

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 11

DATE: January 17, 2006

STAFF: Steve Olt

### SUBJECT

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Resolution 2006-003 Finding Substantial Compliance and Initiating Annexation Proceedings for the Boma Annexation.

### RECOMMENDATION

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Staff recommends adoption of the Resolution.

### EXECUTIVE SUMMARY

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The applicant, Crystal Cove Development, LLC (c/o Mike Tilley), on behalf of the property owner, Crystal Cove Development, LLC, has submitted a written petition requesting annexation of 82.05 acres located at the southwest corner of East Douglas Road (County Road 54) and Turnberry Road (County Road 11). The property contains an existing farmstead with agricultural uses and several existing oil wells. It is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate. The surrounding properties are currently zoned FA1 - Farming in Larimer County to the west, O - Open in Larimer County to the north, FA1 - Farming in Larimer County to the south, and LMN - Low Density Mixed-Use Neighborhood in the City to the east.

The proposed Resolution makes a finding that the petition substantially complies with the Municipal Annexation Act, determines that a hearing should be established regarding the annexation, and directs that notice be given of the hearing. The hearing will be held at the time of First Reading of the annexation and zoning ordinances on February 21, 2006. Not less than thirty days of prior notice is required by State law.

The property is located within the Fort Collins Urban Growth Area. 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, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to State law. This property gains the required 1/6 contiguity to existing City limits from a common boundary with the Country Club North First Annexation (January, 1984) to the east.

#### **Planning and Zoning Board Recommendation:**

The Planning and Zoning Board will conduct a public hearing on the annexation and zoning request at its regular monthly meeting on February 16, 2006, and will make its recommendation at that time. The Board's recommendation will be forwarded to the City Council in time for first reading of the annexation and zoning ordinances.

RESOLUTION 2006-003  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
FINDING SUBSTANTIAL COMPLIANCE AND  
INITIATING ANNEXATION PROCEEDINGS FOR THE  
BOMA 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 Boma 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 Boma Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A portion of land located in the Northeast Quarter of Section 30, Township 8 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the Northeast Quarter of said Section 30 as bearing South 89°38'19" East and with all bearings contained herein relative thereto:

BEGINNING at the North Quarter corner of said Section 30; thence, North 00°22'09" East, 30.00 feet to a point on the North right-of-way line of County Road No. 54; thence, along said North line, South 89°38'19" East, 2674.33 feet; thence, South 00°21'41" West, 30.00 feet; thence, North 89°38'19" West, 30.00 feet to the Northeast Corner of said Section 30; thence, along the East line of the Northeast Quarter of said Section 30, South 00°21'41" West, 1319.59 feet; thence, departing said East line, North 89°42'39" West, 2644.51 feet to a point on the West line of the Northeast Quarter of said Section 30; thence, along said West line, North 00°22'09" East, 1322.92 feet to the POINT OF BEGINNING.

The above described tract of land contains 3,574,183 square feet or 82.051 acres, more or less and is subject to all easements and rights-of-way now on record or existing.

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 17th day of January, A.D. 2006.

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Mayor

ATTEST:

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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 Boma Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

That, on February 21, 2006, 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.

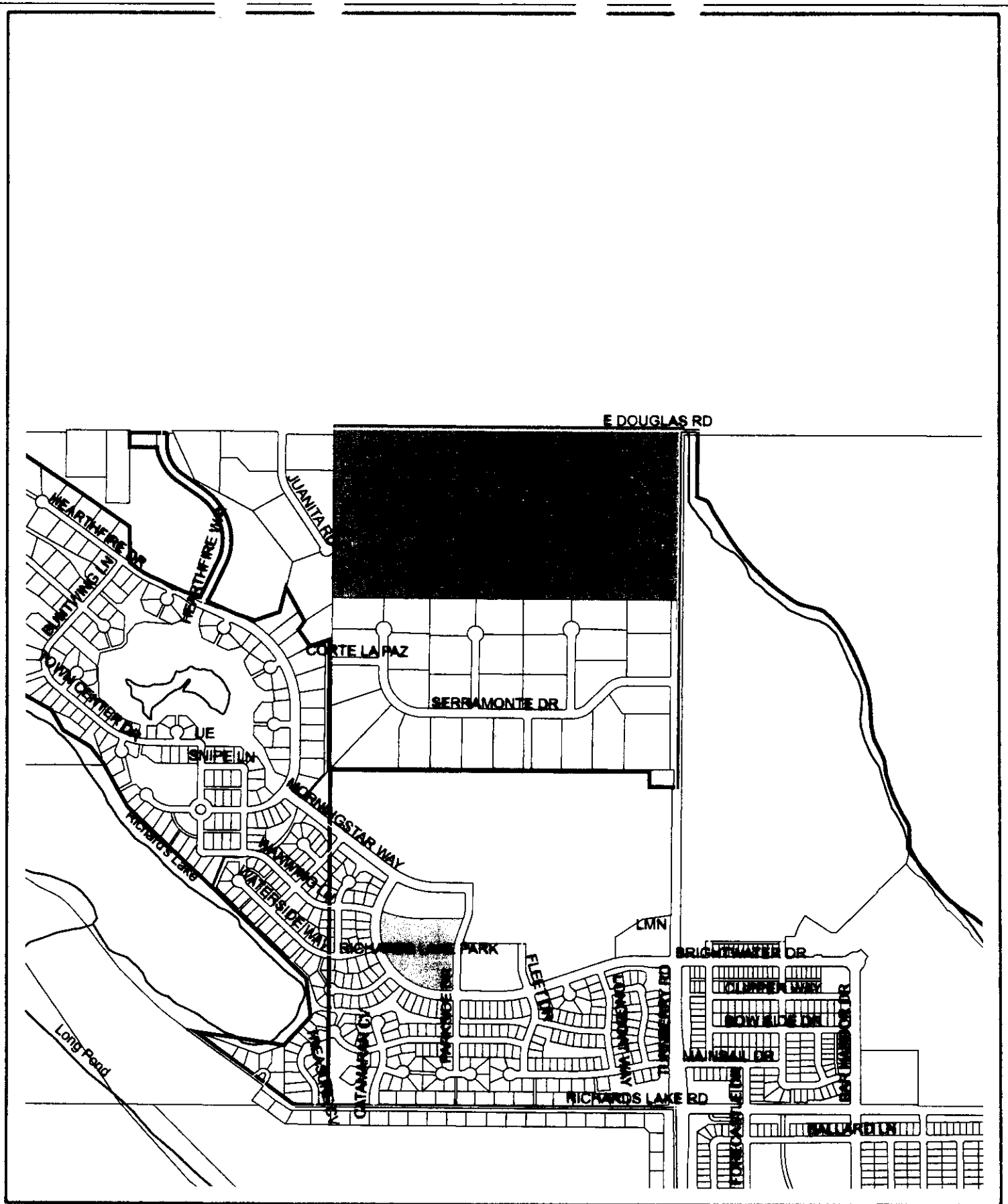
The Petitioner has requested that the Property included in the Annexation be placed in the "UE" Urban Estate Zone District.

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 17th day of January, A.D. 2006.

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City Clerk



# #53-05 Boma Annexation & Zoning Type II

12/19/05

1 inch equals 1,000 feet

