



**BACKGROUND PAPER FOR PROPOSED  
RESOLUTION**

**COUNCIL MEETING DATE:** July 25, 2022

**TO:** President Heather Graham and Members of City Council

**CC:** Nicholas A. Gradisar, Mayor

**VIA:** Marisa Stoller, City Clerk

**FROM:** Scott Hobson, Acting Director of Planning and Community Development

**SUBJECT:** A RESOLUTION PRELIMINARILY DETERMINING THAT THE PETITION FOR THE ANNEXATION OF THE 136.00 ACRE AREA COMMONLY KNOWN AS THE PASTORA RANCH ANNEXATION NO. 2, GENERALLY LOCATED SOUTHEAST OF STATE HIGHWAY 78 AND SOUTH OF EL CAMINO SUBDIVISION, 14TH FILING, IS VALID UNDER THE PROVISIONS OF COLORADO REVISED STATUTES SECTIONS 31-12-104(1)(a) and 31-12-107(1), TABLING FINAL ACTION ON THE PETITION FOR A PERIOD OF NOT MORE THAN 180 DAYS, AND REFERRING THE PETITION TO THE PLANNING AND ZONING COMMISSION FOR REVIEW AND RECOMMENDATION

**SUMMARY:**

The City Clerk received an annexation petition for a 136-acre area located southeast of State Highway 78 and south of El Camino Subdivision, 14<sup>th</sup> Filing. This Resolution will determine if the petition for annexation is valid under the provisions of Colorado Revised Statutes Sections 31-12-104(1)(a) and 31-12-107(1), tables final action on the petition for a period not more than 180 days and refer the petition to the Planning and Zoning Commission for review and recommendation.

**PREVIOUS COUNCIL ACTION:**

None.

**BACKGROUND:**

On June 13, 2022, the petitioner, Pannunzio Inc., submitted an annexation petition for the Pastora Ranch Annexation No. 2 totaling 136-acres. The Pastora Ranch Master Plan was approved by the City Planning & Zoning Commission on August 11, 2004. The area proposed in this annexation is identified in the master plan for single-family and multi-family residential development, and a 1.38-ace commercial area.

This Resolution preliminarily determines that the petition for annexation is valid under the provisions of the Colorado Revised Statutes Sections 31-12-104(1)(a) and 31-12-107(1). In accordance with the procedure established in the Pueblo Municipal Code, the final action on the petition is tabled for a period of not more than one hundred eighty (180) days and the petition is referred to the Planning and Zoning Commission for review and recommendation.

**FINANCIAL IMPLICATIONS:**

The filing of the annexation petition and the approval of the Resolution determining the property substantially complies with the provisions of Colorado Revised Statutes Sections 31-12-104(1)(a) and 31-12-107(1) and does not result in any direct financial impact to the City of Pueblo.

**BOARD/COMMISSION RECOMMENDATION:**

None at this point in the review process.

**STAKEHOLDER PROCESS:**

Copies of the Petition for Annexation will be sent by registered mail by the City Clerk, the Board of County Commissioners, the County Attorney of Pueblo County and to any school district or special district having territory within the area to be annexed. Copies of an Annexation Impact Report will be filed with all taxing entities as required by Colorado Revised Statutes.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

The City Planning staff has reviewed the annexation petition for compliance with Sections 31-12-104(1)(a) and 31-12-107(1) of the Colorado Revised Statutes and recommends that City Council preliminarily finds that the petition is valid according to Colorado Revised Statutes.

**Attachments:**

Proposed Resolution  
Annexation Petition  
Circulator's Oath  
Annexation Plat

RESOLUTION NO. 14944

A RESOLUTION PRELIMINARILY DETERMINING THAT THE PETITION FOR THE ANNEXATION OF THE 136.00 ACRE AREA COMMONLY KNOWN AS THE PASTORA RANCH ANNEXATION NO. 2, GENERALLY LOCATED SOUTHEAST OF STATE HIGHWAY 78 AND SOUTH OF EL CAMINO SUBDIVISION, 14TH FILING, IS VALID UNDER THE PROVISIONS OF COLORADO REVISED STATUTES SECTIONS 31-12-104(1)(a) and 31-12-107(1), TABLING FINAL ACTION ON THE PETITION FOR A PERIOD OF NOT MORE THAN 180 DAYS, AND REFERRING THE PETITION TO THE PLANNING AND ZONING COMMISSION FOR REVIEW AND RECOMMENDATION

WHEREAS, a Petition for Annexation of the area described in Section 1 hereof has been filed with the City Clerk; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The Petition for Annexation ("Petition") of the following described area situated in Pueblo County, Colorado, is hereby found and determined to be in substantial compliance with the provisions of C.R.S. §31-12-104(1)(a) and §31-12-107(1):

**AREA TO BE ANNEXED:**

**Annexation A**

All of the SE1/4 of the NW1/4 excepting therefrom the W1/2 of the W1/2 of the SE1/4 of the NW1/4 of Section 21, Township 21 South, Range 65 West, of the 6th P.M.

And

All of Blocks 1, 2, and 3, and Lots 1, 2, 3, and 4 of Blocks 14, 15, and 16 in the Liberty Heights Subdivision of the NE1/4 of the SW1/4 of Section 21, Township 21 South, Range 65 West. Of the 6<sup>th</sup> P.M.

Containing 54.00 acres, more or less.

**Proposed New City Limits Line:**

Beginning at the N1/16 corner of Section 21, Township 21 South, Range 65 West, of the 6th P.M., being a point on the present city limits line; thence South along the North-South centerline of aforementioned Section 21 a distance of 1,346.60 feet to the center quarter corner of Section 21, thence continuing South along the North-South centerline of Section 21 a distance of 806.44' to the North Line of Lot 5, Block 16 in the Liberty

Heights Subdivision if extended East, being a point on the present city limits line and the point of terminus.

### **Annexation B**

Lots 5, 6, 7, and 8, Blocks 17, 18, 19, 20, 21, 22, 23, and 24, and all of Blocks 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 in the Liberty Heights Subdivision of the S1/2 of the SW 1/4 of Section 21, Township 21 South, Range 65 West of the 6th P.M.  
Containing 82 acres, more or less.

### **Proposed New City Limits Line:**

Commencing at the center quarter corner of Section 21, Township 21 South, Range 65 West, of the 6th P.M., thence South along the North-South centerline of Section 21 a distance of 1344.07 feet to the South line of Lot 4, Block 17 in the Liberty Heights Subdivision if extended East to the point of beginning, being a point on the present city limits line. Thence South along the North-South centerline of Section 21 a distance of 1347.90 feet to the S1/4 corner of Section 21, thence West along the South line of Section 21 a distance of 2671.14 feet to the SW corner of Section 21, thence North along the West line of Section 21 a distance of 1325.52 feet to the South line of Lot 3, Block 24 if extended West, being a point on the present city limits line and the point of terminus.

At least one-sixth of the boundary of the land described in Annexations A and B above is now existing city limits line. The complete annexation is within 3 miles of present city limits.

### **SECTION 2.**

Final action on the Petition is hereby tabled for a period of not more than one hundred eighty (180) days and the Petition is hereby referred to the Planning and Zoning Commission for review and recommendation.

### **SECTION 3.**

Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council, without undue delay, shall make a final determination by Resolution whether the petition substantially complies with the applicable requirements of Section 31-12-107(1), C.R.S. and establish the date, time and place the City Council will hold a public hearing to determine if the proposed annexation complies with sections 31-12-104 and 31-12-105, C.R.S. or such parts thereof as may be required to establish eligibility for annexation.

### **SECTION 4.**

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of the Resolution.

SECTION 5.

This Resolution shall become effective immediately upon passage and approval.

INTRODUCED July 25, 2022

BY: Vicente Martinez Ortega  
MEMBER OF CITY COUNCIL

APPROVED:   
PRESIDENT OF CITY COUNCIL

ATTESTED BY:   
CITY CLERK