlanCOS:

Policy ML-4.A: Emphasize preservation of undeveloped land and natural areas that result in the preservation of the most environmentally and culturally significant areas and incorporate low-impact recreation.

- Strategy ML- 4.A-4: Align annexation, master plans and large scale planned unit development to contribute and connect to natural areas.
  - *The proposed annexation is immediately south of Cheyenne Mountain State Park. A 5.81AC active park, open space and trail are proposed between Cheyenne Mountain State Park and the proposed residential development.*

**Policy ML-5.B:** Focus on resilient landscape in the face of drought, flood and fire hazards

- Strategy ML-5.B-2: Develop fire mitigation partnerships and create natural area management plan with land managers, utility providers, public safety officials, and state and federal representatives.



- *Development of this area will bring reliable water to this area and the Colorado Springs Fire Department will serve this area. All landscapes and buildings will be designed in accordance with Colorado Springs Fire Department Ignition Resistant Construction Design Manual.*

Additionally, this annexation is supportive of PlanCOS Vibrant Neighborhood policies, including Housing for All and Reclaiming Neighborhood Space

**Policy VN-2.A:** Promote Neighborhoods that incorporate common desired neighborhood elements

- Strategy VN-2A-3: Support land use decision and projects that provide a variety of housing types and sizes, servicing a range of demographic sectors, and meeting the needs of residents and families through various life stages and income levels
  - *The proposed development will respond to market demands for an increase in housing and housing diversity within the area. This housing will be supportive of housing needs in the area and nearby Fort Carson housing shortages.*

**Policy VN-3.A:** Preserve and enhance the physical elements that define a neighborhood's character

- Strategy VN-3.A-3: Incorporate existing natural features into project design by providing amenities such as trail connectivity, outdoor dining areas, promenades and plazas

- Strategy VN-3.A-5: Update plans and City Code to encourage a blend of uses the positively affect neighborhoods
- Strategy VN-3.A-7: Encourage neighborhood plans and initiatives that reflect neighborhood identity and a built environment supporting residents of all age ranges and abilities
  - *The proposed development provides a variety of housing products which will serve the needs of a diversified population. Natural features incorporated into the development and adjacency to Cheyenne State Park will allow to the development to connect to natural areas and encourage a blend of uses the positively affect neighborhoods.*

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

Rezoning of this area will support diversity in housing choices and expansion of city services which will be supportive of the public health, safety and welfare of this area. The existing Rock Creek Mesa Water District does not have the capacity to serve additional structures. In addition, sewer in this area is partially served by out compliance wastewater treatment facilities that are currently in violation. This annexation will enable Colorado Springs utilities to bring wastewater treatment into compliance for the area and bring reliable water and sewer services to this area.

Open spaces within the development will be designed in accordance with the Colorado Springs Fire Department Ignition Resistant Construction Design Manual. All open spaces will be maintained by the metro district. Colorado Springs Fire Department will service this area.

This project will bring a variety of housing types to fit a variety of income levels and support housing needs of Fort Carson. The provision of a variety of housing types and price points if supportive of the Housing for All initiatives outlined in PlanCOS.

3. *The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).*

PK zoning of 53.84AC will match the abutting land uses of Cheyenne Mountain State Park, currently owned by the Trails and Open Space (TOPS) program. The R-Flex medium zoning to consist of 50.84AC will accommodate a mix of detached and attached low to medium density up to a maximum of 16 DU/AC. The intent of the R-Flex medium at this location is to provide a variety of housing types and transition the mix of vacant and residential uses of the surrounding properties to State Highway 115 and immediately adjacent to Fort Carson. All areas will be within the Wildland Urban Interface (WUI).





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 rezone proposes to rezone 53.84AC as PK and 50.84AC as R-Flex medium. All roads within the development will be residential and built to city standards. A traffic study completed by Matrix Design Group in September of 2023 has been included with this application outlining the proposed improvements and safety upgrades to both State Highway 115, Pawnee Rd and Cherokee Dr.

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 proposed parcels are surrounded by a mix of residential uses ranging from an approximately 400-unit Mobile Home Park (MHP) to large lot, single unit dwellings (F-5 and RS 5000). The change in zoning will unite the varying densities and uses of

the surrounding properties and provide a continuation of municipal services in a growing area of the city. The site is supportive of PlanCOS Housing for All policies by providing diversity in housing and its adjacency to Fort Carson. The higher density portions of the development are clustered adjacent to Highway 115 while the more suburban lot types are placed adjacent to the existing mobile home park providing transitional housing style within the community. All areas will be within the Wildland Urban Interface (WUI).

Approximately 2AC of un-cumbered land within the R-Flex medium annexation area will be dedicated to meet the City's Parkland Dedication Obligation (PLDO) for neighborhood parks. The park area will be installed and maintained by the metro district. This area is connected to a trail along an existing easement and designed off road trail and overlook located immediately south of Cheyenne Mountain State Park. Both trail segments and overlook will be designed, installed and maintained by the metro district.

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 accompanies this application and complies with the applicable LUP criteria. See section below for analysis of Land Use Plan compliance with 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.*

A petition for annexation is included with the re-zoning application. There are no existing Concept Plans for this area.

8. *If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADSO 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.*

There are no ADS-O districts being requested.

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. Rezoning to R-Flex Medium and PK.

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)).*

The proposed zones of R-Flex Medium and PK will be within the WUI overlay and will comply with the additional standards of the base zone districts outlined in Article 7.2 of the UDC.

**Land Use Plan Review Criteria:**

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

See above analysis. The proposed rezoning and land use plan is consistent and supportive of PlanCOS through a variety of planned goals, objectives, and strategies.

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

See above analysis. PK and R-Flex Medium zoning of this property will be consistent with the PK and A zone of City Boundary along Cheyenne Mountain State Park. The intent of the R-Flex Medium zoning at this location is to create a mix of detached and attached medium density housing up to a maximum density of 16 DU/AC through straight zoning design guidelines. The proposed uses of the PK zone and R-Flex Medium zones with a WUI overlay are consistent with the development standards of these zones and the area.

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

PK zoning of 53.84AC will match the immediately adjacent uses of Cheyenne Mountain State Park to the north. R-Flex medium zoning will transition the varying residential densities surrounding the property along Highway 115 and Fort Carson to the east.

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

The land use plan proposes park space and residential uses to accommodate attached and detached single family housing with a density of 16 DU/AC. The proposed residential uses and density are consistent with the mix of residential densities, such as mobile home park and detached single family, within the surrounding area.

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

The site will be access by Pawnee and Cherokee Road both of which connect to Highway 115, a principal arterial. Internal access roads will be provided and shown

with the future development plan. Cherokee and Pawnee Road allow for traffic to be distributed and for separate egress routes in the case of an emergency and/or blocked access. All access points and road alignments will be reviewed and approved by the City of Colorado Springs and Fire Department prior to construction.

A Traffic report completed by Matrix Design Group in September of 2023 has been included. The report found that the project can be constructed with minimal impacts to the existing transportation network. The existing intersection of Highway 115 and Pawnee Road currently does not meet the requirements of the State Highway Access Code (SHAC). The proposed application will provide needed traffic improvements which will increase the safety of this intersection. Improvements needed to meet that SHAC criteria include:

- SH-115/Pawnee Road
  - Extend northbound left-turn lane from 270-ft to 1,025-ft which includes 700-ft of deceleration, 25-ft of storage and 300-ft of taper.
    - There is not enough space for this improvement in existing conditions until SH-115/Cherokee Drive intersection is converted to RI/RO only access.
  - Construct a 190-ft long eastbound left-turn lane with 100-ft of storage and a 90-ft taper.
  - Extend southbound right-turn lane from 825FT to 1,000FT which includes 700FT of deceleration and 300FT of taper
- SH-115/Cherokee Road
  - Convert to RI/RO access so northbound left-turn lane at SH-115/Pawnee Road intersection can meet SHAC requirements.

By 2030:

- SH-115/Pawnee Road will need to be converted to a signalized intersection due to the existing conditions scenario meeting the four-hour signal warrant and the buildout background scenario meeting the eight-hour warrant, four-hour warrant, and peak hour warrant. Since these improvements are required by 2030 without the project, the project should not have any responsibility for these improvements.
- With the project, SH-115/Pawnee Road intersection will need to extend the eastbound left-turn lane by 200-ft to provide a total of 300FT of storage along with a 90FT taper. The project will have full responsibility for this turn lane extension.

By 2045:

- SH-115/Pawnee Road intersection will need to construct a double left turn lane to allow all intersection approaches to operate at acceptable levels of service. The 200FT of required storage can be split evenly between the two turn lanes and the taper will double in length to 180FT to account for the double turn lane. There should be a 180FT taper and two 100FT long turn lanes. Since this improvement is required by 2045 without the project, the project should not have any responsibility for this improvement.

This report will be reviewed by Colorado Springs Fire and public works for compliance. A detailed traffic report including types of units will be included with a future development plan.

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

This development will be accessed by Highway 115 and existing residential roadways. Internal roadways and any proposed private alleys will be shown on future development plans. All areas will be within the Wildland Urban Interface (WUI) and developed in compliance with the City of Colorado Springs Fire Department Ignition Resistance construction Design Manual.

Colorado Springs will provide municipal services to the area. Colorado Springs Fire Department will provide fire suppression services in coordination with other fire departments in the areas that may provide support. Cheyenne Mountain Fire Station 6 is located approximately 6 miles or 10 minutes and Fire Station 16 approximately 6 miles or 8 minutes north of the site. The Fort Carson fire station to the immediate east is approximately 3.6 miles or 7 minutes away. This fire station is located on the Fort Carson base. Southwest 115 Fire station is located along Pawnee Road. This station services the Southwestern Highway 115 fire protection district and provides fire protection and EMS services to the Rock Creek Mesa residents for 25 years.

53.84AC of the annexation and rezone area is designated for park space. Approximately 2AC of un-cumbered land within the R-Flex medium annexation area will be dedicated to meet the City's Parkland Dedication Obligation (PLDO). The park area will be installed and maintained by the metro district. This area is connected to a trail along an existing easement and designed off road trail and overlook located immediately south of Cheyenne Mountain State Park. Both trail segments and overlook will be designed, installed and maintained by the metro district.

All open spaces, parks and trails will be maintained by the metro district.

*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 land use plan proposes attached single family homes adjacent to Highway 115 and Pawnee Road with detached single-family homes to the south and west. Two detention basins are proposed along Highway 115. This configuration of land uses will transition the intensity of Highway 115 to the lower density county residential properties south of the project area. PK zoning is proposed to match the existing uses of Cheyenne Mountain State Park. An existing mobile home park lies south of this parcel with attached duplexes to the east and detached single family to the southwest and south of Pawnee Road.