

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13

DATE: November 21, 2006

STAFF: Steve Olt

SUBJECT

Resolution 2006-114 Finding Substantial Compliance and Initiating Annexation Proceedings for the Plank PLD & PD Annexation.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

This is a 100% voluntary annexation. The applicant, Stanley K. Everitt, on behalf of the property owners, Leonard and Barbara Plank, has submitted a written petition requesting annexation of 17.35 acres located at the southeast corner of Kechter Road and Ziegler Road. The property is developed as a single-family residence with outbuildings and is in the FA-1 Farming District in Larimer County. The requested zoning for this annexation is LMN - Low Density Mixed-Use Neighborhood. The area to be annexed is the entirety of an enclaved property that has been surrounded by the City of Fort Collins for more than three (3) years. The surrounding properties are currently zoned LMN - Low Density Mixed-Use Neighborhood in the City to the north, south, east, and west.

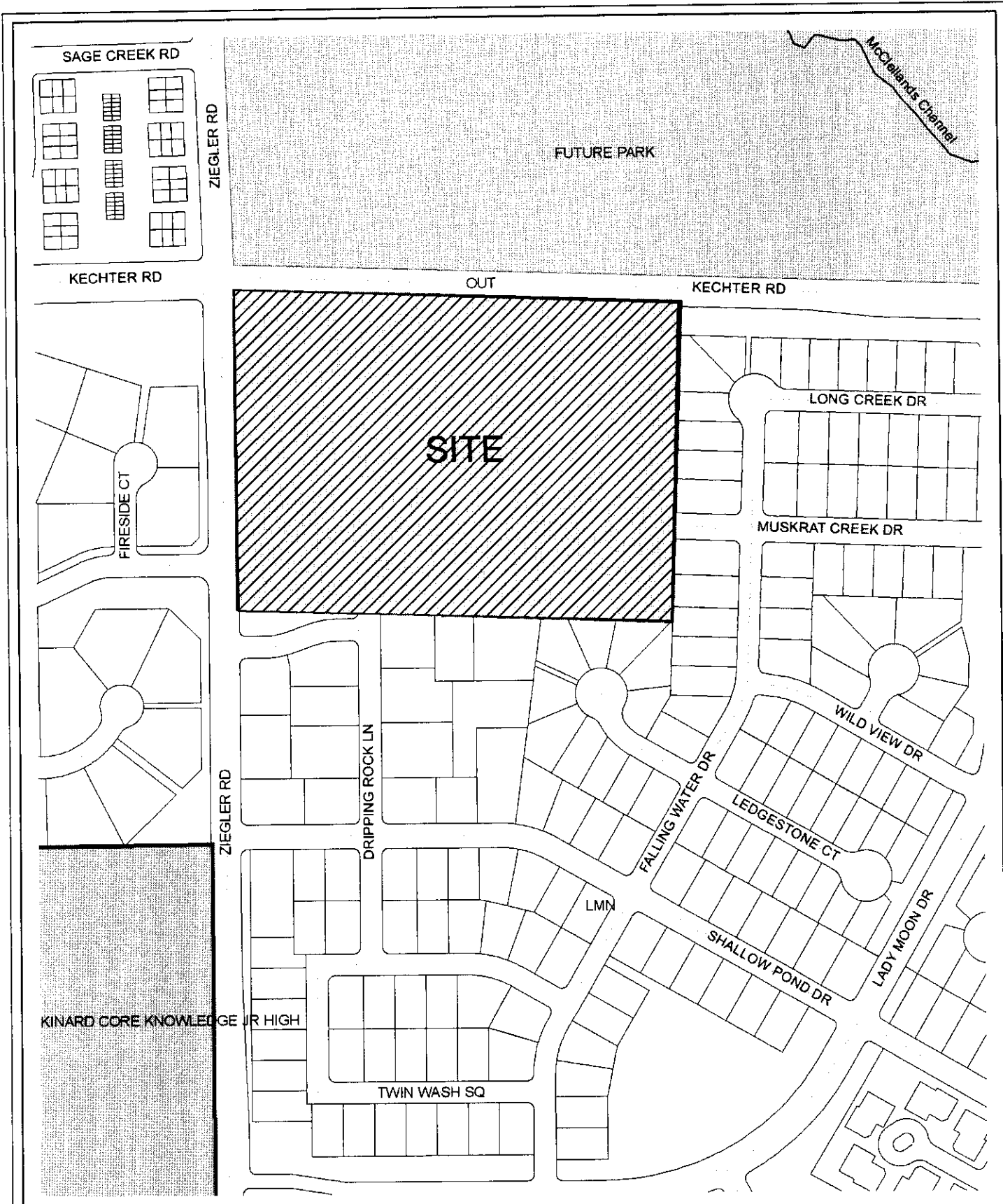
BACKGROUND

The proposed Resolution makes a finding that the petition substantially complies with the Municipal Annexation Act, determines that a hearing should be established regarding the annexation, and directs that notice be given of the hearing. The hearing will be held at the time of first reading of the annexation and zoning ordinances. Not less than thirty days of prior notice is required by State law.

The property is located within the Fort Collins Urban Growth Area. According to policies and agreements between the City of Fort Collins and Larimer County contained in the *Intergovernmental Agreement for the Fort Collins Urban Growth Area*, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to State law. This property gains the required 1/6 contiguity to existing City limits from common boundaries with the Webster Farm Annexation (February 2002) to the north the Fossil Lake Annexation No. 2 (February, 2002) to the west, east, and south.

Planning and Zoning Board Recommendation:

The Planning and Zoning Board will conduct a public hearing on the annexation and zoning request at its regular monthly meeting on December 7, 2006, and will make its recommendation at that time. The Board's recommendation will be forwarded to the City Council in time for First Reading of the Annexation and Zoning Ordinances on January 2, 2007.



**#33-01N Plank Annexation
(Fossil Lake Ranch PUD 6th Filing)**

10/25/2006
N
1 inch equals 300 feet

RESOLUTION 2006-114
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
PLANK PLD & PD ANNEXATION

WHEREAS, a written petition, together with four (4) prints of an annexation map, was heretofore filed with the City Clerk requesting the annexation of certain property to be known as the Plank PLD & PD Annexation; and

WHEREAS, the Council of the City of Fort Collins desires to initiate annexation proceedings in accordance with law.

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

Section 1. That the Council hereby accepts the annexation petition for the Plank PLD & PD Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A parcel of land being a portion of the Northwest Quarter (NW1/4) of Section Nine (9), Township Six North (T.6N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 9 and assuming the North line of the NW1/4 of said Section 9 as bearing South 87°59'40" East, a distance of 2659.41 feet with all other bearings contained herein relative thereto:

THENCE: South 87°59'40" East along the North line of the NW1/4 of said Section 9 a distance of 30.02 feet to the West line of the Webster Farm Annexation, recorded March 6, 2002 as Reception No. 2002024765 of the Records of Larimer County;

THENCE: South 00°00'01" West along the West line of said Webster Farm Annexation a distance of 30.01 feet to the Southwest Corner of said Webster Farm Annexation and the **POINT OF BEGINNING**;

THENCE: South 87°59'40" East along the South line of said Webster Farm Annexation a distance of 1028.87 feet to a Westerly line of the Fossil Lake Annexation No. 2, recorded March 21, 2002 as Reception No. 2002031277 of the Records of Larimer County;

The next Three (3) courses and distances are along Westerly, Northerly and Easterly lines of said Fossil Lake Annexation No. 2:

THENCE: South 02°00'20" West a distance of 743.91 feet;

THENCE: North 87°59'40" West a distance of 1002.78 feet;
THENCE: North 00°00'10" West a distance of 744.37 feet to the Southwest Corner
of said Webster Farm Annexation and the **POINT OF BEGINNING**.

Said parcel contains 17.348 acres more or less (\pm).

Section 2. That the Council hereby finds and determines that the annexation petition and accompanying map are in substantial compliance with the Municipal Annexation Act.

Section 3. That the Notice attached hereto be adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of November, A.D. 2006.

Mayor

ATTEST:

City Clerk

NOTICE

TO ALL PERSONS INTERESTED:

PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted a Resolution initiating annexation proceedings for the Plank PLD & PD Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice. This is an enclave annexation.

That, on January 2, 2007, at the hour of 6:00 p.m., or as soon thereafter as the matter may come on for hearing in the Council Chambers in the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado, the Fort Collins City Council will hold a public hearing upon the annexation and zoning for the purpose of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation as an enclave and for the purpose of determining the appropriate zoning for the property included in the Annexation. At such hearing, any persons may appear and present such evidence as they may desire.

It is proposed that the Property included in the Annexation be placed in the "LMN" Low Density Mixed Use Zone District.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Dated this 21st day of November, A.D. 2006.

City Clerk