



## Legislation Details (With Text)

**File #:** 18-0307      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 6/21/2018      **In control:** City Council  
**On agenda:** 7/10/2018      **Final action:** 7/10/2018

**Title:** A Resolution finding a petition for annexation of the area known as the Villani Annexation consisting of 13.10 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of August 28, 2018 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

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

**Sponsors:**

**Indexes:** Villani

**Code sections:**

**Attachments:** 1. RES\_VillaniAnnexPublicHearing, 2. EXHIBIT A\_Vallani Annexation - Petition w- Legal, 3. PUBLIC NOTICE\_Villani Annexation, 4. Vicinity\_Villani Annexation, 5. Ortho\_No Zoning, 6. CRS Title 31-12-104 Eligibility for Annexation, 7. CRS Title 31-12-105 Limitations, 8. CRS 31-12-107 Petitions For Annexation & annex elections, 9. Signed Resolution 71-18

Date	Ver.	Action By	Action	Result
7/10/2018	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as the Villani Annexation consisting of 13.10 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of August 28, 2018 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**

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

**Summary:**

Applicant: M.V.E. Inc.  
Owners: Villani Partnership LLC  
Location: 6795 Templeton Gap

This is a request to approve a resolution finding the Villani Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of August 28, 2018 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 13.10 acres and located northeast of the intersection of Dublin Boulevard and Tutt Boulevard.

**Previous Council Action:**

On April 11, 2017 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 Villani 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: July 14, 2018; July 21, 2018; July 28, 2018; and August 4, 2018 to adhere to the statute requirements for the August 28, 2018 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:**

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 the hearing date of August 28, 2018 for consideration of the Villani Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A