



## Legislation Details (With Text)

**File #:** 18-0324      **Version:** 1      **Name:** Airport Spectrum Addition No. 1  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 7/3/2018      **In control:** City Council  
**On agenda:** 7/24/2018      **Final action:** 7/24/2018

**Title:** A Resolution finding a petition for annexation of the area known as the Airport Spectrum Addition No. 1 Annexation consisting of 78.95 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of September 11, 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:** Annexation

**Code sections:**

**Attachments:** 1. AX-AirportSepctrumRES-2018-07-17, 2. EXHIBIT A\_Airport Spectrum Annexation Petition, 3. Legal Description\_Airport Spectrum Annexation, 4. Airport Spectrum\_Ortho, 5. PUBLIC NOTICE\_Airport Spectrum Annexation, 6. Vicinity Map\_Airport Spectrum, 7. Signed Resolution 78-18

Date	Ver.	Action By	Action	Result
7/24/2018	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as the Airport Spectrum Addition No. 1 Annexation consisting of 78.95 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of September 11, 2018 for the Colorado Springs City Council to consider the annexation of the area.

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Peter Wysocki, Planning and Community Development Director

**Summary:**

Applicant: Classic Consulting  
Owners: Bert A. Getz as Trustee of the Bert Atwater Getz Trust DTD  
Location: Southwest corner of Powers Boulevard and Milton E. Proby Parkway

This is a request to approve a resolution finding the Airport Spectrum Addition No. 1 Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of September 11, 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 78.95 acres and

located at the southwest corner of Powers Boulevard and Milton E Proby Parkway. The annexation area is proposed to be ultimately developed with mix of land uses, including retail, restaurants, lodging and multi-family establishing a community commercial node.

**Previous Council Action:**

On August 22, 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 Airport Spectrum 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 will be published on the following dates: July 28, 2018; August 4, 2018; August 11, 2018; and August 18, 2018 to adhere to the statute requirements for the September 11, 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:**

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 September 11, 2018 for consideration of the Airport Spectrum Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A