

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 16 A-C

**DATE:** May 6, 2003

**FROM:** Bob Barkeen

### SUBJECT:

Items Relating to the Willow Brook Annexation No. 3.

### RECOMMENDATION:

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

### EXECUTIVE SUMMARY:

- A. Resolution 2003-057 Setting Forth Findings of Fact and Determinations Regarding the Willow Brook Annexation No. 3.
- B. First Reading of Ordinance No. 072, 2003, Annexing Property Known as the Willow Brook Annexation No. 3 to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 073, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Willow Brook Annexation No. 3 to the City of Fort Collins, Colorado.

The Willow Brook Annexation No. 3 is 4.76 acres in size, located north of Kechter Road, west of Jupiter Road. The parcel is contiguous to existing City boundaries by the Willow Brook Annexation No. 2 and the Webster Farm 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 Willow Brook Annexation No. 3 complies with this standard since all of its total boundary of approximately 1,887 is contiguous to the existing city limits. This meets the minimum 315 feet required to achieve 1/6 contiguity. This contiguity occurs through a common boundary with the property to the north, east, west 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 2003-057  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS  
REGARDING THE WILLOW BROOK ANNEXATION NO. 3

WHEREAS, annexation proceedings were heretofore initiated by the Council of the City of Fort Collins for property to be known as the Willow Brook Annexation No. 3; 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 Annexation No. 3 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:

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City Clerk

ORDINANCE NO. 072, 2003  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ANNEXING PROPERTY KNOWN AS THE  
WILLOW BROOK ANNEXATION NO. 3  
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2003-050, 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 SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO;

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AS BEARING SOUTH 88° 27' 31" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE, N 01° 47' 31" W 30.05 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF KECHTER ROAD AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTINUING, N 01° 47' 31" W 594.63 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, ALSO BEING THE EASTERLY LINE OF THE WEBSTER FARM ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 88° 27' 31" E 349.25 FEET ALONG THE SOUTHERLY LINE OF THE WILLOW BROOK ANNEXATION NO. 2 TO THE CITY OF FORT COLLINS; THENCE S 01° 47' 31" E 594.63 FEET ALONG THE WESTERLY LINE OF SAID WILLOW BROOK ANNEXATION NO. 2 TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF SAID KECHTER ROAD; THENCE, N 88° 27' 31" W 349.25 FEET ON AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALSO BEING THE NORTHERLY LINE OF THE STALEY ANNEXATION TO THE CITY OF FORT COLLINS, TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AND

**THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTAINING  
4.760 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 Willow Brook Annexation No. 3, 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.

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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. 2003.

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Mayor

ATTEST:

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City Clerk

ORDINANCE NO. 073, 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 WILLOW BROOK ANNEXATION NO. 3 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 Annexation No. 3 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 SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO;

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AS BEARING SOUTH 88° 27' 31" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE, N 01° 47' 31" W 30.05 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF KECHTER ROAD AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTINUING, N 01° 47' 31" W 594.63 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, ALSO BEING THE EASTERLY LINE OF THE WEBSTER FARM ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 88° 27' 31" E

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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:

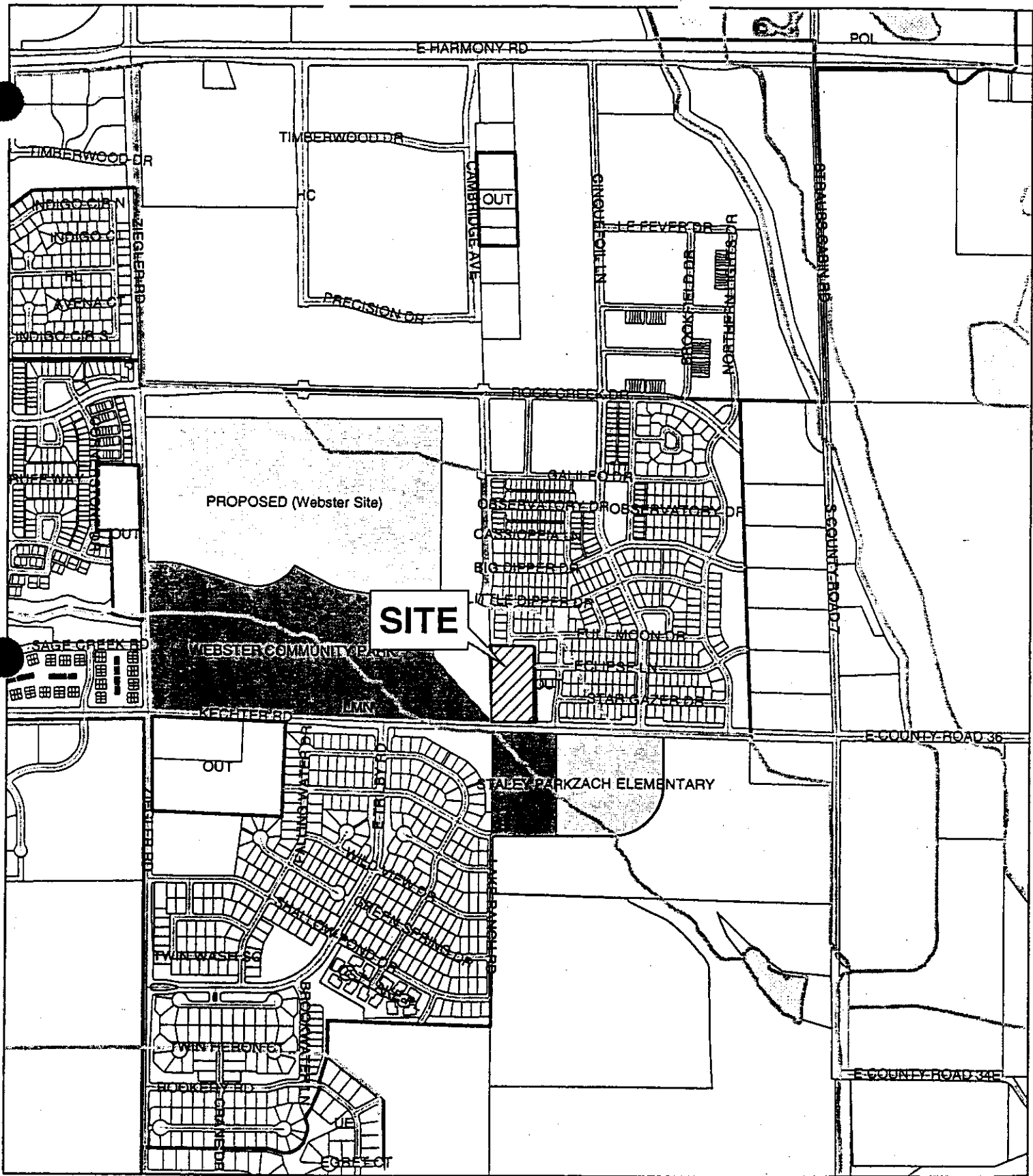
\_\_\_\_\_  
City Clerk

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



# Willow Brook Annexation No. 3

1/28/03



1 inch : 1000 feet