

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 11 A-B

DATE: August 16, 2005

STAFF: Ted Shepard

SUBJECT

Items Relating to the Crawford Annexation.

RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

EXECUTIVE SUMMARY

- A. Second Reading of Ordinance No. 082, 2005, Annexing Property Known as the Crawford Annexation to the City of Fort Collins, Colorado.
- B. Second Reading of Ordinance No. 083, 2005, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Crawford Annexation to the City of Fort Collins, Colorado.

This is a 100% voluntary annexation and zoning of a property approximately 29.56 acres in size. The site is located approximately one-half mile west of North College Avenue on the south side of West Willox Lane. Contiguity is gained along the eastern boundary which is shared with Hickory Village Mobile Home Park. Contiguity is also gained along a portion of the south property line which is shared with the City of Fort Collins Soft Gold Neighborhood Park. The recommended zoning is U-E, Urban Estate. This zoning complies with the Structure Plan Map.

Ordinance Nos. 082 and 083, 2005, were unanimously adopted on First Reading on July 19, 2005.

ORDINANCE NO. 082, 2005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
CRAWFORD ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2005-061, 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:

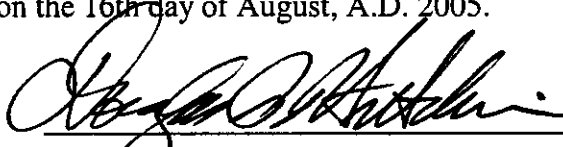
A tract of land situate in the Northeast 1/4 of the Northwest 1/4 of Section 2, Township 7 North, Range 69 West of the Sixth P.M., and a tract in the Southeast 1/4 of the Southwest 1/4 of Section 35, Township 8 North, Range 69 West of the Sixth P.M., County of Larimer, State of Colorado, being more particularly described as follows, to-wit; considering the North line of the Northeast 1/4 of said Northwest 1/4 as bearing N89°58'09"E and with all bearings contained herein relative thereto, is contained within the boundary lines which begin at a point on the North line of said Northwest 1/4 which bears S89°58'09"W 181.00 feet from the North 1/4 Corner of said Section 2, and run thence S00°04'08"E 320.80 feet; thence N89°58'09"E 181.00 feet to a point on the East line of the Northeast 1/4 of said Northwest 1/4; thence along said East line, S00°04'08"E 964.74 feet to the Center-North 1/16 Corner of said Section 2; thence along the South line of the Northeast 1/4 of said Northwest 1/4, S89°53'50"W 662.52 feet; thence N00°05'34"W 562.81 feet; thence S89°53'50"W 632.75 feet to a point on the East line of a public and private access easement as recorded in Book 151 at Page 239; thence along said East line, N00°07'01"W 694.36 feet to a point on the existing South right-of-way line of West Willox Lane; thence along said existing South right-of-way line, S89°58'09"W 30.00 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 2; thence along said West line, N00°07'01"W 30.00 feet to the West 1/16 Corner on the North line of said Section 2; thence N 00°07'01"W 30.00 feet to a point on the existing North right-of-way line of West Willox Lane; thence along said existing North right-of-way line, N89°58'09"E 1145.13 feet; thence S00°04'08"E 30.00 feet to the point of beginning, containing 29.5614 acres, more or less, and being subject to a road right-of-way over the North 60.00 feet thereof for West Willox Lane, and being further subject to all easements and rights-of-way which are existing or are of record or as shown on this plat.

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the Crawford 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.

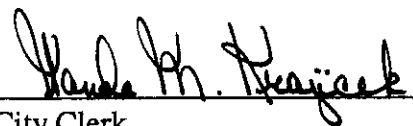
Section 2. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided 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 July, A.D. 2005, and to be presented for final passage on the 16th day of August, A.D. 2005.



Mayor

ATTEST:


City Clerk

Passed and adopted on final reading this 16th day of August, A.D. 2005.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 083, 2005
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 CRAWFORD 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 Crawford 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 tract of land situate in the Northeast 1/4 of the Northwest 1/4 of Section 2, Township 7 North, Range 69 West of the Sixth P.M., and a tract in the Southeast 1/4 of the Southwest 1/4 of Section 35, Township 8 North, Range 69 West of the Sixth P.M., County of Larimer, State of Colorado, being more particularly described as follows, to-wit; considering the North line of the Northeast 1/4 of said Northwest 1/4 as bearing N89°58'09"E and with all bearings contained herein relative thereto, is contained within the boundary lines which begin at a point on the North line of said Northwest 1/4 which bears S89°58'09"W 181.00 feet from the North 1/4 Corner of said Section 2, and run thence S00°04'08"E 320.80 feet; thence N89°58'09"E 181.00 feet to a point on the East line of the Northeast 1/4 of said Northwest 1/4; thence along said East line, S00°04'08"E 964.74 feet to the Center-North 1/16 Corner of said Section 2; thence along the South line of the Northeast 1/4 of said Northwest 1/4, S89°53'50"W 662.52 feet; thence N00°05'34"W 562.81 feet; thence S89°53'50"W 632.75 feet to a point on the East line of a public and private access easement as recorded in Book 151 at Page 239; thence along said East line, N00°07'01"W 694.36 feet to a point on the existing South right-of-way line of West Willox Lane; thence along said existing South right-of-way line, S89°58'09"W 30.00 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 2; thence along

said West line, N00°07'01"W 30.00 feet to the West 1/16 Corner on the North line of said Section 2; thence N 00°07'01"W 30.00 feet to a point on the existing North right-of-way line of West Willox Lane; thence along said existing North right-of-way line, N89°58'09"E 1145.13 feet; thence S00°04'08"E 30.00 feet to the point of beginning, containing 29.5614 acres, more or less, and being subject to a road right-of-way over the North 60.00 feet thereof for West Willox Lane, and being further subject to all easements and rights-of-way which are existing or are of record or as shown on this plat.

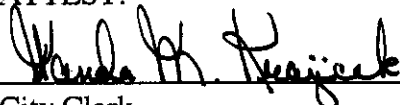
Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

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 July, A.D. 2005, and to be presented for final passage on the 16th day of August, A.D. 2005.



Mayor

ATTEST:


City Clerk

Passed and adopted on final reading this 16th day of August, A.D. 2005.

Mayor

ATTEST:

City Clerk

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16 A-C

DATE: July 19, 2005

STAFF: Ted Shepard

SUBJECT

Items Relating to the Crawford Annexation.

RECOMMENDATION

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

EXECUTIVE SUMMARY

- A. Resolution 2005-077 Setting Forth Findings of Fact and Determinations Regarding the Crawford Annexation.
- B. First Reading of Ordinance No. 082, 2005, Annexing Property Known as the Crawford Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 083, 2005, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Crawford Annexation to the City of Fort Collins, Colorado.

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BACKGROUND

The property is located within the Growth Management Area (GMA). According to the policies and agreements between the City of Fort Collins and Larimer County contained in the Intergovernmental Agreement for the City of Fort Collins Growth Management Area, the City will agree to consider annexation of property in the GMA when the property is eligible for annexation according to State law. The property gains contiguity by the following parcels:

The parcel gains the necessary one-sixth contiguity along the entire south and a significant portion of the east property lines. Of the total perimeter boundary, the parcel has 31% contiguity with the City limits. This substantially exceeds the required minimum of 16.66% (one-sixth).

The parcel, therefore, complies with the requirements of the Intergovernmental Agreement – Growth Management Area and is eligible for annexation.

This is a 100% voluntary annexation for a property located within the Growth Management Area. The property satisfies the requirement that no less than one-sixth of the perimeter boundary be contiguous to the existing City boundary. The recommended zoning of U-E, Urban Estate, is in compliance with the City's Comprehensive Plan and Structure Plan Map. Staff recommends the parcel be placed within the Residential Neighborhood Sign District. The Initiating Resolution was considered by City Council on June 7, 2005 and approved. On March 17, 2005, the Planning and Zoning Board voted 5 – 0 to recommend approval of both the annexation and U-E zoning to the City Council.

Background:

According to the policies and agreements between the City of Fort Collins and Larimer County, contained in the amended (November 21, 2000) Intergovernmental Agreement – Growth Management Area (IGA), the City will agree to consider for annexation property in the GMA when such property is eligible for annexation according to State law. According to Section 8A of the IGA, as amended:

“It is the City's intent to annex properties within the GMA as expeditiously as possible consistent with the terms of this Agreement. Except as provided in Section 8(B), the City agrees to consider the annexation of any parcel or parcels of land located within the GMA which are eligible for voluntary annexation pursuant to the provisions of Title 31, Article 12 Colorado Revised Statutes.”

The surrounding zoning and land uses are as follows:

N: C – Commercial (County); Existing rural residential and dog kennel
S: P-O-L; Existing City of Fort Collins Soft Gold Neighborhood Park
E: L-M-N; Existing Hickory Village Mobile Home Park
W: O- Open (County); Vacant and one rural residential home

The parcel gains the necessary one-sixth contiguity along the entire south and a portion of the east property lines. Of the total perimeter boundary, the parcel has 31% contiguity with the City limits. This substantially exceeds the required minimum of 16.66% (one-sixth). The parcel, therefore, complies with the requirements of the IGA and is eligible for annexation.

One of the stated intents of the IGA is to have urban development occur within the City in order that the provision of urban level services by the County would be minimized. This is a 100% voluntary annexation. The parcel is not an enclave. On June 7, 2005, City Council approved a Resolution which accepted the annexation petition and established that the petition is in compliance with State statutes.

The Crawford Annexation has been revised to remove the westerly 30-foot strip. This 30-foot strip was quit claimed in 1902 to another party for access purposes and is not owned by the petitioner. The parcel has been reduced in size and now consists of 29.56 acres. Also it has come to light that the original petition for annexation was signed by the wrong entity, having

been signed by Mr. Willox as an individual rather than by the true owner, which is a limited liability company of which he is the manager. The petition has been revised accordingly.

Zoning:

The proposed zoning for the Crawford Annexation is U-E, Urban Estate. This district is intended to be a setting for a predominance of low-density and large-lot housing. In addition, the zone provides for the Residential Cluster Plan Development option. The main purposes of this District are to acknowledge the presence of the many existing subdivisions which have developed in these uses that function as parts of the community and to provide additional locations for similar development, typically in transitional locations between more intense urban development and rural or open lands.

The requested zoning of U-E complies with the City's Structure Plan Map.

In addition, staff recommends the parcel be placed within the Residential Neighborhood Sign District which was created for the purpose of regulating signs for non-residential uses in certain geographic locations of the City.

Compliance with State Law:

As mentioned, the annexation has 31% of its perimeter boundary contiguous with existing City limits which exceeds the required one-sixth as mandated by State law. Further, the parcel is found to have a community of interest with the City and the parcel is expected to urbanize shortly.

Findings of Fact/Conclusion:

In evaluating the request for the Crawford Annexation and Zoning, staff makes the following findings of fact:

- A. The annexation of this parcel is consistent with the policies and agreements between Larimer County and the City of Fort Collins, as contained in the amended IGA.
- B. The parcel meets all criteria included in State law to qualify for annexation by the City of Fort Collins.
- C. The requested zone district, U-E, Urban Estate, is in conformance with the City's Comprehensive Plan (City Plan) and the City Structure Plan Map.
- D. Staff recommends the parcel be placed within the Residential Neighborhood Sign District.
- E. On June 7, 2005, City Council approved the Resolution which accepted the annexation petition and determines that the petition is in compliance with State law.

Planning and Zoning Board Recommendation:

On March 17, 2005, the Planning and Zoning Board took the following action:

Voted 5 – 0 to recommend annexation into the municipal boundary and inclusion into the Residential Sign District.

Voted 5 – 0 to recommend placement into the U-E, Urban Estate zone district.

ATTACHMENTS

1. Crawford Annexation Vicinity Map
2. Crawford Annexation Plat Reduced Map

COPY

COPY