Planning and Community Development Department

Craig Dossey, Executive Director

**TO: El Paso County Board of County Commissioners**

**Mark Waller, Chair**

**FROM: Nina Ruiz, Planner III**

**Steve Kuehster, PE Engineer III**

**Craig Dossey, Executive Director**

**RE: Project File #: ANX-19-002**

**Project Name: Church of All Nations Annexation No. 1**

**Parcel Nos.: 5307000076, 5307000108, 5307000109**

|  |  |
| --- | --- |
| **OWNER:** | **REPRESENTATIVE:** |
| CFN THC Inc.  6540 Templeton Gap Road  Colorado Springs, CO 80923 | City of Colorado Springs  30 S Nevada, Suite 105  Colorado Springs, CO 80901 |

**Commissioner District: 2**

Planning Commission Hearing Date: N/A

Board of County Commissioners Hearing Date 9/10/2019

**EXECUTIVE SUMMARY**

A request by the City of Colorado Springs for acceptance of an annexation impact report. A request by the City of Colorado Springs for acceptance of an Annexation Impact Report for the Church of All Nations Annexation No. 1. The five (5) parcels, totaling approximately 53 acres, are zoned RR-5 (Rural Residential) and are located northeast of the North Powers Boulevard and Dublin Boulevard intersection. The parcels are located within an enclave with the City of Colorado Springs that the Planning and Community Development Department has previously identified as a critical enclave that should be annexed into the City limits. The parcels are zoned RR-5 (Rural Residential) and the annexation includes an initial zoning of the property to be zoned PUD (Planned Unit Development) (CPC PUP 13-00139). The PUD is proposed to allow for mixed use commercial/residential. The application included an annexation impact report that included all the statutory requirements to the County. All utility and emergency services will be provided by the City of Colorado Springs upon completion of the annexation.

**A. REQUEST/WAIVERS/AUTHORIZATION**

**Request:** A request by the City of Colorado Springs for acceptance of an annexation impact report. The five (5) parcels, totaling approximately 53 acres, are zoned RR-5 (Rural Residential).

**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 (2019).

**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 Town of Monument puts the County on notice and describes potential impacts in very general terms. This request complies with Chapter 10 Annexation and Disconnection of the Land Development Code (LDC) and with state statute. The LDC standards for review are:

**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.

The project is scheduled for consideration by the Colorado Springs City Council on September 24, 2019.

**D. LOCATION**

North: City of Colorado Springs Vacant

South: City of Colorado Springs Commercial

East: City of Colorado Springs, RR-5 (Residential Rural) Commercial/Residential

West: City of Colorado Springs,

CC (Commercial Community), A-5 (Agricultural) Commercial/Vacant

**E. BACKGROUND**

The five (5) parcels included in this annexation are currently utilized for a religious institution. The parcels are zoned RR-5 (Residential Rural) and the annexation includes an initial zoning of the property to be zoned PUD (Planned Unit Development).

The existing freestanding sign for the church received approval from the Board of Adjustment on May 11, 2016 for the sign area to be 234.54 square feet where 20 square feet is the maximum allowed.

**F. ANALYSIS**

1. **Land Development Code Analysis**

The annexation impact report was sent to El Paso County Attorney’s Office on August 28, 2019. The annexation impact report included all of 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.

**2. Policy Plan Analysis**

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Section 6.6 of the Policy Plan supports logical annexations. The subject parcel is surrounded by the City of Colorado Springs. Annexing this parcel into the City of Colorado Springs would be a logical extension of the City limits. Relevant policies are as follows:

**Goal 6.6** Encourage cooperative intergovernmental land use planning and coordination among the County, its municipalities and other governmental entities.

**Policy 6.6.1** Support the municipal annexation of [enclaves](http://adm2.elpasoco.com/Planning/Policy-plan/page29.htm#anchor233488) and other developed urban density areas, unless these areas are currently being provided with both adequate and cost-effective facilities and services.

**Policy 6.6.2** Encourage municipalities to undertake complete or at least phased annexations of [enclaves](http://adm2.elpasoco.com/Planning/Policy-plan/page29.htm#anchor233488) and other largely surrounded areas in order to avoid the problems associated with piecemeal annexations. Alternately, the cost-effectiveness of annexing remaining [enclaves](http://adm2.elpasoco.com/Planning/Policy-plan/page29.htm#anchor233488) should be considered within the context of the overall area.

**Policy 6.6.3** Encourage municipalities to utilize annexation policies which have the effect of either avoiding or remedying the service and public safety problems associated with irregular city boundaries.

**Policy 6.6.4** Encourage municipalities to use appropriate flexibility in applying development standards and allocating cost in conjunction with annexation of fully or partially developed areas.

**Policy 6.6.5** Support the adoption of intergovernmental policies which address land use issues of mutual concern (including development timing, phasing, location and standards) in agreed-upon City/County [Cooperative Planning Areas](http://adm2.elpasoco.com/Planning/Policy-plan/page29.htm#anchor231886).

**Policy 6.6.6** Consider the development of cooperative building, zoning and [infrastructure](http://adm2.elpasoco.com/Planning/Policy-plan/page29.htm#anchor219723) standards in areas that interface with municipalities and military properties.

**3. Small Area Plan Analysis**

The properties are not located within a small area plan.

**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 project.

**G. PHYSICAL SITE CHARACTERISTICS**

1. **Floodplain**
2. **Drainage And Erosion**
3. **Transportation**

**H. SERVICES**

**1. Water**

Water services will be provided by the City of Colorado Springs.

**2. Sanitation**

Sanitation services will be provided by the City of Colorado Springs.

**3. Emergency Services**

Emergency services will be provided by the City of Colorado Springs.

**4. Utilities**

Natural gas and electric service will be provided by the City of Colorado Springs.

**I. ATTACHMENTS**

Vicinity Map

Annexation Impact Report

Draft Annexation Agreement