



## Legislation Text

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**File #:** 20-444, **Version:** 1

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A resolution finding a petition for annexation of the area known as Peak Center Addition No. 1 Annexation consisting of 11.36 acres to be in substantial compliance with Section 31-12-107(1), C.R.S. and setting a hearing date of January 12, 2021 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**

Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Owners: Peaks Recovery Center LLC  
Location: 1785 and 1865 Old Ranch Road

This is a request to approve a resolution finding the Peak Center Addition No. 1 Annexation petition to be in substantial compliance with C.R.S. Section 31-12-107, setting a public hearing date of January 12, 2021 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 11.36 acres and located east of Voyager Parkway along Old Ranch Road.

**Previous Council Action:**

On December 10, 2019, 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 Peak Center Addition No. 1 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: November 28, 2020, December 5, 2020, December 12, 2020 and December 19, 2020 to adhere to the statute requirements for the January 12, 2021 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 January 12, 2021 for consideration of the Peak Center Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. Section 31-12-108.

N/A