



## Legislation Text

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**File #:** 17-1249, **Version:** 1

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A resolution finding a petition for annexation of the area known as 2864 S. Circle Annexation consisting of 5.754 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of November 14, 2017 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**

Lonna Thelen, Principal Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Applicant: Classic Consulting Engineers and Surveyors  
Owners: Toma Alliance Group, LLC  
Location: 2675 and 2679 Janitell Road and 2864 and 2868 S Circle

This is a request to approve a resolution finding the 2864 S. Circle Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of November 14, 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 5.754 acres and located northeast of Circle Drive and Janitell Road.

**Previous Council Action:**

On September 8, 2015, 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 2864 S. Circle 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: September 30, 2017, October 7, 2017, October 14, 2017 and October 21, 2017 to adhere to the statute requirements for the November 14, 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 November 14, 2017 for consideration of the 2864 S. Circle Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A