



## Legislation Text

---

**File #:** 14-0542, **Version:** 1

---

A resolution finding a petition for annexation of the area known as Capital Annexation No. 1 consisting of 60.06 acres to be in substantial compliance with Section 31-12-107(1), C.R.S. and setting a hearing date of October 14, 2014 for the Colorado Springs City Council to consider the annexation of the area.

**From:**

Peter Wysocki, Director, Planning and Development

**Summary:**

This is a request to approve a resolution setting a public hearing date of October 14, 2014 and to direct the City Clerk to advertise the hearing for the Capital Annexation No. 1. The site is located east of the Industrial Road and Capital Drive intersection.

**Previous Council Action:**

The City Council accepted the annexation petition and referred it to the City Administrative staff to review and process on February 11, 2014.

**Background:**

Colorado state statute provisions require that the City Council adopt a resolution that sets the hearing date and directs the City Clerk to advertise the pending annexation for four successive weeks prior to the public hearing. In addition, the hearing date must be not less than thirty (30) days or more than sixty (60) days after the effective date of the resolution setting the hearing. The annexation can be advertised on the following dates to adhere to the statutory requirements for the October 14, 2014 City Council meeting: September 13, September 20, September 27 and October 4, 2014.

**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:**

At their meeting of August 20, 2014 the Planning Commission (CPC) voted unanimously (Commissioners Ham and Smith absent) to approve the annexation subject to technical modifications. The CPC Record-of-Decision of the meeting provides the discussion of the application and will be provided with the annexation hearing information packet.

**Stakeholder Process:**

The standard City notification process for the internal review included posting the property with a notice poster and mailing postcards to 29 property owners within 1,000 feet of the project area. No e-mail or letter concerns were received.

All applicable agencies and departments were asked to review and comment. No significant concerns were identified, except for the provision of utilities which has been resolved. All issues and concerns were provided as conditions of approval.

The same posting and notification process was utilized prior to the CPC public hearing.

At the August 20, 2014 CPC meeting, one property owner voiced her concerns regarding access, public/private streets, trash and the extension of utilities. The CPC Record-of-Decision of the August 20, 2014 meeting provides clarification and information regarding the discussion and will be included with the annexation hearing documentation.

**Alternatives:**

City Council can approve or deny the resolution setting the date and authorizing advertisement 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 setting October 14, 2014 as the hearing date for consideration of Capital Annexation No. 1 and authorizing the City Clerk to advertise the hearing.

N/A