



## Legislation Details (With Text)

**File #:** 19-050      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 12/31/2018      **In control:** City Council  
**On agenda:** 1/22/2019      **Final action:** 1/22/2019

**Title:** A resolution finding a petition for annexation of the area known as the USAFA Annexation Addition No. 1-2 consisting of 183.14 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 26, 2019 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RES\_USAFA\_Annex\_1&2, 2. EXHIBIT A\_USAFA Annexation Petition, 3. EXHIBIT A-1\_Legal Description\_Annexation Addition No. 1, 4. EXHIBIT A-2\_Legal Description\_Annexation Addition No. 2, 5. Vicinity\_USAFA Annexation, 6. Ortho\_USAFA Annexation, 7. PUBLIC NOTICE\_USAFA Annexation, 8. Signed Resolution 8-19

Date	Ver.	Action By	Action	Result
1/22/2019	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as the USAFA Annexation Addition No. 1-2 consisting of 183.14 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of February 26, 2019 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

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

**Summary:**  
Owner: United States Air Force  
Developer: Blue & Silver Development Partners LLC  
Consultant: Matrix Design Group  
Location: an area southwest of Interstate 25 and North Gate Boulevard

This is a request to approve a resolution finding the USAFA Annexation Addition No. 1-2 petition to be

in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of February 26, 2019 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 183.14 acres and located southwest of Interstate 25 and North Gate Boulevard.

**Previous Council Action:**

On October 23, 2018 the 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 USAFA 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 shall be published on the following dates: January 26, 2019; February 2, 2019; February 9, 2019 and February 16, 2019 to adhere to the statute requirements for the February 26, 2019 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 26, 2019 for consideration of the USAFA Annexation Addition No. 1-2, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A