

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 25

DATE: February 3, 2004

STAFF: Bob Barkeen

SUBJECT

Resolution 2004-013 Finding Substantial Compliance and Initiating Annexation Proceedings for the Trailhead Annexation.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

The Trailhead Annexation is an annexation, zoning and structure plan amendment for 91.25 acres of land located north of East Vine Drive, west of the Waterglen Subdivision. The parcel is contiguous to existing City boundaries by the Buderus Second Addition and the Vine Business Park Annexation. The requested zoning is Low Density Mixed-Use Neighborhood. (LMN).

The proposed resolution states it is the City's intent to annex this property and directs that the notice required by State Statutes be given of the Council's hearing to consider the annexation ordinance. The public hearing for the annexation ordinance must occur no less than 30 days and no greater than 60 days from adoption of the resolution finding compliance with State Statutes. This resolution will schedule the public hearing and first reading of the annexation ordinance on March 16, 2004.

This Resolution was previously considered by Council at its December 16, 2003 meeting. However, the applicant has requested the delay of the annexation, which has delayed the previously scheduled first reading date. Thus, this Resolution must be reconsidered with a new hearing date.

BACKGROUND

This property is eligible for annexation according to the Colorado Annexation Act, which requires 1/6 contiguity to the existing city limits. The Trailhead Annexation complies with this standard since the property has 5,116 feet of its total boundary of approximately 9,084 feet is contiguous to the existing city limits. This meets the minimum 1,524 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 Urban Growth Area (UGA). 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 (CRS).

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 Employment.

A structure plan amendment is accompanying the annexation and zoning request. This amendment would designate the property as Low Density Mixed Use Neighborhood.

The Planning and Zoning Board Hearing

The Planning and Zoning Board is scheduled to consider the annexation at the February 19, 2004 Planning and Zoning Board meeting. The recommendation of the Planning and Zoning Board will be forwarded to the City Council at the First Reading Hearing on March 16, 2004.

RESOLUTION 2004-013
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
TRAILHEAD 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 Trailhead 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 Trailhead Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PM LYING SOUTHEASTERLY OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY TOGETHER WITH A PORTION OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 4, LYING WESTERLY OF WATERGLEN P.U.D., AS RECORDED UNDER RECEPTION NUMBER 98109875, LARIMER COUNTY RECORDS; ALL WITHIN THE COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, BEING MONUMENTED AT THE SOUTH END BY A 2" ALUMINUM CAP STAMPED "LS 25372, 1996" AND AT THE NORTH END BY A 3-1/4" ALUMINUM CAP STAMPED "LS 17502", IS ASSUMED TO BEAR S00°02'44"W", WITH A DISTANCE OF 2600.57 FEET BETWEEN SAID MONUMENTS.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4, THENCE N00°19'44"E, ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4, A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE NORTH RIGHT-OF-WAY OF EAST VINE DRIVE AND THE POINT OF BEGINNING;
THENCE N00°19'44"E, CONTINUING ON SAID WEST LINE, A DISTANCE OF 737.13 FEET, TO THE INTERSECTION OF SAID WEST LINE AND THE SOUTHERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILROAD;
THENCE N58°02'55"E, ON SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 563.33 FEET;

THENCE S59°12'07"E, A DISTANCE OF 96.60 FEET, TO A POINT OF CURVATURE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA OF 89°07'16" AND A RADIUS OF 275.00 FEET, A DISTANCE OF 427.75 FEET, THE CHORD OF SAID CURVE BEARING N76°14'15"E, WITH A LENGTH OF 385.91 FEET, TO A POINT OF TANGENCY;

THENCE N31°40'37"E A DISTANCE OF 57.11 FEET, TO A POINT OF CURVATURE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A DELTA OF 26°19'12" AND A RADIUS OF 307.94 FEET, A DISTANCE OF 141.46 FEET, THE CHORD OF SAID CURVE BEARING N44°50'13"E, WITH A LENGTH OF 140.22 FEET, TO A POINT OF TANGENCY;

THENCE N57°59'49"E, A DISTANCE OF 1747.66 FEET;

THENCE N34°52'32"E, A DISTANCE OF 196.69 TO THE WESTERLY BOUNDARY OF SAID WATERGLEN P.U.D.;

THENCE ON SAID WESTERLY BOUNDARY, THE FOLLOWING EIGHT (8) COURSES:

- 1) S11°12'11"E, A DISTANCE OF 94.94 FEET;
- 2) S16°18'04"E, A DISTANCE OF 71.95 FEET;
- 3) S21°32'29"E, A DISTANCE OF 78.30 FEET;
- 4) S16°51'24"E, A DISTANCE OF 499.15 FEET;
- 5) S05°55'24"E, A DISTANCE OF 157.65 FEET;
- 6) S13°48'13"W, A DISTANCE OF 89.26 FEET;
- 7) S31°17'28"W, A DISTANCE OF 161.04 FEET;
- 8) S41°53'34"W, A DISTANCE OF 218.05 FEET, TO THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 4;

THENCE S00°02'44"W, ON SAID EAST LINE, A DISTANCE OF 1105.36 FEET, TO THE NORTHERLY RIGHT-OF-WAY OF EAST VINE DRIVE; THENCE N88°57'05"W, ON SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 2640.83 FEET, TO THE POINT OF BEGINNING.

CONTAINING AN OVERALL CALCULATED AREA OF 91.285 ACRES (3,976,373 SQUARE FEET).

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 be 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 3rd day of February, 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 Trailhead Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

That, on March 16, 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 and zoning request 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 and for the purpose of determining the appropriate zoning for the property included in the Annexation. At such hearing, any persons may appear and present such evidence as they may desire.

The Petitioner has requested that the Property included in the Annexation be placed in the "LMN" Low Density Mixed-Use Neighborhood Zone District.

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 8th day of February, A.D. 2004.

City Clerk

