



## Legislation Text

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**File #:** 21-473, **Version:** 1

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A resolution finding a petition for annexation of the area known as the Date Joint Venture Addition No. 1 Annexation consisting of .331 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of September 28, 2021 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

**Presenter:**

Katie Carleo, Planning Supervisor, Planning and Community Development  
Peter Wysocki, Planning and Community Development Director

**Summary:**

Applicant: Land Development Consultants, David Hostetler  
Owner/Developer: Date Joint Venture, LLC  
Location: 4207 and 4215 Date Street

This is a request to approve a resolution finding the Date Joint Venture Addition No. 1 Annexation petition to be in substantial compliance with C.R.S. section 31-12-107, setting a public hearing date of September 28, 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 .331 acres and located southeast of Date Street and Beverly Street.

**Previous Council Action:**

On November 10, 2020, 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 Date Joint Venture 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: August 28, 2021, September 4, 2021, September 11, 2021 and September 18, 2021 to adhere to the statute requirements for the September 28, 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. Further details will be provided at time of public hearing on this item.

**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 September 28, 2021 for consideration of the Date Joint Venture Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108.

N/A