



## Legislation Details (With Text)

**File #:** 15-00292      **Version:** 1      **Name:**

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

**File created:** 5/6/2015      **In control:** City Council

**On agenda:** 5/26/2015      **Final action:** 5/26/2015

**Title:** A Resolution approving an Agreement to Annex and to Provide Wastewater Service outside the City Limits to 7409 Tudor Road, Lot 35 Block 2 Pine Creek Estates

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution - 7409 Tudor Rd, 2. 7409 Tudor Rd. Agreement to Annex Final, 3. Customer Request Letter - 7409 Tudor Rd, 4. Wastewater Capacity to Serve Letter - 7409 Tudor Rd, 5. PDF Map - 7409 Tudor Rd, 6. Signed Resolution No. 58-15

| Date      | Ver. | Action By    | Action  | Result |
|-----------|------|--------------|---------|--------|
| 5/26/2015 | 1    | City Council | adopted | Pass   |

### **A Resolution approving an Agreement to Annex and to Provide Wastewater Service outside the City Limits to 7409 Tudor Road, Lot 35 Block 2 Pine Creek Estates**

**From:**

Jerry Forte, CEO, Colorado Springs Utilities

**Summary:**

David Bang (“property owner”) in Pine Creek Estates submitted a request to Colorado Springs Utilities for wastewater service at 7409 Tudor Road. City Code gives specific direction on administering requests for wastewater service outside the City limits.

**Previous Council Action:**

Wastewater service has not been provided to customers outside of the city limits unless it is a prior contractual obligation or is specifically approved by the Colorado Springs City Council pursuant to City Code requirements. Due to limited infrastructure in the area, only three (3) of the 22 lots within Pine Creek Estates are connected to wastewater service.

**Background:**

The City Code Section 7.6.210, Service without Annexation, allows the City Council in its legislative discretion to authorize wastewater service outside city limits. Property owner has executed an agreement to annex (agreement) and irrevocably consent to annex the property to the City and agreed to surrender groundwater rights as a condition of service. The agreement limits development to single family residential use and property owner agrees to comply with all codes, ordinances, rules, regulations and policies of the City including but not limited to the City's Subdivision Code, Building Code, Fire Code, Drainage Ordinance, Utilities Line Extension Standards and ordinances, Zoning Code and Landscape Code.

There is sufficient wastewater treatment system capacity to service this property, as attested by the Utilities' staff in the attached memorandum. Wastewater collection facilities currently exist in the area; a main extension will not be required to connect the property.

**Financial Implications:**

Utilities' fees will cover the cost of wastewater service. The Wastewater Development Charges and rates are 50% higher than the inside City rates. Property owner also agrees to pay the School, Park and Drainage Basin Fees. Through the agreement to annex, property owner agrees to participate in their pro-rata share of a future improvement district, as necessary, for any required capital improvements. Since city services are not being extended to the requestor, the city will not receive any taxes until such time as the property is annexed.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

David Bang submitted a request to Colorado Springs Utilities for wastewater service at 7409 Tudor Road. Colorado Springs Utilities has worked with David Bang, City Planning and other appropriate City departments on the review of this request and the drafting of the agreement to annex.

**Alternatives:**

N/A

**Proposed Motion:**

Move adoption of the proposed resolution.

N/A