

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 26 A-C

DATE: April 20, 1999

STAFF: Ronald G. Fuchs

SUBJECT:

Items Relating to the Keating Second Annexation and Zoning.

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

- A. Resolution 99-43 Setting Forth Findings of Fact and Determinations Regarding the Keating Second Annexation.
- B. First Reading of Ordinance No. 63, 1999, Annexing Property Known as the Keating Second Annexation to the City of Fort Collins.
- C. First Reading of Ordinance No. 64, 1999, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Keating Second Annexation.

This is an annexation and zoning of approximately 26.43 acres in size, located north of Trilby Road and west of Timberline Road. The property is undeveloped and is in the FA1 - Farming District in Larimer County. The recommended zoning is the LMN - Low-Density Mixed Use Neighborhood. This is a 100% voluntary annexation.

APPLICANT: Linda Ripley
VF Ripley Associates
1113 Stoney Hill Drive
Fort Collins, CO 0524

OWNERS: Terry J. Keating - 3219 Nelson Lane, Fort Collins, CO 80525
Erleen K. Keating - 3219 Nelson Lane, Fort Collins, CO 80525
Roger Nosker - 7603 Wakerobin, Parma, OH 44130
Shirley Nosker - 7603 Wakerobin, Parma, OH 44130
J.J. Hendricks - 1149 West County Road 82E, Livermore, CO 80536

BACKGROUND:

The Keating Second Annexation is approximately 26.43 acres in size, located north of Trilby Road and west of Timberline Road. The site is currently zoned FA1 - Farming in Larimer County.

A combined Annexation Impact Report for this annexation as well as the adjacent annexation to the south was forwarded to the Board of County Commissioners on February 12, 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 1/6 contiguity with the existing City limits. The Keating Second Annexation and Zoning complies with this standard since the property has 1,658.15 feet of its total boundary of approximately 5,903.97 feet contiguous to the existing City limits. This exceeds the minimum 984.00 feet required to achieve 1/6 contiguity.

Contiguity to existing City limits is gained from the common boundary to the west from the Keating First Annexation, which achieved its contiguity through the Union Pacific South Fourth Annexation (May 1988) to the west.

The surrounding zoning and land uses as follows:

- N: FA1 - Farming District in Larimer County - existing large acreage residential
- S: FA1 - Farming District in Larimer County - existing large acreage residential
- E: FA1 - Farming District - existing agricultural
- W: RL Low Density Residential in the City of Fort Collins - single family residential (Paragon 1 and 2)

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 the Comprehensive Plan, suggests that a Low Density Mixed Use Residential Neighborhood is appropriate for this location.

Staff is recommending that this property be included in the Residential Neighborhood Sign District, which was established for the purpose of regulating signs for non-residential uses in certain geographical areas of the City which may be particularly affected by such signs because of their predominantly residential use and character. A map amendment would be necessary to place this property on the Residential Neighborhood Sign District Map.

PLANNING AND ZONING BOARD RECOMMENDATION:

On February 18, 1999, the Planning and Zoning Board, by a vote of 7-0, recommended that the Council approve the request for annexation and approve the zoning of LMN - Low-Density Mixed Use Neighborhood.

RESOLUTION 99-43
OF THE COUNCIL OF THE CITY OF FORT COLLINS
SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS
REGARDING THE KEATING SECOND ANNEXATION

WHEREAS, annexation proceedings were heretofore initiated by the Council of the City of Fort Collins for property to be known as the Keating Second 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:

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 Keating Second 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 20th day of April, A.D. 1999.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 63, 1999
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
KEATING SECOND ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 99-31, 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 TRACT OF LAND SITUATE IN THE COUNTY OF LARIMER, STATE OF COLORADO, TO-WIT:

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, COLORADO BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 7, TOWSHIP 6 NORTH, RANGE 68 WEST;

THENCE NORTH ALONG THE EAST SECTION LINE OF SECTION 7 NORTH 00°00'00" WEST 1319.80 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 90°00'00" WEST, 2538.16 FEET;
THENCE NORTH 67°18'28" EAST, 1658.15 FEET;
THENCE NORTH 90°00'00" EAST, 1007.96 FEET
TO A POINT ON THE EAST LINE OF SECTION 7;
THENCE CONTINUING NORTH 90°00'00" EAST 30.00
FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE
OF TIMBERLINE ROAD; THENCE SOUTH 00°00'00"
WEST, 639.70 FEET ALONG SAID EASTERLY R.O.W. OF
TIMBERLINE ROAD; THENCE NORTH 90°00'00" WEST
30.00 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED LAND CONTAINING 26.48 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 Keating Second 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 20th day of April, A.D. 1999, and to be presented for final passage on the 4th day of May, A.D. 1999.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 4th day of May, A.D. 1999.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 64, 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 KEATING SECOND 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 Keating 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 TRACT OF LAND SITUATE IN THE COUNTY OF LARIMER, STATE OF COLORADO, TO-WIT:

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, COLORADO BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 68 WEST;

THENCE NORTH ALONG THE EAST SECTION LINE OF SECTION 7 NORTH 00°00'00" WEST 1319.80 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 90°00'00" WEST, 2538.16 FEET;
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TO A POINT ON THE EAST LINE OF SECTION 7;
THENCE CONTINUING NORTH 90°00'00" EAST 30.00

FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF TIMBERLINE ROAD; THENCE SOUTH 00°00'00" WEST, 639.70 FEET ALONG SAID EASTERLY R.O.W. OF TIMBERLINE ROAD; THENCE NORTH 90°00'00" WEST 30.00 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED LAND CONTAINING 26.48 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 20th day of April, A.D. 1999, and to be presented for final passage on the 4th day of May, A.D. 1999.

Mayor

ATTEST:

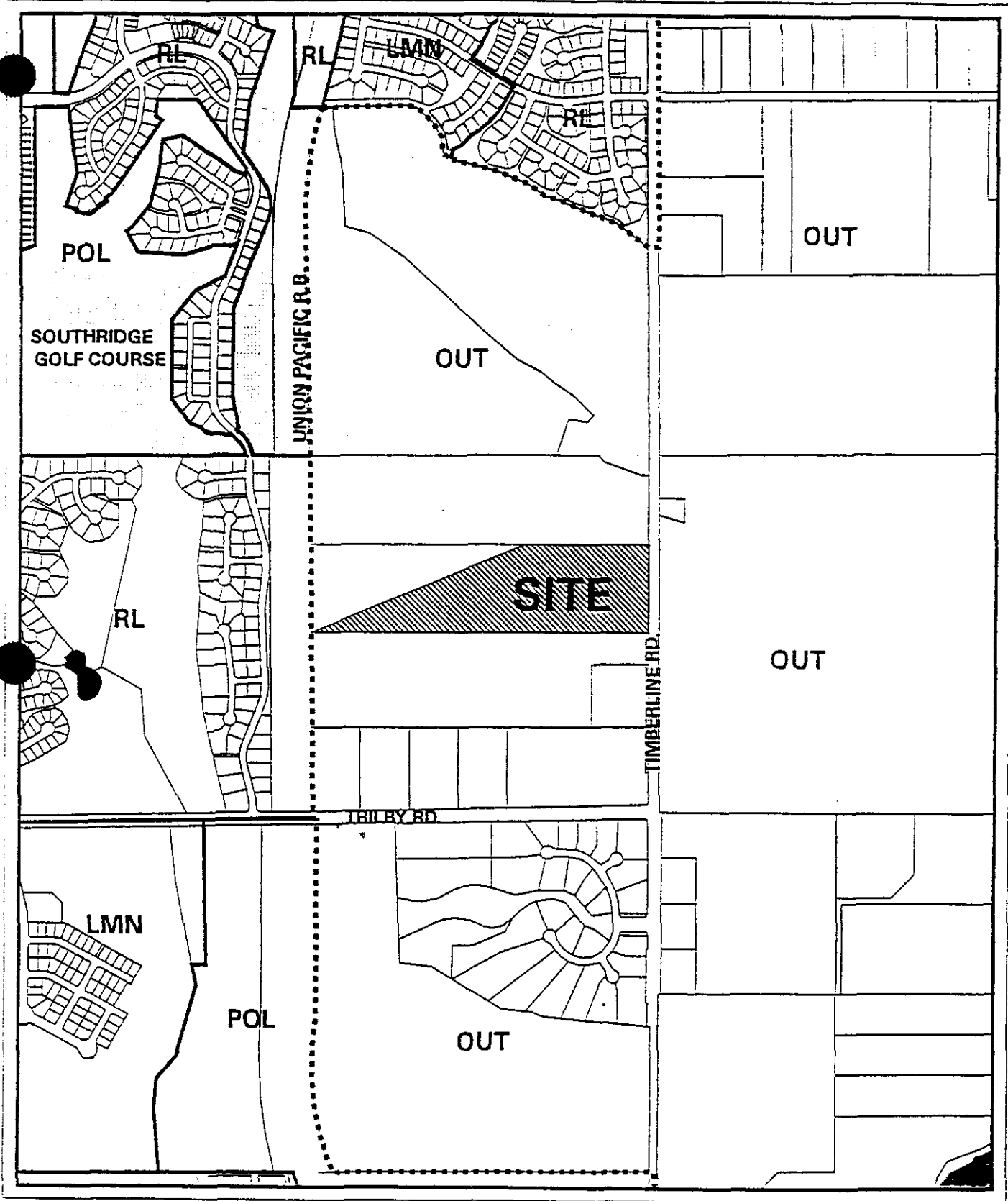
City Clerk

Passed and adopted on final reading this 4th day of May, A.D. 1999.

Mayor

ATTEST:

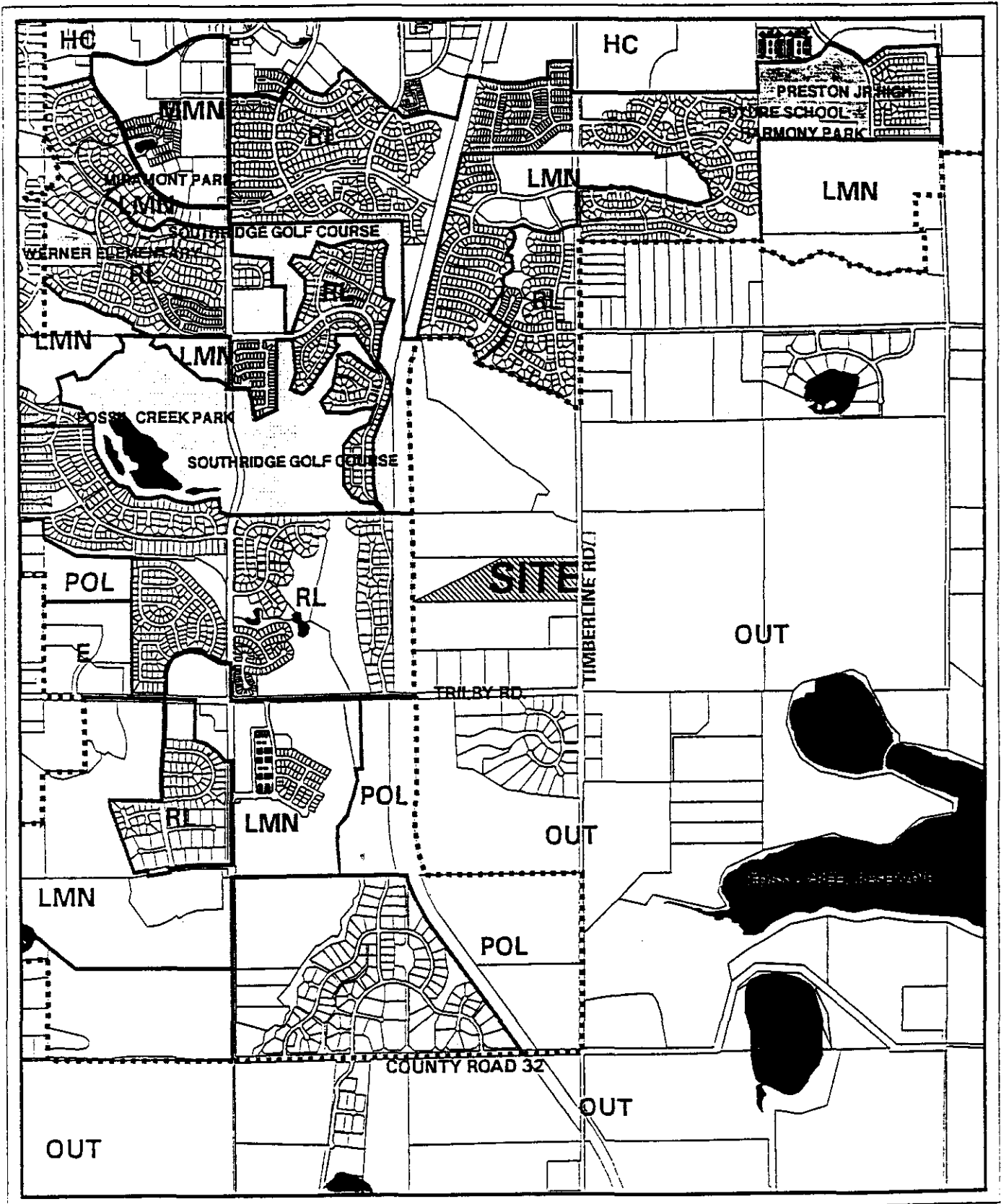
City Clerk



VICINITY MAP

12/30/98

#62-98A Keating No. 2 Annexation & Zoning



VICINITY MAP

12/30/98

#62-98A Keating No. 2 Annexation & Zoning

1" = 2000'