

ORDINANCE NO. 104, 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 EAST GATEWAY ANNEXATION 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 May 17, 2018, unanimously recommended zoning the property to be known as the East Gateway Annexation (the "Property") as more particularly described below, as General Commercial, Industrial, and Low Density Mixed-Use Neighborhood, and determined that the proposed zonings are consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council has determined that the proposed zonings of the Property are consistent with the City's Comprehensive Plan; and

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

WHEREAS, in accordance with the foregoing, the City Council has considered the zonings 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 following portion of the Property in the General Commercial ("G-C") Zone District as more particularly described as:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10,
TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF

LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO BEAR S89°23'02"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 3" BRASS CAP STAMPED LS 23503, AND ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 31169, 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 THE SOUTHWEST QUARTER OF SAID SECTION 10, S89°23'02"E, A DISTANCE OF 1,427.40 FEET;

THENCE N00°36'58"E, A DISTANCE OF 30.90 FEET;

THENCE N69°23'46"W, A DISTANCE OF 94.71 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 14 (EAST MULBERRY STREET) AND THE WESTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 12, 2002 AT RECEPTION NO. 2002051529, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N69°23'46"W, A DISTANCE OF 205.95 FEET TO THE MOST WESTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO THE COLORADO DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED RECORDED JUNE 11, 2009 AT RECEPTION NO. 20090038617;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TRACT, S89°47'51"E, A DISTANCE OF 193.56 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY BOUNDARY;

THENCE ALONG SAID WESTERLY BOUNDARY, S00°37'38"W, A DISTANCE OF 71.79 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 6,948 SQUARE FEET (0.160 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 following portion of the Property in the Industrial ("I") Zone District as more particularly described as:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO BEAR S89°23'02"E, SAID LINE BEING MONUMENTED ON ITS

WEST END BY A 3" BRASS CAP STAMPED LS 23503, AND ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 31169, 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 THE SOUTHWEST QUARTER OF SAID SECTION 10, S89°23'02"E, A DISTANCE OF 1,427.40 FEET;

THENCE N00°36'58"E, A DISTANCE OF 30.90 FEET;

THENCE N69°23'46"W, A DISTANCE OF 94.71 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 14 (EAST MULBERRY STREET) AND THE WESTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 12, 2002 AT RECEPTION NO. 2002051529;

THENCE ALONG SAID WESTERLY BOUNDARY, N00°37'38"E, A DISTANCE OF 2,525.64 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE BNSF RAILWAY, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°02'25"W, A DISTANCE OF 470.00 FEET;

THENCE N83°54'03"W, A DISTANCE OF 558.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BNSF RAILWAY;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S89°02'25"E, A DISTANCE OF 1,025.62 FEET;

THENCE S00°37'38"W, A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 37,390 SQUARE FEET (0.858 ACRES), MORE OR LESS

Section 4. 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 following portion of the Property in the Low Density Mixed-Use Neighborhood ("L-M-N") Zone District as more particularly described as:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO BEAR S89°23'02"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 3" BRASS CAP STAMPED LS 23503, AND ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 31169, 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 THE SOUTHWEST QUARTER OF SAID

SECTION 10, S89°23'02"E, A DISTANCE OF 1,427.40 FEET;
THENCE N00°36'58"E, A DISTANCE OF 30.90 FEET;
THENCE N69°23'46"W, A DISTANCE OF 89.48 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 14 (EAST MULBERRY STREET);

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N69°23'46"W, A DISTANCE OF 5.23 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 14 (EAST MULBERRY STREET) AND THE WESTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 12, 2002 AT RECEPTION NO. 2002051529;

THENCE ALONG SAID WESTERLY BOUNDARY, N00°37'38"E, A DISTANCE OF 2,575.64 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE BNSF RAILWAY;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S89°02'25"E, A DISTANCE OF 18.38 FEET;

THENCE ALONG THE NORTHERLY EXTENSION OF THE TOP BACK OF AN EXISTING CURB, ALONG SAID TOP BACK OF CURB, AND ALONG THE SOUTHERLY EXTENSION OF SAID TOP BACK OF CURB, THE FOLLOWING FIVE (5) COURSES:

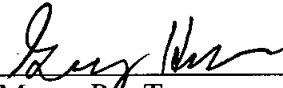
1. S00°12'51"W, A DISTANCE OF 920.13 FEET;
2. 34.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07°50'52", AND A CHORD WHICH BEARS S04°08'17"W, A DISTANCE OF 34.22 FEET;
3. S08°03'43"W, A DISTANCE OF 96.07 FEET;
4. 31.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07°18'07", AND A CHORD WHICH BEARS S04°24'40"W, A DISTANCE OF 31.84 FEET;
5. S00°45'36"W, A DISTANCE OF 1,496.03 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 32,624 SQUARE FEET (0.749 ACRES), MORE OR LESS

Section 5. 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 not included in the Residential Neighborhood Sign District.

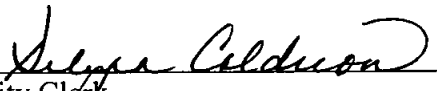
Section 6: That the City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 17th day of July, A.D. 2018, and to be presented for final passage on the 21st day of August, A.D. 2018.

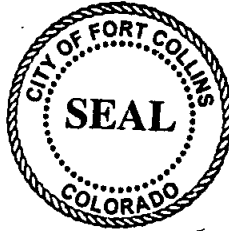


Mayor Po Tem

ATTEST:



City Clerk

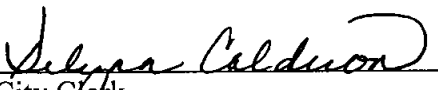


Passed and adopted on final reading on the 21st day of August, A.D. 2018.



Mayor

ATTEST:



City Clerk

