

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 14

DATE: November 21, 2006

STAFF: Steve Olt

### SUBJECT

Resolution 2006-115 Finding Substantial Compliance and Initiating Annexation Proceedings for the Liberty Farms Annexation.

### RECOMMENDATION

Staff recommends adoption of the Resolution.

### EXECUTIVE SUMMARY

The applicant/consultant, Vignette Studios (c/o Don Tiller), on behalf of the property owners, Kevin W. Frazier and Michael P. O'Donnell, has submitted a written petition requesting annexation of 22.32 acres located on the east side of North Timberline Road at the Larimer & Weld Canal, approximately 1/4 to 1/3 mile north of East Vine Drive. The property contains two (2) existing single-family residences and agricultural land. It is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is LMN - Low Density Mixed-Use Neighborhood. The surrounding properties are currently zoned LMN - Low Density Mixed-Use Neighborhood and MMN - Medium Density Mixed-Use Neighborhood in the City to the north, LMN - Low Density Mixed-Use Neighborhood in the City to the west, FA1 - Farming in Larimer County to the east, and FA1 - Farming in Larimer County to the south.

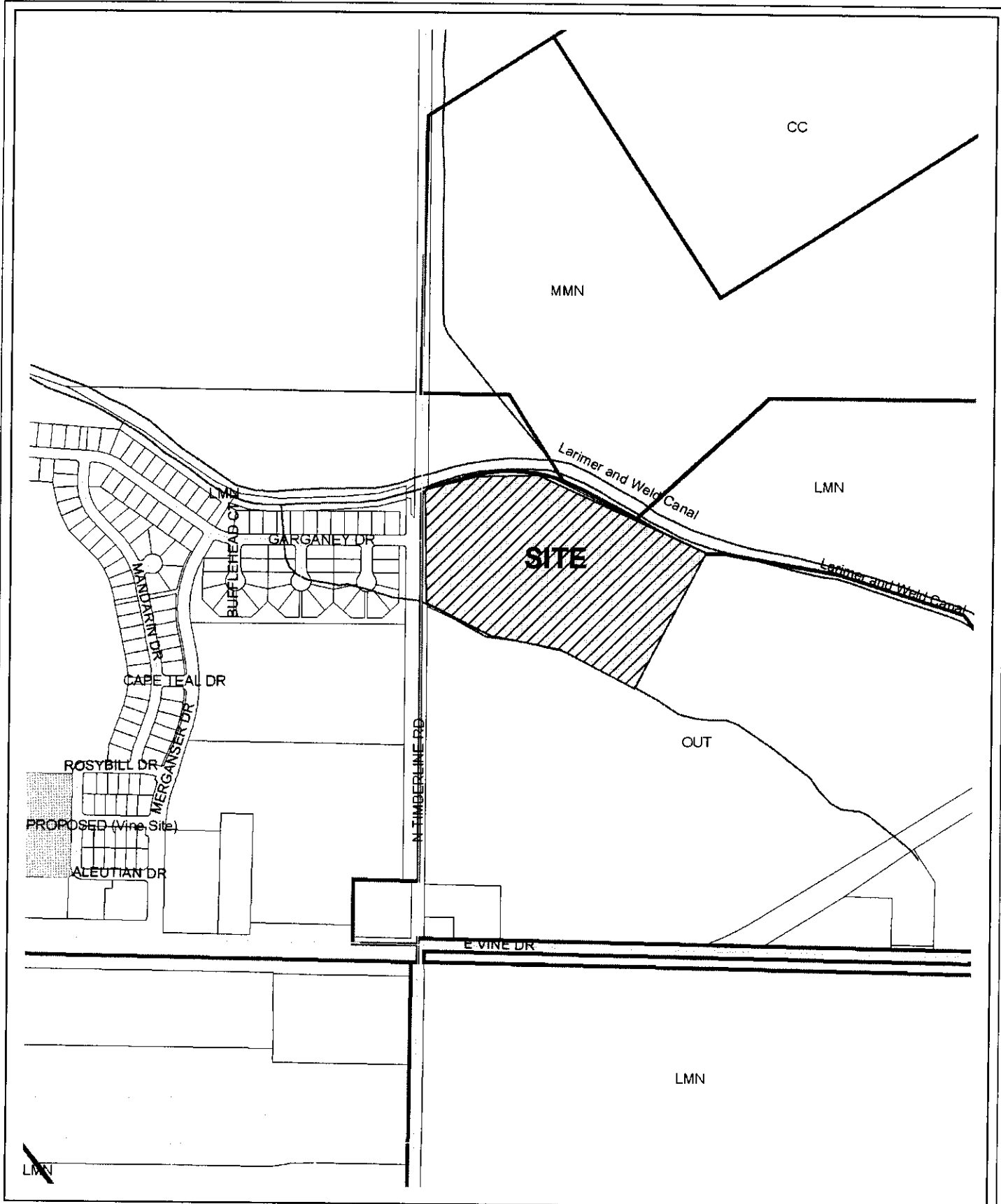
### BACKGROUND

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 East Vine Drive 7th Annexation (August, 1983) to the north and west.

**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.



# #31-06 Liberty Farms Annexation & Zoning

11/1/2006

1 inch equals 600 feet



RESOLUTION 2006-115  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
FINDING SUBSTANTIAL COMPLIANCE AND  
INITIATING ANNEXATION PROCEEDINGS FOR THE  
LIBERTY FARMS 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 Liberty Farms 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 Liberty Farms Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 5 AS BEARING NORTH 00°16'52" EAST AND WITH ALL BEARINGS HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 5, THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH 00°16'52" EAST A DISTANCE OF 1595.00 FEET TO THE SOUTHWEST CORNER OF THE DIX AMENDED PLAT AS RECORDED AT THE CLERK AND RECORDERS OFFICE OF LARIMER COUNTY AT RECEPTION NUMBER 2002030339, AND THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, AND THE WEST LINE OF SAID DIX AMENDED PLAT, NORTH 00°16'52" EAST A DISTANCE OF 513.60 FEET TO THE NORTHWEST CORNER OF SAID DIX AMENDED PLAT; THENCE CONTINUING ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 5, NORTH 00°16'52" EAST A DISTANCE OF 95.63 FEET TO THE SOUTHERLY LINE OF THE EAST VINE DRIVE 7TH ANNEXATION TO THE CITY OF FORT

COLLINS AS RECORDED AT THE CLERK AND RECORDERS OFFICE OF LARIMER COUNTY, AND NORTH RIGHT OF WAY LINE OF THE LARIMER & WELD CANAL AS SHOWN ON SAID EAST VINE DRIVE 7TH ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, AND SAID SOUTHERLY ANNEXATION BOUNDARY LINE THE FOLLOWING EIGHT (8) COURSES:

- 1) NORTH 77°13'37" EAST A DISTANCE OF 227.68 FEET; THENCE
- 2) NORTH 83°15'38" EAST A DISTANCE OF 256.49 FEET; THENCE
- 3) SOUTH 87°16'09" EAST A DISTANCE OF 54.42 FEET; THENCE
- 4) NORTH 79°36'26" EAST A DISTANCE OF 86.45 FEET; THENCE
- 5) SOUTH 61°24'38" EAST A DISTANCE OF 386.54 FEET; THENCE
- 6) SOUTH 53°48'20" EAST A DISTANCE OF 154.47 FEET; THENCE
- 7) SOUTH 62°07'43" EAST A DISTANCE OF 117.20 FEET; THENCE
- 8) SOUTH 69°29'26" EAST A DISTANCE OF 176.12 FEET;

THENCE DEPARTING SAID SOUTHERLY PARCEL LINE SOUTH 26°58'09" WEST A DISTANCE OF 77.59 FEET TO THE NORTHEAST CORNER OF SAID DIX AMENDED PLAT;

THENCE ALONG THE EAST LINE OF SAID DIX AMENDED PLAT SOUTH 26°58'09" WEST A DISTANCE OF 702.53 FEET;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID DIX AMENDED PLAT THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 58°16'08" WEST A DISTANCE OF 140.30 FEET; THENCE
- 2) NORTH 67°42'08" WEST A DISTANCE OF 234.20 FEET; THENCE
- 3) NORTH 76°51'08" WEST A DISTANCE OF 373.00 FEET; THENCE
- 4) NORTH 65°14'08" WEST A DISTANCE OF 329.00 FEET TO THE

**POINT OF BEGINNING.**

THE ABOVE DESCRIBED TRACT CONTAINS 22.32 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD OR EXISTING.

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 held 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 Liberty Farms Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

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 petition and zoning request 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 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.

The Petitioner has requested 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