



Legislation Text

File #: 23-088, **Version:** 1

A resolution rescinding Resolution 142-22 finding a petition for annexation of the area known as Amara Addition Nos. 1 - 11 consisting of 3225.486 acres to be in substantial compliance with Section 31-12-107(1), C.R.S., and setting a hearing date for annexation of the area

(Legislative)

Presenter:

Peter Wysocki, Planning Director, Planning & Community Development

Summary:

A resolution rescinding Resolution 142-22 which found the Amara Addition Nos. 1-11 to be in substantial compliance with Section 31-12-107(1), C.R.S., and which triggered the requirement to set a hearing within 30 to 60 days from the date of the Resolution.

Background:

The proposed annexation is located south of Bradley Road and northeast of Squirrel Creek Road and Link Road. This property is currently within El Paso County. This annexation was heard before City Council on November 23, 2021, for acceptance of the petition and guidance from City Council for City staff to accept a full annexation land use submittal. The Amara project was submitted to the City Planning and Community Development Department and reviewed over several months through a standard review process. On November 22, 2022, the Petitioner withdrew the request for the scheduled hearing. Subsequently, on January 10, 2023, the Petitioner requested the petition for annexation hearing be postponed indefinitely.

As the Petitioner is no longer pursuing annexation, City Council needs to rescind the resolution which found the petition to be in substantial compliance with Section 31-12-108, C.R.S., because the statute requires the annexing authority to schedule a hearing between 30 and 60 days after the finding of substantial compliance. If Petitioner decides to request a new hearing to consider the annexation petition, rescinding Resolution 142-22 makes clear that the Petitioner must go through the requirements of Section 31-12-108, C.R.S., again.

Previous Council Action:

On November 23, 2021, City Council accepted the original petition for annexation.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

A recommendation on the annexation was never rendered as the item was not heard before City Planning Commission.

Stakeholder Process:

N/A

Alternatives:

N/A

Proposed Motion:

Move to approve the resolution rescinding Resolution 142-22