



## Legislation Details (With Text)

**File #:** CPC 167      **Version:** 1      **Name:**  
**Type:** Planning Case      **Status:** Mayor's Office  
**File created:** 1/10/2017      **In control:** City Council  
**On agenda:** 1/24/2017      **Final action:** 1/24/2017

**Title:** A resolution finding a petition for annexation of the area known as Bowen Addition Annexation consisting of .849 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 28, 2016 for the Colorado Springs City Council to consider the annexation of the area.  
(Legislative)

**Presenter:**  
Michael Schultz, AICP, Principal Planner  
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bowen Addition Resolution, 2. Exhibit A - Bowen Addition Legal, 3. Bowen Vicinity Map, 4. Enclave Map, 5. Bowen - Aerial map with zoning, 6. Bowen Addition PUBLIC NOTICE, 7. Resolution 10-17

Date	Ver.	Action By	Action	Result
1/24/2017	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as Bowen Addition Annexation consisting of .849 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 28, 2016 for the Colorado Springs City Council to consider the annexation of the area.  
(Legislative)

**Presenter:**  
Michael Schultz, AICP, Principal Planner  
Peter Wysocki, Planning and Development Director, Planning and Community Development Department

**Summary:**  
Applicant: Land Development Consultants, Inc.  
Owner: Ruth Bowen  
Location: Southeast corner of Ruby Drive and Silver Drive

This is a request to approve a resolution finding the Bowen Addition Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of February 28, 2017 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 .849 acres and located at the

southeast corner of Ruby Drive and Silver Drive

**Previous Council Action:**

On August 9, 2016, 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 Bowen Addition 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: January 28, 2017, February 4, 2017, February 11, 2017 and February 18, 2017 to adhere to the statutory requirements for the February 28, 2017 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:**

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 February 28, 2017 for consideration of the Bowen Addition Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A