

ORDINANCE NO. 073, 2024
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 I-25 & MULBERRY ANNEXATION TO THE CITY OF FORT
COLLINS, COLORADO, AND APPROVING CORRESPONDING
CHANGES TO THE RESIDENTIAL NEIGHBORHOOD SIGN DISTRICT
MAP AND LIGHTING CONTEXT AREA MAP

A. On June 4, 2024, the City Council adopted on second reading Ordinance No. 072, 2024, annexing to the City of Fort Collins the property known as the I-25 & Mulberry Annexation (the "Property").

B. Division 1.3 of the Land Use Code of the City of Fort Collins establishes the Zoning Map and Zone Districts of the City.

C. Division 2.9 of the Land Use Code of the City of Fort Collins establishes procedures and criteria for reviewing the zoning of land.

D. Pursuant to Land Use Code Section 2.9.2, the City Planning and Zoning Commission, at its meeting on May 16, 2024, voted to [not] recommend zoning the Property to be known as the I-25 & Mulberry Annexation (the "Property") as General Commercial and Industrial Zone Districts as more particularly described below and determined that the proposed zonings are consistent with the City's Comprehensive Plan.

E. The City Council has determined that the proposed zonings of the Property are consistent with the City's Comprehensive Plan.

F. To the extent applicable, the City Council has also analyzed the proposed zonings against the applicable criteria set forth in Section 2.9.4(H)(3) of the Land Use Code and finds the proposed zonings to be in compliance with all such criteria.

G. In accordance with the foregoing, the City Council has considered the zonings of the Property as described below, finds it to be in the best interests of the City, and has determined that the Property should be zoned as hereafter provided.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. 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 following portion of the Property in the General Commercial ("CG") Zone District as more particularly described as:

A PORTION OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 2009006924 IN THE RECORDS OF THE LARIMER COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED AT THE SOUTHWEST CORNER BY A 3" BRASS CAP STAMPED " LS23503 2007" IN A RANGE BOX, AND AT THE WEST QUARTER CORNER BY A 2"ALUMINUM CAP STAMPED " LS 5028 1998" ASSUMED TO BEAR N00°09'34"W.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE N70°26'24"E A DISTANCE OF 648.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 25, AND THE POINT OF BEGINNING;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SIX (6) COURSES:

1. N58°42'20"W A DISTANCE OF 212.59 FEET;
2. N38°22'59"W A DISTANCE OF 442.05 FEET;
3. N14°16'20"W A DISTANCE OF 206.20 FEET;
4. N00°13'50"W A DISTANCE OF 37.90 FEET;
5. THENCE N00°31'20"W A DISTANCE OF 940.70 FEET;
6. N03°19'40"E A DISTANCE OF 245.20 FEET, TO THE SOUTHWESTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 20050043464;

THENCE ON THE SOUTHERLY LINE OF SAID PROPERTY, THENCE S89°19'40"E A DISTANCE OF 400.00 FEET; THENCE DEPARTING SAID SOUTHERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. S00°40'20"W A DISTANCE OF 591.74 FEET;
2. S44°30'21"W A DISTANCE OF 127.98 FEET;
3. S00°29'39"E A DISTANCE OF 256.82 FEET, TO A POINT OF CURVE;

4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 88°52'35" AND AN ARC LENGTH OF 930.71 FEET, TO A POINT OF TANGENT;
5. S89°22'14"E A DISTANCE OF 333.27 FEET;

THENCE ON SAID WESTERLY LINE, S00°20'18"W A DISTANCE OF 198.69 FEET, TO THE NORTHEASTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 20120069518;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID PROPERTY, THE FOLLOWING FOUR (4) COURSES:

1. N69°41'20"W A DISTANCE OF 224.55 FEET;
2. N81°42'20"W A DISTANCE OF 504.90 FEET;
3. N58°42'20"W A DISTANCE OF 20.61 FEET;
4. S00°19'40"W A DISTANCE OF 300.00 FEET, TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 753,127 SQUARE FEET OR 17.2894 ACRES.

Section 2. 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 following portion of the Property in the Industrial ("I") Zone District as more particularly described as:

A PORTION OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 2009006924 IN THE RECORDS OF THE LARIMER COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED AT THE SOUTHWEST CORNER BY A 3" BRASS CAP STAMPED " LS23503 2007" IN A RANGE BOX, AND AT THE WEST QUARTER CORNER BY A 2"ALUMINUM CAP STAMPED " LS 5028 1998" ASSUMED TO BEAR N00°09'34"W.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE N3°41'03"E A DISTANCE OF 2153.64 FEET TO A POINT TO A POINT ON THE SOUTHERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 20050043464 AND THE POINT OF BEGINNING;

THENCE ON SAID SOUTHERLY LINE, S89°19'40"E A DISTANCE OF 841.28 FEET, TO A POINT ON THE WESTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 2002051529;

THENCE ON THE SAID WESTERLY LINE, S00°20'18"W A DISTANCE OF 1528.39 FEET; THENCE DEPARTING SAID WESTERLY LINE THE FOLLOWING FIVE (5) COURSES:

1. N89°22'14"W A DISTANCE OF 333.27 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 88°52'35" AND AN ARC LENGTH OF 930.71 FEET, TO A POINT OF TANGENT;
3. N00°29'39"W A DISTANCE OF 256.82 FEET;
4. N44°30'21"E A DISTANCE OF 127.98 FEET;
5. N00°40'20"E A DISTANCE OF 591.74 FEET, TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 1,290,778 SQUARE FEET OR 29.6322 ACRES.

Section 3. That the Sign District Map adopted pursuant to Section 3.8.7.1(M) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the Property described herein is not included in the Residential Neighborhood Sign District.

Section 4. That the Lighting Context Area Map adopted pursuant to Section 3.2.4(H) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the Property described herein is included in the LC2 Lighting Context Area.

Section 5. 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 on May 21, 2024, and approved on second reading for final passage on June 4, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: June 14, 2024

Approving Attorney: Brad Yatabe