



## Legislation Text

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**File #:** 16-344, **Version:** 1

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A resolution finding a petition for annexation of the area known as Kum & Go Store 685 Annexation consisting of 7.711 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of June 14, 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

**Summary:**

Applicant: Olsson Associates

Owner: Wilfred E. Perkins

Location: Northwest corner of Powers Boulevard and Dublin Boulevard

This is a request to approve a resolution setting a public hearing date of June 14, 2016, and direct the City Clerk to provide notice of the hearing for the Kum & Go Store 685 Annexation. The annexation area is 7.711 acres and located at the northwest corner of Powers Boulevard and Dublin Boulevard.

**Previous Council Action:**

N/A

**Background:**

Colorado Municipal Annexation Act of 1965 (the "Act") requires that if a petition for annexation is in substantial compliance with C.R.S. 31-12-107(1), the City Council must set a hearing to determine whether the proposed annexation area is eligible for annexation under the state constitution and the Act. 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. The Act also requires the City Clerk to give notice of the hearing by publishing notice for four weeks prior to the public hearing and by sending notice by registered mail to specific parties in interest. Notice of the proposed annexation may be published on the following dates: May 14, 2016, May 21, 2016, May 28, 2016 and June 4, 2016 to adhere to the statute requirements for the June 14, 2016 City Council meeting. The proposed resolution finds that the petition is in substantial compliance with C.R.S. 31-12-107(1), sets the hearing, and directs the Clerk to give notice in accord with C.R.S. 31-12-108.

The proposed resolution does not obligate the City Council to approve the annexation.

**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:**

If City Council finds the petition to be in substantial compliance with 31-12-107(1) as is recommended by staff, City Council must adopt a resolution finding the petition to be in substantial compliance with 31-12-107(1) and setting a hearing date on the annexation.

City Council may approve or modify the resolution.

**Proposed Motion:**

Move to approve the resolution finding a petition for annexation of the area known as Kum & Go Store 685 Annexation consisting of 7.711 acres to be in substantial compliance with section 31-12-107(1) and setting a hearing date of June 14, 2016 for the Colorado Springs City Council to consider the annexation of the area.

N/A