



## Legislation Text

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**File #:** 22-458, **Version:** 1

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A resolution finding a petition for annexation of the area known as Woodmen East Commercial Center Addition No. 1 Annexation consisting of 30.74 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of August 23, 2022 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**

Katelynn Wintz, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Applicant /

Owners: American Heritage Holdings, LLC

Consultant: NES, Inc. - Andrea Barlow

Location: southeast of the intersection of Mohawk Road and East Woodmen Road

This is a request to approve a resolution finding the Woodmen East Commercial 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 August 23, 2022 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 30.74 acres and located southeast of the intersection of Mohawk Road and East Woodmen Road.

**Previous Council Action:**

On May 11, 2021, 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 Woodmen East Commercial 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: July 23, 2022, July 30, 2022, August 6, 2022, and August 13, 2022 to adhere to the statute requirements for the August 23, 2022 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 August 23, 2022, for consideration of the Woodmen East Commercial Center Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A