

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 14 A-C

**DATE:** May 6, 2003

**FROM:** Bob Barkeen

### SUBJECT:

Items Relating to the Halcyon Second Annexation.

### RECOMMENDATION:

The Planning and Zoning Board recommends adoption of the Resolution and of the Ordinances on First Reading.

### EXECUTIVE SUMMARY:

- A. Resolution 2003-058 Setting Forth Findings of Fact and Determinations Regarding the Halcyon Second Annexation.
- B. First Reading of Ordinance No. 069, 2003, Annexing Property Known as the Halcyon Second Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 070, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Halcyon Second Annexation to the City of Fort Collins, Colorado.

The Halcyon Second Annexation is 17.32 acres in size, located east of College Avenue, south of Trilby Road, and north of Robert Benson Lake. The parcel is contiguous to existing city boundaries by the Halcyon Annexation. The recommended zoning is Low Density Mixed-Use Neighborhood (LMN).

### BACKGROUND:

This property is eligible for annexation according to the Colorado Annexation Act, which requires 1/6 contiguity to the existing city limits. The Halcyon Second Annexation complies with this standard since the property has 2,167 feet of its total boundary of approximately 4,481 feet is contiguous to the existing city limits. This meets the minimum 747 feet required to achieve 1/6 contiguity. This contiguity occurs through a common boundary with the property to the east and south of the parcel.

The property is located within the Fort Collins Growth Management Area (GMA). 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* (last amended November 2000), the City will pursue the annexation of land into the City of Fort Collins when such lands are eligible for annexation according to Colorado Revised Statutes.

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The property is currently zoned Farming (FA1) District in Larimer County. The City's adopted Structure Plan, a part of City Plan, designates the site as Low Density, Mixed-Use Residential.

The property is included within the City of Fort Collins Land Bank program. The City has purchased the property, and will reserve the land for a future affordable housing project.

The Planning and Zoning Board Hearing

The Planning and Zoning Board considered the Halcyon Second Annexation at its April 17, 2003 meeting. The Board recommended approval of the annexation and zoning to the City Council by a vote of 6-0. The item was considered on the consent agenda.

RESOLUTION 2003-058  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS  
REGARDING THE HALCYON SECOND ANNEXATION

WHEREAS, annexation proceedings were heretofore initiated by the Council of the City of Fort Collins for property to be known as the Halcyon 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 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 Halcyon 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 6th day of May, A.D. 2003.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 069, 2003  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ANNEXING PROPERTY KNOWN AS THE  
HALCYON SECOND ANNEXATION  
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2003-049, 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 TRACT OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO;

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AS BEARING NORTH 00° 02' 20" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 13; THENCE, S 89° 42' 58" E 50.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF SOUTH COLLEGE AVENUE, ALSO KNOWN AS U.S. HIGHWAY 287; THENCE, N 00° 10' 49" E 1564.48 FEET ALONG SAID EASTERLY RIGHT-OF-WAY OF SOUTH COLLEGE AVENUE; THENCE, S 83° 46' 11" E 1228.44 FEET; THENCE, S 00° 10' 49" W 303.85 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTINUING, S 00° 10' 49" W 104.55 FEET TO A POINT OF INTERSECTION WITH A NORTHERLY LINE OF THE HALCYON ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 72° 51' 11" E 367.20 FEET ON AND ALONG SAID NORTHERLY LINE; THENCE, S 69° 08' 11" E 161.12 FEET ON AND ALONG SAID NORTHERLY LINE; THENCE, S 74° 04' 41" E 326.74 FEET ON AND ALONG SAID NORTHERLY LINE; THENCE, N 86° 34' 49" E 558.20 FEET ON AND ALONG SAID NORTHERLY LINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE, N 00° 14' 41" W 754.33 FEET ON AND ALONG SAID EAST LINE OF THE NORTHWEST QUARTER, ALSO BEING AN EASTERLY LINE OF SAID

HALCYON ANNEXATION; THENCE, N 51° 02' 56" W 593.49 FEET; THENCE, N 84° 01' 41" W 24.50 FEET; THENCE, S 19° 45' 59" W 1031.09 FEET; THENCE, N 69° 08' 11" W 160.05 FEET THENCE, N 74° 04' 31" W 400.50 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTAINING 17.323 ACRES MORE OR LESS.

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Halcyon Second Annexation, which annexation shall become effective in accordance with the provisions contained in Section 31-12-113, C.R.S., including, without limitation, all required filings for recording with the Larimer County Clerk and Recorder.

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 6th day of May, A.D. 2003, and to be presented for final passage on the 20th day of May, A.D. 2003.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 20th day of May, A.D. 2003.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 070, 2003  
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 HALCYON 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 Halcyon Second Annexation to the City of Fort Collins, Colorado, in the Low Density Mixed Use Residential (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 TRACT OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO;

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AS BEARING NORTH 00° 02' 20" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 13; THENCE, S 89° 42' 58" E 50.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF SOUTH COLLEGE AVENUE, ALSO KNOWN AS U.S. HIGHWAY 287; THENCE, N 00° 10' 49" E 1564.48 FEET ALONG SAID EASTERLY RIGHT-OF-WAY OF SOUTH COLLEGE AVENUE; THENCE, S 83° 46' 11" E 1228.44 FEET; THENCE, S 00° 10' 49" W 303.85 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTINUING, S 00° 10' 49" W 104.55 FEET TO A POINT OF INTERSECTION WITH A NORTHERLY LINE OF THE HALCYON ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 72° 51' 11" E 367.20 FEET ON AND

ALONG SAID NORTHERLY LINE; THENCE, S 69° 08' 11" E 161.12 FEET ON AND ALONG SAID NORTHERLY LINE; THENCE, S 74° 04' 41" E 326.74 FEET ON AND ALONG SAID NORTHERLY LINE; THENCE, N 86° 34' 49" E 558.20 FEET ON AND ALONG SAID NORTHERLY LINE TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE, N 00° 14' 41" W 754.33 FEET ON AND ALONG SAID EAST LINE OF THE NORTHWEST QUARTER, ALSO BEING AN EASTERLY LINE OF SAID HALCYON ANNEXATION; THENCE, N 51° 02' 56" W 593.49 FEET; THENCE, N 84° 01' 41" W 24.50 FEET; THENCE, S 19 ° 45' 59" W 1031.09 FEET; THENCE, N 69° 08' 11" W 160.05 FEET THENCE, N 74 ° 04' 31" W 400.50 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTAINING 17.323 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 6th day of May, A.D. 2003, and to be presented for final passage on the 20th day of May, A.D. 2003.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 20th day of May, A.D. 2002.

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Mayor

ATTEST:

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City Clerk



6645 e heritage place so o englewood, co 80111  
303-721-9054 fax 303-721-0245

DATE: April 17, 2003  
TO: Ft. Collins Planning Commission Members  
FROM: Bill Veio, Manager  
SOLITAIRE INVESTMENTS FT. COLLINS, LLC  
RE: CONCENTRATING AFFORDABLE HOUSING IN THIS AREA OF THE CITY

I represent the ownership of the 33 acre and 19 acre parcels that are adjacent to the City property on the north border. Our property extends from College on the West to Trilby on the East. We have presented two proposed Affordable Housing development Site Plans for 33 acres to the City staff in 2001 and 2002 and one Concept Review meeting was held in December 2001. We have had further discussions in 2002 with the Planning Dept. staff about our intent to develop Affordable Housing of various types and densities on this land.

My purpose in speaking very briefly tonight is three-fold:

First, we are certainly in favor of the annexation of the 17-acres with the condition that it be used for Affordable Housing in the future.

Second, we are averse to any City Policy, either overt or covert, that restricts the amount, the location, or the concentration of Affordable Housing within the City limits of Ft. Collins.

Third, when the adjacent 52-acre property is presented for annexation into the City with a zoning request for a Site Plan that may contain Affordable Housing as a major component of the proposed neighborhood, it would be expected that this body would not cite NOR adopt a City Policy restricting the location or concentration of Affordable Housing in this OR any other area of the City.

City-owned, land-banked property such as this 17-acre parcel, purchased for future Affordable Housing should in NO WAY influence nor restrict private or non-profit developers from building Affordable Housing on their own land within this area OR any other area of the City.

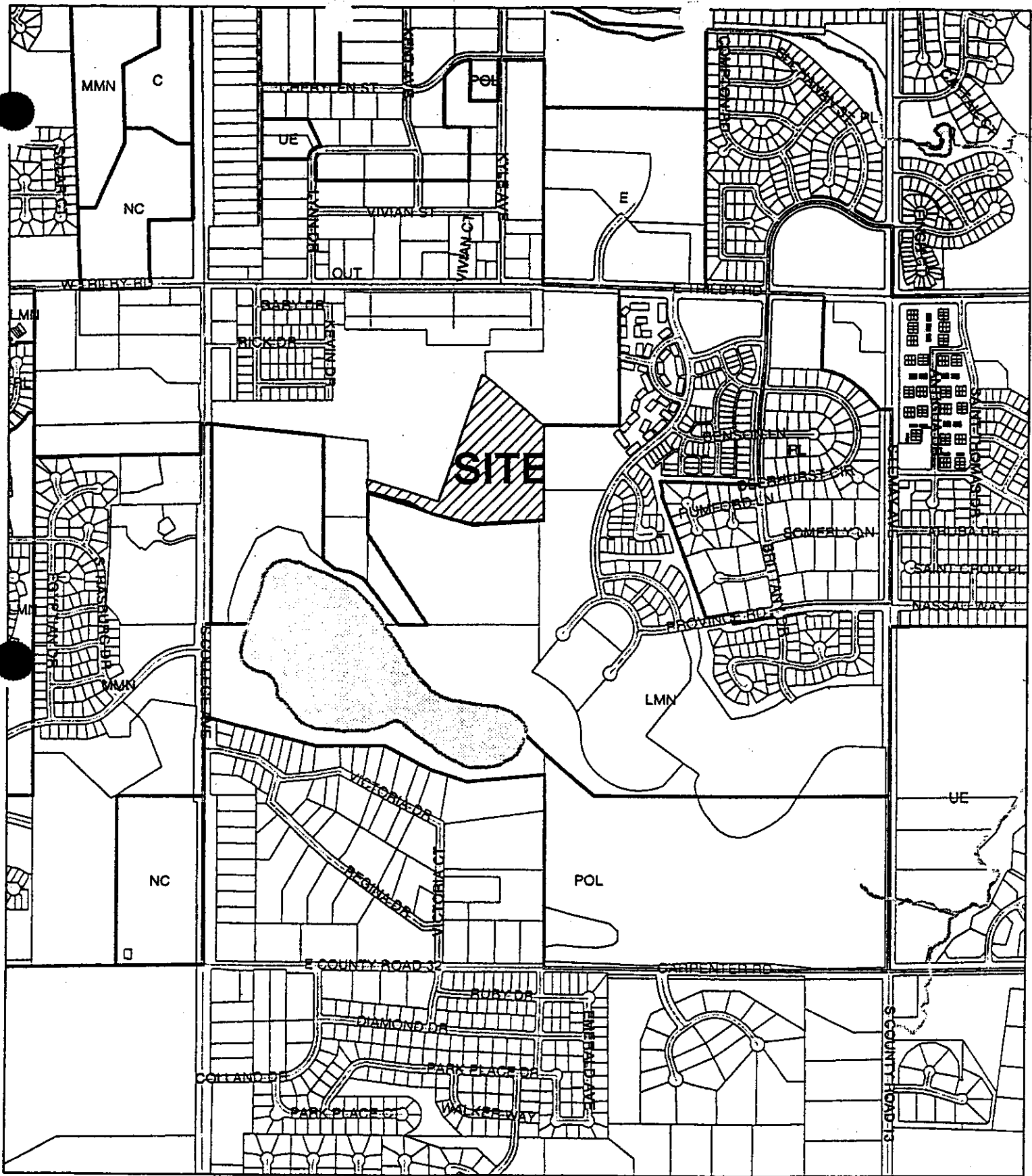
Land is expensive. The entitlement process is too lengthy and costly. The ever escalating cost of building and development, and the add-on fees and City charges, make the word "Affordable" is a misnomer. The truth is market-priced "Affordable Housing" today, is any new housing which is priced under \$200,000 in the City of Ft. Collins. As City Leaders you need to adopt more policies to encourage its development. The

innovative ideas for industry since 1972



landbank program is a great and daring step for this City. Other tools are also at your disposal which can foster more Affordable developments....reduction of City fees, fee waivers, cost-sharing of development infrastructure that benefits City residents OR reduces City costs and overhead. Today, building affordable housing needs to be seen as a partnership with the City. We are creating the homes for teenagers renting their first apartment, college students living off-campus, many school teachers, numerous public and private employees, folks looking to retire in a less expensive, but modern home, couples choosing the home and neighborhood to raise their family...and the lifestyles could go on. As a building industry working alone, we will never meet the demand for Affordable Housing. But if the City could chip in MORE, and expedite processing, provide cost-cutting incentives, and show more flexibility on density, and on building types for Affordable Homes in LMN and other Zones, the cooperation could insure our children and grandparents will be provided a broader selection of homes that they can afford.

*Rocky Mountain Research Institute*



# Halcyon Second Annexation

1/28/03



1 inch = 1000 feet