

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16

DATE: January 6, 2004

STAFF: Troy Jones

SUBJECT

Resolution 2004-001 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Annexation Proceedings for Such Property to be Known as the Homestead Annexation.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

The Homestead Annexation consists of approximately 25.151 acres of publicly and privately owned property. This annexation includes a 1271 foot long portion of the Ziegler Road right-of-way, and the adjacent street rights-of-way along Cornerstone Drive and Hearthstone Drive. The recommended zoning is the **UE – Urban Estate** zone district. The property is located within the Fossil Creek Reservoir Area Plan.

BACKGROUND

The annexation application complies with the applicable Colorado Revised Statutes, the Intergovernmental Agreement between Fort Collins and Larimer County, and the applicable criterion in the Fort Collins Land Use Code. The property is in the FA-1 Farming District in Larimer County. The recommended zoning is UE – Urban Estate. This is a 100% voluntary annexation.

This property is eligible for annexation according to the Colorado Annexation Act which requires 1/6 contiguity to the existing city limits. This annexation application complies with this standard since the property has 1786.15 lineal feet of its total boundary of approximately 4528.11 lineal feet contiguous to the existing City limits. This exceeds the minimum 754.68 lineal feet required to achieve 1/6 contiguity. This contiguity occurs through a common boundary with the Fossil Lake Annexation No. 2 (March 2002), and H.H. – 36 Annexation (December 1998).

The property is located within the Fort Collins Urban Growth Management Area (UGMA) and in the Fossil Creek Reservoir Planning Area. The Fossil Creek Reservoir Area Plan (jointly adopted by the City and County) specifies that development applications for lands within the Fossil Lake Reservoir Planning Area that are south of Kechter Road and East of Timberline Road will be processed by the County in accordance with Larimer County Development Standards for the Fossil Creek Reservoir Area in the Fort Collins Growth Management Area, and that the City will not annex

the land until such development applications have obtained final plat approval and the transaction of certain transferred development units (TDUs) has taken place. This property has in fact obtained said final plat approval with the county under this process.

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 which may be particularly affected by such signs because of their predominantly residential use and character. A map amendment would be necessary to place this property on the Residential Neighborhood Sign District Map.

THE PLANNING AND ZONING BOARD HEARING

The Planning and Zoning Board will be make a recommendation on this application on January 15, 2004 at its regularly scheduled meeting. First Reading of the ordinances annexing and zoning the Homestead Annexation is scheduled for February 17, 2004 with Second Reading scheduled for March 3, 2004.

RESOLUTION 2004-001
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
HOMESTEAD ANNEXATION

WHEREAS, a written petition, together with four (4) prints of an annexation map, was heretofore filed with the City Clerk requesting the annexation of certain property to be known as the Homestead Annexation; and

WHEREAS, the Council of the City of Fort Collins desires to initiate annexation proceedings in accordance with law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Council hereby accepts the annexation petition for the Homestead Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

Parcel of land Located in the Northeast Quarter (NE1/4) of Section Eight (8), Township Six North (T.6N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:
Commencing at the North Sixteenth (N1/16) Corner common to Section Nine (9) and said Section 8 and assuming the East line of the Northeast Quarter of said NE1/4 (NE1/4-NE1/4) as bearing South 00°00'00" East a distance of 1321.91 feet with all other bearings contained herein relative thereto:

THENCE South 89°22'21" West long the South line of said NE1/4-NE1/4 a distance of 30.00 feet to the West line of Fossil Lake Annexation No. 2, said point being the POINT OF BEGINNING;

THENCE continuing South 89°22'21" West along said South line a distance of 926.86 feet;
THENCE North 00°46'37" West a distance of 193.75 feet to a point on a curve, said curve being non-tangent to aforesaid line;

THENCE along the Arc of a Curve which is concave to the North a distance of 131.30 feet, whose Radius is 50.00 feet, whose Delta is 150°27'17" and whose Long Chord bears North 39°08'04" West a distance of 96.69 feet to a Point of Reverse Curvature (PRC);

THENCE along the Arc of a Curve which is concave to the Northwest a distance of 32.18 feet, whose Radius is 50.00 feet, whose Delta is 36°52'12" and whose Long Chord bears North 17°39'29" East a distance of 31.62 feet to a Point of Tangency (PT);

THENCE North 00°46'37" West a distance of 223.46 feet to a Point of Curvature (PC);

THENCE along the Arc of a Curve which is concave to the West a distance of 261.83 feet, whose Radius is 319.98 feet, whose Delta is 46°53'03" and whose Long Chord bears North 24°12'55" West a distance of 254.59 feet to a Point of Compound Curvature (PCC);

THENCE along the Arc of a Curve which is concave to the Southwest a distance of 38.70 feet, whose Radius is 749.38 feet, whose Delta is 02°57'32" and whose Long Chord bears North 49°08'22" West a distance of 38.69 feet;

THENCE North 39°22'52" East along a line being non-tangent to aforesaid curve a distance of 60.00 feet to a point on a curve, said curve being non-tangent to aforesaid line;
THENCE along the Arc of a Curve which is concave to the North a distance of 21.21 feet, whose Radius is 15.00 feet, whose Delta is 80°39'37" and whose Long Chord bears North 89°03'03" East a distance of 19.42 feet to a PRC;
THENCE along the Arc of a Curve which is concave to the South a distance of 268.62 feet, whose Radius is 380.00 feet, whose Delta is 40°30'07" and whose Long Chord bears North 68°58'19" East a distance of 263.06 feet to a PT;
THENCE North 89°13'23" East a distance of 100.00 feet to a PC;
THENCE along the Arc of a Curve which is concave to the Northwest a distance of 345.58 feet, whose Radius is 220.00 feet, whose Delta is 90°00'00" and whose Long Chord bears North 44°13'23" East a distance of 311.13 feet to a PT;
THENCE North 00°46'37" West a distance of 115.00 feet to a PC;
THENCE along the Arc of a Curve which is concave to the Southwest a distance of 23.56 feet, whose Radius is 15.00 feet, whose Delta is 90°00'00" and whose Long Chord bears North 45°46'37" West a distance of 21.21 feet to a point on the South line of H.H.-36 Annexation;
THENCE North 89°13'23" East along said South line a distance of 514.32 feet, said line being non-tangent to aforesaid curve to said West line of said Fossil Lake Annexation No. 2;
THENCE South 00°00'10" East along said West line a distance of 1271.83 feet to the POINT OF BEGINNING.

Said parcel contains 25.151 acres more or less (\pm).

Section 2. That the Council hereby finds and determines that the annexation petition and accompanying map are in substantial compliance with the Municipal Annexation Act.

Section 3. That the Notice attached hereto is hereby adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 6th day of January, A.D. 2004.

Mayor

ATTEST:

City Clerk

NOTICE

TO ALL PERSONS INTERESTED:

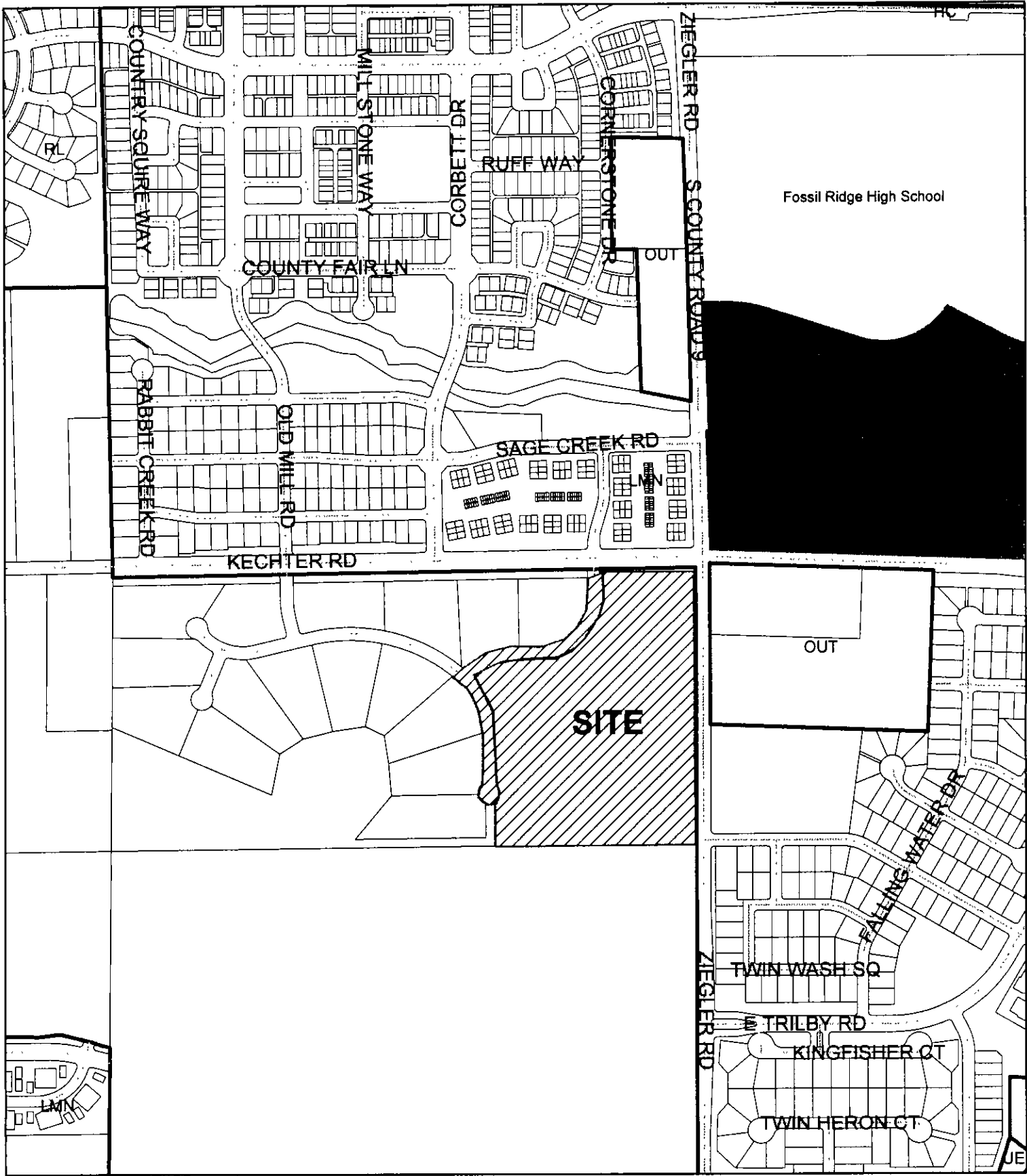
PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted a Resolution initiating annexation proceedings for the Homestead Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

That, on February 17, 2004, at the hour of 6:00 p.m., or as soon thereafter as the matter may come on for hearing in the Council Chambers in the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado, the Fort Collins City Council will hold a public hearing upon the annexation petition for the purpose of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation. At such hearing, any persons may appear and present such evidence as they may desire.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Dated this 11th day of January, A.D. 2004.

City Clerk



**#32-03 Homestead
Annexation & Zoning
Type II (LUC)**

9/9/03

1 inch : 600 feet

