



**Background for Proposed  
Resolution**

**COUNCIL MEETING DATE:** September 12, 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 10.74-ACRE AREA COMMONLY KNOWN AS DORCY COMMUNITY HOUSING ANNEXATION, 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 10.74-acre area located south of Red Creek Springs Road, north of Regency Park 10<sup>th</sup> Filing, and west of The Meadows Subdivision, Filing 4. 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, Kim Bowman, on behalf of Posada, Inc., submitted an annexation petition for the Dorcy Community Housing Annexation totaling 10.74-acres. 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. 14991

A RESOLUTION PRELIMINARILY DETERMINING THAT THE PETITION FOR THE ANNEXATION OF THE 10.74-ACRE AREA COMMONLY KNOWN AS DORCY COMMUNITY HOUSING ANNEXATION, 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:**

A parcel of land located in the SE ¼ of the SW ¼ of Section 04, Township 21 South, Range 65 West of the 6th P.M. the County of Pueblo and State of Colorado, being more particularly described as follows:

Considering the centerline of Starling Drive in The Meadows, Filing No. 4, according to the recorded plat thereof as filed for record on January 14, 1980 at Reception No. 628024 in the Pueblo County records to bear S. 02°48'49" W., and all bearings contained herein being relative thereto. Both ends of said centerline are monumented with a lead and tack in a monument box.

Beginning at the Northeast corner of Lot 1, Block 18 of Regency Park, 10th Filing, according to the recorded plat thereof as filed for record on January 31, 1979 at Reception No. 597379 in the Pueblo County records; thence N. 00°54'08" E., a distance of 1,301.06 feet to a point on the southerly right-of-way line of Red Creek Springs Road as presently located; thence S. 89°05'52" E. along said southerly right-of-way line a distance of 255.71 feet to a point on the westerly line of Vinci Subdivision, a Special Area Plan according to the recorded plat thereof as filed for record on July 5, 2011 at Reception No. 1879494 in the Pueblo County

records; thence S. 01°00'14" W. along said westerly line a distance of 289.88 feet to the Southwest corner of said Vinci Subdivision, a Special Area Plan; thence S. 89°01'48" E. along the southerly line of said Vinci Subdivision, a Special Area Plan a distance of 151.56 feet to the Southeast corner of said Vinci Subdivision, a Special Area Plan, said point also being on the westerly line of The Meadows, Filing No. 4 according to the recorded plat thereof as filed for record on January 14, 1980 at Reception No. 628024 and the westerly line of The Meadows, Filing No. 3 according to the recorded plat thereof as filed for record on January 31, 1979 at Reception No. 597382 both in the Pueblo County records; thence S.02°48'49"W. along said westerly line a distance of 1,010.01 feet to the Southwest corner of said The Meadows, Filing No. 3, said point also being on the northerly line of the aforementioned Regency Park, 10th Filing; thence N. 89°20'09" W. along said northerly line a distance of 373.08 feet to the Point of Beginning.

Containing 10.74 acres, more or less.

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

Beginning at the Northeast corner of Lot 1, Block 18 of Regency Park, 10th Filing, according to the recorded plat thereof as filed for record on January 31, 1979 at Reception No. 597379 in the Pueblo County records; thence N. 00°54'08" E., a distance of 1301.06 feet to a point on the southerly right-of-way line of Red Creek Springs Road as presently located, said point being the Point of Terminus.

### **Certification Of Perimeter:**

At least one-sixth of the boundary of the land described in the annexation 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: September 12, 2022

BY: Vicente Martinez Ortega  
MEMBER OF CITY COUNCIL

APPROVED:   
PRESIDENT OF CITY COUNCIL

ATTESTED BY:   
CITY CLERK