

AGENDA ITEM SUMMARY

September 5, 2017

City Council

STAFF

Pete Wray, Senior City Planner
Brad Yatabe, Legal

SUBJECT

Second Reading of Ordinance No. 111, 2017, Annexing the Property Known as the Interstate Land Holdings Annexation to the City of Fort Collins, Colorado.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on August 15, 2017, annexes an area of approximately 12.139 acres in southeast Fort Collins. The property is situated on the northwest corner of the I-25 and Carpenter Road intersection.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, August 15, 2017 (PDF)
2. Ordinance No. 111, 2017 (PDF)

AGENDA ITEM SUMMARY

August 15, 2017

City Council

STAFF

Pete Wray, Senior City Planner
Brad Yatabe, Legal

SUBJECT

Items Relating to the Interstate Land Holdings Annexation to the City of Fort Collins.

EXECUTIVE SUMMARY

- A. Resolution 2017-076 Setting Forth Findings of Fact and Determinations Regarding the Interstate Land Holdings Annexation.
- B. First Reading of Ordinance No. 111, 2017, Annexing the Property Known as the Interstate Land Holdings Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex an area of approximately 12.139 acres in southeast Fort Collins. The property is situated on the northwest corner of the I-25 and Carpenter Road intersection. The Initiating Resolution was adopted on consent, July 5, 2017.

STAFF RECOMMENDATION

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

BACKGROUND / DISCUSSION

The Interstate Land Holdings Annexation includes two parcels, a parcel owned by Interstate Land Holdings, LLC, a parcel owned by the City of Fort Collins, and right-of-way owned by the Colorado Department of Transportation (CDOT). A portion of the CDOT frontage road in between the properties, as well as the portion of State Highway 392 to the south, is included in the annexation to provide a continuity of service for the City of Fort Collins.

The requested zoning for this annexation includes the General Commercial (CG) District for the Interstate Land Holdings property and CDOT right-of-way, and the Public Open Lands (POL) District for the City-owned parcel. The requested zoning is consistent with the City of Fort Collins *Structure Plan* and the *Fossil Creek Reservoir Area Plan Maps*.

The properties are bordered on the west by Fossil Creek Regional Open Space and Swede Lake, Interstate 25 to the east, Carpenter Road to the south, and commercial properties to the north. The I-25 Frontage Road divides the properties. The property is currently zoned T-Tourist in Larimer County.

The Interstate Land Holdings Annexation does not create an enclave. This is a 100% voluntary annexation for a property located within the Growth Management Area (GMA). According to policies and agreements contained in the *Larimer County and City of Fort Collins Intergovernmental Agreements*, the City will agree to consider annexation of property in the Growth Management Area when the property is eligible for annexation according to State law.

The Interstate Land Holdings Annexation gains the required 1/6 contiguity to existing city limits from a common boundary with the Fossil Creek Reservoir and the Fossil Creek Reservoir Open Space Annexation (Ordinance No. 054, 2008) and the Fossil Creek 392 Annexation (Ordinance No.139, 2009). The minimum contiguous boundary is 807.09 feet, based the total perimeter boundary of 4847.41 feet. The proposed annexation includes a contiguous boundary of 1042.18 feet, thus satisfying the requirement that no less than one-sixth of the perimeter boundary be contiguous to the existing city boundary.

CITY FINANCIAL IMPACTS

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

BOARD / COMMISSION RECOMMENDATION

This item was on the consent agenda and unanimously passed by the Planning and Zoning Board on July 20, 2017.

PUBLIC OUTREACH

An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. The proposed annexation does not include a development application, and a neighborhood meeting was not held.

ATTACHMENTS

1. Vicinity Map(PDF)
2. Structure Plan Map (PDF)
3. Zoning Map(PDF)

ORDINANCE NO. 111, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING THE PROPERTY KNOWN AS THE
INTERSTATE LAND HOLDINGS ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2017-059, finding substantial compliance and initiating annexation proceedings for the Interstate Land Holdings Annexation, as defined therein and described below, was previously adopted by the City Council; and

WHEREAS, Resolution 2017-076 setting forth findings of fact and determinations regarding the Interstate Land Holdings Annexation is being adopted concurrently with the first reading of this Ordinance; and

WHEREAS, the City Council has determined that it is in the best interests of the City to annex the property to be known as the Interstate Land Holdings Annexation (the "Property") 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 City Council hereby incorporates the findings of Resolution 2017-059 and Resolution 2017-076 and further finds that it is in the best interests of the City to annex the Property to the City.

Section 3. That the Property more particularly described as:

A tract of land located in the Southwest Quarter of Section 15 and the Northwest Quarter of Section 22, Township 6 North, Range 68 West of the 6th P.M., County of Larimer, State of Colorado, and being more particularly described as follows:

Considering the South line of the Southwest Quarter of said Section 15 as bearing North 89°41'04" East and with all bearings contained herein relative thereto:

Commencing at the Southwest corner of said Section 15; thence along said South line of the Southwest Quarter, North 89°41'04" East, 1274.77 feet to the **POINT OF BEGINNING**; thence continuing along said South line, North 89°41'04" East, 50.73 feet; thence departing said line, North 00°22'04" East, 60.14 feet to the Southwest corner of Lot 3, Interstate Land Holdings Minor Land Division, File No. 12-S3124; thence along the West line of said Lot 3 the following four (4) courses and distances, North 00°22'04" East, 215.86 feet; thence, North 61°20'04" East, 175.91 feet; thence, South 89°57'15" East, 69.25 feet; thence, South 00°02'43" West, 260.43 feet to a point on the Westerly line of that tract of land recorded at Reception No. 20110022909 Larimer county Clerk

and Recorder; thence along said line the following twelve (12) courses and distances, North 51°22'34" East, 172.07 feet; thence, North 02°32'12" East, 59.46 feet; thence along a curve concave to the Southeast having a central angle of 56°26'03", an arc length of 369.36 feet with a radius of 375.00 feet, and the chord of which bears North 30°45'13" East, 354.61 feet; thence, North 58°58'13" East, 393.41 feet; thence along a curve concave to the Northwest having a central angle of 41°07'03", an arc length of 107.65 feet with a radius of 150.00 feet, and the chord of which bears North 38°24'43" East, 105.35 feet; thence, North 17°51'13" East, 66.70 feet; thence South 72°08'47" East, 24.97 feet; thence, North 17°51'25" East, 203.42 feet; thence, North 06°32'54" East, 216.12 feet; thence, South 83°27'06" East, 55.00 feet; thence, South 04°33'24" West, 216.25 feet; thence, South 13°20'35" West, 514.74 feet to the Northeast corner of Lot 2, Interstate Land Holdings Minor Land Division, File No. 12-S3124 ; thence along the easterly line of said Lot 2 the following three (3) courses and distances: South 08°25'22" West, 337.31 feet; thence, South 44°41'59" West, 118.86 feet; thence, South 83°50'53" West, 113.23 feet; thence departing said line, South 17°48'58" West, 13.05 feet; thence, South 33°15'59" West, 90.10 feet; thence, South 00°52'47" East, 156.17 feet to the North line of that tract of land recorded in Reception No.20110064864 Larimer County Records; thence along said line and along the North line of that tract of land recorded in Reception No. 20090035759, South 89°33'34" West, 450.02 feet; thence, North 81°20'56" West. 303.80 feet; thence, North 00°20'00" East, 33.42 feet to the Point of Beginning.

The above described tracts of land contain 530,958 square feet or 12.189 acres, more or less and is subject to all easements and rights-of-way now on record or existing

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Interstate Land Holdings Annexation, which annexation shall become effective upon completion of the conditions 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 4. That, in annexing the 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 ordinances of the City.

Section 5. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of the Property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 15th day of August, A.D. 2017, and to be presented for final passage on the 5th day of September, A.D. 2017.

Mayor

ATTEST:

Interim City Clerk

Passed and adopted on final reading on the 5th day of September, A.D. 2017.

Mayor

ATTEST:

Chief Deputy City Clerk