

ORDINANCE NO. 030, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE ZONING MAP OF THE CITY OF FORT COLLINS AND CLASSIFYING
FOR ZONING PURPOSES THE PROPERTY INCLUDED IN THE WATER TREATMENT
FACILITY ANNEXATION NO. 4 TO THE CITY OF FORT COLLINS, COLORADO,
AND APPROVING CORRESPONDING CHANGES TO THE RESIDENTIAL
NEIGHBORHOOD SIGN DISTRICT MAP

WHEREAS, Division 1.3 of the Land Use Code of the City of Fort Collins establishes the Zoning Map and Zone Districts of the City; and

WHEREAS, Division 2.9 of the Land Use Code of the City of Fort Collins establishes procedures and criteria for reviewing the zoning of land; and

WHEREAS, pursuant to Land Use Code Section 2.9.2, the City Planning and Zoning Board, at its meeting on January 18, 2018, unanimously recommended zoning the property to be known as the Water Treatment Facility Annexation No. 4 (the "Property") as Urban Estate ("U-E") and Residential Foothills ("R-F") zone districts as more particularly described below and determined that the proposed zoning is consistent with the City's Comprehensive Plan and/or is warranted by changed conditions within the neighborhood surrounding and including the Property; and

WHEREAS, the City Council has determined that the proposed zoning of the Property, as described below is consistent with the City's Comprehensive Plan and/or is warranted by changed conditions within the neighborhood surrounding and including the Property; and

WHEREAS, to the extent applicable, the City Council has also analyzed the proposed zoning against the applicable criteria set forth in Section 2.9.4(H)(3) of the Land Use Code and finds the proposed zoning to be in compliance with all such criteria; and

WHEREAS, in accordance with the foregoing, the City Council has considered the zoning of the Property as described below, finds it to be in the best interests of the City, and has determined that the Property should be zoned as hereafter provided.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Zoning Map of the City of Fort Collins adopted pursuant to Section 1.3.2 of the Land Use Code of the City of Fort Collins is hereby changed and amended by including the Property in the Urban Estate ("U-E") Zone District as more particularly described as:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 9 AND THE EAST HALF OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9 TO BEAR N88°54'50"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, AND ON ITS WEST END BY A 3-1/4" ALUMINUM CAP STAMPED LS 34990, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, N88°54'50"W, A DISTANCE OF 198.01 FEET TO A POINT ON THE WEST BOUNDARY OF THE MOUNTAIN VIEW SCHOOL ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID WEST BOUNDARY, S00°33'03"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LAPORTE AVENUE, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. N88°54'50"W, A DISTANCE OF 1,762.43 FEET;
2. S00°23'29"W, A DISTANCE OF 10.00 FEET;
3. N88°54'50"W, A DISTANCE OF 588.26 FEET;
4. 23.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°45'15", AND A CHORD WHICH BEARS S45°42'32"W A DISTANCE OF 21.35 FEET;

THENCE CROSSING THE RIGHT OF WAY OF OVERLAND TRAIL, S75°48'16"W, A DISTANCE OF 107.24 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE CROSSING THE RIGHT OF WAY OF LAPORTE AVENUE, N05°52'33"E, A DISTANCE OF 153.49 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE NORTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE CROSSING THE RIGHT OF WAY OF OVERLAND TRAIL, S69°04'07"E, A DISTANCE OF 90.46 FEET TO THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE NORTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S69°19'37"E, A DISTANCE OF 26.19 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S88°54'50"E, A DISTANCE OF 2,345.88 FEET TO A POINT ON THE WEST BOUNDARY OF SAID MOUNTAIN VIEW SCHOOL ANNEXATION;

THENCE N89°37'32"W, A DISTANCE OF 2415.93 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 9;

THENCE S88°12'10"E, A DISTANCE OF 2416.49 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2.008 ACRES, MORE OR LESS

Section 3. That the Zoning Map of the City of Fort Collins adopted pursuant to Section 1.3.2 of the Land Use Code of the City of Fort Collins is hereby changed and amended by including the Property in the Residential Foothills ("R-F") Zone District as more particularly described as:

A TRACT OF LAND LOCATED IN SECTION 8 AND THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF

COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9 TO BEAR N88°54'50"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, AND ON ITS WEST END BY A 3-1/4" ALUMINUM CAP STAMPED LS 34990, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, N88°54'50"W, A DISTANCE OF 198.01 FEET TO A POINT ON THE WEST BOUNDARY OF THE MOUNTAIN VIEW SCHOOL ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID WEST BOUNDARY, S00°33'03"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LAPORTE AVENUE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

5. N88°54'50"W, A DISTANCE OF 1,762.43 FEET;
6. S00°23'29"W, A DISTANCE OF 10.00 FEET;
7. N88°54'50"W, A DISTANCE OF 588.26 FEET;
8. 23.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°45'15", AND A CHORD WHICH BEARS S45°42'32"W A DISTANCE OF 21.35 FEET;

THENCE CROSSING THE RIGHT OF WAY OF OVERLAND TRAIL, S75°48'16"W, A DISTANCE OF 107.24 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES:

1. S88°50'59"W, A DISTANCE OF 255.48 FEET;
2. N87°52'23"W, A DISTANCE OF 536.14 FEET;
3. N01°36'58"W, A DISTANCE OF 11.68 FEET;
4. S88°14'24"W, A DISTANCE OF 496.33 FEET;
5. S87°43'40"W, A DISTANCE OF 2,025.35 FEET;
6. ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN THE BARGAIN AND SALE DEED RECORDED OCTOBER 30, 1963 IN BOOK 1226, PAGE 127, N75°57'18"W, A DISTANCE OF 996.25 FEET;
7. CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, PAGE 127, N85°44'28"W, A DISTANCE OF 966.93 FEET;
8. CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, PAGE 127, N85°51'13"W, A DISTANCE OF 1,287.07 FEET;

THENCE CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, PAGE 127 THE FOLLOWING FOUR (4) COURSES:

1. S00°47'02"W, A DISTANCE OF 278.19 FEET;

2. N89°12'58"W, A DISTANCE OF 60.00 FEET;
3. N00°47'02"E, A DISTANCE OF 1,110.00 FEET;
4. S89°12'58"E, A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE INTERGOVERNMENTAL AGREEMENT RECORDED MARCH 20, 1980 IN BOOK 2032, PAGE 855;

THENCE ALONG SAID WESTERLY LINE AND ALONG THE WESTERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JULY 3, 1984 IN BOOK 2278, PAGE 2163, N00°47'02"E, A DISTANCE OF 921.83 FEET;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2278, PAGE 2163, N89°18'09"E, A DISTANCE OF 1,819.07 FEET;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2278, PAGE 2163 AND ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2032, PAGE 855, S11°53'09"E, A DISTANCE OF 1,000.96 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO PLATTE RIVER POWER AUTHORITY RECORDED FEBRUARY 10, 1981 IN BOOK 2104, PAGE 896;

THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY BOUNDARIES OF SAID TRACT THE FOLLOWING THREE (3) COURSES:

1. S78°06'51"W, A DISTANCE OF 175.01 FEET;
2. S11°53'09"E, A DISTANCE OF 175.00 FEET;
3. N78°06'51"E, A DISTANCE OF 173.57 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2032, PAGE 855;

THENCE ALONG SAID EASTERLY LINE, S10°51'20"E, A DISTANCE OF 15.10 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, S49°14'02"E, A DISTANCE OF 1,450.69 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING ELEVEN (11) COURSES:

1. S75°57'18"E, A DISTANCE OF 36.44 FEET;
2. N87°43'40"E, A DISTANCE OF 1,584.77 FEET;
3. N00°26'54"E, A DISTANCE OF 20.43 FEET;
4. S85°38'55"E, A DISTANCE OF 188.73 FEET;
5. N87°22'37"E, A DISTANCE OF 263.57 FEET;
6. N88°23'15"E, A DISTANCE OF 654.58 FEET;
7. N00°20'15"E, A DISTANCE OF 9.18 FEET;
8. N88°23'15"E, A DISTANCE OF 325.79 FEET;
9. S00°20'14"W, A DISTANCE OF 4.99 FEET;
10. N88°23'15"E, A DISTANCE OF 246.47 FEET;
11. N54°50'50"E, A DISTANCE OF 72.56 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL;

THENCE CROSSING THE RIGHT OF WAY OF LAPORTE AVENUE, S05°52'33"W, A DISTANCE OF


153.49 FEET TO THE POINT OF BEGINNING;

CONTAINING 100.817 ACRES

Section 3. That the Sign District Map adopted pursuant to Section 3.8.7.1(E) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the Property described herein is included in the Residential Neighborhood Sign District.

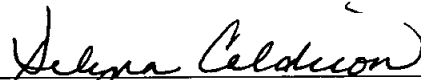
Section 4. That the City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 6th day of February, A.D. 2018, and to be presented for final passage on the 20th day of February, A.D. 2018.



Mayor

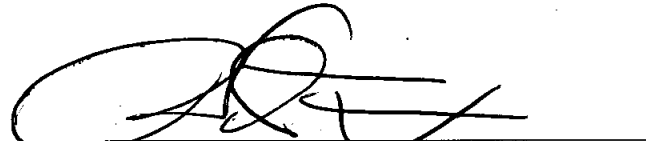
ATTEST:



City Clerk

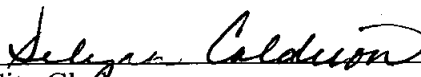


Passed and adopted on final reading on the 20th day of February, A.D. 2018.



Mayor

ATTEST:



City Clerk

