

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13

DATE: May 2, 2006

STAFF: Steve Olt

SUBJECT

Resolution 2006-045 Finding Substantial Compliance and Initiating Annexation Proceedings for the Peterson Annexation.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

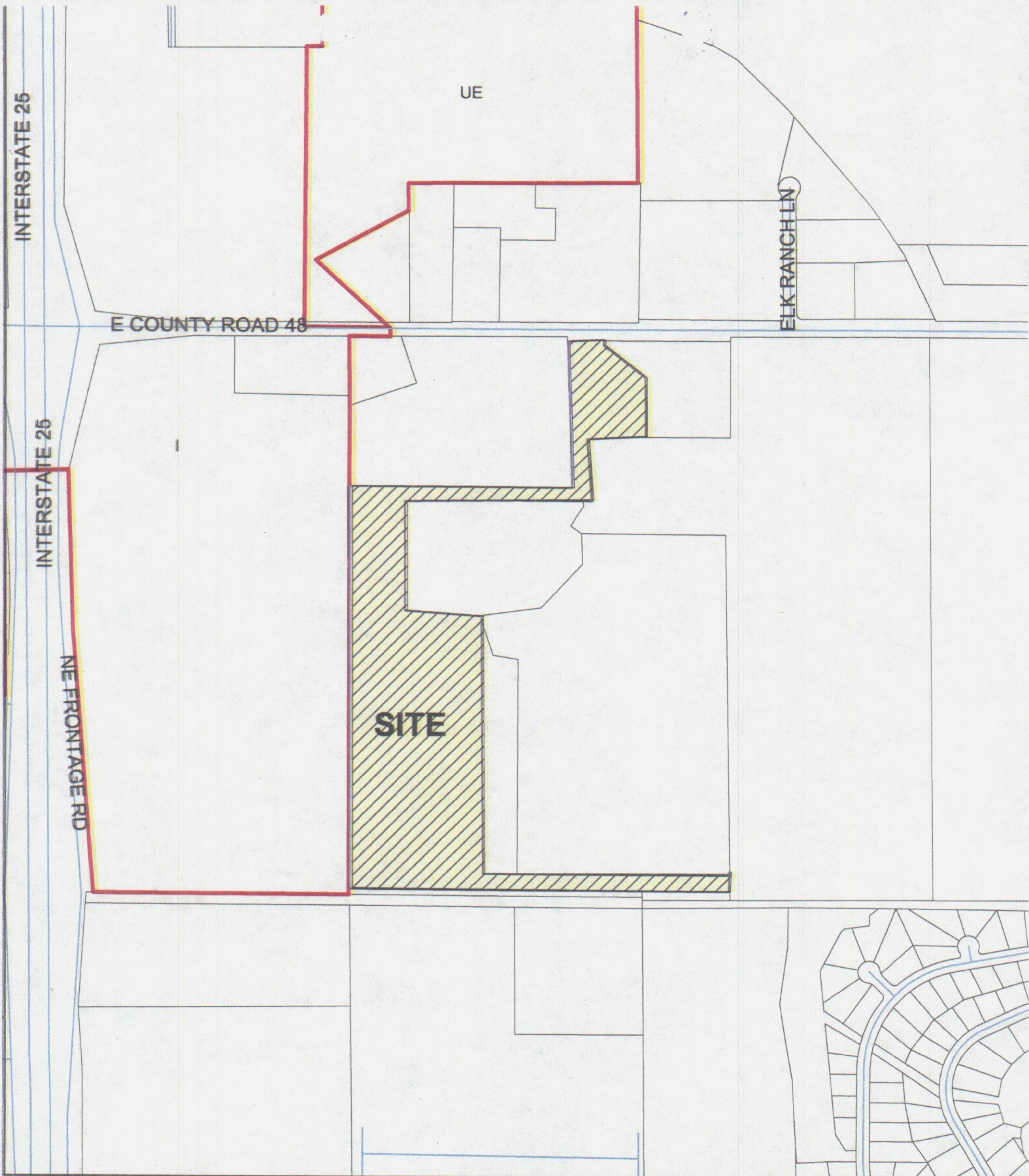
Cedar Pointe Land & Livestock, L.L.C., c.o. Duane Lebsack, has submitted a written petition requesting annexation of 27.89 acres located on the south side of East Vine Drive between Interstate 25 and County Road 5. The property currently is undeveloped. It is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate. The surrounding properties are currently zoned: I - Industrial in the City to the west, FA-1 Farming in Larimer County to the north, M - Multi-Family and M1 - Multi-Family in Larimer County to the south, and FA-1 Farming in Larimer County 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. State law requires not less than thirty days of prior notice.

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 Kirschner Annexation (December, 1993) to the west.

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 May 18, 2006, and will make its recommendation at that time. The Board's recommendation will be forwarded to Council in time for the First Reading of the Annexation and Zoning Ordinances on June 6, 2006.



#54-02B Peterson Annexation and Zoning Type II (LUC)

4/20/06

1 inch : 600 feet



RESOLUTION 2006-045
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
PETERSON 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 Peterson 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 Peterson Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING N 89° 25' 59" W WITH ALL BEARINGS HEREIN REALITIVE THERETO.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE N 89° 25' 59" W 324.35 FEET; THENCE, S 01° 50' 54" E 50.07 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST VINE DRIVE AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTINUING, S 01° 50' 54" E 687.94 FEET; THENCE, N 89° 28' 17" W 1014.23 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE KIRSCHNER ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 00° 03' 28" E 1857.02 FEET ON AND ALONG SAID EASTERLY LINE; THENCE S 89° 28' 14" E 754.47 FEET; THENCE, S 89° 28' 13" E 963.99 FEET; THENCE, N 00° 09' 15" W 80.01 FEET; THENCE N 89° 28' 13" W 963.10 FEET; THENCE, N 89° 28' 02" W 149.85 FEET; THENCE, N 00° 10' 34" W 1187.93 FEET; THENCE, N 87° 43' 24" W 352.93 FEET; THENCE, N 00° 31' 42" E 518.31 FEET; THENCE S 89° 28' 17" E 847.21 FEET; THENCE, N 02° 55' 31" W 299.26 FEET; THENCE S 89° 33' 50" E 262.00 FEET; THENCE, N 00° 32' 13" W 274.63 FEET; THENCE, N 50° 40' 29" W 245.44 FEET; THENCE, N 00° 28' 32" E 19.73 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST VINE DRIVE; THENCE, N 89° 25' 59" W 165.25 FEET ON AND

ALONG SAID RIGHT-OF-WAY TO THE TRUE POINT OF BEGINNING FOR
THIS DESCRIPTION; CONTAINING 27.89 ACRES MORE OR LESS.

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 this 2nd day of May, A.D. 2006.

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

That, on June 6, 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 2nd day of May, A.D. 2006.

City Clerk