



## Legislation Details (With Text)

**File #:** 20-445      **Version:** 1      **Name:** Mazariegos  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 7/30/2020      **In control:** City Council  
**On agenda:** 9/8/2020      **Final action:** 9/8/2020

**Title:** A resolution finding a petition for annexation of the area known as Mazariegos Addition No. 1 Annexation consisting of .165 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of October 13, 2020 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**  
Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Sponsors:**

**Indexes:** Annexation

**Code sections:**

**Attachments:** 1. RES\_SetHearDate\_Mazariegos, 2. Exhibit A - Annexation Petition, 3. Mazariegos Annexation Legal, 4. Mazariegos Vicinity Map, 5. Memo to Clerk to Advertise\_Mazariegos Annexation, 6. PUBLIC NOTICE\_Mazariegos Annexation, 7. Signed Resolution 74-20.pdf

Date	Ver.	Action By	Action	Result
9/8/2020	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as Mazariegos Addition No. 1 Annexation consisting of .165 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of October 13, 2020 for the Colorado Springs City Council to consider the annexation of the area.

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Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**  
Applicant: Land development Consultants, David Hostetler  
Owners: Chilel Hermigio Israel Mazariegos  
Location: 4221 Date Street

This is a request to approve a resolution finding the Mazariegos Addition No. 1 Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of October 13, 2020 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 .165 acres located at 4221 Date

Street.

**Previous Council Action:**

On December 11, 2018, City Council accepted the original petition for annexation.

**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 Mazariegos Addition No. 1 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 can be published on the following dates: September 12, 2020; September 19, 2020; September 26, 2020 and October 3, 2020 to adhere to the statute requirements for the October 13, 2020 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:**

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:**

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 October 13, 2020 for consideration of the Mazariegos Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A