



## Legislation Details (With Text)

**File #:** 16-537      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 8/26/2016      **In control:** City Council  
**On agenda:** 9/13/2016      **Final action:** 9/13/2016

**Title:** A resolution setting a public hearing date for consideration of The Reserve at Northcreek Annexation. (CPC A 15-00099)

(Legislative)

**Presenter:**  
Meggan Herington, Planning Manager  
Peter Wysocki, Planning and Development Director, Planning and Development Department

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. TheReserveAtNorthcreek-SettingHearingRES-2016-08-31, 2. Exhibit A to Resolution\_LEGAL, 3. Vicinity Map, 4. State Statute 31-12-107 & 108, 5. Signed Resolution 90-16.pdf

Date	Ver.	Action By	Action	Result
9/13/2016	1	City Council	adopted	Pass

A resolution setting a public hearing date for consideration of The Reserve at Northcreek Annexation. (CPC A 15-00099)

(Legislative)

**Presenter:**

Meggan Herington, Planning Manager  
Peter Wysocki, Planning and Development Director, Planning and Development Department

**Summary:**

This is a request to approve a resolution finding the Reserve at Northcreek Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of October 25, 2016 to consider the annexation, and directing the City Clerk to provide notice of the hearing in accordance with C.R.S. § 31-12-108. The site is located on the north side of New Life Drive between Voyager Parkway and State Highway 83.

**Previous Council Action:**

N/A

**Background:**

The Colorado Municipal Annexation Act of 1965 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 date to consider the annexation and publish notice of the annexation hearing for four 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 Reserve at Northcreek 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 Colorado Municipal Annexation Act of 1965. The notice of the annexation hearing can be published on the following dates: September 17, 2016, September 24, 2016, October 1, 2016, and October 8, 2016 to adhere to the statutory requirements for the October 25, 2016 City Council meeting.

**Financial Implications:**

Not applicable at this time. A fiscal impact analysis has been prepared and will be provided to the City Council with the annexation hearing information packet.

**Board/Commission Recommendation:**

The City Planning Commission considered and recommended approval of the annexation and associated zoning and concept plan applications on June 16, 2016. The CPC Record-of-Decision of the meeting provides the discussion of the application and will be provided with the annexation hearing information packet.

**Stakeholder Process:**

The standard City notification process for the internal review and CPC hearing was used, which included posting the property with a notice poster and mailing postcards to 24 property owners within 500 feet of the project area.

**Alternatives:**

City Council can approve, modify or deny the resolution setting the 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:**

Move to approve the resolution finding the petition for annexation to be in substantial compliance with C.R.S. section 31-12-107(1), setting a hearing date of October 25, 2016, for consideration of the Reserve at Northcreek Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A