



Legislation Details (With Text)

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Type: Resolution **Status:** Mayor's Office

File created: 12/18/2018 **In control:** City Council

On agenda: 1/8/2019 **Final action:** 1/8/2019

Title: A resolution finding a petition for annexation of the area known as the Briargate Church Assembly of God Annexation consisting of 8.26 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 12, 2019 for the Colorado Springs City Council to consider the annexation of the area.

Presenter:
Catherine Carleo, Principal Planner, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Sponsors:

Indexes: Annexation

Code sections:

Attachments: 1. RES_AssemblyofGod_SetHearingDate, 2. Exhibit A - BriargateAssemblyofGod_Petition for Annexation, 3. Annexation Legal_BCAG, 4. Vicinity_detail, 5. Memo to Clerk to Advertise, 6. PUBLIC NOTICE_Briargate Church Assembly of God, 7. Signed Resolution 1-19

Date	Ver.	Action By	Action	Result
1/8/2019	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as the Briargate Church Assembly of God Annexation consisting of 8.26 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 12, 2019 for the Colorado Springs City Council to consider the annexation of the area.

Presenter:

Catherine Carleo, Principal Planner, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Summary:

Consultant: RMG Architects
Owners: Briargate Church Assembly of God (Pastor, Scott Bottoms)
Location: Northeast corner of Voyager Parkway and Springcrest Road

This is a request to approve a resolution finding the Briargate Church Assembly of God Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of February 12, 2019 to consider the annexation, and directing the City Clerk to provide notice of the hearing in accordance with C.R.S. section 31-12-108. The annexation area is 8.26 acres and located at the northeast corner of Voyager Parkway and Springcrest Road. The annexation area is proposed to be developed with an expansion of the existing religious use.

Previous Council Action:

On January 9, 2018 City Council accepted the original petition for annexation and deferred the internal review back to City staff.

Background:

The Colorado Municipal Annexation Act of 1965 (the “Act”) provisions require that once a petition has been reviewed and is found to be in substantial compliance with the requirements of C.R.S. 31-12-107(1), the City Council must set a hearing to consider the annexation and publish notice of the annexation hearing for four (4) weeks prior to the public hearing. In addition, the hearing date must be no less than thirty (30) days or more than sixty (60) days after the effective date of the resolution setting the hearing. City staff has reviewed the Briargate Church Assembly of God Annexation Petition and has found it to be in substantial compliance with C.R.S. section 31-12-107(1). City staff recommends that City Council find the petition to be in substantial compliance, set a hearing date on the petition, and direct the Clerk to give notice in accord with C.R.S. section 31-12-108, as required by the Act. The notice of the annexation hearing will be published on the following dates: January 12, 2019; January 19, 2019; January 26, 2019 and February 2, 2019 to adhere to the statute requirements for the February 12, 2019 City Council meeting. Approving the resolution and setting a public hearing for the proposed annexation does not obligate the City Council to approve the annexation in the future.

Financial Implications:

A fiscal impact analysis has been prepared and will be provided to the City Council with the annexation hearing information packet.

Board/Commission Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

City Council can approve, modify or deny the resolution finding the petition to be in substantial compliance, setting the hearing date and directing the Clerk to give notice of the public hearing for the annexation. If the resolution is not approved and the hearing is not scheduled, the annexation cannot be considered.

Proposed Motion:

Approve the resolution finding the petition for annexation to be in substantial compliance with C.R.S. section 31-12-107(1), setting the hearing date of February 12, 2019 for consideration of the Briargate Church Assembly of God Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A