

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 17

DATE: August 17, 1999

STAFF: Ronald G. Fuchs

SUBJECT :

Items Relating to the Willow Brook First Annexation and Zoning.

RECOMMENDATION:

Staff and the Planning and Zoning Board recommend adoption of the Resolution and of the Ordinances on First Reading.

EXECUTIVE SUMMARY:

- A. Resolution 99-102 Setting Forth Findings of Fact and Determinations Regarding the Willow Brook First Annexation.
- B. First Reading of Ordinance No. 137, 1999, Annexing Property Known as the Willow Brook First Annexation to the City of Fort Collins.
- C. First Reading of Ordinance No. 138, 1999, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Willow Brook First Annexation.

This is an annexation and zoning of approximately 39.41 acres of privately owned property located west of County Road 7 and north of County Road 36. The property has rural agricultural uses and is in the FA-1 Farming District in Larimer County. The recommended zoning is the LMN - Low-Density Mixed Use Neighborhood District. This is a 100% voluntary annexation.

APPLICANT: Tom Iskiyan-Chateau Development Company
8101 East Prentice Avenue, Suite 815
Greenwood Village, CO 80111

OWNERS: Thomas Morrioni-H.H. Investment Company
P.O. Box 16383
Denver, CO 80216

BACKGROUND:

The Willow Brook First Annexation is approximately 39.41 acres of privately owned property located west of County Road 7 and north of County Road 36. The site is currently zoned FA1 - Farming in Larimer County.

An Annexation Impact Report for this was forwarded to the Board of County Commissioners on July 15, 1999.

This is a voluntary annexation, located within the Urban Growth Area (UGA) of the City of Fort Collins. The City may annex property located within the UGA provided that the property has 1/6th contiguity with the existing City limits. The Willow Brook First Annexation is eligible for annexation according to the Colorado Annexation Act, which requires 1/6 contiguity to city limits (subject to Second Reading on September 7, 1999, of Johnson-Harmony Annexation 4-99). The Willow Brook First Annexation complies with this standard since the property has 898.02 feet of its total boundary of approximately 5,245.10 feet contiguous to City limits. This meets the minimum 874.18 feet required to achieve 1/6 contiguity. This contiguity will occur through a common boundary with the Johnson-Harmony Annexation (effective September 17, 1999) to the north. Further, the annexation is consistent with the Fossil Creek Reservoir Plan, which requires certain property to be annexed prior to development.

The surrounding zoning and land uses as follows:

- N: FA-1 Farming District in Larimer County - agricultural
(effective July 30, 1999, HC - Harmony Corridor District)
- S: FA-1 Farming District in Larimer County - agricultural
- E: FA-1 Farming District - existing large acreage residential
- W: FA-1 Farming District in Larimer County - agricultural

Zoning and Analysis:

The property is currently zoned FA-1 Farming District in Larimer County. The requested zoning for this annexation is the LMN - Low-Density Mixed Use Neighborhood District. There are numerous uses permitted in this District, subject to administrative review or review by the Planning and Zoning Board. The City's adopted Structure Plan, a part of City Plan, suggests that LMN - Low-Density Mixed Use Neighborhood District zoning is appropriate for this location.

PLANNING AND ZONING BOARD RECOMMENDATION:

On July 1, 1999, the Planning and Zoning Board, by a vote of 4-0, recommended that the Council approve the request for annexation and approve the zoning LMN - Low-Density Mixed Use Neighborhood District.

RESOLUTION 99-102
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS
REGARDING THE WILLOW BROOK FIRST ANNEXATION

WHEREAS, annexation proceedings were heretofore initiated by the Council of the City of Fort Collins for property to be known as the Willow Brook First Annexation; and

WHEREAS, following Notice given as required by law, the Council has held a hearing on said annexation.

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

Section 1. That the Council hereby finds that the petition for annexation complies with the Municipal Annexation Act.

Section 2. That the Council hereby finds that there is at least one-sixth (1/6) contiguity between the City and the property proposed to be annexed; that a community of interest exists between the property proposed to be annexed and the City; that said property is urban or will be urbanized in the near future; and that said property is integrated with or is capable of being integrated with the City.

Section 3. That the Council further determines that the applicable parts of said Act have been met, that an election is not required under said Act and that there are no other terms and conditions to be imposed upon said annexation.

Section 4. That the Council further finds that notice was duly given and a hearing was held regarding the annexation in accordance with said Act.

Section 5. That the Council concludes that the area proposed to be annexed in the Willow Brook First Annexation is eligible for annexation to the City and should be so annexed.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 17th day of August, A.D. 1999.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 137, 1999
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
WILLOW BROOK FIRST ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 99-84, finding substantial compliance and initiating annexation proceedings, has heretofore been adopted by the Council of the City of Fort Collins; and

WHEREAS, the Council does hereby find and determine that it is in the best interests of the City to annex said area to the City.

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

Section 1. That the following described property, to wit:

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 4, T6N, R68W; AND CONSIDERING THE NORTH LINE OF THE SOUTHEAST QUARTER TO BEAR N89°35'15"E, WITH ALL OTHER BEARINGS RELATIVE THERETO; THENCE ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER N89°35'15"E, 1320.99 FEET; THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER S03°28'30"E, 1302.30 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER S89°47'37"W, 1324.46 FEET; THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER N03°20'00"W, 1297.36 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 39.41 ACRES MORE OR LESS.

be, and hereby is, annexed to the City of Fort Collins and made a part of said City, to be known as the Willow Brook First Annexation.

Section 2. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the City.

Section 3. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of said property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 17th day of August, A.D. 1999, and to be presented for final passage on the 7th day of September, A.D. 1999.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 7th day of September, A.D. 1999.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 138, 1999
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 WILLOW BROOK FIRST ANNEXATION TO THE
CITY OF FORT COLLINS, COLORADO

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 2.8 of the Land Use Code of the City of Fort Collins establishes procedures and criteria for reviewing the zoning of land; and

WHEREAS, in accordance with the foregoing, the Council has considered the zoning of the property which is the subject of this ordinance, and has determined that the said 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 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 be, and the same hereby is, changed and amended by including the property known as the Willow Brook Second Annexation to the City of Fort Collins, Colorado, in the Low Density Mixed Use Neighborhood (LMN) Zone District, which property is more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A PARCEL OF LAND SITUATE IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 4, T6N, R68W; AND CONSIDERING THE NORTH LINE OF THE SOUTHEAST QUARTER TO BEAR N89°35'15"E, WITH ALL OTHER BEARINGS RELATIVE THERETO; THENCE ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER N89°35'15"E, 1320.99 FEET; THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER S03°28'30"E, 1302.30 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER S89°47'37"W, 1324.46 FEET; THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER N03°20'00"W, 1297.36 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 39.41 ACRES MORE OR LESS.

Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins be, and the same hereby is, changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

Section 3. That the City Engineer 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 August, A.D. 1999, and to be presented for final passage on the 7th day of September, A.D. 1999.

Mayor

ATTEST:

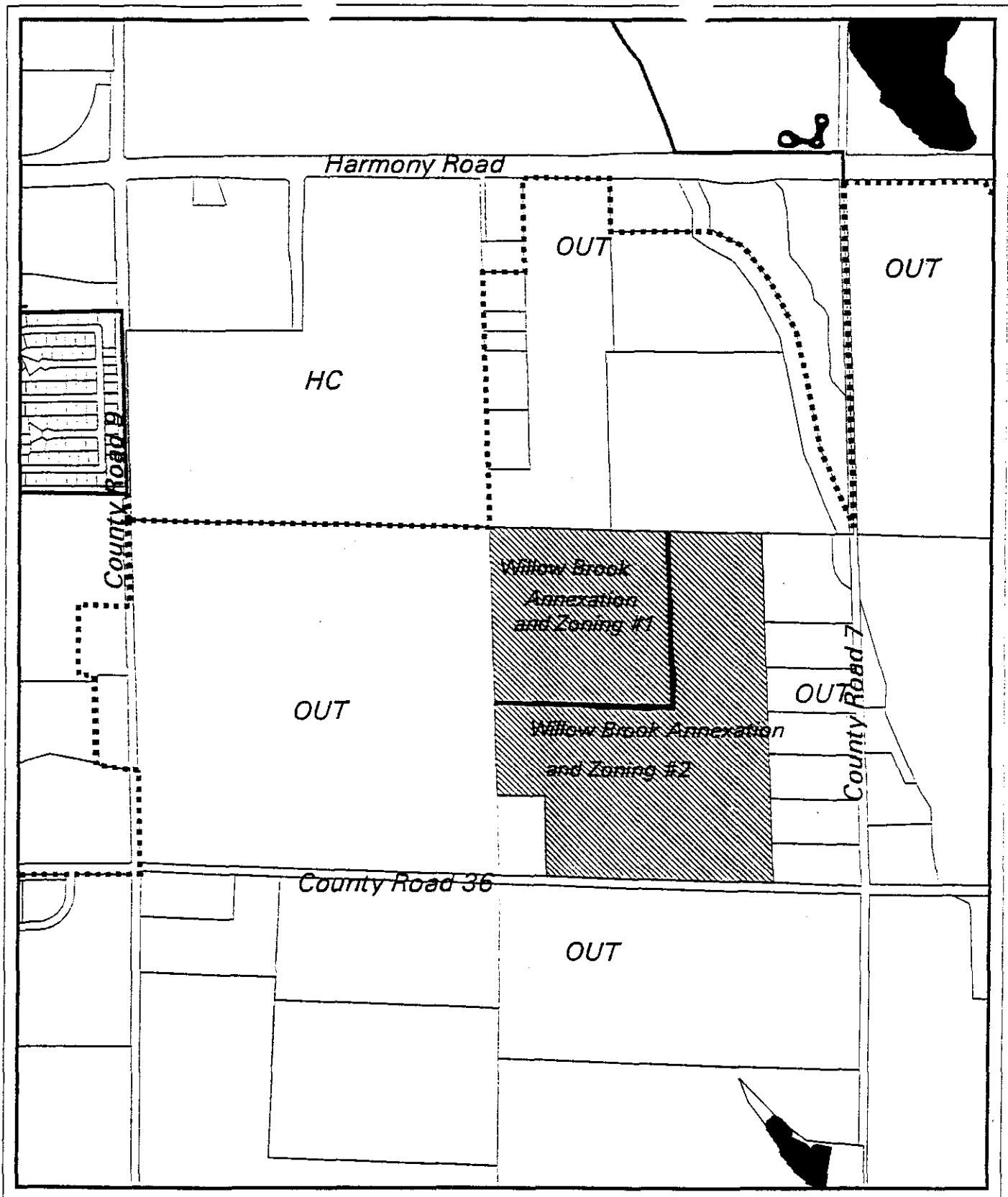
City Clerk

Passed and adopted on final reading this 7th day of September, A.D. 1999.

Mayor

ATTEST:

City Clerk



VICINITY MAP

06/14/99

**#8-99 & #8-99A Willow Brook
Annexation & Zoning
No. 1 and No. 2**

1" = 1000'