

PROJECT STATEMENT

Bradley Heights Addition No 1 Zoning Map Amendment and Annexation Plat

July 12, 2024

Site Location, Size, Zoning:

Matrix Design Group on behalf of Bradley Heights Metropolitan District is submitting a Zoning Map Amendment and Annexation Plat for a portion of the subdivision known as Bradley Heights. The two land areas are near the intersection of South Marksheffel Road and Bradley Ridge Drive. The combined total acreage is 3.78 acres.

The first land area (detention & drainage) is proposed to be rezoned to A (Agriculture) zoning, annexed into the City, and is approximately 3.19 acres. This land area is contained in and subject to a previously approved Master Plan and Concept Plan. The second land area (ROW) is proposed to be annexed into the City and is approximately 0.59 acres. Both land areas are part of an established surrounding development pattern as they are part of the larger Bradley Heights development project and currently within the City of Colorado Springs boundary (see City boundary map below).

Request & Justification:

The area proposed for rezoning and the (2) areas proposed for annexation into the City were previously believed to be Marksheffel ROW and the rezoning/annexation will clean up the remainder pieces which are proposed as a detention area (owned and maintained by the Bradley Heights Metro District) and right-of-way (ROW).

The applications being submitted to the City of Colorado Springs include:

- Zoning Map Amendment (3.19 acres)
- Annexation Plat (0.59 acres)

Master Plan and Concept Plan

The Banning Lewis Ranch Master Plan Amendment (MAPN-22-0009) and a Bradley Heights Concept Plan Amendment (COPN-22-0020) were approved July 13, 2023.

Zoning Map Amendment Review Criteria:

- 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 site is located within the existing Bradley Heights development and the rezone is proposed to incorporate a small remainder piece of land previously thought to be part of the Marksheffel ROW.

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

The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare. The site is proposed for storm water detention within the Bradley Heights development.

- 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 current zoning of Bradley Heights is PDZ. The proposed zoning for the remaining area is A (Agriculture).

- 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 proposed use of the site is storm water detention and drainage. The anticipated impacts on surrounding development and traffic are negligible or none. Maintenance access will be provided.

- 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 site is located within the existing Bradley Heights development and the rezone is proposed to incorporate a small remainder parcel of land previously thought to be part of the Marksheffel ROW.

- 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).***

N/A. A Land Use Statement is provided with this submittal. The land area is contained in and subject to a previously approved Master Plan and Concept Plan as detailed above.

- 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.***

The application is consistent with the Bradley Heights Concept Plan Amendment (COPN-

22-0020), approved July 13, 2023.

- 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 7.2.6070.47.5.702 (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 A (Agriculture).

- 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 zone of A (Agriculture) will comply with additional standards of the base zoning district.

Annexation of Land Review Criteria:

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

The areas proposed to be annexed are within the City limits and are cleaning up two small areas previously thought to be Marksheffel ROW.

- 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 for the City;**

The areas proposed to be annexed are within the City limits and are cleaning up two small areas previously thought to be Marksheffel ROW.

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

The areas proposed to be annexed were previously planned for as part of the Bradley Heights development and are for the purpose of stormwater detention and ROW.

- 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;**

The areas proposed to be annexed were previously planned for as part of the Bradley Heights development and are for the purpose of stormwater detention and ROW.

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

The areas proposed to be annexed were previously planned for as part of the Bradley Heights development and are for the purpose of stormwater detention and ROW.

- 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;***

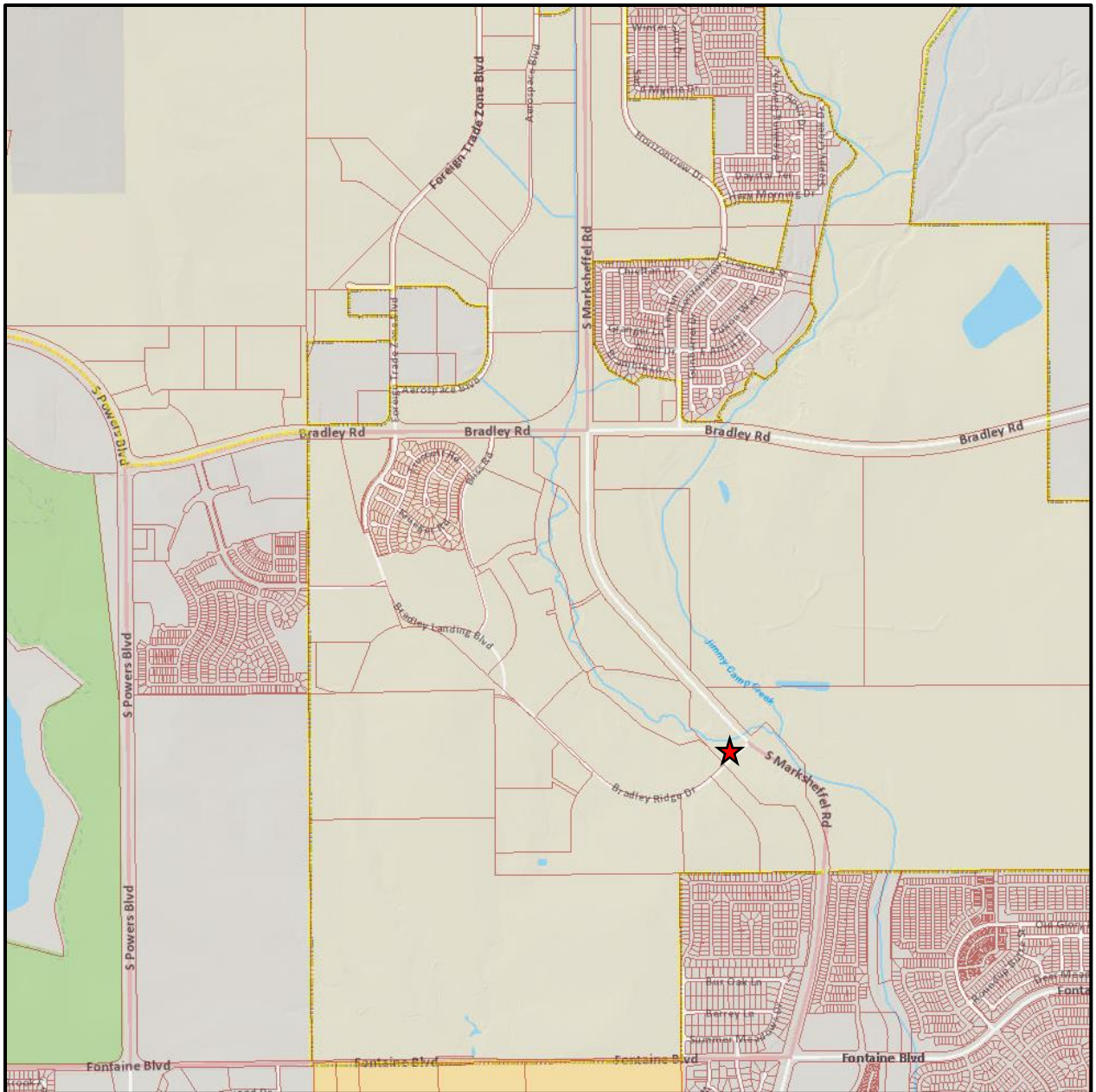
Acknowledged.

- 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.

- 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.***

Acknowledged.



City Boundary Map