



Community Development and
Neighborhood Services
281 North College Ave.
P.O. Box 580
Fort Collins, CO 80522-0580
970.221.6750
970.224.6134 - fax
fcgov.com/developmentreview

September 6, 2011

Dear Resident / Property Owner:

There is a correction to the previous letter sent out on September 1, 2011, regarding the development review outreach meeting. Please see the correction below, underlined and bolded.

On Wednesday, September 14, 2011, from 7:00 to 9:00 p.m., in the Roundhouse Room of Fossil Ridge High School, 5400 Ziegler Road, the City of Fort Collins Current Planning Department will conduct a development review informational meeting to discuss the development review process as it relates to the pending **Leistikow Annexation** and the future **Church of Jesus Christ of Latter-Day Saints Temple, Project Development Plan**.

As proposed, the annexation consists of bringing 18.035 acres at the southeast corner of South Timberline Road and Trilby Road into the Fort Collins city limits. The annexation process includes placing the parcel into the Urban Estate zone district as designated by the City's Structure Plan. The parcel is being annexed and zoned in anticipation of a future Project Development Plan submittal for the Church of Jesus Christ of Latter-Day Saints (LDS) Temple. While there is not a site specific development plan for a LDS Temple submitted to the City at this time, the potential applicant has informed us that this place of worship would be approximately 27,000 square feet in size and **roughly 275 parking spaces**. Additional information about the Leistikow Annexation and Initial Zoning can be found at www.fcgov.com/developmentreview/agendas.php

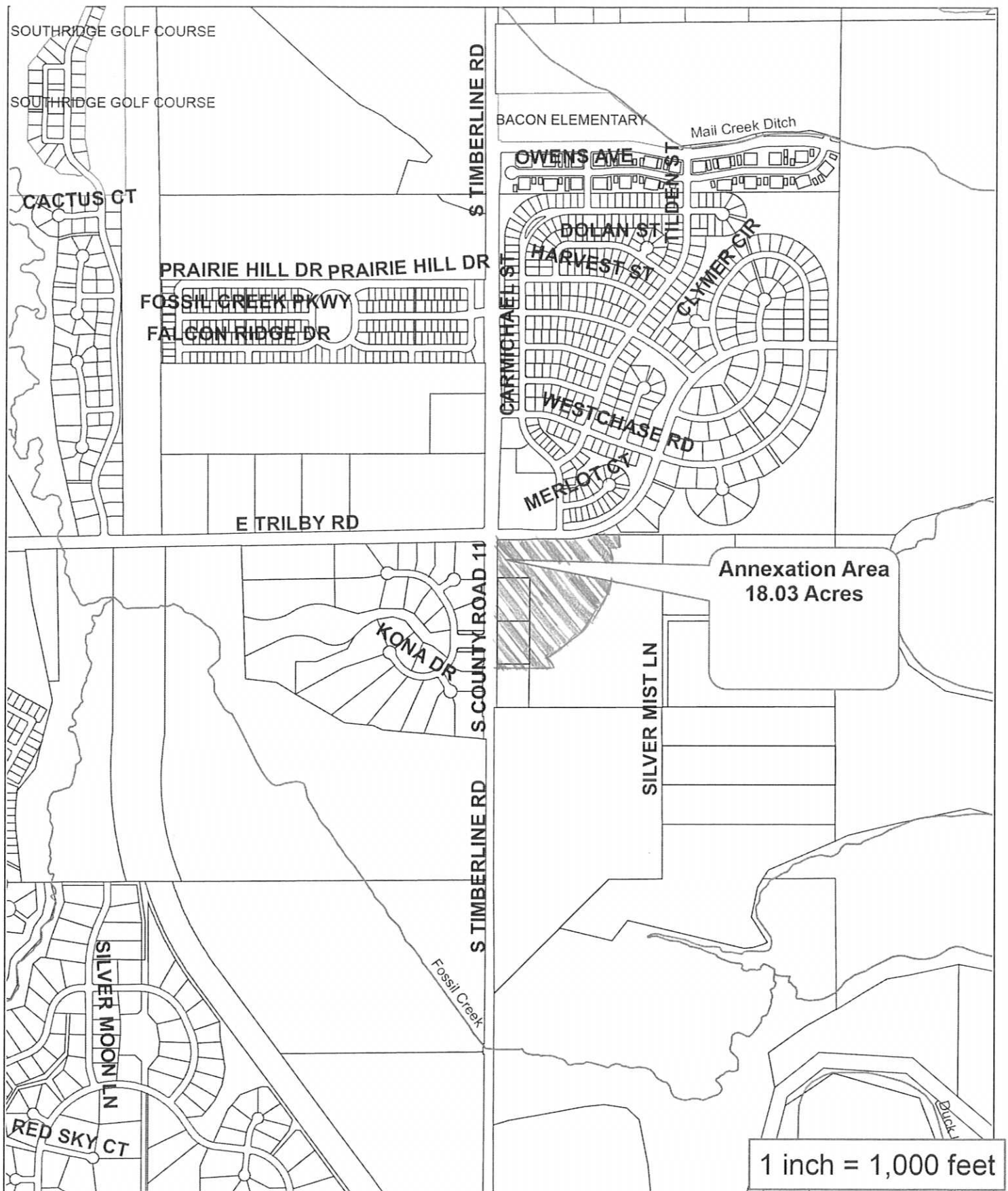
The development review process informational meeting will be the first of three neighborhood meetings. The Current Planning Department will conduct this first meeting on September 14th without the applicant present in order to devote time to informing residents about the City's process regarding annexation, zoning and development review and answer questions about the City's role regarding this annexation a future development proposal.

The second neighborhood meeting (not yet scheduled) will be attended by the applicant and sketch plans of the Temple will be presented to the neighborhood at that time. At the second meeting, there will be an opportunity to ask questions and express concerns about the proposed project. Then, a third meeting will be scheduled to demonstrate how public input has been considered as the applicant prepares a formal plan submittal to the City.

Sincerely,

Courtney Bippy for:

Ted Shepard
Chief Planner



Leistikow Annexation and LDS Temple Development Review Process - Information Meeting



Annexation Petition Supplemental Information**ANNEXATION SITE AREA SUMMARY:**

The proposed Leistikow Annexation property is located on the South East corner of Trilby Road and Timberline Road in Larimer County, Colorado. The property to be annexed is approximately 18.03 acres in size and borders the City of Fort Collins current City Boundary which provides approximately 839.43 lineal feet of contiguity to the City of Fort Collins. The property is adjacent to Westchase PUD a City of Fort Collins low density residential development and the LDS Church property to the North, Zoned LMN; Larimer County Rural Residential property to the East and South, Zoned FA-I Farming in Larimer County; and Larimer County Urban Estate Residential property to the West, Zoned FA-I Farming in Larimer County. The property is located within the City of Fort Collins Growth Management Area (GMA) and is designated by the City of Fort Collins Structure Plan as an Urban Estate Neighborhood. The entire 18.03 acre annexation area lies within and at the northwest edge of the Fort Collins / Larimer County Fossil Creek Reservoir Area Plan study area.

The property is currently within the South Fort Collins Sanitation District and Fort Collins/Loveland Water District service area, and if annexed the property would be served by these districts. Poudre Valley Rural Electric Association, Qwest and Comcast Communications currently provide service to the property as well. The property has an existing 10' private irrigation lateral ditch easement for a below ground irrigation pipeline running along the north property boundary from the east Right-of-Way of Timberline Road to the northeast corner of the annexation site area as well as a 15' private irrigation lateral ditch easement for an above ground irrigation ditch running south then east through the property from the north pipeline easement to a point of discharge along the east property boundary of the proposed annexation. When annexed the private irrigation ditch pipeline and above ground ditch shall remain as is until such time that the property is redeveloped in the City. At the time the property is redeveloped the irrigation pipeline and above ground irrigation ditch may be modified. If modifications to the pipeline and/or ditch occur it shall be done in such a way as to not disrupt, disturb or alter the required flow and delivery of water through the property and shall not negatively impact the down stream users of the irrigation pipeline and/or ditch.

The property to be annexed is currently a legally conforming lot within Larimer County and was created as part of the Amended Leistikow MRD. The lot is known as Lot 2, of the Amended Leistikow MRD being 15.69 acres in size. Additionally the proposed annexation will annex 2.342 acres of existing County ROW for Timberline Road. This ROW annexation will run from the existing South ROW of Trilby Road to the south boundary of Lot 2, of the Amended Leistikow MRD and shall go from the far west side of the existing ROW to the far east side of the existing ROW for Timberline Road. The property has one existing residential structure with an attached garage which shall remain occupied until such time that the property is redeveloped in the City, at which time the residence shall be removed from the annexed property. Vehicular access to the existing residence is provided via a gravel access drive from Timberline Road. The existing residence is currently served by the Fort Collins/Loveland Water District and by an Individual Sewage Disposal Septic System. Poudre Valley Rural Electric Association, Qwest and Comcast Communications currently serve the property as well. The remaining annexation site area that is not currently landscaped with the house is irrigated farm land and will remain as irrigated farm land until the property is redeveloped in the City of Fort Collins.

PETITION FOR ANNEXATION SUPPLEMENTAL INFORMATION:

The following supplemental information is requested as part of the Petition for Annexation as stated in the City of Fort Collins Annexation and Zoning Submittal Requirements and the Petition for Annexation. The information is intended to provide supplemental information requested by the City's Submittal Requirements, item numbers 4, 5 & 6 and are as follows:

- 4 (a) A statement indicating that the requirements if the Colorado Annexation Act have been met.

Petitioners Response: The Annexation Petition, Annexation Map and supplemental annexation information as prepared by Landmark Engineering Ltd. comply to the requirements as set forth by the Colorado Annexation Act of 1965 as Amended and the requirement as set forth by the City of Fort Collins Annexation Requirements and Check list. Additionally the property is currently directly adjacent and contiguous to 839.43 feet of the City of Fort Collins Municipal Boundary. The total perimeter of the proposed annexation is 3864.41 feet thus requiring a minimum of 1/6th the annexation perimeter or a minimum of 644.07 feet of contiguity to the current City's Boundary to be eligible and legally required for consideration to be annexation. Since the actual contiguity distance of 839.43 feet exceeds the required 644.07 fee, 1/6 Contiguity minimum the property also meets this statutory requirement as well.

- 4 (b) Provide a statement indicating that the signers of the petition comprise more than 50% of the landowners in the area and own more than 50% of the area proposed to be annexed.

Petitioners Response: The signers of the Petition for Annexation comprise more than 50% of the landowners of the area requesting to be annexed and own more than 50% of the area proposed to be annexed to the City of Fort Collins

- 4 (c, d & e) Petitioners signatures, date of petitioners signatures, and affidavit that the petitioners signatures are those of the persons it purports to be.

Petitioners Response: C, D, & E are provided as part of the executed Annexation Petition.

- 4 (f) Provide a request of the City of Fort Collins to approve the Annexation and Zoning as indicated.

Petitioners Response: The Signers of the Annexation and Zoning Petition hereby request the City of Fort Collins to Annex and Zone the property as indicated in the attached Petition for Annexation, dated August 22, 2011.

- 4 (g) Provide a statement as to why it is necessary and desirable for the City of Fort Collins to annex the area.

Petitioners Response: The proposed annexation area is within the city of Fort Collins Growth Management Area and is more than 1/6th contiguous to the City's current municipal boundary. Based on the City's Comprehensive Master Plan and Intergovernmental Agreement with Larimer County the property is required to be annexed prior to allowing any further development to occur. It is also desirable for the City to annex the property in order to fully achieve the stated goals and objectives of the City's Comprehensive Master Plan and the City's Structure Plan for the Urban Estate Neighborhood.

4 (h) Provide a description of the zoning classification being requested and any conditions requested for that zone district classification.

Petitioners Response: The Petitioners request that the property be placed in the UE – Urban Estate Zoning District pursuant to the Land Use Code of the City of Fort Collins. No conditions for the zoning district are being requested.

4 (i) A statement of consistency of the requested zoning to the City's Structure Plan.

Petitioners Response: The City of Fort Collins Structure Plan indicates the property is within the Urban Estate Neighborhood and the UE-Urban Estate Zoning District is the mechanism to achieve the intended goals and objectives of the Urban Estate Neighborhood.

5. Provide a Statement of Principles and Policies and consistency with the City Structure Plan being achieved by zoning of the property to the district being proposed by the applicant.

Petitioners Response: The proposed zoning of UE-Urban Estate is consistent with the City's Structure Plan which identified the property as an Urban Estate Neighborhood. As such the City's intended vision and goals for the Urban Estate Neighborhood shall be achieved through the guidance and direction provided by the zoning districts limited Permitted Use and Land Use/Development Standard. The Urban Estate Zoning District shall serve as a transition zone between more intense urban level development and densities located to the north of the property and rural residential or open lands to the south, east.

6. Provide a list of names, addresses and phone numbers of any retailers located within the boundaries of the annexation.

Petitioners Response: Not Applicable

PETITION FOR ANNEXATION

THE UNDERSIGNED (hereinafter referred to as the "Petitioners") hereby petition the Council of the City of Fort Collins, Colorado for the annexation of an area, to be referred to as the Leistikow Annexation to the City of Fort Collins. Said area, consisting of approximately 18.035 +/- (____) acres, is more particularly described on Attachment "A," attached hereto.

The Petitioners allege:

1. That it is desirable and necessary that such area be annexed to the City of Fort Collins.
2. That the requirements of Sections 31-12-104 and 31-12-105, C.R.S., exist or have been met.
3. That not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the boundaries of the City of Fort Collins.
4. That a community of interest exists between the area proposed to be annexed and the City of Fort Collins.
5. That the area to be annexed is urban or will be urbanized in the near future.
6. That the area proposed to be annexed is integrated with or capable of being integrated with the City of Fort Collins.
7. That the Petitioners herein comprise more than fifty percent (50%) of the landowners in the area and own more than fifty percent (50%) of the area to be annexed, excluding public streets, alleys and lands owned by the City of Fort Collins.
8. That the City of Fort Collins shall not be required to assume any obligations 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 proposed to be annexed except as may be provided by the ordinance of the City of Fort Collins.

Further, as an express condition of annexation, Petitioners consent to the inclusion into the Municipal Subdistrict, Northern Colorado Water Conservancy District (the "Subdistrict") pursuant to §37-45-136(3.6) C.R.S., Petitioners acknowledge that, upon inclusion into the Subdistrict, Petitioners' property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Subdistrict at the time of inclusion of Petitioners' lands. Petitioners agree to waive any right to an election which may exist pursuant to Article X, §20 of the Colorado Constitution before the Subdistrict can impose such mill levies and special assessments as it has the authority to impose. Petitioners also agree to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, §20 of the Colorado Constitution.

WHEREFORE, said Petitioners request that the Council of the City of Fort Collins approve the annexation of the area described on Attachment "A." Furthermore, the Petitioners request that said area be placed in the UE Zone District pursuant to the Land Use Code of the City of Fort Collins.

☒ (Check box if applicable). The Petitioners reserve the right to withdraw this petition and their signatures therefrom at any time prior to the commencement of the roll call of the City Council for the vote upon the second reading of the annexation ordinance.

Individual Petitioners signing this Petition represent that they own the portion(s) of the area described on Attachment "A" as more particularly described below:

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

See Legal Description on Attachment "A"

INSTRUCTIONS: INSERT HERE the legal description of individual parcels, or if only ownership, type "See Legal Description on Attachment 'A'."

IN WITNESS WHEREOF, I/we have executed this Petition for Annexation this 22 day of August, 2011.

Wayne B Leistikow
Petitioner's/Owner's Signature
Wayne B. Leistikow

6732 South Timberline Road
Address

Fort Collins, CO 80528
City State Zip

Janice E Leistikow
Petitioner's/Owner's Signature
Janice E. Leistikow

6732 South Timberline Road
Address

Fort Collins, CO 80528
City State Zip

LANDMARK ENGINEERING, LTD.

By: _____

Paul A. Hernandez

Colorado LS 32829



APPROVED

This plat to be known as the Leistikow Annexation to the City of Fort Collins, County of Larimer, State of Colorado by Ordinance No. _____, passed and adopted on final reading at a regular meeting of the City Council of Fort Collins, Colorado, held on _____ day of _____, 20____.

City Clerk

Date

APPROVED AS TO FORM:

City Engineer

Date

ATTACHMENT "A"

LEGAL DESCRIPTION OF THE ANNEXATION

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

Legal description of a parcel of land being Lot 2, of the Amended Leistikow MRD and a portion of the existing right-of-way of Timberline Road situate in Sections 17 and 18, Township 6 North, Range 68 West of the 6th P.M. Larimer County, Colorado being more particularly described as follows;

Beginning at the Northwest Corner of said Section 17, and considering the North line of the Northwest Quarter of the Northwest Quarter of said Section 17 as bearing South 89°56'00" East and with all bearings contained herein relative thereto; thence along said North line, South 89°56'00" East 785.96 feet to the True Point of Beginning, said point being a point on the South line of Westchase Annexation No. 2 to the City of Fort Collins according to the plat on file in the office of the Clerk and Recorder said County; thence along said South line, South 89°56'00" East 140.27 feet; thence departing said South line, South 00°04'00" West 91.40 feet; thence South 75°01'11" West 126.44 feet; thence South 14°58'49" East 95.52 feet to the beginning of a tangent curve concave to the Northwest having a central angle of 98°02'18" and a radius of 528.00 feet; thence Southwesterly along the arc of said curve 903.46 feet; thence departing said curve, South 07°22'24" East 175.33 feet; thence South 89°54'32" West 467.79 feet to a point on the West right-of-way line of said Timberline Road; thence along said West right-of-way line the following courses and distances, North 00°09'18" East 55.71 feet; thence South 89°54'44" East 10.00 feet; thence North 00°09'18" East 959.03 feet to a point on the South line of said Westchase Annexation No. 2; thence along said South line South 89°56'00" East 273.04 feet to the beginning of a tangent curve concave to the Northwest having a central angle of 2°27'15" and a radius of 512.50 feet; thence Northeasterly along the arc of said curve 21.95 feet to the end of said curve; thence tangent from said curve North 87°36'45" East 95.36 feet to the beginning of a tangent curve concave to the Southeast having a central angle of 2°27'15" and a radius of 487.50 feet; thence Northeasterly along the arc of said curve 20.88 feet to the end of said curve; thence tangent from said curve, South 89°56'00" East 207.42 feet to the beginning of a tangent curve concave to the Northwest having a central angle of 17°15'28" and a radius of 733.00 feet; thence Northeasterly along the arc of said curve 220.78 feet to the True Point of Beginning.

The above described parcel contains 18.035 acres more or less.

SURVEYOR'S CERTIFICATE:

I, Paul A. Hernandez, a licensed professional Land Surveyor in the State of Colorado, do hereby state that this annexation plat to be known as Leistikow Annexation was prepared by me or under my direct supervision and that the annexation is based upon previously recorded plats and deeds and not on an actual field survey, at least one sixth (1/6) of the boundary of the said annexation is contiguous to the present boundary of the City of Fort Collins, Larimer County, Colorado and is true and correct to the best of my professional knowledge, belief, and opinion.

ATTACHMENT "B"

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

The undersigned, being first duly sworn upon his oath states:

That he was the circulator of the attached Petition for Annexation and that each signature therein is the signature of the person whose name it purports to be.

Wayne B. Leistikow

Circulator's Signature
Wayne B. Leistikow

Janice E. Leistikow

Circulator's Signature
Janice E. Leistikow

Subscribed and sworn to before me this 22nd day of August, 2011,
by Wayne B. Leistikow and Janice E. Leistikow.

WITNESS my hand and official seal.

11/10/14
Commission Expiration



Lori K. Hanson
Notary Public

ATTACHMENT "C"

ATTORNEY CERTIFICATION

I, Timothy W. Hasler, an attorney licensed to practice in the State of Colorado, hereby certify that, as of the date of this certificate, the signers of this Annexation Petition for the area referred to as the Leistikow Annexation to the City of Fort Collins are the owners of real property in the area proposed for annexation. Furthermore, I certify that said owners constitute more than 50% of the landowners in the area proposed for annexation, as said area is described on Attachment "A" of said Annexation Petition, and own more than 50% of the land in said area, exclusive of streets and alleys.

8-22-11
Date

Timothy W. Hasler
Signature
Timothy W. Hasler
Attorney Reg. No.
1958



August 9, 2011

Ken Merritt
Landmark Engineering, LTD
3521 W. Eisenhower Blvd.
Loveland, Colorado 80537

To Whom It May Concern,

This letter is provided with regards to the potential annexation and development of a portion of the property situated at the southeast corner of Timberline and Trilby Roads, also known as Lots 1-4 of the Leistikow MRD.

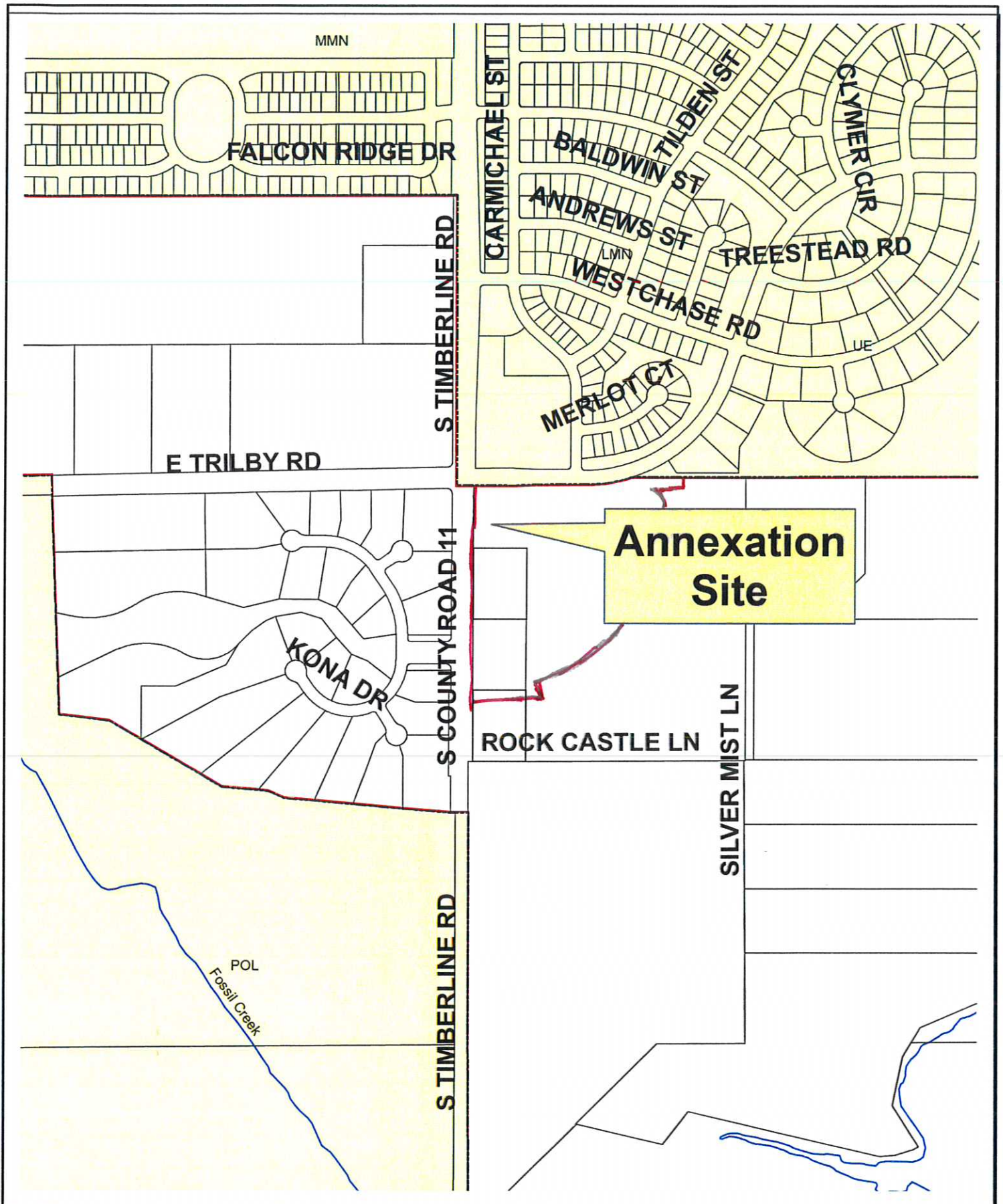
The subject property is situated in the un-annexed portions of the southeast reaches of the Fort Collins Growth Management Area. The land use objectives for this area of the GMA are determined by the jointly adopted Fossil Creek Reservoir Area Plan, which plan aims to implement the County TDU (Transfer of Development Units) program by providing urban residential densities in exchange for preservation/conservation of rural lands in other reaches of the County.

Pursuant to the Fossil Creek Reservoir Area Plan any properties in the Plan area south of Kechter Road and east of Timberline Road to be developed for residential purposes must complete all entitlements and transfer of TDU's prior to annexation of such properties into the City of Fort Collins. As for the subject property, the Fossil Creek Reservoir Area Plan forecasts development of the subject property pursuant to the Estate Residential Area Regulations found in Section 15.2.2. (Supplementary Regulation for Growth management Areas) of the Larimer County Land Use Code. The Estate Residential regulations do anticipate residential use of the property, but also allow for certain non-residential uses, which uses do not require TDU's prior to site development. Therefore, The County Planning Department believes that the City of Fort Collins can annex portions of properties within the Fossil Creek Reservoir area that are potentially going to develop as non-residential purposes. However, should such annexed properties not develop as non-residential uses, then the County would expect that the City would require, as part of the final approval of any residential land division in said area, the coordination and exchange of TDU's with Larimer County.

I hope that this clarifies the County position regarding the annexation and development questions for this site, if not please contact me at (970) 498-7721 or by e-mail at mlafferty@larimer.org.

Respectfully,

Matt Lafferty
Principal Planner



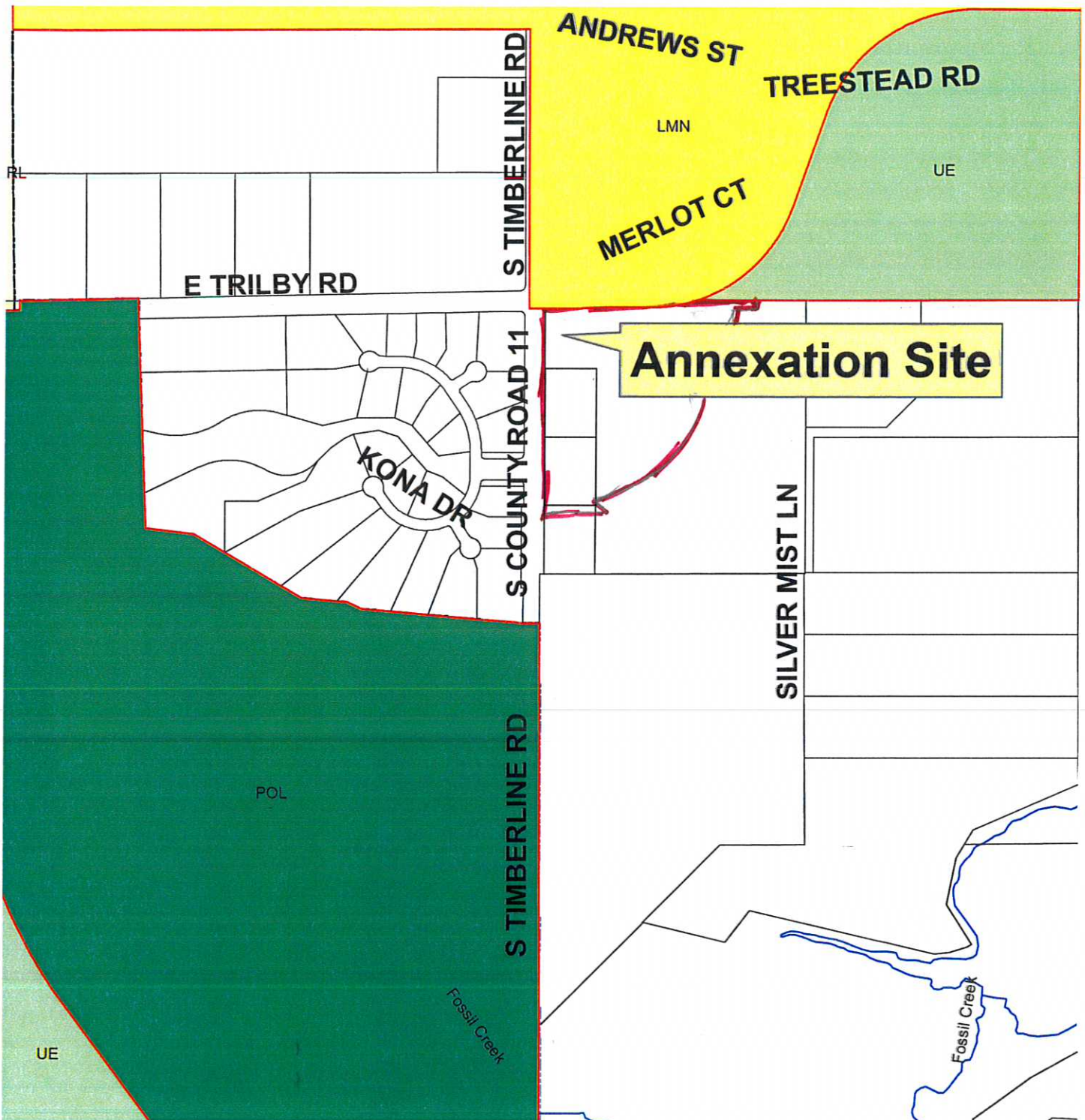
Leistikow Annexation Vicinity Map

1 inch = 600 feet



City of Fort Collins Zoning Map

Leistikow Annexation



1 inch = 700 feet

Legend

WaterBodies
City Zoning

ZONE

NCM

Limited Commercial

Service Commercial

Employment

Low Density Mixed-Use Neighborhood

Neighborhood Conservation Buffer

Neighborhood Conservation Low Density

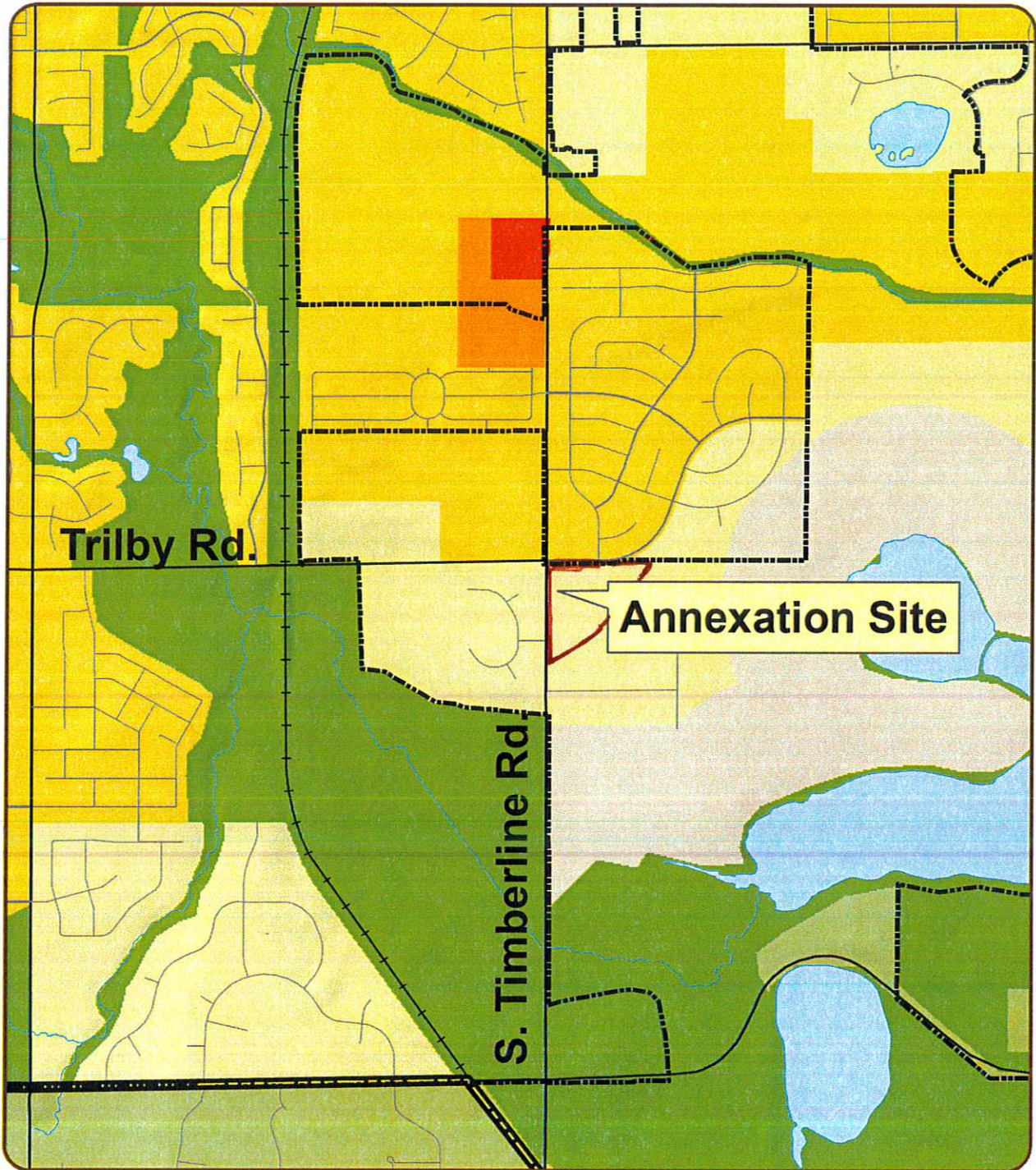
Public Open Lands

River Conservation

Urban Estate



Leistikow Annexation Structure Plan



Boundaries

- Fort Collins GMA
- Potential GMA Expansion
- Other City GMA
- Planning Area
- Adjacent Planning Areas
- City Limits

Districts

- Downtown District
- Community Commercial District
- General Commercial District
- Neighborhood Commercial District
- Campus District
- Employment District
- Industrial District

Neighborhoods

- Urban Estate
- Low Density Mixed-Use
- Medium Density Mixed-Use

Edges

- Community Separator
- Foothills
- Rural Lands

Corridors

- Open Lands, Parks and Water Corridors
- Poudre River Corridor
- Enhanced Travel Corridor (Transit)



1 inch = 0.3 miles