

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 9 A-B**

**DATE: March 4, 2008**

**STAFF: Steve Olt**

**SUBJECT**

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Items Relating to the Thorland No. 2 Annexation and Zoning.

**RECOMMENDATION**

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Staff recommends adoption of these Ordinances on Second Reading.

**EXECUTIVE SUMMARY**

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- A. Second Reading of Ordinance No. 018, 2008, Annexing Property Known as the Thorland No. 2 Annexation to the City of Fort Collins, Colorado.
- B. Second Reading of Ordinance No. 019, 2008, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Thorland No. 2 Annexation to the City of Fort Collins, Colorado.

These Ordinances, unanimously adopted on First Reading on February 19, 2008, annex and zone 5.18 acres located on the north side of Kechter Road approximately 800 feet east of South Timberline Road. It is the southerly portion of Lot 1 of the Blehm Subdivision in Larimer County. The other portion of Lot 1 of the Blehm Subdivision is adjacent to the north of the property. The property is partially developed (with one single-family residence and outbuildings) and is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate.

**ATTACHMENTS**

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- 1. Copy of First Reading Agenda Item Summary - February 19, 2008.  
(w/o original attachments)

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

ITEM NUMBER: 17 A-C

DATE: February 19, 2008

STAFF: Steve Olt

**COPY**

**SUBJECT**

Items pertaining to the Thorland No. 2 Annexation and Zoning.

**RECOMMENDATION**

Staff recommends adoption of the Resolution and the Ordinances on First Reading.

The Planning and Zoning Board voted 7 - 0 to recommend approval of the annexation; and, the Board voted 7 - 0 to recommend that the property be placed in the UE - Urban Estate Zoning District.

The Planning and Zoning Board voted 7 - 0 to recommend that this property be included in the Residential Neighborhood Sign District.

**COPY**

**EXECUTIVE SUMMARY**

- A. Resolution 2008-014 Setting Forth Findings of Fact and Determinations Regarding the Thorland No. 2 Annexation.
- B. Hearing and First Reading of Ordinance No. 018, 2008, Annexing Property Known as the Thorland No. 2 Annexation to the City of Fort Collins, Colorado.
- C. Hearing and First Reading of Ordinance No. 019, 2008, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Thorland No. 2 Annexation to the City of Fort Collins, Colorado.

This is a request to annex and zone 5.18 acres located on the north side of Kechter Road approximately 800 feet east of South Timberline Road. It is the southerly portion of Lot 1 of the Blehm Subdivision in Larimer County. The other portion of Lot 1 of the Blehm Subdivision is adjacent to the north of the property. The property is partially developed (with one single-family residence and outbuildings) and is in the A1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins Comprehensive Plan, the Larimer County and City of Fort Collins Intergovernmental Agreements, the City of Fort Collins Land Use Code, and the Fossil Creek Reservoir Area Plan. There are no issues or known controversies associated with this annexation.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map because the property is shown to already be outside of the Areas Not In The Sign District.

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APPLICANT: Miles and Jennifer Thorland  
4918 Bluestem Court  
Fort Collins, CO 80525

OWNER: Same As Applicant

**BACKGROUND**

The applicants and property owners, Miles and Jennifer Thorland, have submitted a written petition requesting annexation of 5.18 acres located on the north side of Kechter Road, approximately 800 feet east of South Timberline Road. It is the southerly portion of Lot 1 of the Blehm Subdivision in Larimer County. The other portion of Lot 1 of the Blehm Subdivision is adjacent to the north of the property. The property is partially developed (with one single-family residence and outbuildings) and is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate. The surrounding properties are currently zoned FA1 - Farming in Larimer County to the west, north, east, and south. This is a 100% voluntary annexation.

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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 a common boundary with the Thorland Annexation No. 1 (currently in the process) to the north.

The surrounding zoning and land uses are as follows:

- N: FA1 in Larimer County; undeveloped (Thorland Annexation No. 1, in process)
- E: FA1 in Larimer County; existing single-family residential
- S: FA1 in Larimer County; existing single-family residential
- W: FA1 in Larimer County; existing single-family residential

The requested zoning for this annexation is the UE - Urban Estate Zoning District. There are numerous uses permitted in this District subject to either administrative review or review by the Planning and Zoning Board. The City's adopted Structure Plan, a part of the Comprehensive Plan, suggests that Urban Estate Neighborhood is appropriate in this location.

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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 that may be particularly affected by such signs because of their predominantly residential use and character. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map because the property is shown to already be outside of Areas Not In The Sign District.

**Findings**

1. The annexation of this area is consistent with the policies and agreements between Larimer County and the City of Fort Collins contained in the *Intergovernmental Agreement for the Fort Collins Urban Growth Area*.
2. The area meets the eligibility requirements included in State law to qualify for a voluntary annexation to the City.
3. On January 15, 2008, the City Council adopted Resolution 2008-002 that accepted the annexation petition and determined that the petition was in compliance with State law. The Resolution also initiated the annexation process for the property by establishing the date, time and place when a public hearing would be held regarding the readings of the Ordinances annexing and zoning the area.
4. The requested UE – Urban Estate Zoning District is in conformance with the policies of the City's Comprehensive Plan.

**STAFF RECOMMENDATION**

Staff recommends approval of the annexation and requested zoning of UE - Urban Estate.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

**PLANNING AND ZONING BOARD RECOMMENDATION**

The Planning and Zoning Board, at its regular monthly meeting of January 17, 2008, voted 7 - 0 to recommend approval of the annexation. The Board voted 7 - 0 to recommend that the property be placed in the UE - Urban Estate Zoning District.

The Planning and Zoning Board voted 7 - 0 to recommend that this property be included in the Residential Neighborhood Sign District.

**ATTACHMENTS**

1. Vicinity map.
2. Proposed zoning.
3. Structure Plan
4. Statement of Principles and Policies and Consistency
5. Statement of Necessity and Desirability of Annexation
6. Minutes from the January 17, 2008 Planning and Zoning Board meeting (draft).

ORDINANCE NO. 018, 2008  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ANNEXING PROPERTY KNOWN AS THE  
THORLAND NO. 2 ANNEXATION  
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2008-002, 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 portion of Lot 1, Blehm Subdivision, located in the southwest  $\frac{1}{4}$  of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado, more particularly described as follows:

Basis of bearing: The south line of the southwest  $\frac{1}{4}$  of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado, is assumed to bear N89°32'56"E, with all bearings contained herein relative thereto.

Commencing at the southwest corner of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado;

Thence N89°32'56"E on the south line of the southwest  $\frac{1}{4}$ , of said section 5, a distance of 696.96 feet;

To a point on the west line of lot 1, Blehm Subdivision and the point of beginning;

Thence N00°10'00"W, on said west line, a distance of 862.98 feet;

Thence N90°00'00"E, a distance of 110.66 feet;

Thence N00°00'00"E, a distance of 232.07 feet;

Thence N90°00'00"E, a distance of 111.35 feet to the east line of the aforesaid lot 1;

Thence S00°15'17"E, on said east line, a distance of 1123.29 feet to the south right-of-way line of Kechter Road;

Thence S89°32'56"W, on said south right-of-way line, a distance of 224.41 feet;

Thence N00°10'00"W, a distance of 30.01 feet to the point of beginning.

Containing a calculated area of 5.18 acres.

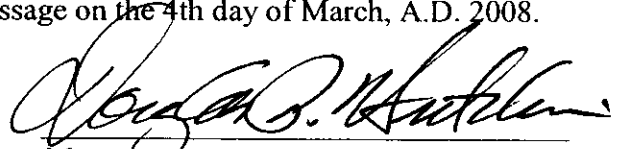
is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Thorland No. 2 Annexation, which annexation shall become effective in accordance with the

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.

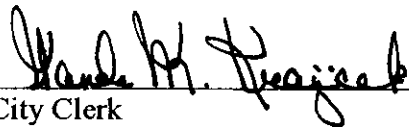
Section 2. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided 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 19th day of February, A.D. 2008, and to be presented for final passage on the 4th day of March, A.D. 2008.

  
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Mayor

ATTEST:

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

Passed and adopted on final reading on the 4th day of March, A.D. 2008.

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Mayor

ATTEST:

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City Clerk

ORDINANCE NO. 019, 2008  
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 THORLAND NO. 2 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 2.9 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 is hereby changed and amended by including the property known as the Thorland No. 2 Annexation to the City of Fort Collins, Colorado, in the Urban Estate ("UE") Zone District, which property is more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A portion of Lot 1, Blehm Subdivision, located in the southwest  $\frac{1}{4}$  of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado, more particularly described as follows:

Basis of bearing: The south line of the southwest  $\frac{1}{4}$  of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado, is assumed to bear N89°32'56"E, with all bearings contained herein relative thereto.

Commencing at the southwest corner of section 5, township 6 north, range 68 west of the 6<sup>th</sup> PM, County of Larimer, State of Colorado;

Thence N89°32'56"E on the south line of the southwest  $\frac{1}{4}$ , of said section 5, a distance of 696.96 feet;

To a point on the west line of lot 1, Blehm Subdivision and the point of beginning;

Thence N00°10'00"W, on said west line, a distance of 862.98 feet;

Thence N90°00'00"E, a distance of 110.66 feet;

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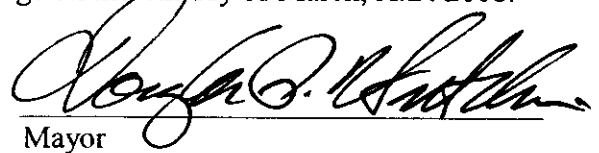
Thence S00°15'17"E, on said east line, a distance of 1123.29 feet to the south right-of-way line of Kechter Road;  
Thence S89°32'56"W, on said south right-of-way line, a distance of 224.41 feet;  
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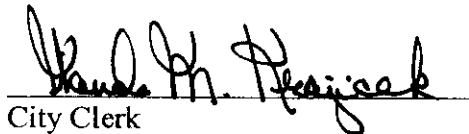
Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

Section 3. That the City Manager 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 19th day of February, A.D. 2008, and to be presented for final passage on the 4th day of March, A.D. 2008.

  
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Mayor

ATTEST:

  
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City Clerk

Passed and adopted on final reading on the 4th day of March, A.D. 2008.

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Mayor

ATTEST:

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City Clerk