

AGENDA ITEM SUMMARY

March 7, 2017

City Council

STAFF

Kai Kleer, Planning Technician
Ted Shepard, Chief Planner

SUBJECT

Second Reading of Ordinance No. 030, 2017, Annexing Property Known as the Mail Creek Crossing Second Annexation to the City of Fort Collins, Colorado.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on February 21, 2017, annexes 43.698 acres, consisting of 11 parcels located in the southeast quadrant into the City of Fort Collins. The initiating resolution was adopted on January 17, 2017. The subject properties are located on the eastern edge of South Timberline Road and bisected by Kechter Road. A related item to zone the annexed properties is presented as the next item on this Agenda.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, February 21, 2017 (w/o attachments) (PDF)
2. Vicinity Map(PDF)
3. Ordinance No. 030, 2017 (PDF)

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SUBJECT

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EXECUTIVE SUMMARY

The purpose of this item is to is to annex 43.698 acres, consisting of 11 parcels located in the southeast quadrant into the City of Fort Collins. The initiating resolution was adopted on January 17, 2017. The subject properties are located on the eastern edge of South Timberline Road and bisected by Kechter Road. A related item to zone the annexed properties is presented as the next item on this Agenda.

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, and the Larimer County and City of Fort Collins Intergovernmental Agreements.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Enclave

The Mail Creek Crossing Second property is an 11-parcel annexation that was enclaved upon the annexation of the Mail Creek Crossing Annexation on January 17, 2014. The remaining surrounding incorporated land consists of seven previous annexations.

1. South Harmony Annexation, 1986
2. Willow Springs Annexation, 1994
3. Liebl Annexation, 2004
4. Thorland Annexation No. 1, 2008
5. Thorland Annexation No. 2, 2008
6. Kechter Annexation No. 3, 2012
7. Kechter Crossing Annexation. 2012

Below is a list of the 11 parcels contained within the enclaved area.

Property Owner(s)	Property Address	Acres
Eklund, Allen, Lisa	5318 S Timberline Road	3.01
Reynolds, Jeffrey C., Catherina N.	5332 S Timberline Road	2.29
Fischer, Shelly Ann	5408 S Timberline Road	2.29
HPA Borrower 2016-2 LLC	5416 S Timberline Road	2.26

Metcalfe, Charlotte M., Olson Erik	5428 S Timberline Road	3.00
Cook, Helen L.	2124 Kechter Road	1.53
Behrendt, Judith A	2200 Kechter Road	2.46
Delgrande, Kenneth J. Delgrande, Stephanie A.	2205 Kechter Road	9.26
Delgrande, Kenneth J.	2217 Kechter Road	5.94
Pulse, Eugene B., Eileen D.	5708 S Timberline Road	8.03
Klammer, Troy L., Tracey L.	5716 S Timberline Road	2.30
Total		42.37

Fossil Creek Reservoir Area Plan

The enclaved portion south of Kechter Road is located in the receiving area of the County’s 1999 Transfer of Density Units (TDU) program. The program is a land management strategy that established “receiving” and “sending” areas in the Fossil Creek Reservoir, planning area. The TDU Program allowed developers to purchase density credits from strategic sending areas and encourage reduced density within the Fort Collins-Loveland Community Separator area and important natural resource lands surrounding the Fossil Creek Reservoir area. Presently, the TDU Receiving Area is mostly built out, with only a few small parcels remaining, including Homestead Estates, which is an existing platted subdivision. Because of this, the City of Fort Collins has formally requested the conclusion of this program for the affected parcels (**Attachment 5**) and is waiting for future response from Larimer County.

Due to its location, staff recommends placement into the Residential Neighborhood Sign District.

CITY FINANCIAL IMPACTS

There are no direct financial impacts as a result of the proposed annexation.

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board will conduct a public hearing on the annexation and zoning request on February 16, 2017. The Board’s recommendation will be provided in the Read-Before packet on February 21, 2017.

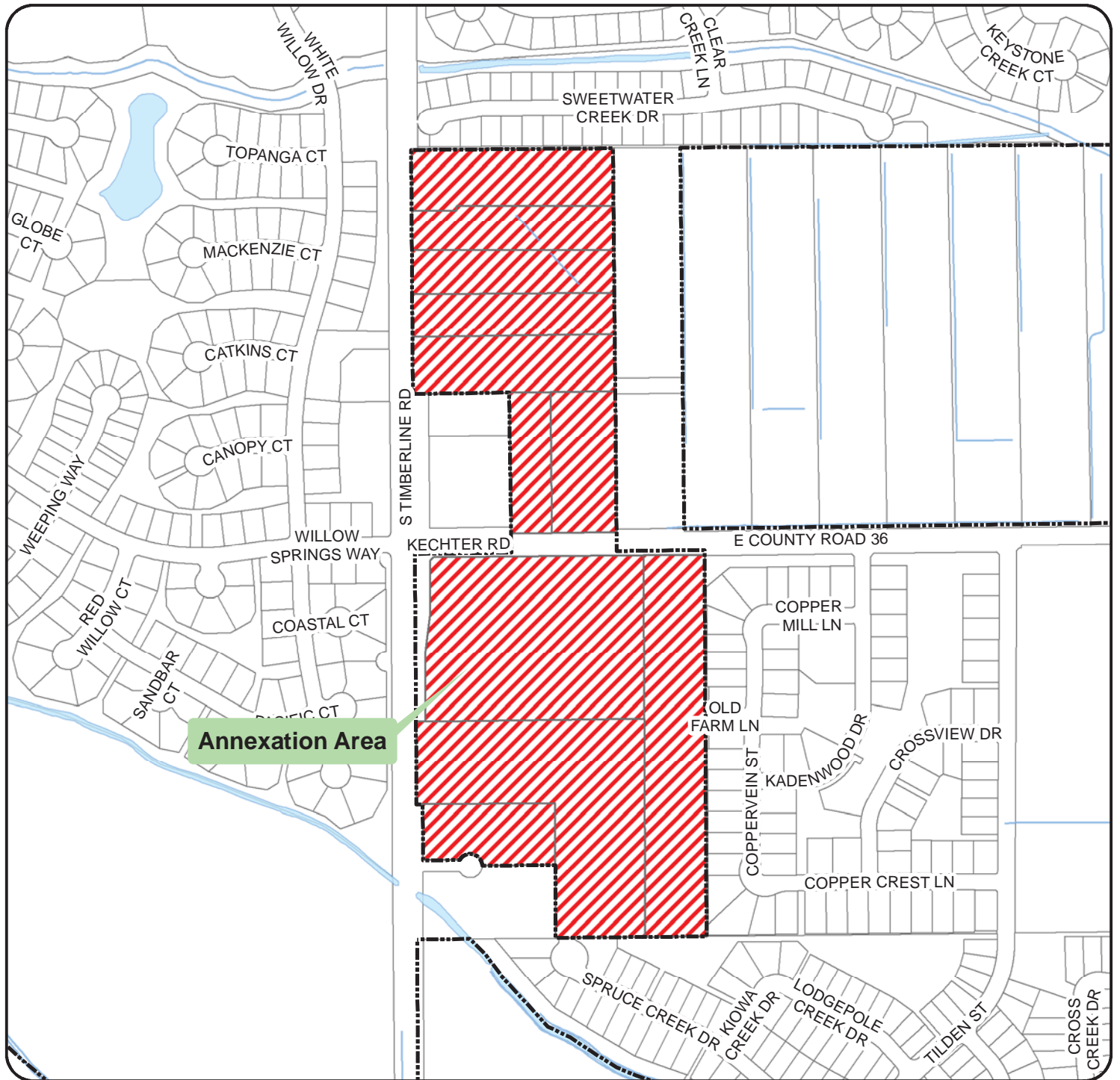
PUBLIC OUTREACH

An outreach process is not required by the Colorado Revised Statutes or the City of Fort Collins Land Use Code. However, on November 15, 2016, City staff held a stakeholder meeting to answer questions and inform residents of any changes that may result from being annexed into the City. Representatives from the Planning and Light and Power departments were present to explain any potential difference in electrical rates, services, zoning and various issues related to future public improvements associated with land development. **Attachment 3** is a summary of the questions and answers provided to residents who attended the meeting.

ATTACHMENTS

1. Vicinity Map(PDF)
2. Zoning Map(PDF)
3. Neighborhood Meeting Notes (PDF)
4. Structure Plan Map (PDF)

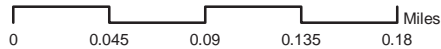
Mail Creek Crossing Second Vicinity



Annexation Area






Scale 1 inch equals 475 feet



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Legend

-  City Limits
-  Water
-  Mail Creek Crossing Second

ORDINANCE NO. 030, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
MAIL CREEK CROSSING SECOND ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2017-007 stating the intent of the City to annex and initiating annexation proceedings for the Mail Creek Crossing Second Annexation, as defined therein and described below, has heretofore been adopted by the City Council; and

WHEREAS, the City Council hereby finds that the area proposed to be annexed has been entirely contained within the boundaries of the City for a period of not less than three years prior to this date and complies with all requirements for enclave annexation set forth in Colorado Revised Statutes Section 31-12-106; and

WHEREAS, the City Council hereby finds and determines 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 City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the following described property, to wit:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5 AND THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 8, AND CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 TO BEAR S00°00'47"E, SAID LINE BEING MONUMENTED ON ITS NORTH END BY A 2-1/2" ALUMINUM CAP STAMPED LS 17497, AND ON ITS SOUTH END BY A 3-1/4" ALUMINUM CAP STAMPED LS 34995, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF THE WILLOW SPRINGS ANNEXATION TO THE CITY OF FORT COLLINS (ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5), N00°12'29"W, A DISTANCE OF 1,308.79 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTH HARMONY ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID SOUTH LINE, N89°50'37"E, A DISTANCE OF 696.69 FEET TO THE NORTHWEST CORNER OF THORLAND ANNEXATION NO. 1 TO THE CITY OF FORT COLLINS; THENCE ALONG THE WEST LINES OF THORLAND ANNEXATION NO. 1 AND

THORLAND ANNEXATION NO. 2, S00°13'11 "E, A DISTANCE OF 1,334.56 FEET TO THE SOUTHWEST CORNER OF SAID THORLAND ANNEXATION NO. 2;
THENCE ALONG THE SOUTH LINES THORLAND ANNEXATION NO. 2 AND KECHTER ANNEXATION NO. 3, N89°29'46"E, A DISTANCE OF 291.72 FEET;
THENCE ALONG THE WEST LINES OF KECHTER ANNEXATION NO. 3 AND THE KECHTER CROSSING ANNEXATION, S00°02'21"E, A DISTANCE OF 1,280.47 FEET TO A POINT ON THE NORTH LINE OF THE MAIL CREEK CROSSING ANNEXATION;
THENCE ALONG SAID NORTH LINE, S89°38'35"W, A DISTANCE OF 501.01 FEET TO THE SOUTHEAST CORNER OF THE LIEBL ANNEXATION;
THENCE ALONG THE EAST AND NORTH BOUNDARIES OF SAID LIEBL ANNEXATION THE FOLLOWING EIGHT (8) COURSES:
1) N00°00'47"W, A DISTANCE OF 240.81 FEET; 2) S89°40'43"W, A DISTANCE OF 242.34 FEET;
3) 104.72 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 150°00'00", AND A CHORD WHICH BEARS N75°19'17"W A DISTANCE OF 77.27 FEET;
4) S89°40'43"W, A DISTANCE OF 121.25 FEET; 5) N00°00'47"W, A DISTANCE OF 185.16 FEET;
6) S89°40'43"W, A DISTANCE OF 20.00 FEET; 7) S00°00'47"E, A DISTANCE OF 278.90 FEET;
8) S89°40'43"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE WILLOW SPRINGS ANNEXATION TO THE CITY OF FORT COLLINS (ALSO BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8);
THENCE ALONG THE EAST LINE OF SAID WILLOW SPRINGS ANNEXATION, N00°00'47"W, A DISTANCE OF 1,140.57 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

ALL OF THAT TRACT OF LAND DESCRIBED IN THE KINGDOM HALL ANNEXATION TO THE CITY OF FORT COLLINS; ALSO BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 8;
THENCE S45°21'22"E, A DISTANCE OF 42.32 FEET TO THE POINT OF BEGINNING;

THENCE N00°12'29"W, A DISTANCE OF 530.00 FEET; THENCE N89°29'46"E, A DISTANCE OF 318.48 FEET;

THENCE S00°10'32"E, A DISTANCE OF 530.00 FEET;
THENCE S89°29'46"W, A DISTANCE OF 318.18 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 1,903,475 SQUARE FEET (43.698 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 Mail Creek Crossing Second Annexation.

Section 3. 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 4. 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 21st day of February, A.D. 2017, and to be presented for final passage on the 7th day of March, A.D. 2017.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 7th day of March, A.D. 2017.

Mayor

ATTEST:

City Clerk