



Legislation Details (With Text)

File #: 23-030 **Version:** 1 **Name:** T5 Addition No. 1 Annexation: Setting Hearing Date
Type: Resolution **Status:** Mayor's Office
File created: 1/3/2023 **In control:** City Council
On agenda: 6/13/2023 **Final action:** 6/13/2023

Title: A resolution finding a petition for annexation of the area known as T5 Addition No. 1 consisting of 20,064 square feet to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of July 25, 2023, for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Exhibit A, 3. T5 Addition No. 1 - Annexation Plat, 4. Vicinity Map, 5. Signed Resolution No. 85-23.pdf

Date	Ver.	Action By	Action	Result
6/13/2023	1	City Council	adopted	Pass

A resolution finding a petition for annexation of the area known as T5 Addition No. 1 consisting of 20,064 square feet to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of July 25, 2023, for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:
Gabe Sevigny, Planning Supervisor, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Summary:
Applicant: Classic Consulting
Owners: IP Vineyard, LLC
Location: Southern portion of 3819 Janitell Road

This is a request to approve a resolution finding the T5 Addition No. 1 Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of July 25, 2023, 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 20,064 square feet and located at the southern portion of 3819 Janitell Road.

Previous Council Action:

On May 24, 2022, 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 T5 Addition No. 1 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: June 17, 2023, June 24, 2023, July 1, 2023, and July 8, 2023, to adhere to the statute requirements for the July 25, 2023, 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. A full fiscal impact analysis has not been prepared as the proposal falls below the threshold for a full analysis.

Board/Commission Recommendation:

Per City Code 12.4.305.A, extending water into any area not within either the existing City limits or the water service boundary is subject to the recommendation of approval by the Utilities Board and approval by City Council. On May 17, 2023, the Utilities Board recommended approval with a unanimous vote.

Stakeholder Process:

N/A

Alternatives:

City Council can approve, modify, or deny the resolution. 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 July 25, 2023, for consideration of the T5 Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A